

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.

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

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|-------|------------------------------------------------|--------------------|
| (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

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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	