

13 April 2012

Pioneer Generation Ltd  
PO Box 275  
ALEXANDRA 9340

Attention: Mr Peter Mulvihill

Dear Peter,

**CONSULTATION ON POSSIBLE CHANGES TO THE HYDRO GENERATION SPECIAL  
ZONE – QUEENSTOWN LAKES DISTRICT PLAN**

**Introduction**

Thank you for your assistance in 2011 in preparing the monitoring report on the Hydro Generation Special Zone. The monitoring report went to the Council's Strategy Committee on 15 November 2011 and was noted by the Committee. The monitoring report ([www.qldc.govt.nz/monitoring](http://www.qldc.govt.nz/monitoring)) indicated that most of the objectives, policies and rules were working well however some areas could be improved or clarified.

An issues and options discussion for all of the special zones was subsequently held with the Strategy Committee, and the Committee were of the view that only minor fine tuning was required for the Hydro Generation Special Zone.

The purpose of this letter is to consult with you on the relatively minor changes we are proposing, and invite you to provide comment to the Council on any other changes you consider necessary or would like to see made as part of the District Plan Review. The District Plan Review is due to be publicly notified in October 2013, however we would like your input at this early stage. A formal public submission and hearing process will of course follow notification of the District Plan Review.

**Possible Changes**

Monitoring indicated the following changes would enhance the provisions of the Hydro Generation Special Zone:

1. Zone standard relating to building height

Zone standard 12.13.5.1 states:

- (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.*

The term 'dam foundations footprint' is not defined in the District Plan, and providing a definition could assist with removing any uncertainty.

*We would like your feedback on whether the Council should try and better define the term 'dam foundations footprint', and if so, what would be a suitable definition.*

## 2. Permitted activities

Eleven activities associated with the day to day operation of hydro generation facilities are excluded from the controlled activity rule, and are therefore permitted. Feedback confirmed that these eleven activities do cover the key day to day matters. Pioneer Generation suggested a further activity could be added, which is one helipad per hydro generation site, for use on hydro generation related matters. Due to the remote and steep terrain of some of the hydro generation sites, a helicopter is often used when inspections or work is required.

*We would like your feedback on whether the Council should provide as a controlled activity, the construction of one helipad per hydro generation zone. Once a helipad is approved, the use including take off and landings associated with works on the hydro generation scheme, could be added to the exclusions to the controlled activity rule, making the use permitted.*

## 3. Definitions

The term 'Hydro Generation Activity' is defined in the Definitions chapter of the District Plan (Volume 2). The rules section of the Hydro Generation Zone then contains a number of defined terms, including 'operation', 'maintenance', 'refurbishment', 'enhancement', 'upgrade' and 'servicing'. These defined terms should be moved to the 'Definitions' section of the plan, so that all defined terms are in the same location.

*We would like your feedback on whether the Council should move the relevant definitions to the Definitions chapter or keep some definitions in the Hydro Generation chapter and some in the Definitions chapter.*

## 4. Rules for non-Hydro Generation activities

At the start of the rules section, it states that "any activity not defined as hydro generation activity....shall be subject to Part 5, Rural General zone provisions". This is an important catch-all, as the Hydro Generation Zone in places covers a very large area, and the Hydro Generation rules themselves do not address other possible activities that could occur in the zone, such as non-hydro generation related earthworks, residential activity etc. However the physical location of this rule, which sits before the defined terms, means it can easily be missed.

*We propose altering the format of the chapter so that this rule is not missed.*

## 5. Wording of controlled activity rule

The wording of the controlled activity rule states (underlining added):

### **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:*

The Council's view is that this rule was intended to permit the day to day operations associated with *existing* hydro generation activities, without the need for a controlled activity resource consent.

Confusion arises with regard to the heading i, which refers to 'Existing hydro generation activities', and the wording underneath which refers to 'Hydro generation activities' (no reference to 'existing').

This is confusing for two reasons:

- (a) On first reading of the heading it sounds like "existing" hydro generation activities require a controlled activity consent. That would mean that the Hawea, Roaring Meg, Wye Creek and Oxburn Schemes would require a controlled activity consent to remain where they are. However the wording of the rule then drops the word 'existing', and the operation, maintenance and enhancement of 'facilities' is excluded.
- (b) It is a little unclear whether the Luggate hydro generation zone is covered by this rule. It is an existing Hydro Generation zone, but there are no hydro generation "facilities" there, and only investigative "activity" has been undertaken. The rule does not appear to apply to a *proposed* hydro generation activity, but rather the 'operation, maintenance and enhancement of facilities'.

*We propose to move the word "existing" from the rule heading to before the word "facilities". The revised wording would make it clear that the exclusions to the controlled activity rule only apply to "existing facilities", and that exploratory or research works for proposed hydro generation facilities (such as at Luggate), do require a controlled activity consent.*

- i **Existing Hydro Generation Activities**  
*Hydro generation activities, except for the operation, maintenance and enhancement of existing facilities. For the avoidance of doubt this exception includes the following activities:*

*We would like your feedback on this proposed change.*

## 6. Wilding Removal

Almost all of the sites zoned for hydro generation had wilding pine infestations present. Removal of these trees is a permitted activity, however unless the trees are affecting the operation of the hydro facility, or causing a problem, they are generally left alone. The Council is seeking to consistently treat the wilding pine problem due to the threat wildings pose to the natural landscape. An assessment matter could potentially be added, which would see the removal of wilding species as a matter the Council could have regard to when processing resource consents.

