

ENG

Energy

DRAFT
WAITAKI DISTRICT PLAN



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Part A: General Energy (ENG)

Energy

Introduction

This chapter contains district-wide provisions relating to energy activities, specifically, renewable energy activities and renewable electricity generation activities. The nationally significant Waitaki Power Scheme is addressed in Part B of this chapter.

The use and development of renewable energy also provides benefits to the District and can deliver clean, secure, affordable energy. It is important to recognise the benefits that energy related activities provide our communities while ensuring that their adverse effects are avoided, remedied or mitigated.

Energy efficiency and the use and development of renewable energy are matters the District Plan must have particular regard to under section 7 of the Act. The District Plan must also give effect to the National Policy Statement on Renewable Electricity Generation 2011 which requires recognition of the benefits of renewable electricity generation.

The types of renewable energy sources relevant to this District are solar, biomass, hydro and wind. At a domestic scale, there are various ways to use natural sources of energy, including solar water heating or solar panels and small wind turbines. In addition, emerging technologies for other sources of energy, such as hydrogen, offer potential for a transition to a low-emission economy.

Objectives

ENG-O1 Recognising the benefits of renewable electricity generation

The significant local, regional and national benefits from the use and development of renewable energy are recognised and renewable electricity generation activities are provided for.

ENG-O2 Design and location of renewable electricity generation

Renewable electricity generation activities are designed and located to minimise adverse effects on the environment while recognising their functional and operational needs.

ENG-O3 Protecting the values and qualities of any overlay

Waitaki District's overlays are protected from the adverse effects of renewable electricity generation activities.

Policies

ENG-P1 Recognising the benefits of renewable electricity generation

Recognise the local, regional and national benefits of renewable energy generation activities, including:

1. the contribution to central government energy policy objectives and renewable energy targets; and
2. the contribution the proposal will make to the security of supply and increased energy interdependence for the district and region; and
3. the contribution to economic benefits for the regional and local economy; and
4. any other positive benefits.

ENG-P2 Existing activities

Enable the ongoing maintenance of existing renewable electricity generation activities.

ENG-P3 Effects on renewable electricity generation activities

Only allow new sensitive activities to establish in proximity to existing or consented renewable electricity generation activities where they are designed and located to avoid or mitigate reverse sensitivity effects.

ENG-P4 Small scale renewable electricity generation activities and investigation activities in zones

Enable small scale renewable electricity generation activities and activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation activities, where:

1. it is of a form, location and scale that minimises adverse effects on the environment; and
2. it is consistent with the anticipated amenity and character of the zone.

ENG-P5 Small scale renewable electricity generation activities and investigation activities in overlays

Only allow small scale renewable electricity generation activities and activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation activities within any overlay, where:

1. if located on buildings, items and sites identified in SCHED2 – Historic Heritage Items and SCHED5 – Sites and Areas of Significance to Māori:
 - a) its location is sympathetic to the identified values; and
 - b) any structure is not visible from any adjacent public areas and is aligned with the plane of the roof where located on a roof;
2. if located within the root protection area of a tree identified in SCHED4 - Notable Trees, the work will not compromise the long-term health, natural life or values of the Notable Tree;
3. if located within an area identified in SCHED6 - Significant Natural Areas, any significant adverse effects are avoided, and any other adverse effects are avoided, remedied, or mitigated, while having regard to the matters in ECO-P2; and
4. if located within an area identified in SCHED7 - Outstanding Natural Features, or SCHED8 – Outstanding Natural Landscapes or the Coastal Environment:
 - a) any adverse effects on the identified values and qualities are avoided in the Coastal Environment; and
 - b) any significant adverse effects on the identified values and qualities are avoided and any other adverse effects are avoided, remedied or mitigated, while having regard to the matters in ECO-P3, ECO-P6, ECO-P7 and CE-P4; and
 - c) the design and location of the activity is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape.

