



Submission by Genesis Energy Limited

Trading as Genesis

ON

Mackenzie District Plan Review – Stage 3

Proposed Plan Change 26

Renewable Electricity Generation and Infrastructure

26 January 2024

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Mackenzie District Plan Review – Stage 3 Proposed Plan Change 26 Renewable Electricity Generation and Infrastructure

To: Mackenzie District Council

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Date: 26 January 2024

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1. Introduction

Genesis Energy Limited (**Genesis**) welcomes the opportunity to submit on the Proposed Plan Change 26 (**PC26**) relating to the Renewable Electricity Generation and Infrastructure Chapters in the Mackenzie District Plan.

Genesis is one of Aotearoa's largest electricity generator and energy retailer with a diverse portfolio of electricity generation assets. The electricity generation profile comprises a range of energy sources, including thermal and renewable energy sources from hydro, wind, and soon, solar.

In the Mackenzie district, Genesis owns and operates the Tekapo Power Scheme (**TekPS**, the **scheme**), which is a part of the nationally significant Waitaki Power Scheme.

In 2024, Genesis, with its joint venture partner FRV Australia, will commence construction of its first solar farm, which is located in the Canterbury region. As part of the Gen35 strategy reset, Genesis will use profits from the Kupe gas field to support a \$1.1 billion programme to build new renewable generation and grid scale battery storage between now and 2030. The investment into solar, grid scale battery storage and wind will help grow Genesis' renewable portfolio to around 8,300 GWh, representing a 160% increase on Genesis' current 3,200 GWh of renewable generation. The Gen35 strategy reset recognizes our role to support electrification of the New Zealand economy, and towards achieving net-zero 2050.

Section 2 of the submission outlines Genesis' specific submission points, reasons for submission, and the relief sought.

The focus of the specific submission points is to ensure the development, operation, maintenance and upgrade of the existing nationally significant Tekapo Power Scheme (and more broadly the Waitaki Power Scheme) and new renewable electricity generation assets are appropriately enabled within the Mackenzie district. The submissions are made to reflect national direction (such as the National Policy Statement for Renewable Electricity Generation) and assist the district (and New Zealand's) transition to a low-carbon future.

Genesis wishes to be heard in support of this submission. If others make a similar submission, Genesis would be prepared to consider presenting a joint case with them at any hearing.

Genesis does not gain an advantage in trade competition through this submission.

Nāku noa, nā



Karen Sky

Group Manager Environment and Community

2. Genesis Energy Limited – specific submission points on Plan Change 26 (Renewable Electricity Generation and Infrastructure)

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
Definitions				
1.	New definition – Minimise	New definition	The term “minimise” is used in INF-P4 and INF-P6 but is not defined in the plan change. Genesis seeks adoption of a new definition set out in the relief sought.	Insert new definition as follows: <i>Minimise means:</i> <i>to reduce to the smallest amount reasonably practicable.</i>
2.	Earthworks	Support	The definition of “earthworks” from the National Planning Standards is supported.	Retain the definition of “earthworks” as notified.
3.	Functional Need	Support	The use of the National Planning Standard definition for “functional need” is appropriate and supported.	Retain the definition of “functional need” as notified.
4.	Infrastructure	Support in part	<p>Infrastructure is included in the list of definitions associated with PC26, however is not marked as being subject to a plan change.</p> <p>“Infrastructure” is defined as having the same meaning as in section 2 of the RMA which includes “facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity”. While it is appropriate that the RMA definition of infrastructure forms the basis of the definition, the definition should be extended to include energy storage systems, recognising the role that such systems are likely to play in future electricity systems.</p>	<p>Amend the definition of “infrastructure” as follows:</p> <p><i>Has the same meaning as in section 2 of the RMA, <u>with an added reference to energy storage</u>, (as set out below)</i></p> <p>Means —</p> <p>...</p> <p>(d) <i>facilities for the generation of electricity, <u>energy storage</u>, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—</i></p> <p>...</p> <p>Alternatively, if the definition of Infrastructure is not amended, then all provisions in all of PC23, PC24, PC25, PC26 and PC27 that refer to “Infrastructure” should be amended to refer to “<i>Infrastructure and energy storage facilities</i>”.</p>

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5.	Investigation activities	Support	The definition of " <i>investigation activities</i> " is appropriate and supported.	Retain the definition of " <i>investigation activities</i> " as notified.
6.	Lifeline utility infrastructure	Support	The use of the Civil Defence Emergency Management Act 2002 definition of " <i>lifeline utility infrastructure</i> " is appropriate and supported.	Retain the definition of " <i>lifeline utility infrastructure</i> " as notified.
7.	Operational need	Support	The use of the National Planning Standards definition of " <i>operational need</i> " is appropriate and supported.	Retain the definition of " <i>operational need</i> " as notified.
8.	Pole	Support	The definition of " <i>pole</i> " is considered appropriate and is supported.	Retain the definition of " <i>pole</i> " as notified.
9.	Small-scale renewable electricity generation activity	Support	The definition of " <i>small-scale renewable electricity generation</i> " activity is supported.	Retain the definition of " <i>small-scale renewable electricity generation</i> " as notified.
10.	Upgrade	Support	The definition of " <i>upgrade</i> " is supported.	Retain definition of " <i>upgrade</i> " as notified.