*We would like your feedback on this proposed change, or any other changes that would see wilding pines better managed on land zoned for hydro generation.*

7. Notification provisions

The existing provisions in the District Plan refer to section 93 of the Resource Management Act, which has been repealed. We propose to update this section to reflect the correct section of the RMA.

*We would like your feedback on this proposed change.*

8. National Policy Statement for Renewable Electricity Generation 2011

The National Policy Statement on Renewable Electricity Generation (NPS REG) was issued in 2011, and the Council must ensure its district plan is consistent with the national policy statement. The Council is using the District Plan Review process to make the necessary changes. We believe the provisions of the Hydro Generation zone are already consistent with many of the policies of the NPS REG, including policies E2, F and G. However we would welcome your feedback on this matter.

*We would like your feedback on whether any changes are required to the Hydro Generation zone to give effect to the NPS REG.*

We also note that the QLDC is consulting the wider public on eight of the 'Special Zones' found in the District Plan, including the Hydro Generation Special zone. I have enclosed for your information a brochure that is being sent to landowners in and adjoining the hydro generation. These are due to be mailed out shortly, and you may also receive a further copy in the mail from our rates database. .

**Summary**

The Council considers the Hydro Generation zone generally works well but that minor changes could remove uncertainty and improve implementation. We would be grateful to receive your feedback by **31 May 2012**.

We would also like to hear of any other suggestions you have, or any other proposed changes.

If you would like to discuss this I can be contacted on (03) 450 1738 or via email at [blair.devlin@qldc.govt.nz](mailto:blair.devlin@qldc.govt.nz) . A hard copy of this letter will be sent by mail.

Yours sincerely,



Blair Devlin  
SENIOR POLICY ANALYST

**Attachments:**

District Plan Review Brochure – Hydro Generation Special Zone – Issues and Options

Wednesday, 16 May 2012

Queenstown Lakes District Council  
Private Bag 50072  
Queenstown 9348

Attn Blair Devlin

**NOT SCANNED**

**QLDC**

**18 MAY 2012**

**QUEENSTOWN**

Dear Sir

**Re: Possible Changes to the Hydro Generation Special Zone – Queenstown Lakes District Plan**

Thank you for your letter dated 13 April 2012 and the opportunity to make comment on the proposed changes to the Hydro Generation Special Zone.

Pioneer Generation Ltd (PGL) wishes to make the following comments

1. Zone Standard relating to Building height

PGL considers that there needs to have clear definition of the "dam foot print", and would expect that the definition would take into account the various dam styles and designs.

PGL also believes that Zone standard 12.13.5.1 (b) needs to make allowance for ancillary structures that protrude above the crest of the dam. Such structures include covers over valves, control buildings and cranes/gantries necessary for the safe operation of the dams and the protection of public safety.

2. Permitted Activities

PGL would like to reiterate the benefit of allowing one helipad at each hydro generation site. Many of PGL sites are remote and do not allow for easy vehicular access.

3. Definitions

PGL do not object to moving definitions to the Definitions Chapter provided that it is clear that they refer to the Hydro Generation Zone.

4. Rules for non-Hydro Generation activities

PGL does not oppose the altering of the chapter to provide better clarity of rules

5. Wording of Controlled Activity rule

PGL agree with logic behind with the proposed change

## 6. Wilding Removal

PGL do not see the correlation between Hydro Generation and Wilding Pines that would require QLDC to give them regards when assessing consents regarding hydro generation facilities.

Wilding Pines are not limited to Hydro Generation land but often found, if not originating, on adjacent properties. PGL as a corporate citizen has, and always will, endeavoured to assist in community initiatives to remove or control wilding pines.

Wilding pines are a district wide issue and to specifically give them regard when addressing Hydro Generation consents would potentially unfairly discriminate Hydro Generation interests.

## 7. Notification Provisions

PGL does not oppose updating the District plan to remove reference to repealed sections.

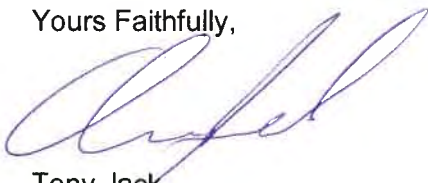
## 8. National Policy statement for Renewable Electricity Generation 2011

No Comment

### General Comment

PGL is generally in agreement with most of the proposed alterations and changes with the exception of those issues identified above. PGL reserves the right to make further comment during further consultation

Yours Faithfully,



Tony Jack

**GENERATION ENGINEER (CIVIL)**

*twj@pioneer.gen.co.nz*

13 April 2012

Contact Energy Ltd  
PO Box 25  
CLYDE 9341

Attention: Mr Neil Gillespie

Dear Neil,

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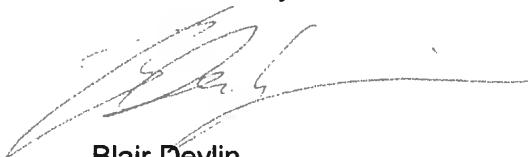
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We would also like to hear of any other suggestions you have, or any other proposed changes.

