

Canterbury Earthquake Recovery Review Panel

Private Bag 4999
Christchurch 8140

19 August 2011

Hon Gerry Brownlee
Minister for Canterbury Earthquake Recovery
Executive Wing, 7.6
Parliament Buildings
WELLINGTON

Hon Dr Nick Smith
Minister for the Environment
Executive Wing
Parliament Buildings
WELLINGTON

Hon Kate Wilkinson
Minister of Conservation
Executive Wing
Parliament Buildings
WELLINGTON

Dear Ministers

Canterbury Earthquake (Resource Management Act – Electricity Network Recovery) Order 2011 and Canterbury Earthquake (Reserves Act-Electricity Network Recovery) Order 2011

On 19 August 2011 the Canterbury Earthquake Recovery Review Panel (the Review Panel) considered the Canterbury Earthquake (Resource Management Act – Electricity Network Recovery) Order 2011 (version PCO 15265/5.0) and the Canterbury Earthquake (Reserves Act-Electricity Network Recovery) Order 2011 (version PCO 15346/5.0).

As required under section 73(3) of the Canterbury Earthquake Recovery Act 2011, please find attached the Review Panel's report on the draft Orders including our recommendation.

Yours sincerely



The Honourable Sir John Hansen
Convenor, Canterbury Earthquake Recovery Review Panel

cc Chief Executive, Ministry for the Environment
cc Director-General, Department of Conservation

Canterbury Earthquake Recovery Review Panel

IN THE MATTER

of the Canterbury Earthquake Recovery Act 2011

AND

IN THE MATTER

of the Canterbury Earthquake Recovery Review Panel appointed under s72(1) of the Canterbury Earthquake Recovery Act 2011 to provide advice on Orders in Council that may be required for the purposes of the Act

THE REVIEW PANEL

The Honourable Sir John Hansen (Convenor)
Right Honourable Dame Jenny Shipley
Murray Sherwin
Anake Goodall

REPORT AND RECOMMENDATION OF THE REVIEW PANEL

CANTERBURY EARTHQUAKE (RESOURCE MANAGEMENT – ELECTRICITY NETWORK RECOVERY) ORDER 2011 AND CANTERBURY EARTHQUAKE (RESERVES ACT-ELECTRICITY NETWORK RECOVERY) ORDER 2011

1. On 19 August 2011 the Canterbury Earthquake Recovery Review Panel (the Review Panel) considered the Canterbury Earthquake (Resource Management Act – Electricity Network Recovery) Order 2011 (version PCO 15265/5.0) and the Canterbury Earthquake (Reserves Act-Electricity Network Recovery) Order 2011 (version PCO 15346/5.0).
2. The Review Panel considered the joint letter from Kevin Currie of the Ministry for the Environment and Doris Johnston of the Department of Conservation dated 15 August 2011. The Review Panel sought further information on the 18 August 2011 seeking clarification on the temporary or permanent status of structures and the impact on the usability of Porritt Park. The Ministry for the Environment provided further information about the draft Order in a letter dated 18 August 2011.
3. The Review Panel noted that the objective of the proposal is to facilitate recovery by expediting Resource Management Act 1991 and Reserves Act processes for electricity network recovery works in Christchurch.
4. The further information about the proposal provided to the Review Panel contained advice from Ministry officials that:
 - a. The Orders provide that any licence or resource consent granted for the temporary 66Kv lines will expire on the expiry of the Canterbury Recovery Act 2011, if not before. Any permanent replacements to the 66kV lines will not be covered by the provisions of these Orders and will require any necessary authorisations to be granted by the relevant local authority;

- b. the new substation on Rawhiti Domain is to be a permanent fixture; and
 - c. the route of the 66kV temporary line across Porritt Park has no immediate impact on the use of the park.
5. The Review Panel noted that there is uncertainty about the future customer base and demand for electricity within the Eastern suburbs in the longer term, and the difficulty Orion faces in planning a more permanent solution. The Review Panel considers the Orders are an appropriate use of the Canterbury Earthquake Recovery Act 2011 powers and a pragmatic approach to the challenges of maintaining a viable and reliable power supply into the Eastern suburbs while the City works its way through the recovery and reconstruction phase. The Review Panel noted that the Orders expire in April 2016 and that the Orion will need to apply for their on-going presence and operation under the then-existing regulatory regime.
6. The Review Panel is of the view that the draft Orders are necessary, expedient and meet the purposes of the Canterbury Earthquake Recovery Act 2011.

Recommendation

1. The Review Panel recommends to the Minister for the Environment and the Minister of Conservation that the Canterbury Earthquake (Resource Management Act – Electricity Network Recovery) Order 2011 (version PCO 15265/5.0) and the Canterbury Earthquake (Reserves Act-Electricity Network Recovery) Order 2011 (version PCO 15346/5.0) be made without change.



Date 19 August 2011

The Honourable Sir John Hansen
Convenor, Canterbury Earthquake Recovery Review Panel