REG – Renewable Electricity Generation Chapter

11.	Introduction Paragraphs 1 to 4	Oppose	<p>The introduction needs to better capture the national significance of renewable electricity generation activities as is recognised not only in the NPS-REG, but also the NPS-FM and the NPS-IB. Together these national policy statements establish a framework to specifically provide for and manage the effects of renewable electricity generation activities which needs to be better prefaced in the introduction to this chapter.</p> <p>The introduction to the REG chapter also needs to provide</p>	<p>Amend the Introduction as follows:</p> <p><i>This Chapter contains District-wide provisions relating to renewable electricity generation activities.</i></p> <p><i>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 for Renewable Electricity Generation 2011 (NPS-REG), which requires recognition of the national significance of</i></p>
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			<p>greater emphasis on the importance of addressing the effects of climate change and the profound risk it poses to achieving the sustainable management of natural and physical resources in New Zealand, including in the Mackenzie District.</p> <p>The Canterbury Regional Policy Statement further outlines the importance of renewable electricity generation activities, particularly through Objective 16.2.2 to promote a diverse and secure supply of energy, and Policies 16.3.3 and 16.3.5 recognising the benefits of renewable energy generation facilities, and the importance of providing for efficient, reliable and resilient electricity generation within the region.</p>	<p><i>renewable electricity generation.</i></p> <p><i>The global climate has changed because of greenhouse gas emissions from human activities, and it will continue to do so in the absence of fast and bold interventions. The effects of human-caused climate change are broad and far-reaching. It is a global issue that affects the physical environment, ecosystems, and human societies. New Zealand is already experiencing increased frequency and intensity of extreme events such as higher temperatures, flooding, droughts and wildfires, increased sea-level rise, and warmer and more acidic oceans. Climate change poses a profound risk to achieving sustainable management of natural and physical resources in New Zealand, including in the Mackenzie District.</i></p> <p><i>Key to mitigating climate change is rapid decarbonisation of the economy and its energy systems through renewable electricity generation. The Mackenzie District is synonymous with renewable electricity generation activities, such as the nationally significant Waitaki Power Scheme. The national significance of renewable electricity generation is also recognised in the National Policy Statement for Freshwater Management 2020 and the National Policy Statement for Indigenous Biodiversity 2023. Together these national policy statements establish a framework to specifically provide for and manage the potential effects of renewable electricity generation activities that differs from the framework applied to other activities under the Act.</i></p> <p><i>The District Plan must give effect to national policy statements.</i></p> <p><i>There are significant renewable energy resources located within the District. Part of the nationally significant Waitaki Power Scheme, which is the largest hydro-electric power scheme in New Zealand, is</i></p>

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				<p>located within the District. The District also contains the Opuha Hydro-electric Power Scheme. There is also increasing interest in solar power generation in the District, due to the high amount of irradiance, particularly in Te Manahuna / the Mackenzie Basin. At a domestic scale, there are renewable electricity options such as solar water heating and solar panels.</p> <p>The NPS-REG directs that the development, operation, maintenance and upgrading of both new and existing renewable electricity generation activities is provided for, in order to increase the proportion of electricity generated from renewable energy sources. These activities often have a functional need or operational need to be in a particular location, but can have adverse effects on the environment, particularly in areas which have important natural values or mana whenua values. This chapter provides direction on how renewable electricity generation activities are to be provided for, while appropriately managing the potential adverse effects of these activities.</p>
12.	Introduction Paragraphs 5	Oppose	<p>Genesis considers that paragraph 5 of the introduction is not sufficiently clear. The notified version of Paragraph 5 reads "<i>The provisions in other chapters of this District Plan do not apply to activities managed in this chapter, except as follows:</i>" and then lists topics, but not specific provisions. This leaves it unclear what specific provisions do and do not apply to REG activities.</p> <p>With regard to Ecosystems and Indigenous Biodiversity provisions, Genesis understands that for 'renewable energy generation and transmission' activities, a consent memorandum has been signed by all parties to appeals on</p>	<p>Amend paragraph 5 of the Introduction as follows:</p> <p><i>The provisions in other chapters of this District Plan do not apply to activities managed in this chapter, except as follows:</i></p> <ul style="list-style-type: none"> ● Natural Hazards ● Historical Heritage ● Notable Trees ● Ecosystems and Indigenous Biodiversity, but excluding Policies 2 and 3. ● Activities on the Surface of Water ● Light