If you would like to discuss this I can be contacted on (03) 450 1738 or via email at [blair.devlin@qldc.govt.nz](mailto:blair.devlin@qldc.govt.nz) . A hard copy of this letter will be sent by mail.

Yours sincerely,



Blair Devlin  
SENIOR POLICY ANALYST

**Attachments:**

District Plan Review Brochure – Hydro Generation Special Zone – Issues and Options

17 May 2012

Blair Devlin  
Queenstown Lakes District Council  
Gorge Road  
Queenstown

By email

Dear Blair,

You wrote to Contact in April 2012 asking for Contact to provide comment on a number of minor changes to the Queenstown Lakes District Council's District Plan as it relates to the Hydro Generation Zone. Each of these minor changes is addressed in turn below.

**1. Dam Foundations Footprint**

There is no standard definition of Dam Foundations Footprint to our knowledge. The suggested definition of Dam Foundations Footprint is heavily based on the definition of 'foundation' as it is found in the New Zealand Dam Safety Guidelines. Contact suggests the following:

*Dam Foundations Footprint - the extent of the rock, soil and/or concrete that forms the base of a Dam structure, including its abutments and underground extent, when viewed in plan.*

**2. Permitted Activities**

Contact agrees that Pioneer Generation have a real need to access their power stations by helicopter and may need to construct dedicated helipads for that purpose. Contact supports the addition of constructing one helipad per hydro generation zone as a controlled activity.

**3. Definitions**

Contact would prefer that the terms 'operation', 'maintenance', 'refurbishment', 'enhancement', 'upgrade' and 'servicing' remain within the rules section of the Hydro Generation Zone. All of these definitions relate specifically to hydro generation activities and nowhere else in the District Plan. For example the definition of 'operation' provides for matters such as 'lake levels' and 'booms' while the definition of 'refurbishment' refers to '[enabling] the generation of electricity'.

Contact considers that these specific terms relate to the Hydro Generation Zone only and would serve little purpose being moved from the Hydro Generation Zone chapter to which they apply. Contact would also be very concerned should these terms become modified within the Definitions chapter of the District Plan. Council could consider putting a cross reference from the Definitions section to these terms within the Hydro Generation Zone.

**4. Rule for Non-Hydro Generation Activities.**

Without seeing how the format of the Chapter is to be changed Contact cannot offer an informed opinion. Contact would be happy to provide feedback on a specific proposal.

Contact Energy Limited

PO Box 25, Clyde 9341  
New Zealand

➤ Clyde Power Station  
Fruitgrowers Road, Clyde

☎ Phone: 64-3 440 0300  
Fax: 64-3 440 0302

🌐 [www.contactenergy.co.nz](http://www.contactenergy.co.nz)

*daniel.druce@contactenergy.co.nz*

## 5. Controlled Activity Rule

To enable the investigation of hydro generation zone for hydro generation purposes we suggest the following wording:

### **Existing Hydro Generation Activities**

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

This would ensure that investigations activities such as access, earthworks, drilling can continue to be undertaken in the Hydro Generation Zone.

The addition of 'refurbishment' is appropriate as it provides for existing 'plant and machinery other than generation plant' to be upgraded / modified as a permitted activity.

## 6. Wilding removal

Contact has invested considerable time and effort ridding itself of *pinus contorta* at its Hawea Dam site as required by the Otago Regional Council's Pest Management Strategy. Wilding pines have recently been felled at Wye Creek in an operation conducted with the assistance of the Department of Conservation. In addition Contact staff regularly manage pines species on Contact land where those trees become dangerous or threaten property.

Contact considers that wilding pine infestations on sites zoned for hydro generation must be managed consistently across the district by the District Council, but does not support wilding pine control being an assessment matter that the Council can have regard to when processing consents. As described, this assessment matter is vague and uncertain.

Should the QLDC wish to manage wilding pine infestations on sites zoned for hydro generation then Contact would welcome discussion on that matter.

## 7. Notification Provisions

Contact supports the District Plan being updated to reflect the wording of the RMA. This promotes certainty for all parties.

## 8. NPS for Renewable Generation 2011

The NPS is an important RMA policy document and should be reflected in the wording of the District Plan and the Hydro Special Zone. Contact would welcome a narrative on the NPS specifically noting the matters of national significance (the need to operate, develop, maintain and upgrade renewable electricity generation activities throughout New Zealand; and the benefits of renewable electricity generation) and how the District Plan is providing for that policy document.

As well as E2, F and G Contact also considers that the District Plan also provides for Policy D (Management of Reverse Sensitivity Effects) through the inclusion of the Hydro Special Zone. This provides for both consented and existing electricity generation activities.

Yours sincerely,



Daniel Druce  
Environmental Advisor