

Te Tai o Poutini Plan Proposed Plan

Submission form

Te Tai o
Poutini Plan
Proposed
Plan

Have
your
say!

We need your feedback. We want to hear from you on the proposed Te Tai o Poutini Plan. What do you support and what would you like changed? And why? It is just as important to understand what you like in the Proposed Plan as what you don't. Understanding everyone's perspectives is essential for developing a balanced plan.

Your details:

First name: **David**

Surname: **Inch**

Are you submitting as an individual, or on behalf of an organisation? Individual Organisation

Organisation (if applicable): **NZ Energy Ltd**

Would you gain an advantage in trade competition through this submission? Yes No

If you **could** gain an advantage in trade competition through this submission please complete the following:

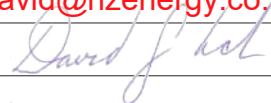
I am /am not directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Postal address: **PO Box 113**

Motueka

Email: **david@nzenergy.co.nz**

Phone: **027 2296718**

Signature: 

Date: **09/11/22**

Your submission:

The specific provisions of the proposal that my submission relates to are:

- | | | |
|---|---|--|
| <input type="checkbox"/> Strategic Direction | <input checked="" type="checkbox"/> Energy Infrastructure and Transport | <input type="checkbox"/> Hazards and Risks |
| <input type="checkbox"/> Historical and Cultural Values | <input type="checkbox"/> Natural Environment Values | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> General District Wide Matters | <input type="checkbox"/> Zones | <input type="checkbox"/> Schedules |
| <input type="checkbox"/> Appendices | <input checked="" type="checkbox"/> General feedback | |

All submitters have the opportunity to present their feedback to Commissioners during the hearings process. Hearings are anticipated to be held in the middle of 2023. Please indicate your preferred option below:

I wish to speak to my submission I do not wish to speak to my submission

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes, I would consider presenting a joint case No, I would not consider presenting a joint case

Public information - all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. The content provided in your submission form will be published to the Te Tai o Poutini Plan website and available to the public. It is your responsibility to ensure that your submission does not include any personal information that you do not want published.

Want to know more?

www.tppp.nz

0508 800 118



Te Tai o Poutini
PLAN

A combined district plan for the West Coast

My submission:

(Include whether you support or oppose the specific provisions or wish to have them amended, reasons for your views and the decision you seek from us).

Please attach more pages if required.

How to send in your submission form

▶ Did you know you can complete this submission form online?

 Online submission form:
www.ttpp.nz

▶ Or post this form back to us:

 **TTPP Submissions, PO Box 66,
Greymouth 7840**

Submissions must be made by 5pm, Friday 11th November 2022



26 July 2022

PO Box 113

Motueka 7143

Ph: 03 5281068

Te Tai o Poutini Plan Team
PO Box 66
388 Main South Road,
Paroa
GREYMOUTH 7805

Email: info@tpp.nz

Dear Sir/Madam,

Te Tai o Poutini Plan

New Zealand Energy Limited would like to thank the District Councils on the West Coast (Buller, Grey and Westland) for the opportunity to provide a submission on the Te Tai o Poutini Plan (TTPP).

New Zealand Energy Limited (NZE) own and operate three small hydro power stations throughout New Zealand. Two of these stations are located in South Westland. They are small in scale and sit well with their communities, providing a valuable source of renewable energy whilst providing support and capacity for the local electricity distribution networks.

These stations include infrastructure that occupies part of the Public Conservation Land (PCL) and consequently operate under DOC concessions NZE also hold other concessions for electricity transmission lines and radio repeater activities.

The current TTPP is of significant interest to NZE along with any changes to the current District planning framework that impact on the operation and costs associated with our existing business and the development of future potential schemes on the West Coast.

Specific Responses

DISTRICT WIDE MATTERS - ENERGY, INFRASTRUCTURE, AND TRANSPORT –Energy

NZE notes that the Plan states under the Statutory Context that amongst other planning instruments the Plan must give effect to the West Coast Regional Policy Statement and relevant National Policy Statements specifically, the National Policy Statement for Renewable Electricity Generation 2011.

While we support the provisions outlined in the Energy section of the plan, we consider that existing Hydroelectric Infrastructure should be included as a Special Purpose Zone similar to that provided for Mineral Extraction. We consider that this is consistent with the

requirements to give effect to West Coast Regional Policy Statement and the National Policy Statement for Renewable Electricity Generation 2011. The case supporting this change is outlined in the following submission.

Overview of renewable energy generation schemes on the West Coast

Existing Assets

As stated earlier, NZE own and operate two small hydro power stations located in South Westland. They are small in scale and sit well with their communities, providing a valuable source of renewable energy whilst as a function of their connection provide support and capacity for the local transmission networks.

NZE owns stations on the Turnbull River and west of the Fox township. These are run of river systems with a small footprint including intakes, pipelines and small hydro stations housing the required turbomachinery.

NZE also owns and operates electricity supply backup services and electricity distribution assets from Haast Township to Jacksons Bay.

NZE needs to have access to land in the Haast area in order to maintain and extend its electricity network and supply a reliable electricity supply to its consumers. This is critical to maintaining the social fabric of the area.

Current and future needs

Over the period that NZE has owned these assets there has been significant growth in the population and economic activity in South Westland and the West Coast in general. Along with this growth there has been a greater requirement and increased expectation regarding availability of electricity and security of supply.

Further examples of future requirements is the demand for electric car charge points along the West Coast. NZE has been approached by MBIE to provide a reliable supply at Haast.

Given this increasing demand and the limitations on the current network infrastructure there is significant opportunity to provide a series of small, low impact embedded hydroelectric generating plants using several of the numerous creeks that feed off the Southern Alps.