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
			<p>such provisions in MDC's decisions version of Plan Change 18 (PC18). This consent memorandum leads to the following PC18 provisions applying to the WPS and the Opuha Scheme:</p> <p>Objective,</p> <p>Policies 1, 4, 5, 7 and 8</p> <p>Rules 2.1.1 and 2.2.1</p> <p>Contrary to the notified version of the PC26 Renewable Electricity Generation chapter, Genesis considers that Policy 6 of PC18 does not apply to the WPS or the Opuha Scheme since it addresses farming activities and not REG activities. Further, while the title of Rule 1 of PC18 states that the rule does not apply to the WPS and the Opuha Scheme, Genesis considers that the PC26 Renewable Electricity Generation chapter should be explicit that Rules 1.1.1, 1.2.2, 1.3.1 and 1.3.2 of PC18 do not apply to the schemes.</p> <p>With regard to activities on waterbodies, Plan Change 19 to the Mackenzie District Plan (MDP) addressed these provisions and they are now operative. For this reason, the specific provisions that apply to REG activities can be readily listed in the REG Chapter.</p> <p>With regard to provisions addressing light, Plan Change 22 to the MDP addressed these provisions and they are now operative. For this reason, the specific provisions that apply to REG activities can be readily listed in the REG Chapter.</p>	<ul style="list-style-type: none"> ● <i>Noise</i> ● <i>Signs</i> <p><i>The provisions in the earthworks chapter do not apply to earthworks that form part of the activities managed in this chapter (unless specified within the rules in this chapter), but do apply to the construction of new roads and access tracks associated with any infrastructure.</i></p> <p><i>Concerning the Ecosystems and Indigenous Biodiversity Chapter, the following provisions apply to the Waitaki Power Scheme and the Opuha Scheme:</i></p> <p><i>Objective,</i></p> <p><i>Policies 1, 4, 5, 7 and 8</i></p> <p><i>Rules 2.1.1 and 2.2.1</i></p> <p><i>Concerning activities on waterbodies:</i></p> <p><i>a) the following provisions apply to the Waitaki Power Scheme:</i></p> <p><i>Rural Objective 8</i></p> <p><i>Rural Policies 8A, 8B, 8F</i></p> <p><i>Rural Rules 7A.1.1.d, 7A.1.2.b, 7A.2.1.d</i></p> <p><i>b) the following provisions apply to renewable electricity generation activities other than the Waitaki Power</i></p>

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			<p>Genesis understands that provisions addressing Natural Hazards, Historical Heritage, Notable Trees, Noise and Signs are part of Stage 4 of the review of the MDP, and that Stage 4 provisions are scheduled for public notification in November 2024.</p> <p>In the interim, Genesis considers that the current relevant provisions should be listed in the REG Chapter, and the list of provisions that apply to REG activities should be updated through the 2024 plan changes.</p> <p>Genesis has listed, in its 'relief sought', the provisions that it considers apply to REG at this stage in the MDP review process. With respect to noise, Genesis considers that there are no specific existing provisions that can be listed. Genesis considers that Rural Objective 6 and Rural Policy 6D are too general in their references to 'amenity values' (which can be affected by emissions of noise) to be added to the list. For this reason, Genesis has not listed noise provisions that apply to REG at this point.</p> <p>It is appropriate that the provisions in other chapters of the District Plan do not apply to REG activities managed under the REG chapter with the exception of those identified as notified. In particular, the exception of Policies 2 and 3 in the Ecosystems and Indigenous Biodiversity chapter from the matters identified in other chapters that apply within the REG chapter is supported given the recognised national significance of renewable energy generation activities. Further to the exclusion of policies 2 and 3, renewable electricity generation activities captured by Rule 1 of the Indigenous Biodiversity chapter should also be excluded, on</p>	<p><u>Scheme:</u></p> <p><u>Rural Objective 8</u></p> <p><u>Rural Policies 8A, 8B</u></p> <p><u>Rural Rules 7A.1.1.a, 7A.1.1.b, 7A.1.2.b, 7A.2.1.a, 7A.2.1.b, 7A.2.1.c, 7A.2.2.a, 7A.2.2.b, 7A.2.3.b, 7A.3.1.a, 7A.3.1.b, 7A.3.3.a, 7A.3.4.b, 7A.4.1.a, 7A.4.1.b, 7A.4.2.a, 7A.4.3.b, 7A.4.4.b</u></p> <p><u>Concerning General District-Wide Matters Light, the following provisions apply to renewable electricity generation activities:</u></p> <p><u>Light-O1, Light-P1, Light-P2, Light-R1, Light-R2, Light-R3, Light-R4</u></p> <p><u>Concerning signs, the following provisions of Section 12 – Signs and Aerial Distractions Assessment Matters apply to renewable electricity generation activities:</u></p> <p><u>Objective 1</u></p> <p><u>Policies 1A, 1B, 1C</u></p> <p><u>Rules 1.a, 1.b, 1.c, 1.d, 1.e, 1.f, 1.g, 2.a, 2.d, 2.e, 2.f, 3.a, 3.b, 3.c, 7.e.</u></p> <p><u>Concerning historic heritage and notable trees, the following provisions in Section 11 - Heritage Protection apply to renewable electricity generation activities.</u></p>