ENG-P6 Large scale renewable electricity generation activities

Provide for large scale renewable electricity generation activities in the General Rural Zone where they can demonstrate that:

1. they have a particular operational or functional need to locate where the renewable energy resources are available;
2. there is sufficient roading and infrastructure capacity to accommodate the activity;

3. they avoid any adverse effects on any adjacent overlay;
4. they minimise any adverse effects on:
 - a) the amenity values of the site and surrounding area, having regard to:
 - i. the scale, intensity, duration or frequency of the activity's effects;
 - ii. the size and shading of any structures;
 - iii. the design and site layout of the activity and its ability to internalise effects, including any glare, reflection or blade or shadow flicker; and
 - iv. traffic generation, earthworks and construction effects, and lighting and the potential to cause sleep disturbance or annoyance; and
 - b) ecology, including effects on terrestrial ecology and avifauna; having regard to any offsetting measures or environmental compensation which may benefit the local environment and community affected; and
 - c) any existing navigation, electricity distribution and transmission and telecommunication facilities;
5. they are separated from sensitive activities at a distance that ensures conflict between activities, including potential adverse reverse sensitivity effects, is minimised;
6. in respect of a wind farm, it complies with NZS6806:2010 Acoustics – Wind Farm Noise.

ENG-P7**Large scale renewable electricity generation activities in other zones and within overlays**

Restrict locating large scale renewable electricity generation activities within:

1. any zone, other than the General Rural Zone; and
2. any overlay.

ENG-P8**New technology**

Recognise the opportunity for new technology in renewable electricity generation and provide for new technology, where it can be demonstrated that:

1. it is of a form, location and scale that minimises adverse effects on the environment; and
2. it is consistent with the anticipated amenity and character of the zone; and
3. it has a particular operational or functional need to locate where the renewable energy resources are available; and
4. there is sufficient roading and infrastructure capacity to accommodate the activity; and
5. it avoids any adverse effects on the values protected by any adjacent overlay; and
6. it avoids any adverse effects on the values protected by any overlay it is located within; and
7. it minimises any adverse effects on:
 - a) the amenity values of the site and surrounding area, having regard to:
 - i. the scale, intensity, duration or frequency of the activity's effects;

- ii. the size and shading of any structures;
 - iii. the design and site layout of the activity and its ability to internalise effects, including any flare, reflection or blade or shadow flicker; and
 - iv. traffic generation, earthworks and construction effects, and lighting and the potential to cause sleep disturbance or annoyance; and
- b) ecology, including effects on terrestrial ecology and avifauna; having regard to any offsetting measures or environmental compensation which may benefit the local environment and community affected; and
 - c) any existing navigation, electricity distribution and transmission and telecommunication facilities; and
8. it is separated from sensitive activities at a distance that ensures conflict between activities, including potential adverse reverse sensitivity effects, is minimised.

ENG-P9 Offsetting and compensation

Consider as part of an application for a large-scale renewable electricity generation activity:

1. any offsetting measure or environmental compensation offered and associated benefits on the local environment; and
2. any adaptive management measures proposed.

ENG-P10 Decommissioning of renewable electricity generation activities

Require that, during or following decommissioning of any renewable electricity generation activity, all renewable electricity generation structures are remediated, including, but not limited to, the removal of all surface equipment, all concrete surfacing, steel and cables.

Rules

Note: Unless specifically identified in a rule, only the rules in this Energy Chapter, along with the Earthworks and Transport chapters, apply to renewable electricity generation activities.

PERMITTED ACTIVITIES

ENG-R1 The maintenance of existing renewable electricity generation activities outside of Significant Natural Areas		
All zones	Activity status: Permitted	Activity status when compliance is not achieved: Not applicable
ENG-R2 The maintenance of existing renewable electricity generation activities within Significant Natural Areas		
All zones	Activity status: Permitted Where: PER-1 When it is located within an area identified in SCHED6 - Significant Natural Areas and ENG-S6 is complied with.	Activity status when compliance is not achieved: Restricted Discretionary Where: RDIS-1 Compliance is not achieved with PER-1 Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
ENG-R3 Small scale renewable electricity generation activities outside of an overlay		
All zones	Activity status: Permitted Where: PER-1 ENG-S1, ENG-S2, ENG-S3, ENG-S4, the earthworks standard(s) and the noise standard applying to the underlying zone are complied with.	Activity status when compliance is not achieved: Restricted Discretionary Where: RDIS-1 Compliance is not achieved with PER-1 Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.

