

Reprint
as at 19 April 2016



Canterbury Earthquake (Reserves Act—Electricity Network Recovery) Order 2011 (SR 2011/308)

Canterbury Earthquake (Reserves Act—Electricity Network Recovery) Order 2011: revoked, on 19 April 2016, by section 146(2) of the Greater Christchurch Regeneration Act 2016 (2016 No 14).

Jerry Mateparae, Governor-General

Order in Council

At Christchurch this 5th day of September 2011

Present:

The Right Hon John Key presiding in Council

Pursuant to section 71 of the Canterbury Earthquake Recovery Act 2011, His Excellency the Governor-General makes the following order, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the relevant Minister following the Canterbury Earthquake Recovery Review Panel's review of a draft of the order.

Contents

	Page
1 Title	2
2 Commencement	2
3 Expiry	2

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

This order is administered by the Department of Conservation.

4	Interpretation	2
	<i>New electricity substation on part of Rawhiti Domain</i>	
5	New electricity substation area classified as local purpose reserve	3
6	Grant of easement over new electricity substation area	3
	<i>Temporary electricity lines and generators on reserves</i>	
7	Grant of licence for temporary electricity lines	3
8	Grant of licence for temporary electricity generators	4

Order

1 Title

This order is the Canterbury Earthquake (Reserves Act—Electricity Network Recovery) Order 2011.

2 Commencement

This order comes into force on the day after the date of its notification in the *Gazette*.

3 Expiry

This order expires on the expiry of the Canterbury Earthquake Recovery Act 2011.

4 Interpretation

- (1) In this order, unless the context requires another meaning,—

Act means the Reserves Act 1977

new electricity substation means a 66 kV/11 kV/400 V electricity substation on Rawhiti Domain at Keyes Road, New Brighton

new electricity substation area means the areas shown as “A” and “B” on DP 442008

temporary electricity generators means any diesel electricity generators—

- (a) that Orion New Zealand Limited situates on land within the district of Christchurch City Council; and
- (b) that, in the opinion of the Council after consulting Orion New Zealand Limited, are reasonably necessary to ensure continuity of electricity supply within the district

temporary electricity lines means the following overhead electricity lines:

- (a) a 66 kV electricity line from the electricity substation at Pages Road, New Brighton, to the new electricity substation:
- (b) a 66 kV electricity line from Bromley to Dallington:

- (c) a 66 kV electricity line from Bromley to New Brighton.
- (2) A term used but not defined in this order that is defined in the Act has the meaning given by the Act.

New electricity substation on part of Rawhiti Domain

5 New electricity substation area classified as local purpose reserve

- (1) The new electricity substation area is classified as a local purpose reserve (subject to section 23 of the Act) for the purposes of an electricity substation.
- (2) The classification is to be treated as if it were done in accordance with section 16 of the Act.

6 Grant of easement over new electricity substation area

- (1) This clause applies if Christchurch City Council grants, under section 48 of the Act, the easement described in subclauses (2) and (3) as the administering body of the local purpose reserve comprising the new electricity substation area.
- (2) The easement must be an easement in gross in favour of Orion New Zealand Limited for an electricity substation and the conveyance of electricity.
- (3) The easement must be granted in perpetuity over the new electricity substation area.
- (4) Despite section 48(1) and (2) of the Act, the Council need not—
 - (a) obtain the Minister’s consent to, or conditions for, the easement; or
 - (b) give public notice of the proposed easement; or
 - (c) receive and consider objections and submissions about the proposed easement.
- (5) The Council may grant the easement despite anything in the Act, in any conservation management strategy or conservation management plan, or in any management plan approved under section 41 of the Act.

Temporary electricity lines and generators on reserves

7 Grant of licence for temporary electricity lines

- (1) The Christchurch City Council may grant the licence described in subclauses (2) to (4) over all or part of the reserves for which it is the administering body, as if empowered to do so by section 74(2) of the Act.
- (2) The licence must be granted to Orion New Zealand Limited.
- (3) The licence must provide for the licensed area to be occupied by any parts of the temporary electricity lines that cross the area.
- (4) The licensed area may cover part of a temporary electricity line only if, in the opinion of the Council after consulting Orion New Zealand Limited, it is not reasonably practicable for the part to be routed elsewhere.

- (5) If granted, the licence expires on the expiry of this order if it has not expired before then.
- (6) Despite section 74(1) and (3) of the Act, the Council need not—
 - (a) obtain the Minister’s consent to the licence; or
 - (b) give public notice of the proposed licence; or
 - (c) receive and consider objections and submissions about the proposed licence.
- (7) The Council may grant the licence despite anything in the Act, in any conservation management strategy or conservation management plan, or in any management plan approved under section 41 of the Act.

8 Grant of licence for temporary electricity generators

- (1) The Christchurch City Council may grant the licence described in subclauses (2) to (4) over all or part of the reserves for which it is the administering body, as if empowered to do so by section 74(2) of the Act.
- (2) The licence must be granted to Orion New Zealand Limited.
- (3) The licence must provide for the licensed area to be occupied by 1 or more temporary electricity generators.
- (4) To avoid doubt, the licence may provide for only those generators that, in the opinion of the Council after consulting Orion New Zealand Limited, are reasonably necessary to ensure continuity of electricity supply within the district of the Council.
- (5) If granted, the licence expires on the expiry of this order if it has not expired before then.
- (6) Despite section 74(1) and (3) of the Act, the Council need not—
 - (a) obtain the Minister’s consent to the licence; or
 - (b) give public notice of the proposed licence; or
 - (c) receive and consider objections and submissions about the proposed licence.
- (7) The Council may grant the licence despite anything in the Act, in any conservation management strategy or conservation management plan, or in any management plan approved under section 41 of the Act.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

The purpose of this order is to modify or extend provisions of the Reserves Act 1977 (the Act) to allow the following to be granted over certain reserves administered by Christchurch City Council:

- an easement for a permanent new electricity substation on Rawhiti Domain, New Brighton:
- if required, a licence for any relevant parts of 3 temporary overhead electricity lines—1 from the existing electricity substation at Pages Road, New Brighton, to the new electricity substation, 1 from Bromley to Dallington, and 1 from Bromley to New Brighton:
- a licence for certain temporary electricity generators.

The order comes into force on the day after the date of its notification in the *Gazette* and expires on the expiry of the Canterbury Earthquake Recovery Act 2011.

Clause 4 defines certain terms used in the order.

Clause 5 reclassifies part of Rawhiti Domain as a local purpose reserve for the purposes of an electricity substation.

Clause 6 allows an easement to be granted for the new electricity substation without complying with certain requirements of the Act or of strategies or plans.

Clause 7 allows a licence to be granted for any required part of the temporary electricity lines, as long as it is not reasonably practicable for the part to be routed elsewhere. The licence may be granted without complying with certain requirements of the Act or of strategies or plans.

Clause 8 allows a licence to be granted for temporary electricity generators, as long as the generators are reasonably necessary to ensure continuity of electricity supply. The licence may be granted without complying with certain requirements of the Act or of strategies or plans.

This order is made under the Canterbury Earthquake Recovery Act 2011 and its effect is temporary.

Reprints notes

1 *General*

This is a reprint of the Canterbury Earthquake (Reserves Act—Electricity Network Recovery) Order 2011 that incorporates all the amendments to that order as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Greater Christchurch Regeneration Act 2016 (2016 No 14): section 146(2)