Future Potential Development

As a shareholder of Griffin Creek Hydro, NZE is currently progressing a small hydroelectric development on Griffin Creek a tributary of the Taramakau River. The scheme includes a small intake, pipeline and powerhouse adjacent to the State Highway 78. It will produce up to 4-Megawatts and will generate enough electricity for 2000 homes.

In addition to this development NZE is investigating potential enhancements of its existing schemes and a number of new small schemes, using small creeks located adjacent to the State Highway throughout South Westland.

It is vital that the TTPP recognises the importance of current hydro-electric infrastructure and supports within reasonable parameters the development of future infrastructure to meet the growing needs of the West Coast.

The provision of a Special Purpose Zone for hydroelectric generation would support the ongoing management of existing hydro-electric assets and go a long way to support further development of new opportunities.

West Coast Regional Council Policy Statement

As discussed above the TTPP must give effect to the West Coast Regional Policy Statement (WCRPS).

The current WCRPS and associated Land and Water Plan, includes Rule 54 which creates a separate set of criteria for consenting activities related to hydroelectric generation. The Plan also includes Schedule 13 which includes a schedule of hydroelectric schemes controlled under Rule 54. An explanation is provided on the reasons for including these facilities in a separate planning framework.

Explanation

Rule 54 relates to the consenting of existing activities associated with lawfully authorised and established hydroelectric power generation schemes. This Rule recognises that certain dams identified in Schedule 13 have been lawfully established and operated responsibly for a number of years and the range of issues which require consideration by the Council is not as wide as for a new dam. It is not expected within the lifetime of this Plan that a new consent an existing hydroelectric generation scheme would be declined, therefore a controlled activity status is appropriate and it provides certainty for the applicant.

Extracts of these Plans are included in Appendix A.

The provision of a Special Purpose Zone for hydroelectric generation is consistent with the WCRPS and would support the ongoing management of existing hydro-electric assets owned by NZE and go a long way to support further development of new opportunities.

Examples of Hydro Generation Zones in Other District Plans in New Zealand

There are a number of examples of hydroelectric assets being included in Special Zones in other District Plans in New Zealand. We have provided two examples including the current Queenstown Lakes District Plan and The Central Otago District Plan. Extracts of these Plans are included in Appendix B.

Again, the provision of a Special Purpose Zone for hydroelectric generation is consistent with other District Plans in New Zealand where similar facilities exist.

Consistency with New Zealand government wider environmental policy

In considering any planning instrument the TTPP must take account of wider government policy regarding reducing net emissions of greenhouse gases the impacts on potential mitigation measures to climate change such as New Zealand's renewable electricity generation goals.

The interconnection between achieving these goals and reducing the impacts on biodiversity are well documented.

We consider that TTPP can play a meaningful role in assisting the Government to meet its emission reduction and renewable electricity generation targets and conserve the natural values found on West Coast land from the impacts of climate change.

As outlined above, the planning regime for land where NZE renewable electricity generation and distribution infrastructure is located or proposed to be located should recognize the importance of renewable electricity generation. The provision of a Special Purpose Zone for hydroelectric generation would support these policies.

DISTRICT WIDE MATTERS – SUBDIVISIONS – Financial Contributions

NZE has concerns that under the Financial Contributions section the Councils have proposed provisions seeking financial contributions on land use consents to remedy or mitigate adverse effects on environmental, natural landscape and biodiversity values. There is no methodology in these provisions on how these contributions will be calculated, how the

money would be collected and managed, nor how it would be spent on mitigation (rule FC-R12). While we understand the requirements for financial contributions to support additional operational requirements or provision of new infrastructure, we consider that conditions or costs imposed to remedy or mitigate adverse effects, on environmental, natural landscape and biodiversity values, should be managed through Regional Council consents.

NZE, therefore, opposes the inclusion of provisions relating to seeking financial contributions on land use consents to remedy or mitigate adverse effects on environmental, natural landscape and biodiversity values.

Conclusion

While NZE supports the provisions outlined in the Energy section of the Plan, we consider that existing Hydroelectric Infrastructure should be included as a Special Purpose Zone similar to that provided for Mineral Extraction. We consider that this is consistent with the requirements to give effect to the required to give effect to West Coast Regional Policy Statement and the National Policy Statement for Renewable Electricity Generation 2011.

The addition of this special zone and associated rules would also be consistent with provisions provided in similar District Plans throughout New Zealand.

NZE opposes the inclusion of provisions relating to seeking financial contributions on land use consents to remedy or mitigate adverse effects on environmental, natural landscape and biodiversity values. The methodology for assessment and management of these funds is unclear and we consider that conditions or costs imposed to manage these effects should be managed through Regional Council consents.

Hydroelectric generation is vital infrastructure on the West Coast now and in the future and should be recognised in the various planning instruments that impact on its ongoing operation and future development.

NZE wishes to be heard in respect of its submission and we are happy to answer any queries or meet and discuss any of the issues and thoughts outlined above. It is imperative that the TTPP engage directly with existing hydroelectric generation stakeholders to ensure the new plan achieves its objectives.

Yours sincerely,



David Inch

Managing Director

Appendix A

- (h) The review of conditions of the resource consent.

Rule 53. Community water supply takes from groundwater

The taking and use of groundwater for community water supply by any take identified in Schedule 7B, up to the volume and rate authorised as at 31 March 2004, is a **controlled activity**.

In granting any resource consent for the taking of ground water in terms of this Rule, the Council will restrict the exercise of its control to the following:

- (a) Any adverse effect on any existing lawful take of water;
- (b) Any adverse effect on any connected surface water body;
- (c) The means and timing of the take, and the rate of take;
- (d) The quantity of water required to meet the needs of the community;
- (e) The duration of the resource consent;
- (f) The information and monitoring requirements; and
- (g) The review of conditions of the resource consent.