ENG-R4 Investigation activities outside of an overlay		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 ENG-S5 and the earthworks and noise standards applying to the underlying zone are complied with.</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.

RESTRICTED DISCRETIONARY ACTIVITIES

ENG-R5 Small scale renewable electricity generation activities and investigation activities in overlays, excluding Notable Trees		
All zones	<p>Activity status: Restricted Discretionary</p> <p>Where: RDIS-1 The activity is located:</p> <ol style="list-style-type: none"> 1. on items identified in SCHED2 – Historic Heritage Items, on contributing buildings identified in SCHED3 – Character Contributing Buildings and Non-Contributing Buildings, or sites identified in SCHED5 - Sites and Areas of Significance to Māori; or 2. within an area identified in SCHED7 - Outstanding Natural Features or SCHED8 – Outstanding Natural Landscapes; or <p>RDIS-2 The activity is located within an area identified in SCHED6 - Significant Natural Areas; and ENG-S6 is complied with; or</p> <p>RDIS-3 The activity is located within a Natural Hazard Overlay or Coastal Natural Hazard Overlay; and</p>	<p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with RDIS-2 or RDIS-4</p>

	<p>RDIS-4 Investigation activities comply with ENG-S5.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the benefits arising; and 2. any offset or compensation measures offered; and 3. the location, size, colour and reflectivity any structure; and 4. any adverse effects on the amenity of adjacent properties; and 5. any health and safety effects, including noise; and 6. any adverse effects on any identified protected item, feature or area; and 7. any adverse effects on the identified values and qualities of any feature, landscape or area; and 8. for activities under RDIS-2, the matters of discretion for any infringed standard; and 9. for activities under RDIS-4, the matters of discretion for any infringed standard. 	
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<p>ENG-R6 Small scale renewable electricity generation activities and investigation activities within the root protection area of a tree, identified in SCHED4 - Notable Trees</p>		
<p>All zones</p>	<p>Activity status: Restricted Discretionary</p> <p>Where: RDIS-1 The activity does not involve the removal of a Notable Tree; and</p> <p>RDIS-2 Investigation activities comply with ENG-S5.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the benefits arising; and 	<p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: DIS-1 Compliance is not achieved with RDIS-1</p>

<ul style="list-style-type: none"> 2. any offset or compensation measures offered; and 3. any adverse effects on the Notable Tree; and 4. the location of the structure; and 5. for activities under RDIS-2, the matters of discretion for any infringed standard. 	
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DISCRETIONARY ACTIVITIES

ENG-R7 Large scale renewable electricity generation activities		
General Rural Zone	Activity status: Discretionary Where: DIS-1 NZS6808:2010 Acoustics – Wind farm noise is complied with for any proposal involving wind generation; and DIS-2 The activity is not located within an overlay.	Activity status when compliance is not achieved: Non-Complying Where: NC-1 Compliance is not achieved with DIS-1 or DIS-2
All other zones	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable

ENG-R8 Other renewable electricity generation activities not otherwise provided for		
All zones	Activity status: Discretionary Where: DIS-1 The activity is not located within an overlay.	Activity status when compliance is not achieved: Non-Complying Where: NC-1 Compliance is not achieved with DIS-1

ENG STANDARDS

ENG-S1 Small scale solar panels		
All zones	<ol style="list-style-type: none"> 1. The panel must not exceed the permitted building height for the underlying zone; and 2. the panel must not exceed the permitted height in relation to boundary for the underlying zone; and 3. the maximum area of the panel must not exceed 200m². 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any positive effects; and 2. any offset or compensation measures offered; and 3. the form and location of the panel; and 4. any adverse effects on the amenity of adjacent properties.
ENG-S2 Small scale roof mounted wind turbines		
All zones	<ol style="list-style-type: none"> 1. The turbine (including the full vertical extent of the blades) must not exceed the permitted building height of the underlying zone; and 2. the turbine (including the full vertical extent of the blades) must not exceed permitted height in relation to boundary for the underlying zone; and 3. the turbine must not exceed a maximum rotor diameter of 2.5m; and 4. there must be no more than one turbine per site. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any positive effects; and 2. any offset or compensation measures offered; and 3. health and safety; and 4. any cumulative effects; and 5. the type, scale, form and location of any turbine; and 6. any adverse effects on the amenity of adjacent properties; and 7. whether there are topographical or other site constraints that make compliance with the permitted setback standard impractical; and 8. any adverse effects on any adjacent overlay.
ENG-S3 Small scale freestanding wind turbines		
General Rural Zone	<ol style="list-style-type: none"> 1. the turbine must not exceed the permitted height in relation to boundary for the underlying zone; and 2. wind turbines must be setback 5m from residential units or, in the case of vacant lots, from the site boundary; and 3. any wind turbine must not exceed a maximum height of 20m (including 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any local, regional and national benefits; and 2. any offset or compensation measures offered; and 3. health and safety; and 4. any cumulative effects; and 5. the type, scale, form and location of any turbine; and
Rural Lifestyle Zone		
Industrial Zones		