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			<p>the basis that any indigenous vegetation clearance associated with the Waitaki Power Scheme, the national grid or the Opuha Scheme are covered by Rule 2, and the effects of indigenous vegetation clearance associated with the construction of any new renewable electricity generation activities.</p>	<p><u>Objective 1</u></p> <p><u>Policies 1D</u></p> <p><u>Rules 1.a, 2.a, 2.b, 3.a, 4.a, 4.b, 5, 6.a.</u></p> <p><u>Concerning natural hazards, the following provisions apply to renewable electricity generation activities.</u></p> <p>a) <u>ATC-05; and</u></p> <p>b) <u>Section 18 – Natural Hazards Objective 1 and Policies 4, 5 and 6.</u></p> <p><u>Concerning noise:</u></p> <p><u>Rule 15.1.1h of the Section 7 – General Rural Zone Rules.</u></p>
13.	Introduction Paragraph 6	Oppose	<p>The construction of new roads or access tracks are a fundamental component to the development of renewable electricity generation activities which cannot be developed operated or maintained without the appropriate provision for vehicular access. The proposed exclusion of these activities from the REG chapter is not supported and due consideration of the effects of roading and access related earthworks is better captured by matters of discretion for REG activities.</p>	<p>Delete the sixth paragraph of the Introduction to the REG chapter, as follows:</p> <p>The provisions in the earthworks chapter do not apply to earthworks which form part of the activities managed in this chapter, except for the construction of new roads or access tracks.</p>

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14.	REG-O1 – General Output	Support	Objective REG-O1 is supported as the maintenance or increase of output from electricity generation activities in the District for national, regional and local use is appropriate.	Retain Objective REG-O1 as notified.
15.	REG-O2 – Adverse Effects	Oppose in part	The need to manage potential adverse effects that can result from activities is generally supported, however, Genesis consider that the Objective as drafted does not adequately reflect the national direction set in the NPS-REG and should more clearly recognise the national significance of REG activities.	Amend Objective REG-O2 as follows: <i>The adverse effects of renewable electricity generation activities are appropriately managed <u>while recognising the national significance of renewable electricity generation activities and giving particular regard to the functional or operational needs of such activities.</u></i>
16.	REG-O3 – Te Manahuna / Mackenzie Basin ONL – Renewable Energy	N/A	Genesis understands that REG-O3 is not within the scope of PC26.	N/A
17.	REG-P1 – Benefits	Support in part	The intent of Policy REG-P1 is generally supported as the recognition of the benefits of renewable electricity generation activities is appropriate. This policy should however be amended to specifically acknowledge both existing and new renewable electricity generation assets as well as activities for clarity.	Amend Policy REG-P1 as follows: Recognise and provide for the national, regional, and local benefits of <u>existing and new</u> renewable electricity generation <u>assets and</u> activities, including avoiding, reducing, or displacing greenhouse gas emissions.
18.	REG-P2 – Te Manahuna / Mackenzie Basin ONL – Renewable Energy	N/A	Genesis understands that REG-P2 is not within the scope of PC 26.	N/A

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19.	REG-P3 – Lakeside Protection Areas	N/A	Genesis understands that REG-P3 is not within the scope of PC 26.	N/A
20.	New Policy REG-PX – Waitaki Power Scheme	New Policy	Renewable electricity generation activities within the existing footprint and core sites of the Waitaki Power Scheme need to be specifically enabled. REG-P2 provides for REG activities in a manner that, as far as practicable, avoids, remedies, or mitigates significant adverse effects on the ONL and features of the Mackenzie Basin, however the REG activities associated with the WPS need to be specifically enabled in a new policy.	<p>Insert new policy as follows:</p> <p><u>REG-PX – Waitaki Power Scheme</u></p> <p><u>Enable the operation, maintenance and upgrade of the Waitaki Power Scheme.</u></p>
21.	REG-P4 – Investigation Activities and Small-Scale Renewable Electricity Generation Activities	Oppose in part	<p>While Genesis supports enablement of the investigation and identification of renewable electricity generation sources as well as small-scale activities, Genesis considers that the phrase <i>“relative to the sensitivity of the area in which they are located”</i> is not clear enough to be consistently applied in decision making and is not consistent with the NPS-REG.</p> <p>Further to this, the <i>“sensitivity of the area”</i> is reflected in the introduction to the Renewable Electricity Generation chapter which identifies other provisions in the MDP that apply to renewable electricity generation activities in addition to the provisions in PC26. For these reasons, Genesis considers that the phrase <i>“relative to the sensitivity of the area in which they are located”</i> is not necessary in Policy REG-P4.</p>	<p>Amend REG-P4 as follows:</p> <p><i>Enable investigation and identification of renewable electricity generation sources and small-scale renewable electricity generation activities while managing adverse effects relative to the sensitivity of the area in which they are located.</i></p>
22.	REG-P5 – Other	Oppose	Genesis opposes policy REG-P5 on the basis that it is inconsistent with Policies C1 and C2 of the NPS-REG.	<p>Amend REG-P5 as follows:</p> <p><u>Provide for Enable</u> renewable electricity generation <u>not otherwise</u></p>

