

Variation to the Proposed District Plan

Proposed District Plan Stage 3

Variation to Energy and Utilities Chapter 30

Key:

underline text identifies new text

~~strike through~~ text identifies text to be removed

[text in square brackets and italics is for information purposes only]

Variation to Chapter 30 – Energy and Utilities

Purpose

30.1.1 Energy *[Not subject to this variation]*

30.1.2 Utilities
[Add the following text after the third paragraph]

Utilities are also required for the purpose of the protection of the community from natural hazards. The provisions in this Chapter address structures and works required for the purpose of natural hazard mitigation, while Chapter 28 (Natural Hazards) focuses on the consequences of subdivision, use and development on, and the natural hazard risk to, those activities.

30.2 Objectives and Policies

Utilities

[Add the following objective and five policies]

30.2.9 Objective – Natural hazard mitigation structures and works that are required to reduce risk to people, property, and the community are enabled in a manner that minimises adverse effects on the environment.

Policies

30.2.9.1 Enable the repair and maintenance of natural hazard mitigation structures, facilities, and plant required for the protection of the community.

30.2.9.2 Provide for natural hazard mitigation structures and works that are required to reduce risk to people, property, and the community while:

a. seeking to avoid significant adverse effects;

b. where there is no reasonable alternative and avoidance of significant adverse effects is not practicable, remedying or mitigating adverse effects; and

c. minimising other adverse effects.

30.2.9.3 Minimise the displacement of natural hazard risk off-site.

30.2.9.4 Encourage natural hazard mitigation structures and works that result in no or low residual risk from natural hazard.

30.2.9.5 Recognise that natural hazard mitigation structures and works may have a functional need to locate within sensitive areas, with the potential for adverse effects on the values of those sensitive areas, including:

a. Significant Natural Areas, including other areas that meet the criteria for significance in Policy 33.2.1.8;

b. heritage features, heritage precincts, heritage overlay areas and protected trees;

c. overlays and zones with special character areas including the Queenstown, Wānaka and Arrowtown town centres and the Arrowtown Residential Historic Management Zone;

d. Outstanding Natural Landscapes and Outstanding Natural Features;

e. Rural Character Landscapes and other amenity landscapes;

f. lakes, rivers and their margins;

g. Wāhi tūpuna; and

h. Open Space and Recreation Zones.

30.3 Other Provisions and Rules

30.3.1 [Not subject to this variation]

30.3.2 [Not subject to this variation]

30.3.3 Interpreting and Applying the Rules

30.3.3.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules unless any of the exceptions set out in Rule 30.3.3.3 apply.

30.3.3.2 *[Not subject to this variation]*

30.3.3.3 The rules contained in this Chapter ~~prevail take precedence~~ over any other rules that may apply to energy and utilities in the District Plan, unless specifically stated to the contrary and with the exception of:

- a. 25 Earthworks;
- b. 26 Historic Heritage.
- c. Protected Trees.
- d. Indigenous Vegetation and Biodiversity.
- e. 35 Temporary Activities and Relocated Buildings;
- f. 36 Noise
- g. 39 Wāhi Tūpuna.

Note: Utilities can also be provided as designations if the utility operator is a requiring authority. Refer to Chapter 37 – Designations of the Plan for conditions and descriptions of designated sites.

30.3.3.4 Roads are defined as a utility, however the rules in this Chapter do not apply to the construction, management, upgrading or use of Roads or the Transport Network. These activities are managed by Chapter 27 Subdivision and Development and Chapter 29 Transport.

30.3.3.5 Airports and approach control services are defined as utilities. However the rules in this Chapter do not apply to Airport Activities within the Airport Zone (Chapter 17). Airport Activities within the Airport Zone are managed in Chapter 17.

And subsequent renumbering of existing rules in section 30.3.3 and cross referencing in other chapters.

30.4 Energy Rules *[Not subject to this variation]*

30.5 Utility Rules

30.5.1	General Utility Activities	Activity Status
<u>30.5.1.3</u>	<u>Underground pipes and incidental structures and equipment for transmitting and distributing gas.</u>	<u>P</u>

<u>30.5.1.4</u>	<u>Underground pipes and incidental structures and equipment for the supply and drainage of water or wastewater.</u>	<u>P</u>
<u>30.5.1.5</u>	<u>Water and irrigation races, drains, channels and underground pipes for water and irrigation.</u>	<u>P</u>
<u>30.5.1.6</u>	<u>Structures, facilities, plant, equipment and associated works for monitoring and observation of natural hazards.</u>	<u>P</u>
<u>30.5.1.7</u>	<u>Maintenance, repair or replacement of existing structures, facilities, plant, equipment and associated works for natural hazard mitigation.</u>	<u>P</u>
<u>30.5.1.8</u>	<u>Underground pipes and incidental structures and equipment for the conveyance of stormwater.</u>	<u>P</u>
<u>30.5.1.9</u>	<u>Water, wastewater and stormwater pump stations.</u>	<u>P</u>
<u>30.5.1.10</u>	<u>Stormwater detention/retention ponds or stormwater wetlands.</u> <u>Control is reserved to:</u> a. <u>effects on the use of open space;</u> b. <u>provision of safe access for maintenance;</u> c. <u>effects on health and safety;</u> d. <u>landscaping.</u>	<u>C</u>
<u>30.5.1.12</u>	<u>Aboveground pipelines and attached ancillary structures for the conveyance of water, wastewater, stormwater and gas.</u> <u>Discretion is restricted to:</u> a. <u>functional needs of the utility;</u> b. <u>visual effects;</u> c. <u>Location, limited to the operation and function of the site, existing activities and effects on amenity values;</u> d. <u>odour effects.</u>	<u>RD</u>
<u>30.5.1.13</u>	<u>Structures, facilities, plant, equipment and associated works including earthworks for the protection of the community from natural hazards not otherwise provided for in Rule 30.5.1.e.</u>	<u>D</u>

And subsequent renumbering of existing rules in Table 30.5 and cross referencing in other chapters.

Variation to Chapter 2 - Definitions

<p>Regionally Significant Infrastructure</p>	<p>Means:</p> <p>a. <i>[existing text not subject to this variation]</i></p> <p>...</p> <p>e. ...; and</p> <p>f. <u>municipal infrastructure.</u></p>
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<p><u>Municipal infrastructure</u></p>	<p><u>Means infrastructure owned and operated by the Council for:</u></p> <p>a. <u>Conveyance of untreated water from source to, and including, the point of its treatment to potable standard for an urban environment (see below), but excluding its distribution within that urban environment;</u></p> <p>b. <u>Treatment of wastewater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment;</u></p> <p>c. <u>Treatment of stormwater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment.</u></p> <p><u>For the purposes of the definition of Municipal infrastructure, urban environment means:</u></p> <p>I. <u>All land zoned within Part Three – Urban Environment, comprising Chapters 7 to 17 inclusive and Chapter 44 (Coneburn Industrial Zone).</u></p> <p>II. <u>Any Open Space and Recreation Zone located within an Urban Growth Boundary identified on the Plan maps.</u></p> <p>III. <u>Jacks Point Zone Chapter 41.</u></p>
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