	<p>the full vertical extent of the blades); and</p> <p>4. the turbine must not exceed a maximum rotor diameter of 5m; and</p> <p>5. there must be no more than one turbine per site.</p>	<p>6. any adverse effects on the amenity of adjacent properties; and</p> <p>7. whether there are topographical or other site constraints that make compliance with the permitted setback standard impractical; and</p> <p>8. any adverse effects on any adjacent overlay.</p>
All other zones	<p>6. the turbine (including the full vertical extent of the blades) must not exceed the permitted building height of the underlying zone by more than 1m; and</p> <p>7. the turbine (including the full vertical extent of the blades) must not exceed the permitted height in relation to boundary for the underlying zone; and</p> <p>8. any wind turbine must be setback 5m from residential units or, in the case of vacant lots, 5m from the site boundary; and</p> <p>9. the turbine must not exceed a maximum rotor diameter of 2.5m; and</p> <p>10. there must be no more than one turbine per site.</p>	<p>Matters of discretion are restricted to:</p> <p>1. any local, regional and national benefits; and</p> <p>2. any offset or compensation measures offered; and</p> <p>3. health and safety; and</p> <p>4. any cumulative effects; and</p> <p>5. the type, scale, form and location of any turbine; and</p> <p>6. any adverse effects on the amenity of adjacent properties; and</p> <p>7. whether there are topographical or other site constraints that make compliance with the permitted setback standard impractical; and</p> <p>8. any adverse effects on any adjacent overlay.</p>

ENG-S4 Small scale hydro generators		
<p>General Rural Zone</p> <p>Rural Lifestyle Zone</p> <p>Industrial Zones</p>	<p>1. The maximum surface area of any stored water does not exceed 200m²; and</p> <p>2. the maximum height of a weir or dam does not exceed 2m; and</p> <p>3. the maximum installed capacity does not exceed 4 megawatts (MW).</p>	<p>Matters of discretion are restricted to:</p> <p>1. any local, regional and national benefits; and</p> <p>2. any offset or compensation measures offered; and</p> <p>3. the suitability of the site for the proposed activity; and</p> <p>4. the type, scale, form and location of any structure; and</p> <p>5. any adverse effects on the amenity of adjacent properties; and</p> <p>6. health and safety; and</p> <p>7. any adverse cumulative effects; and</p>

		8. any adverse effects on adjacent overlays.
All other zones	<p>4. the maximum surface area of any stored water does not exceed 100m²; and</p> <p>5. the maximum height of a weir or dam does not exceed 1m; and</p> <p>6. the maximum installed capacity does not exceed 500kW.</p>	<p>Matters of discretion are restricted to:</p> <p>1. any local, regional and national benefits; and</p> <p>2. any offset or compensation measures offered; and</p> <p>3. the suitability of the site for the proposed activity; and</p> <p>4. the type, scale, form and location of any structure; and</p> <p>5. any adverse effects on the amenity of adjacent properties; and</p> <p>6. health and safety; and</p> <p>7. any adverse cumulative effects; and</p> <p>8. any adverse effects on adjacent overlays.</p>