Note: An application for resource consent under Rules 52 and 53 does not need to be notified.

Explanation

Rule 53 ensures security of community water supplies while allowing environmental effects to be addressed.

Rule 54. Hydroelectric generation

For the hydro-electricity operations identified in Schedule 13 of this Plan:

- (i) The damming of water for hydroelectric power generation purposes; or
- (ii) The taking of water for hydroelectric power generation purposes; or
- (iii) The use of water for hydroelectric power generation purposes; or
- (iv) The discharge of water and trace contaminants to water for hydroelectric power generation purposes; or
- (v) The diversion of water for hydroelectric power generation purposes;

is a **controlled activity**.

In considering any resource consent for the damming, taking, use, discharge or diversion of water in terms of this rule, the Council will restrict the exercise of its control to the following matters:

- (a) Any adverse effect of continuing or discontinuing the damming, taking, use, discharge or diversion of water on:
 - i) Any natural or human use value identified in Policy 3.3.1, 3.3.2, and 3.3.3 of any affected water body, including the impoundment itself; or
 - ii) The water quality of the lake or river; or
 - iii) The amenity values of the lake or river; or
 - iv) Fish passage; or
 - v) Any existing lawfully established take, use, dam, discharge or diversion of water; or
 - vi) Public access to and along any lake or river, and present and future access to the water resource for the purpose of taking or using water or discharging contaminants or water to water; and
- (b) Any maximum or minimum level or flow of water, and the range, or rate of change, levels or flows of water; and
- (c) Any potential flooding, erosion, land instability, sedimentation or property damage resulting from the damming, diversion, taking, use, or discharging of water or from the discontinuation of the damming, diversion, taking, use or discharging of water; and
- (d) The management of the lake or river shores; and
- (e) Invasion by or proliferation of aquatic plants; and
- (f) Any restoration of exposed lake bed resulting from any reduction in authorised lake levels; and
- (g) The purpose of the existing dam or lake level control; and
- (h) The duration of the resource consent; and
- (i) The information and monitoring requirements; and
- (j) Any financial contribution; and

- (k) Any bond; and
- (l) Review of the conditions of the resource consent.

An application for resource consent under this rule does not need to be notified and does not need to be served on persons who may be adversely affected by the activity, provided that Council will serve the application on the Director General of Conservation if it considers the Director General may be adversely affected by the activity.

Explanation

Rule 54 relates to the re-consenting of existing activities associated with lawfully authorised and established hydroelectric power generation schemes. This Rule recognises that certain dams identified in Schedule 13 have been lawfully established and operated responsibly for a number of years and the range of issues which require consideration by the Council is not as wide as for a new dam. It is not expected within the lifetime of this Plan that a new consent an existing hydroelectric generation scheme would be declined, therefore a controlled activity status is appropriate and it provides certainty for the applicant.

The Department of Conservation has particular functions involving the preservation and protection of freshwater fisheries and freshwater fish habitat. Furthermore, many of the existing hydro schemes listed in Schedule 13 are located on (in full or in part) or connected to, areas administered by the Department.

18.3.3 Restricted Discretionary Takes, Uses, and Diversions of Water

Rule 55. Take and use of surface water

Unless permitted by Rules 39, 40, or 42, or controlled by Rules 52 or 53, the taking and use of surface water where:

- (i) The total volume of water allocated from the river is less than 20% of the mean annual low flow (MALF) of the river; or
- (ii) The applicant accepts a minimum flow based on 75% of the mean annual low flow (MALF) of the river;

is a **restricted discretionary** activity.

In considering any resource consent under this rule the council will restrict the exercise of its discretion to the following:

- (a) The amount of water to be taken;
- (b) The flow available in the source water body;
- (c) The current allocation from the source water body;
- (d) The minimum flow to be applied to the take, if required;
- (e) Any adverse effect on any existing lawful take of water, if consent is granted;
- (f) The instream values supported by the source water body and related waterbodies, and any potential adverse effect of the taking on those values, if consent is granted;
- (g) Any need to prevent fish and eel entering the intake;
- (h) The means and timing of the take, and the rate of take;
- (i) The quantity of water required for the intended use;
- (j) The duration of the resource consent;
- (k) The information and monitoring requirements; and
- (l) The review of conditions of the resource consent.

An application for resource consent under this Rule does not need to be notified.

For smaller streams with high instream values the location and rate of take and the seasonal timing of the take can be controlled by conditions on the consent as set out in the explanation to Policy 7.3.1.