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
	Renewable Electricity Generation Activities		<p>The meaning of the phrase “<i>minimising other effects</i>”, is unclear, and Policy C2 leads to offsetting and compensation only being had regard to when considering residual adverse effects after avoiding, remedying or mitigating adverse effects.</p> <p>With respect to point 4 of Policy REG-P5, the definition of “<i>functional needs</i>” in PC26 reads “<i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment</i>” which is narrower than the direction in Policy C1(a) of the NPS-REG, which directs decision makers to have particular regard to “<i>the need to locate the renewable electricity generation activity where the renewable energy resource is available</i>”. Genesis’ concern with the inclusion of “<i>functional needs</i>” in Policy REG-P5 is that it is overly restrictive of REG activities in areas not identified in Policy REG-P6 as being more sensitive to the potential effects of REG activities.</p> <p>Genesis therefore seek relief that is consistent with the direction of Policy C1 of the NPS-REG.</p> <p>Further to this, Policy REG-P5 should also specifically exclude the activities addressed in REG-P2, REG-P3, the proposed new policy REG-PX sought earlier in this submission, as well as REG-P4 activities.</p> <p>Genesis also considers that REG-P5 should be enabling the activities listed in the policy as they are not in areas of significant indigenous vegetation and significant habitats of</p>	<p><i>specified enabled or provided for in REG-P2, REG-P3, REG-PX and REG-P4</i>), while managing adverse effects by:</p> <ol style="list-style-type: none"> 1. <i>avoiding, remedying or mitigating significant adverse effects as far as practicable; and</i> 2. <i>minimising other effects;</i> 3. <i>where residual significant adverse effects remain, having regard to any proposed offsetting measures and/or environmental compensation measures proposed; and</i> 4. <i>Having particular regard to the practical constraints associated with renewable electricity generation activities, including:</i> <ol style="list-style-type: none"> a. <i>Functional needs and Operational needs of renewable electricity generation activities;</i> b. <i>The need to locate the renewable electricity generation activity where the renewable energy resource is available; and</i> c. <i>Location and efficient use of existing electricity generation, transmission and distribution infrastructure.</i>

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
			indigenous fauna, ONLs, ONFs, riparian areas and SASM or on highly productive land (because such activities are addressed in REG-P6), and accordingly the conditions of a permitted or controlled activity rule can be readily applied to manage potential adverse effects without the need to apply discretion to the granting of a consent (or otherwise).	
23.	REG-P6 – Other Renewable Electricity Generation Activities – Within areas of significant indigenous vegetation and significant habitats or indigenous fauna, ONLs, ONFs; riparian areas and SASM or on highly productive land.	Oppose	<p>Genesis considers that Policy REG-P6 should specifically exclude the activities addressed in REG-P2, REG-P3, the proposed new policy REG-PX sought in submission point 17, as well as REG-P4 activities.</p> <p>Furthermore, condition 4 needs to be amended to be specific to offsetting and compensation measures that are proposed by the generator.</p> <p>Condition 5 is considered to be inconsistent with national direction which does not require this approach at this point in time. For example the National Policy Statement for Indigenous Biodiversity does not apply to REG assets and activities, while there is direction in the NPS-REG to increase REG in New Zealand. Genesis therefore consider that a consenting pathway should exist for REG activities that allows the merits or otherwise of a proposed activity to be considered on a case by case basis under the national policy direction at the time.</p>	<p>Amend Policy REG-P6 as follows:</p> <p><i>REG-P6 – Other Renewable Electricity Generation Activities – Within areas of significant indigenous vegetation and significant habitats of indigenous fauna, ONLs, ONFs, riparian areas and SASM or on highly productive land</i></p> <p><i>Provide for renewable electricity generation activities (not otherwise specified enabled or provided for in <u>REG-P2, REG-P3, REG-PX and REG-P4</u>) within areas of significant indigenous vegetation and significant habitats of indigenous fauna, Outstanding Natural Landscapes, Outstanding Natural Features, Sites and Areas of Significance to Māori, riparian areas, or within area of Highly Productive Land, where:</i></p> <ol style="list-style-type: none"> <i>1. there is a functional need or operational need for the activity to be in that location;</i> <i>2. adverse effects on the values of the area are avoided as far as practicable, including through site, route or method selection, design measures and other management methods;</i> <i>3. adverse effects that cannot be avoided are remedied or mitigated, where practicable; <u>and</u></i>