ENG-S5 Renewable energy generation investigation activities

All zones	<p>1. An anemometer must comply with NZS6808:2010 Acoustics – Wind farm noise, or when not a wind turbine, it must comply with the underlying zone noise standards; and</p> <p>2. an anemometer must not exceed 90m in height; and</p> <p>3. an anemometer must not exceed the permitted height in relation to boundary and setback standards for the underlying zone; and</p> <p>4. all masts must be removed at the end of the investigation period; and</p> <p>5. the site must be restored to its pre-works condition after removal of the investigation activities; and</p> <p>6. investigation activities may not be on site for more than five years.</p>	<p>Matters of discretion are restricted to:</p> <p>1. any local, regional and national benefits; and</p> <p>2. any offset or compensation measures offered; and</p> <p>3. traffic generation; and</p> <p>4. the suitability of the site for the proposed activity; and</p> <p>5. any noise effects, including sleep disturbance or other adverse health effects; and</p> <p>6. the type, scale, form and location of any structure; and</p> <p>7. any adverse effects on the amenity of adjacent properties; and</p> <p>8. health and safety; and</p> <p>9. any adverse cumulative effects; and</p> <p>10. any adverse effects on adjacent overlays.</p>
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ENG-S6 Trimming, pruning or removal of indigenous vegetation for the operation of renewable electricity generation activities		
All zones	<ol style="list-style-type: none"> 1. It must be limited to within 2m either side of the existing renewable electricity generation activity, or associated access track or fence; and 2. it must not result in the removal of more than 20m² of indigenous vegetation, except where: <ol style="list-style-type: none"> a) it is located within the formation width of an existing road; or b) the works are being undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any local, regional and national benefits; and 2. any offset or compensation measures offered; and 3. design and siting of the renewable electricity generation activities; and 4. any operational or functional needs of the renewable electricity generation activities; and 5. any topographical and other site constraints make compliance with the permitted standard impractical; and 6. the matters in ECO-P2; and 7. the matters in ECO-P3 (2)(a).

Part B: Waitaki Power Scheme (ENG(WPS))

Waitaki Power Scheme

Introduction

Part B addresses those parts of the nationally significant Waitaki Power Scheme located in the Waitaki District.

The Waitaki Power Scheme is significant infrastructure, with local, regional and national benefits. The Waitaki Power Scheme was progressively constructed between 1928 and 1985. The power stations and associated structures and assets, including storage lakes and canals, represent a significant physical resource within the Waitaki District. The Waitaki Power Station was the first to be constructed in the Waitaki District.

This part of the Energy chapter addresses the ongoing operation of the Scheme, the different activities that occur on site and provides a framework for how any new development may occur.

Due to its significance and importance to the country as a whole, this part of the chapter also addresses potential reverse sensitivity effects on the Waitaki Power Scheme that could constrain its ongoing operation and the potential risks associated with an inundation event from the Waitaki Power Scheme.

Objectives

ENG(WPS)-O1 Recognising the significance and benefits of the Waitaki Power Scheme

The local, regional and national significance and benefits of the Waitaki Power Scheme, and its operation, maintenance, refurbishment and enhancement, are recognised and provided for while minimising any adverse effects on the environment.

ENG(WPS)-O2 Protecting the overlays in which the Waitaki Power Scheme is located

The identified characteristics and values of the areas containing Outstanding Natural Landscapes and Features, Significant Natural Areas, Sites and Areas of Significance to Māori, Historic Heritage, Significant Natural Features and Rural Scenic overlay, in which the Waitaki Power Scheme is located, are protected and not degraded.

ENG(WPS)-O3 Recognise and manage inundation risks

The risks associated with a potential inundation event from the Waitaki Power Scheme are recognised and potential adverse effects on people, occupied buildings and the ongoing operation of the Waitaki Power Scheme are avoided or mitigated.

Policies

ENG(WPS)-P1 Recognising the importance and benefits of the Waitaki Power Scheme

Recognise the importance of the Waitaki Power Scheme and its local, regional and national benefits, including:

1. the need to provide for the operational, functional, locational and technical requirements of the Scheme; and
2. the need to maintain and increase generation output and capacity and ensure security of supply; and
3. the need for maximum electricity supply benefit to be obtained; and
4. the need to ensure that the structural and operational integrity of the Scheme is not compromised; and
5. its role in meeting national targets for renewable electricity generation; and
6. its role in assisting with responding to international climate change obligations.