Rule 56. Other takes and uses of groundwater

Schedule 13: Hydro Schemes Controlled Under Rule 54

Arnold River Hydro Electric Scheme	<ul style="list-style-type: none"> ▪ Arnold River Dam and spillway discharge; ▪ Pipeline including intake, arch dam and pipeline bridge; ▪ Powerstation and associated surge tank and penstocks; ▪ Tailrace and discharge to Arnold River.
Dillmans, Duffers and Kumara Hydro Electric Scheme	<ul style="list-style-type: none"> ▪ Arahura Wainihinihi race and Rough Wainihinihi race and their intakes and discharges; ▪ Duffers powerhouse and intake from Kawhaka Creek; ▪ Loopline and Kapitea reservoirs; ▪ Dillman's powerhouse and intake and discharge to Dillmans race; ▪ Kumara powerhouse and discharge to the Taramakau river.
Fox Hydro Electric Power Scheme	<ul style="list-style-type: none"> ▪ Weir structure on Skiffingtons swamp; ▪ Weir structure on Lake Gault; ▪ Intake, tunnel and penstock from Lake Gault to Power House; ▪ Discharge from tunnel and powerstation to Clearwater Creek
McKays Creek Hydro Electric Scheme	<ul style="list-style-type: none"> ▪ Kaniere River Weir and No. 2 race gates & intake; ▪ No. 2 race, Coal Creek and Blue Bottle Creek; ▪ Powerstation and associated penstock, forebay & screens, emergency bywash and spillway and discharge to Kaniere River.
Kaniere Forks Hydro Electric Scheme	<ul style="list-style-type: none"> ▪ Lake Kaniere weir, lake level control boards, intake control gates and screen; ▪ No. 1 race and Johnsons flume ▪ Powerstation and associated penstock, forebay and screens and discharge to Kaniere River.
Turnbull Hydro Electric Power Scheme	<ul style="list-style-type: none"> ▪ Intake structure on Turnbull River; ▪ Settling basin, pipeline, surge tank and penstock to power house; ▪ Discharge from settling basin, surge tank and powerstation to unnamed creek which flows into the Turnbull River
Wahapo Hydro Electric Scheme	<ul style="list-style-type: none"> ▪ Lake Wahapo weir and Armco culvert; ▪ Race, race overflow and head pond plus intake into pipeline; ▪ Powerhouse and discharge to Okarito River
Lake Moeraki, Paringa River	<ul style="list-style-type: none"> ▪ Resource consent number; RCN99077
Carew Creek, Lake Brunner	<ul style="list-style-type: none"> ▪ Resource consent number; RC01059
McGregor Creek, Waitaha River	<ul style="list-style-type: none"> ▪ Resource consent number; RC05216
Waitaki Downs, Deer Creek	<ul style="list-style-type: none"> ▪ Resource consent number; RC06108
Springs Junction, Blue Grey River	<ul style="list-style-type: none"> ▪ Resource consent number; RC10164
Griffin Creek, Big Waihinihini River	<ul style="list-style-type: none"> ▪ Resource consent number; RC10269
Kawhaka Creek, Maher Creek & Unnamed tributary of Kawhaka Creek	<ul style="list-style-type: none"> ▪ Resource consent number; RC10141
Arnold Valley Scheme	<ul style="list-style-type: none"> ▪ Resource Consent number; RC06019

Or any other lawfully approved scheme granted since the adoption of this Plan.

Appendix B

- (a) Associated structures for the taking and carrying of water, including weirs, intake structures, races, pipelines and associated structures and equipment, and,
- (b) The operation, repair, maintenance, replacement and reconstruction of structures.

19.3.4 Travellers Accommodation

Travellers accommodation that has status as a Scheduled Activity on land so identified on the District Planning Maps include:

SA No	MAP REF	SCHEDULED ACTIVITY	LEGAL DESCRIPTION
100	13A & 14	Golden Gate Lodge	Sec 1 SO 22078
101	13A & 14	Travellers accommodation, Barry/Mead Ave, Cromwell	Lots 1-3, 5-16 DP 20490
102	15	Travellers accommodation, Barry/Gair Ave, Cromwell	Lot 1 DP 25150 & Secs 1-7 & 11-14 & Pt Secs 8-10 Blk LXXV Town of Cromwell
103	15	Travellers accommodation & camping ground, Barry Ave, Cromwell	Lot 1 being Pt Lot 1 DP 24198, Pt Sec 1 SO 24271 & Lot 1 DP 25362
104	19	Hotel & Travellers accommodation - Lowburn	Lot 1 DP 20738
104A	1	Travellers accommodation, Alexandra	Pt Sec 131 Blk VII Leaning Rock SD

Travellers accommodation is a permitted activity on the site identified as Scheduled Activity provided the following standards are complied with.

- (a) Front Yards - 4.5 metres
- (b) Rear Yards - 4.5 metres
- (c) Side Yards - 3.0 metres, provided that –
 - (i) Where buildings exceed 4.5 metres in height, the side yards shall be increased by half the height above 4.5 metres.
 - (ii) Where the depth of the building or aggregate depth of buildings measured at right angles from the street boundary exceed 12 metres, each side yard shall be increased by 0.3 metres for every additional 12 metres or part thereof extra depth.
- (d) Yards on Rear Sites
4.5 metres along two boundaries of the site and at least 3.0 metres along the remaining boundaries. (Where the building exceeds 4.5 metres in height, the side yards shall be increased by 0.3m for each additional 0.6m in height). The owner or occupier shall be permitted to nominate in respect of which two boundaries the 4.5m clearance is to be provided.
- (e) Maximum height - 10 metres
- (f) Coverage
Maximum coverage of the area by buildings is 45% of the site area.
- (g) Density
In no case shall any travellers accommodation exceed a density of one person per 40 square metres (250 persons per hectare).
- (h) Landscape Provision
No less than 25% of the area of the site shall be grassed, planted in trees or shrubs, or otherwise landscaped. Ornamental or swimming pools may be regarded as landscaping for the purpose of this provision.
- (i) Parking Requirements
One carpark per bedroom or 1 per 4 occupants whichever is the greater.

19.3.5 Power Generation and Associated Facilities

Power generation facilities provided for in this schedule and the activities associated with them which may be undertaken on the land so identified on the District Planning Maps and described in the schedule shall include:

“Operation”	the working of a power generation facility on a day to day basis to generate and transmit electricity (activities include the control of lake levels, access requirements, excluding the public, storage of goods and materials, sign, provision of jetties etc).
“Maintenance”	the undertaking of work necessary to keep operating at an efficient and safe level of a power generation facility (activities include erosion and flood control, weed and sediment control, access requirements, monitoring of operations etc).
“Refurbishment”	the upgrade or renewal of existing machinery, buildings or plant to gain efficiencies in generating and transmitting electricity (activities include ancillary building and structures, earthworks and deposit of materials etc)..
“Enhancement”	the improvement of a power generation facility as a community asset or amenity (activities include landscaping, planting, painting, refurbishment of buildings etc.)