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				<p>4. <i>regard is had to any <u>proposed</u> offsetting measures or environmental compensation, where there are <u>significant</u> residual adverse effects that cannot be avoided, remedied or mitigated; and</i></p> <p>5. <i>following application of 1.—4. Above, there are no significant adverse effects remaining.</i></p>
24.	REG-R1	Support	Provision for the operation and maintenance of an existing hydroelectric power station and its associated structures as a permitted activity is supported.	Retain Rule REG-R1 as notified.
25.	REG-R2	Support in part	The intent of Rule REG-R2 is supported, however the drafting should be amended to more clearly reference scheme and structures “associated” with the Opuha Scheme.	<p>Amend Rule REG-R2 as follows:</p> <p>REG-R2 – Upgrade of an existing hydroelectric power station and associated structures associated with the Opuha Scheme, or within the existing footprint or core sites of the Waitaki Power Scheme.</p>
26.	REG-R3	Support in part	<p>Provision for the upgrade of an existing structure within an operating easement of the Waitaki Power Scheme as a permitted activity where the relevant development standards are met is supported, along with the controlled activity status that applies when the standards cannot be met.</p> <p>However, Genesis does not support matter of control REG-MD1(b) – please refer to submission point 31 below.</p>	Retain Rule REG-R3 as notified subject to relief sought to REG-MD1(b) in submission point 31 below.
27.	REG-R4	Support in part	<p>The provision for the development of new renewable electricity generation activities associated with an existing hydroelectric power station, including associated structures as a controlled activity is supported.</p> <p>However, Genesis does not support matter of control REG-</p>	Retain REG-R4 as notified subject to relief sought to REG-MD1(b) in submission point 31 and REG-MD2(i) in submission point 32 below.

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			MD1(b) – please refer to submission point 31 below, and matter of discretion REG-MD2(i) – please refer to submission point 32 below.	
28.	REG-R5	Support in part	The provision for investigation activities as a permitted activity where the relevant conditions are met is supported. The restricted discretionary activity status that applies when the conditions of the permitted activity cannot be met is also supported. However, Genesis considers that REG-MD3(d) is inconsistent with the direction of NPS-REG Policy C2 and seeks that this matter be amended.	Retain Rule REG-R5 as notified subject to relief sought to REG-MD3(d) in submission point 33 below.
29.	REG-R6	Support	The provision for small-scale renewable electricity generation activities as a permitted activity is supported	Retain Rule REG-R6 as notified.
30.	REG-R7	Support in part	<p>The provision for any renewable electricity generation activities not otherwise listed outside the areas specified as a restricted discretionary activity is supported.</p> <p>The provision for any renewable electricity generation activities not otherwise listed within an area of significant indigenous vegetation or significant habitat of indigenous fauna, Outstanding Natural Landscape, Outstanding Natural Feature, Sites and Areas of Significance to Māori, a setback distance specified in Table NATC-1, or on Highly Productive Land as a Discretionary Activity is also supported.</p> <p>However, Genesis considers that REG-MD4(b) is inconsistent with Policy C2 of the NPS-REG – please refer to submission point 34 below.</p>	Retain Rule REG-R7 as notified subject to relief sought to REG-MD4(b) in submission point 34 below.
31.	REG-MD1 – Existing	Oppose in part	REG-MD1 relates to the upgrade of an existing structure within an operating easement of the Waitaki Power Scheme	Amend REG-MD1 as follows:

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	Hydroelectric Power		<p>where the permitted activity condition is not able to be met. Rule 2.1.1(5) of the Ecosystems and Indigenous Biodiversity Chapter that was subject to PC18 provides for the clearance of indigenous vegetation where “<i>the clearance is required for the refurbishment of the Waitaki Power Scheme, and is located outside of the existing footprint or core sites but within the operating easement, and outside of significant indigenous vegetation and significant habitats of indigenous fauna</i>” as a permitted activity.</p> <p>On the basis that the definition of “<i>refurbishment of the Waitaki Power Scheme Opuha Scheme or National Grid</i>” as introduced by PC18 includes the “<i>upgrade or renewal (to gain efficiencies in generating and transmitting electricity) of machinery, buildings, plant, structure, facilities, works or components and operating facilities associated with the infrastructure</i>” Genesis considers that REG-MD1(b) is not necessary as indigenous vegetation is already provided for under chapter 19 as a permitted activity and should be deleted.</p>	<p><i>REG-MD1 Existing Hydroelectric Power</i></p> <ul style="list-style-type: none"> a. <i>The nature of any visual effects of the building or structure on the skyline and open landscape.</i> b. The nature of any effects on any indigenous vegetation and habitats of indigenous fauna. c. <i>The nature of any adverse effects on the environment from construction of the building or structure including earthworks, dust, run-off, sedimentation, noise and traffic.</i> d. <i>The location, bulk, height, cladding or colour of the proposed work.</i> e. <i>Landscaping, revegetation, and fencing.</i> f. <i>Earthworks.</i> g. <i>Location and construction of vehicle entry and exit points.</i> h. <i>Vehicle manoeuvring and parking areas.</i>
32.	REG-MD2 – Maximum Operating Level Changes	Oppose in part	Genesis considers that matter of discretion (i) should be deleted on the basis that the same effect is already addressed by matters (c) and (e).	<p>Amend REG-MD2 as follows:</p> <p><i>REG-MD2 Maximum Operating Level Changes</i></p> <ul style="list-style-type: none"> a. <i>The extent to which surrounding land would be inundated.</i> b. <i>The productive quality of soils of an area to be inundated.</i> c. <i>The degree to which the visual quality of the landscape will be affected.</i>