**ENG(WPS)-
P2****Identifying areas potentially affected by inundation events**

Identify and map areas that may be potentially affected by an inundation event from the Waitaki Power Scheme as the Hydroelectricity Inundation Hazard Area on the Planning Maps.

**ENG(WPS)-
P3****Maintenance and improvement of the Waitaki Power Scheme**

Enable the maintenance and improvement, through refurbishment, of generation output from the Waitaki Power Scheme within the Waitaki Power Scheme Core Sites or Operating Easements, where:

1. the character and amenity values of the zone in which any works are being undertaken are maintained; and
2. any adverse effects that degrade the identified values and characteristics of any overlay and the natural character of the riparian margins of any waterbody that it is located within are avoided; and
3. any other adverse effects on the identified values and characteristics of any overlay and the natural character of the riparian margins of any waterbody that it is located within are remedied or mitigated.

**ENG(WPS)-
P4****Enhancement of the Waitaki Power Scheme**

Enable the enhancement of the Waitaki Power Scheme within the Waitaki Power Scheme Core Sites or Operating Easements where this occurs outside of any overlay, having regard to:

1. any measures to remedy, mitigate, offset or compensate for any adverse effects of the activity on the environment; and
2. the impact on any existing public access rights; and
3. any collection, recording, monitoring and provision of information concerning the exercise of consent.

**ENG(WPS)-
P5****Any other development of the Waitaki Power Scheme**

Only allow for:

1. the enhancement of the Waitaki Power Scheme outside of the Waitaki Power Scheme Core Sites or Waitaki Power Scheme Operating Easements; or
2. the enhancement of the Waitaki Power Scheme within the Waitaki Power Scheme Core Sites or Waitaki Power Scheme Operating Easements where this occurs within an overlay or within a riparian margin; or
3. the creation of a new lake, or water storage area, or new power generation facilities where it:
 - a) avoids any significant adverse effects on any overlays and the natural character of the riparian margins of any waterbody and avoid, remedy or mitigate any other

adverse effect in order to maintain the identified values, characteristics and significant nature of the overlay or natural character of the riparian margin of any waterbody, unless it can be demonstrated that:

- i. there is a functional need that means the location cannot be avoided;
 - ii. there are no feasible alternatives to avoiding all significant adverse effects; and
- b) appropriately avoids, remedies or mitigates other adverse effects on the environment, including the character and amenity of the surrounding area; and
- c) where it is demonstrated that all adverse effects on an overlay cannot be avoided, it appropriately offsets or compensates the adverse effects.

**ENG(WPS)-
P6**

Occupied buildings in Hydroelectricity Inundation Hazard Areas

Within the Hydroelectricity Inundation Hazard Areas:

1. avoid the establishment of occupied buildings within the identified Hydroelectricity Inundation High Hazard Area; and
2. only allow occupied buildings within the Hydroelectricity Inundation Hazard Area where it can be demonstrated that:
 - a) the building and associated activity incorporates mitigation measures that demonstrate that the risk to lives and wellbeing and building damage from an uncontrolled release of water from the Waitaki Power Scheme is acceptable; and
 - b) the ongoing operation of the Waitaki Power Scheme will not be compromised.

Rules

Note: For certain activities, a resource consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, resource consent is required under each of those rules. The steps to determine the status of an activity are set out in the General Approach Chapter.

PERMITTED ACTIVITIES

ENG(WPS)-R1		Operation, maintenance and refurbishment of the Waitaki Power Scheme
<p>General Rural Zone</p> <p>Open Space Zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 ENG(WPS)-S1 is complied with; and</p> <p>PER-2 Any refurbishment activity is limited to the following areas:</p> <ol style="list-style-type: none"> 1. the existing footprint of the Waitaki Power Scheme; or 2. Waitaki Power Scheme Core Sites; or 3. Waitaki Power Scheme Operating Easements; and <p>PER-3 INF-S13 and INF-S14 are complied with where the activity involves trimming, pruning and activities within the root protection area of a Notable Tree in SCHED4 – Notable Trees; and</p> <p>PER-4 INF-S13 and INF-S14 are complied with where the activity is located in a natural hazard overlay; and</p> <p>PER-5 INF-S15 is complied with where the activity is located on a Heritage Item, or within the setting of a Heritage Item identified in SCHED2 – Historic Heritage Items or within an area identified in SCHED5 – Sites and Areas of Significance to Māori; and</p>	<p>Activity status when compliance is not achieved: Controlled</p> <p>Where:</p> <p>CON-1 Compliance is not achieved with PER-1</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of control of any infringed standard. <p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 Compliance is not achieved with PER-6 or PER-7</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status when compliance is not achieved: Discretionary</p> <p>Where:</p> <p>DIS-1 Compliance is not achieved with PER-2, PER-4 or PER-5</p> <p>Activity Status where compliance is not achieved: Non-Complying</p> <p>Where:</p>