Activities specifically provided for at scheduled power generation and associated facilities include:

- a) Control of erosion and flooding including planting of vegetation and protection works.
- b) Removal of vegetation or materials that may impede the efficient operation of the facility or cause danger, injury or damage to persons or property.
- c) Exclusion of the public from facilities for public safety or security reasons.
- d) Erection of signs or notices giving warning of danger.
- e) The establishment and maintenance of jetties, wharves, landing places and slipways required for the efficient operation of the facility (subject to any Regional Council approvals required).
- f) Access tracks and roads to facilities or to erosion and flooding control works.
- g) Ancillary building and structures associated with the facility that comply with the District Plan building requirements.
- h) Earthworks, quarrying (at Sonara Creek quarry only), and depositing of material associated with the facility within the volume provisions of the District Plan.
- i) The storage of goods and material associated with the operation or maintenance of the facility.
- j) The stabilisation of landslides affecting any facility.
- k) Periodic monthly inspections to verify the integrity of and security of all systems (including oil, water and gas systems which are associated with the transmission of electricity).
- l) Digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions.
- m) The installation of instruments into drill holes for monitoring groundwater levels and land movement.
- n) Erecting survey monuments and installing instruments to monitor land movement.
- o) Installing flumes and weirs to measure groundwater flows.
- p) Erecting telemetry stations for the transmission of instrument data.
- q) Installing gauges to measure precipitation.

- r) Installing microseismic stations to measure microseismic activity and ground noise.
- s) Constructing surface drainage works and drilling boreholes and constructing tunnels under landslide areas to drain excess groundwater.
- t) Installing power transmission and communication cables.
- u) Such other works that are reasonably necessary within landslide areas for land stabilisation purposes.

Power generation and associated facilities that have status as a Scheduled Activity on land so identified on the District Planning Map include:

SA No	MAP REF	SCHEDULED ACTIVITY	LEGAL DESCRIPTION
105	9, 42 & 56	Clyde Hydro Station	Lot 1 DP 25146
105A	8, 8A, 12, 14, 16, 19, 28, 29, 41A-E, 42, 44, 48, 51, 52, 56 & Schedule 19:13	Lake Dunstan Operating Easement – Activities authorised by the Deed of Grant of Easement dated 11 December 1998	- Sec 1-11 SO 23940 - Sec 1 & 2 SO 23981 - Sec 71 Blk VI Wakefield SD - Pt Sec 64 DP 6200 Blk III Cromwell SD
105B	16, 41C, 44, 52	Waenga Station	Sec 1 SO 24318
105C	56	Weatherall Annan Buttress	Lots 1 & 2 DP 24438
105D	56	Jacksons Creek Buttress	Lots 1 & 2 DP 24088
105E	52	No 5 Creek Buttress	Lots 1 & 2 DP 24107
105F	44, 52	9 Mile Upstream Buttress	Lots 1 & 2 DP 24439
105G	41C, 44	Brewery Creek Buttress	Lots 1 & 2 DP 24094
105H	16	Cromwell Buttress	Lots 1 & 2 DP 24081
105I	11	Clyde Storage Shed	Sec 1 SO 19523
105J	44	Cromwell Relocated Tip	Lot 1 DP 25159
106	37A & 62	Roxburgh Hydro Station	Lot 1 DP 25198
106A	1, 3, 4, 6, 9, 10, 37A, 42, 43, 61, 62 & Schedule 19:12	Lake Roxburgh Operating Easement – Activities authorised by the Deed of Grant of Easement dated 21 February 2000	- Sec 1 SO 24449 - Sec 1-5 SO 24450 - Sec 100 and Pt Sec 68 Blk IX Leaning Rock SD - Pt Sec 99 Blk IX Leaning Rock - all DP 5867 and Lot 1 DP 9595 Blk 9 Leaning Rock - all DP 5723 Blk IX Leaning Rock SD - Lot 1 DP 9199 Blk IX Leaning Rock SD - Sec 7 & 8 Blk XIV Alexandra Township
106B	37A	Outdoor Switching Yard	Lot 1 DP 23226
107	45	Bridge/Ellis Powerhouse*	Section 2 SO 23641
108	45	George Powerhouse*	Section 2 SO 23641
109	45	Michelle Powerhouse*	Section 76S Teviot Settlement
110	45	Marslin Dam*	Crown Land in Blk VI Teviot SD
110A	45	Irrigation Intake Weir	Crown Land, Blk VI Teviot SD
111	51	Roaring Meg Dam	Blk VII Cromwell SD
111A	51	Roaring Meg Upper Powerhouse	Blk VI Cromwell SD
112	56	Fraser Dam	Blk VI Bannockburn

113	56	Fraser Power Station	Part Run 249 Blk X, XIII & XIV Leaning Rock SD including Area A on SO 24280
114	71	Paerau Irrigation & Power Scheme	Run 308F, Blks X, XII, XIII & XIV, Upper Taieri SD
115	72	Horseshoe Bend Powerhouse & Ancillary tunnel, pipeline, penstocks and impoundments	Section 1 Blk XXII Teviot SD
116	72	Horseshoe Bend Dam	Section 1 Blk XXII Teviot SD
117	72	Lake Onslow Dam	Blk XVI Long Valley SD

The Roxburgh and Clyde Hydro Stations are described in detail as follows –

a) Roxburgh Hydro Station

A 320MW hydro station located on the Clutha River completed in 1962. In an average year, Roxburgh Power Station will produce 1,500 gigawatt hours of energy. Roxburgh is a concrete gravity dam with a 152 metre long powerhouse directly below the dam. Water is carried directly to the turbines by eight steel penstocks, each 5.5 metres in diameter. The lake formed by the dam covers an area 6 square kilometres, extending 32 kilometres up the Roxburgh Gorge.