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
				<ul style="list-style-type: none"> d. <i>The social and economic impact on local communities.</i> e. <i>The extent to which an increased water body will affect the provision of roading and services within the locality.</i> f. <i>The potential for increased recreational opportunities.</i> g. <i>The degree to which Outstanding Natural Landscapes, Scheduled Heritage Items, Lakeside Protection Areas and Significant indigenous vegetation and significant habitats of indigenous fauna will be affected.</i> h. <i>The extent of effects on Sites and Areas of Significance to Māori.</i> i. <i>The visual impact of roading.</i> j. <i>The extent to which the activity exacerbates lakeshore erosion and/or weakening of hillslopes.</i>
33.	REG-MD3 – Specified Areas	Oppose in part	<p>The matters of discretion in REG-MD3 which relate to investigation activities in areas defined in the definitions section of the plan as “Sensitive Areas” are generally supported, however Genesis considers that REG-MD3(d) is inconsistent with Policy C2 of the NPS-REG.</p>	<p>Amend REG-MD3 as follows:</p> <p><i>REG-MD3 Specified Areas</i></p> <ul style="list-style-type: none"> a. <i>Whether there is a demonstrated functional need or operational need for the location of the activity.</i> b. <i>The extent to which adverse effects on the values of the location have been avoided as far as practicable through the proposal.</i> c. <i>The appropriateness of measures to remedy or mitigate adverse effects that cannot be avoided.</i>

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
				<ul style="list-style-type: none"> d. <i>The effectiveness of any proposed offsetting or compensation measures when any significant residual effects cannot be avoided, remedied or mitigated.</i> e. <i>The location of existing electricity generation, transmission and distribution infrastructure and the extent to which the proposal contributes to its efficient use.</i> f. <i>The significance and benefits of the activity.</i>
34.	REG-MD4 – New Renewable Electricity Generation	Oppose	<p>The matters of discretion in REG-MD4 which relate to the any renewable electricity generation activities not otherwise provided listed (which includes new renewable electricity generation activities) are generally supported. However, as discussed above in relation to Policy REG-P5, REG-MD4(b) and (c) are not considered to be consistent with Policy C2 of the NPS-REG and these matters should be amended and an additional matter included to reflect the relief sought for Policy REG-P5.</p>	<p>Amend REG-MD4 as follows:</p> <p><i>REG-MD4 New Renewable Electricity Generation</i></p> <ul style="list-style-type: none"> a. <i>The appropriateness of measures to avoid, remedy or mitigate adverse effects.</i> b. <i>The effectiveness of any proposed offsetting or compensation measures when any significant residual effects cannot be avoided, remedied or mitigated.</i> c. <i>The functional needs and operational needs of the activity.</i> <i>x. the need to locate renewable electricity generation activities where the renewable energy resource is available.</i> d. <i>The location of existing electricity generation and distribution infrastructure and the extent to which the</i>

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
				<p><i>proposal contributes to its efficient use.</i></p> <p>e. <i>The significance and benefits of the proposal.</i></p> <p>f. <i>The nature of any adverse effects on the environment from construction of any building or structure including earthworks, dust, run-off, sedimentation, noise and traffic.</i></p> <p>g. <i>The location, bulk, height, cladding or colour of the proposed work.</i></p> <p>h. <i>Landscaping, revegetation, and fencing.</i></p> <p>i. <i>Earthworks.</i></p> <p>j. <i>Location and construction of vehicle entry and exit points.</i></p> <p>k. <i>Vehicle manoeuvring and parking areas.</i></p>

INF – Infrastructure Chapter

35.	INF – Introduction	Oppose in part	The introduction clarifies that the provisions in other chapters of the plan do not apply to the activities managed in this chapter, except those that are identified which is supported. Genesis considers that clarification should be provided that REG activities are managed under the REG chapter of the plan only.	Amend the introduction by including the following paragraph: <i>Renewable electricity generation activities are not subject to the provisions in this chapter.</i>
36.	INF-O1 – Infrastructure	Support	Genesis support the intent of Objective INF-O1 as the development and maintenance of infrastructure to meet the needs, and provide for the health, safety and wellbeing, of people and communities in a way that is integrated with subdivision, use and development is appropriate.	Retain Objective INF-O1 as notified.