<p>PER-6 INF-S16 is complied with where the activity is located within an area identified in SCHED7 – Outstanding Natural Features or SCHED8 – Outstanding Natural Landscapes; and</p> <p>PER-7 INF-S17 is complied with where the activity is located within an area identified in SCHED6 – Significant Natural Areas.</p>	<p>NC-1 Compliance is not achieved with PER-3 and the works involve the removal of a Notable Tree identified in SCHED4 – Notable Trees</p>
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ENG(WPS)-R2

Occupied buildings in Hydroelectricity Inundation Hazard Areas

<p>All zones</p>	<p>Activity status: Permitted</p> <p>Where: PER-1 The occupied building is:</p> <ol style="list-style-type: none"> located at least 150m from the toe of the embankment of any canal in fill or any dam or associated structured; and designed so that any habitable floor area of any building or structure used for residential activities is a minimum of 100mm above the maximum inundation level that would result from a dam breach; <p>and</p> <p>PER-2 A certificate is submitted from a suitably qualified engineer confirming that the building will not raise the Potential Impact Classification (PIC) level (Low, Medium, High) under the Building Act 2004 from its current level;</p> <p>and</p> <p>PER-3 The occupied building is not located in an Electricity Inundation High Hazard Area on the Planning Maps.</p>	<p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with PER-1 or PER-2</p> <p>Activity Status where compliance is not achieved: Non-complying</p> <p>Where: NC-1 Compliance is not achieved with PER-3</p>
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CONTROLLED ACTIVITIES

ENG(WPS)-R3 Waitaki Power Scheme enhancement activity		
All zones	<p>Activity status: Controlled</p> <p>Where: CON-1 The works are located within the following areas:</p> <ol style="list-style-type: none"> 1. Waitaki Power Scheme Core Sites; or 2. Waitaki Power Scheme Operating Easements; and <p>CON-2 The works are not located within an overlay.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. location, bulk, height, cladding or colour of the proposed activity; and 2. landscaping, revegetation and fencing; and 3. location and construction of vehicle access and exit points; and 4. vehicle manoeuvring and parking areas; and 5. effects on existing public access rights to margins of a waterbody; and 6. hours of operation; and 7. noise effects; and 8. lighting effects; and 9. dust effects; and 10. effects on indigenous vegetation and habitats of indigenous fauna and indigenous biodiversity. 	<p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with CON-1 or CON-2</p>

DISCRETIONARY ACTIVITIES

ENG(WPS)-R4 Any Waitaki Power Scheme land use activity which results in the creation of a new lake or water storage area		
All zones	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable
ENG(WPS)-R5 The construction and installation of new power generation facilities below the Waitaki Dam		
All zones	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable
ENG(WPS)-R6 Any other activity, not otherwise provided for, associated with the Waitaki Power Scheme		
All zones	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable

ENG(WPS) STANDARDS

ENG(WPS)- S1	Construction Noise
<p>Any construction activities must not exceed the noise levels set in NZS6803:1999 measured from the façade of any building that is not associated with the Waitaki Power Scheme and is not within:</p> <ol style="list-style-type: none"> 1. the existing footprint of the Waitaki Power Scheme; or 2. Waitaki Power Scheme Core Sites; or 3. Waitaki Power Scheme Operating Easements. 	<p>Matters of control where compliance is not met:</p> <ol style="list-style-type: none"> 1. duration and hours of construction; and 2. methods to reduce noise.