Facilities associated with the Roxburgh Power Station include:

- The core site at the Power Station that the Crown is to freehold to Contact Energy.
- Lake Roxburgh and its foreshore extending upstream of Alexandra to the tailrace of the Clyde Power Station and to the Manuherikia River approximately as far as the Galloway Bridge. This is land owned by the Crown and subject to an easement in favour of Contact Energy and also includes some land in the freehold ownership of Contact Energy that is to be transferred to the Crown and be subject to the same easement.

Note: See Schedule 19.12 for details of operating easement and core sites. These terms are defined below.

b) Clyde Hydro Station

A 432MW hydro station on the Clutha River, commissioned in 1992. The Clyde Power Station is the third largest in New Zealand with 4 x 108 megawatt turbine-generator machines - provision has been made in the dam to install a further two machines which would bring the capacity to 610 megawatts. In a normal operating year the Clyde Power Station will generate 1930 gigawatt hours of electricity.

Facilities associated with the Clyde Power Station include:

- The core site at the Power Station that the Crown is to freehold to Contact Energy.
- The core site at the various buttress sites for landslide stabilisation that the Crown is to freehold to Contact Energy.
- Lake Dunstan and its foreshore extending upstream of Cromwell to the Clutha and Kawarau Rivers. This is land owned by the Crown and subject to an easement in favour of Contact Energy and also includes some land in the freehold ownership of Contact Energy that is to be transferred to the Crown and be subject to the same easement.
- Landslide stabilisation works at Waenga Station.
- A switching yard.

Note: See Schedule 19.13 for details of operating easement and core sites. These terms are defined below.

Core Sites

Contact Energy owns land that it manages for hydro electricity generation purposes associated with the Roxburgh and Clyde Power Stations. This core land has been identified as core sites on maps provided to Council as part of the consultation associated with the district plan preparation process (Schedules 19.12 and 19.13). Core land directly related to the management of the hydro power stations and lakes is scheduled.

Operating Easement

Contact Energy has an operating easement over land in Crown ownership, being the beds of Lakes Roxburgh and Dunstan and their margins (see Explanation below). The purpose of this easement is to provide for activities to be undertaken by Contact Energy as part of the day to day management of the hydro facilities. The land the subject of the easement is included in the Water Surface and Margin Resource Area.

Explanation

The Crown and the Electricity Corporation of New Zealand Limited made a "Deed of Operating Easement Indemnity" dated 16 April 1993 which, amongst other things, granted an operating easement over Crown land, and land owned by the Crown. This generic document applies to the beds of lakes and rivers used for the purposes of electricity generation including land at Lake Dunstan and Lake Roxburgh (including part of the bed of the Manuherikia River and adjacent land).

Clause 12 of the Deed of Operating Easement Indemnity provides for the parties to execute such instruments as are necessary for the grant of easements in gross to similar effect as the operating easements for the purposes of section 60 of the Land Act 1948 over particular areas of the subject land. A "Deed of Grant of Easement" was executed on 11 December 1998 relating to Lake Dunstan. This was registered as 18C/859 on 12 January 1999. A "Deed of Grant of Easement" was executed on 21 February 2000 relating to Lake Roxburgh. This was registered as OT 1290 on 16 May 2000.

19.3.6 Other Scheduled Activities

The following activities have status as a Scheduled Activity on land so identified on the District Planning Maps include:

SA No	MAP REF	SCHEDULED ACTIVITY	LEGAL DESCRIPTION
118	2	Fulton Hogan Yard	Lot 1 DP 6740
119	2 & 42	ORC Pest Services Depot, Alexandra	Pt Lot 2 DP 6740
120	10 & 42	Crown Research Institute - Research Centre	Secs 1-5 SO 23865, Lots 1-4 & 6-7 DP 20586, Secs 76, 111, 120-121 & 174 Blk X Leaning Rock SD
121	17 & 63	ORC Pest Services Depot, Ettrick	Sec 60 Blk VI Bengier SD
122	15	ORC Pest Services Depot, Cromwell	Lot 24 DP 16798
123	48	ORC Pest Services Depot, Oat Cooking Complex & Workers Accommodation, Tarras	DP 7416
124	53	NIWA - Atmospheric Research Centre	Pt Lot 5 DP 17393
125	57	ORC Oat Cooking Complex	Lot 1 DP 16200
126	26	ORC Pest Services Depot, Patearoa	Lot 2 DP 12685
127	29	Commercial facilities and Shop as defined in Section 18	Part of Lot 1 DP 409539

Community facilities and Shop as defined in Section 18 is a permitted activity on the site identified as Scheduled Activity 127 subject to compliance with Rule 7.3.6(iii) Bulk and Location of Buildings and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road.

12.13 Hydro Generation Rules

12.13.1 Zone Purpose

The purpose of the Zone is to provide for hydro generation activities as long as the actual and potential adverse effects on the environment can be avoided, remedied, mitigated or compensated through appropriate financial contributions. The zone seeks to enable the continued operation and maintenance, refurbishment and/or enhancement of existing hydro generation facilities. Upgrading of existing facilities and new development is anticipated where adverse effects can be managed.

The zone at Hawea incorporates not only the Hawea dam and Gladstone Gap control structure and emergency spill way but also the lake and its foreshore. This is to enable integrated management of the resource and provide for day to day activities including weed, sediment, erosion and flood control.

The zone at Luggate identifies the area that would be subject to inundation should the project proceed. The financial contributions provisions of this zone are intended to be consistent with the adjoining territorial authority as far as practicable (Central Otago District Council) as the project has cross boundary implications.

The zone at Wye Creek, Oxburn and Roaring Meg incorporate the relevant weir and area of inundation, pipelines, penstocks and power houses. It is recognised that these smaller schemes operate on a different basis to larger lake based schemes in that water is transported from the reservoir to the power house by a pipeline (which can run over a considerable distance).

12.13.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Hydro Generation Zone Rules. If the District Wide Rules are not met, then consent will be required in respect of that matter.

- | | | |
|-------|--|--------------------|
| (i) | Heritage | - Refer to Part 13 |
| (ii) | Transport | - Refer to Part 14 |
| (iii) | Subdivision, Development & Financial Contributions | - Refer to Part 15 |

- | | | |
|-------|--|--------------------|
| (iv) | Hazardous Substances | - Refer to Part 16 |
| (v) | Utilities | - Refer to Part 17 |
| (vi) | Signs | - Refer to Part 18 |
| (vii) | Relocation of Buildings & Temporary Activities | - Refer to Part 19 |

12.13.3 Activities Other than Hydro Generation Activities

Any activity not defined as a hydro generation activity for the purposes of this Plan shall be subject to Part 5, Rural General Zone provisions.

12.13.4 Hydro Generation Activities

Hydro generation activity is defined in Part D (definitions). In addition for the purpose of the hydro generation zone the following terms are defined:

“Operation means the working of an energy facility on a day to day basis to generate electricity. Activities include the control of the lake levels, booms, restrictions on public access, storage of goods and materials and monitoring of operations.”

“Maintenance means the undertaking of work necessary to keep operating at an efficient and safe level of energy facility. Activities include erosion and flood control, weed and sediment control, and associated access.”

“Refurbishment means the improvement or renewal of existing machinery, buildings or plant to gain efficiencies in generating electricity. Activities include the use of ancillary buildings and structures, earthworks and may include installation of new machinery to enable the generation of electricity provided works do not change the scale of the existing facility (including increase in the dam height, dam foundations footprint) or result in an increase in lake level.”

“Enhancement means the improvement of an energy facility as a community asset or amenity. Activities include landscaping, planting, and painting of buildings and establishment and maintenance of jetties, wharves, landing places associated with the facility (subject to any Regional Council consents required).”

“Upgrade means the provision of new machinery, buildings or plant to enable the generation of electricity or to gain increases in existing electricity generating capacity (activities include the installation or addition of turbines into an existing facility).”

“Subdivision specifically related to the development of a hydro generation development is included in the term ‘hydro generation activity’”

12.13.4.1 Permitted Activities

Any activity which complies with any relevant Zone Standard and is not listed as a **Controlled or Discretionary Activity**, shall be a **Permitted Activity**.

12.13.4.2 Controlled Activities

The following shall be **Controlled Activities** provided they are not listed as a **Discretionary Activity** and they comply with any relevant zone standard. The matters in respect of which Council has reserved control are listed with each **Controlled Activity**.

i Existing Hydro Generation Activities

Hydro generation activities, except for the operation, maintenance and enhancement of facilities. For the avoidance of doubt this exception includes the following activities:

- Control of erosion and flooding including planting of vegetation and protection works.
- Removal of vegetation or materials that may impede the efficient operation of the facility or cause danger, injury or damage to persons or property.
- Exclusion of the public from facilities for public safety or security reasons.
- Erection of signs or notices giving warning of danger.
- The establishment and maintenance of jetties, wharves, landing places and slipways required for the efficient operation of the facility (subject to any regional council consents required).

- Access tracks and roads to facilities or to erosion and flooding control works.
- Ancillary buildings and structures associated with the hydro generation activities that comply with the zone standard in 12.13.5.1.
- Earthworks, quarrying and depositing of material associated with the hydro generation activities.
- The storage of goods and materials associated with the operation or maintenance of the facility.
- Drilling for inspection including installing and operating any instruments or other equipment to test or monitor.
- The stabilisation of landslides potentially affecting the facility.

ii Refurbishment of Existing Hydro Generation Facilities

Refurbishment of existing hydro generation facilities in respect of design and appearance of the buildings and structures, landscape, painting, earthworks, noise, lighting, landscape and conservation values, vehicle access, manoeuvring and parking.

iii Upgrade of Existing Hydro Generation Facilities

Upgrade of existing hydro generation facilities where there is a change in the nature or scale of the operation so long as the dam height, dam foundations footprint and lake size remains the same.

The matters in relation to which control is exercised are in respect of design and appearance of the buildings and structures, landscape, painting, earthworks, noise, lighting, landscape and conservation values, vehicle access, manoeuvring and parking.

12.13.4.3 Discretionary Activities

The following shall be **Discretionary Activities** provided they comply with any relevant **Zone** standard:

i Upgrade Existing Hydro Generation Facilities

Upgrade of existing hydro generation facilities where there is a change in the nature or scale of the operation (including the dam height or dam foundations footprint) or where the works result in an increase in the lake level associated with the operation of the hydro generation facility.

ii New Hydro Generation Activities

Establishment of any new hydro generation activity.

12.13.4.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need for written approval of affected parties and need not be notified in accordance with section 93 of the Act, unless the Council considers special circumstances exist in relation to any such application:

- (i) All applications for **Controlled Activities**.

12.13.5 Standards – Hydro Generation Activities

12.13.5.1 Zone Standards

Building Height

- (a) The maximum height of any building outside the dam foundations footprint shall be 10m.
- (b) No part of any building located within the dam foundations footprint shall protrude above the crest of the dam.

12.13.6 Resource Consents - Assessment Matters - Hydro Generation Zone

The resource consent assessment matters shall be as set out for the Rural Areas in Part 5 of the Plan and, in addition, the Council shall have regard to the following matters:

- (a) The nature of any effects on flora, fauna and wildlife values.

- (b) The impact on fisheries or fish passage.
- (c) The visual effects of physical works on landscape values and amenities including:
 - (i) the location of the proposed works and the relationship to other buildings, structures and natural features.
 - (ii) effects on landscape openness.
 - (iii) the ability to integrate works into the environment by landscaping and use of the colours that complement the dominant colours in the landscape.
- (d) The likelihood that noise, glare and vehicle activity will impact on the amenity values of neighbours.
- (e) Whether water intakes, high structures or other activities pose a potential safety risk to the public.
- (f) Whether the design of vehicle access points and car parking minimises impact on traffic safety and amenity values.
- (g) Mitigation and remedial works proposed to address construction related effects and the reasonableness of the timeframes for implementation.
- (h) With regard to proposals that breach one or more zone standard(s), whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.

HYDRO GENERATION ZONE - RULES

12

Hydro Generation Special Zone – land Legal Descriptions

Description	Comprised in
Lots 1, 2, 3, 5 & 6 DP 25173	
Lot 1 DP 25208	
Sections 1 - 14 SO 24526	
Crown Land (Mining Reserve), Block XI Lower Wanaka Survey District	
Crown Land, Block XI Lower Wanaka Survey District	
Crown Land, Block IV Lower Wanaka Survey District	
Crown Land, Block VIII Lower Hawea Survey District	
Crown Land (Mining Reserve), Block VI Lower Hawea Survey District	
Crown Land, Block VI Lower Hawea Survey District	
Section 12, Block VI Lower Hawea Survey District	
Lot 9 DP22247	CT 15A/548
Section 1 SO 23971	
Part Section 48, Block VII Lower Hawea Survey District	
Crown Land, Block VII Lower Hawea Survey District	
Crown Land (Mining Reserve), Block VIII Lower Hawea Survey District	
Lots 5 and 6 DP 22247	CT 15A/550
Legal Road adjoining Lots 4 and 5, DP 22247	
Lots 2, 3 and 4 DP 22247	CT 15A/550
Section 35, Block VIII Lower Hawea Survey District	CT 12C/593
Legal Road adjoining Lot 2 DP 22247, Sections 35 and 57 and Crown Land, Block VIII Lower Hawea Survey District	
Section 34, Block VIII Lower Hawea Survey District	CT 12C/599 & CT 1C/1330
Section 12, Block VIII Lower Hawea Survey District	
Crown Land, Block VIII Lower Hawea Survey District	
Legal Road adjoining Section 12, 34 and Crown Land, Block VIII, Lower Hawea Survey District	
Crown Land, Block VIII Lower Hawea Survey District	
Legal Road adjoining Sections 37, 50, Part Section 48, 49 and Crown Land, Block VII Tarras Survey District	
Part Section 49, Block VII Lower Hawea Survey District	
Section 34, Block VII Lower Hawea Survey District	CT 312/208 Gravel Pit Purposes Gaz 1943 P1524
Section 50, Block VII Lower Hawea Survey District	
Section 37, Block VII Lower Hawea Survey District	Gravel Purposes Gaz 1957 P1783
Section 6, Block VII Lower Hawea Survey District	Gravel Reserve Gaz 1954 P1495
Part Section 49, Block VII Lower Hawea Survey District	
Crown Land, Block VII Lower Hawea Survey District	

Lot 1, DP 22247	CT 15A/550
Crown Land, Block VI Tarras Survey District	
Lot 1, Block VI Tarras Survey District	
Crown Land, Block VI Tarras Survey District	
Crown Land, Block VII Tarras Survey District	
Section 40, Block VII Tarras Survey District	CT 12C/595
Part Section 52, Block VII Tarras Survey District	
Crown Land (Mining Reserve), Block VII Tarras Survey District	
Part Section 1, Block VII Tarras Survey District	CT 12C/592
Section 11, Block VII Tarras Survey District	Crown Land (No Title)
Crown Land (Mining Reserve), Block VII Tarras Survey District	
Crown Land, Block VII Tarras Survey District Part Section 2, Block VII Tarras Survey District	CT 12C/592
Section 1, SO 23310 Block VII Tarras Survey District	CT 12C/203
Part Section 37, Block VII Tarras Survey District	CT 12C/808
Water Race intersecting Section 37 Block VII Tarras Survey District	CT 12C/596
Part Section 37, Block VII Tarras Survey District	CT 12C/808
Section 2, SO 23310, Block VII Tarras Survey District	CT 13C/203
Crown Land, Block VII Tarras Survey District	
Section 39, Block VII Tarras Survey District	Reserve Gaz 1952 P2049
Water Race intersecting Section 37, Block VII Tarras Survey District	CT 12C/596
Part Section 37, Block VII Tarras Survey District	CT 12C/808
Part Section 2, SO 22542, Block VII Tarras Survey District	
Part Section 1, SO 22635, Block VII Tarras Survey District	
Part Section 6, Block VII Tarras Survey District	
Part Section 12, Block VII Tarras Survey District	
Part Section 4, Block VII Tarras Survey District	
Legal Road adjoining Section 1SO 23635, Sections 2, 3 and 4 SO 22542 and Section 12, Block VII Tarras Survey District	
Legal Road adjoining Sections 4 and 5, Block VII Tarras Survey District	
Section 5, SO 22542, Block VII Tarras Survey District	
Section 3, SO 22542, Tarras Survey District	
Part Ruin 236J, Block XII, Tarras Survey District	
Part bed of Clutha River situated in Crown Land, Blocks IV and XI, Lower Wanaka Survey District, Blocks VI, VII and VIII, Lower Hawea Survey District and Blocks VI and VII, Tarras Survey District extending from adjacent to Section 16, Block IV and Section 3, Block XI, Lower Wanaka Survey District as far as adjacent to Sections 2 and 37, Block VII, Tarras Survey District	