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37.	INF-O2 – Adverse Effects of Infrastructure	Support	Genesis support Objective INF-O2 as it seeks to manage the adverse effects infrastructure on the surrounding environment according to the sensitivity of the environment and the function needs or operational needs of the infrastructure which is appropriate.	Retain Objective INF-O2 as notified.
38.	INF-O3 – Adverse Effects on Infrastructure	Support in part	Genesis support the intent of Objective INF-O3 which seeks to ensure that the efficient operation, maintenance, upgrading and development of regionally significant infrastructure is not constrained or compromised by other activities; however, consider that infrastructure of local and national significance along with lifeline utility infrastructure should also be included alongside regionally significant infrastructure.	<p>Amend Objective INF-O3 as follows:</p> <p><i>The efficient operation, maintenance, upgrading and development of <u>locally</u>, regionally <u>or nationally</u> significant infrastructure <u>and lifeline utility infrastructure</u> is not constrained or compromised by other activities.</i></p>
39.	INF-P1 – Benefits of Infrastructure	Support	The recognition of the national, regional and local benefits of infrastructure to the economic, social, cultural and environmental wellbeing, and health and safety, of people and communities and the functioning of the District and beyond, by providing for infrastructure throughout the District is appropriate.	Retain Policy INF-P1 as notified.
40.	INF-P2 – Ongoing Use of Existing Infrastructure	Support	The intent of Policy INF-P2 is appropriate.	Retain Policy INF-P2 as notified.
41.	INF-P3 – Integration of Infrastructure	Oppose in part	The intent of Policy INF-P3 is generally supported, in particular the encouragement of technological improvements and enhancements. Genesis however consider that greater clarification that co-location of structures and facilities should only be encouraged when their functioning or operation are related to each other and	<p>Amend INF-P3 as follows:</p> <p><i>Encourage:</i></p> <p><i>1. the coordination of infrastructure planning and delivery with land use, subdivision, development and urban growth;</i></p>

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
			the efficiency and / or effectiveness of their construction and use is improved by co-location.	<p>2. <i>the co-location of structures and facilities <u>where their functioning and/or operation are related to each other and the efficiency and/or effectiveness of their construction and use is improved by co-location</u>; and</i></p> <p>3. <i>technological improvements and enhancements.</i></p>
42.	INF-P4 – Managing Adverse Effects of Infrastructure	Support	The intent of Policy INF-P4 is supported, in particular, it is appropriate to have regard to the operational needs and functional needs of the infrastructure.	Retain Policy INF-P4 as notified.
43.	INF-P5 – Infrastructure in Sensitive or Significant Areas	Oppose in part	The intent of Policy INF-P5 which seeks to avoid locating infrastructure in identified sensitive areas or within an area of significant indigenous vegetation or significant habitat or indigenous fauna, unless there is a functional or operational need for the infrastructure to be in that location is generally supported. However, Genesis considers energy storage systems that help to avoid outages and the efficient supply and use of renewable electricity should be included alongside the national grid in the exemptions from condition 4 given their national significance and functional or operational need to be located near renewable electricity generation activities and / or the national grid.	<p>Amend INF-P5 as follows:</p> <p><i>Avoid locating infrastructure in identified sensitive areas (outside the road reserve) or within an area of significant indigenous vegetation or significant habitat of indigenous fauna, unless:</i></p> <p>1. <i>there is a functional or operational need for the infrastructure to be in that location;</i></p> <p>2. <i>it is demonstrated through site, route or method selection, design measures and other management methods how significant adverse effects on the values of the sensitive or significant area have been avoided as far as practicable, and otherwise remedied or mitigated;</i></p> <p>3. <i>where there are more than minor adverse effects that cannot be avoided, remedied or mitigated, regard is had to any offsetting or compensation; and</i></p> <p>4. <i>Following application of 1. - 3. above, there are no significant adverse effects remaining, (except that this clause shall not apply to the national grid <u>or to energy storage facilities associated with the supply of renewable electricity</u>).</i></p>

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44.	INF-P6 – Infrastructure on Highly Productive Land	Oppose in part	<p>Gensis generally supports the policy pathway provided by INF-P6 for the establishment of regionally significant infrastructure or lifeline utility infrastructure that has a functional or operational need to be located on highly productive land. However, Genesis considers that nationally significant infrastructure should also be included.</p>	<p>Amend INF-P6 as follows:</p> <p><i>Avoid locating infrastructure on Highly Productive Land, unless:</i></p> <ol style="list-style-type: none"> <i>it is small-scale and does not impact the productive capacity of the land; or</i> <i>it is regionally <u>or nationally</u> significant infrastructure or lifeline utility infrastructure and has a functional need or operational need to be located on the highly productive land; and</i> <i>for both 1 and 2. above, any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land within the District is minimised or mitigated.</i>
45.	INF-P7 – Infrastructure in Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna	Oppose in part	<p>Genesis generally supports INF-P7 however, considers that nationally significant infrastructure should also be provided the 'exception' in this policy on the basis that it is possible that nationally significant infrastructure, that is not otherwise described as regionally significant infrastructure or lifeline utility infrastructure, may have a functional need or operational need to be located in areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>Further to this, as previously discussed, Genesis considers energy storage systems given their national significance and functional or operational need to be located near renewable electricity generation activities and / or the national grid, the same exemption from exemption from INF-P7 should be applied to energy storage facilities as is provided to the national grid.</p>	<p>Amend INF-P7 as follows:</p> <p><i>In addition to INF-P5, avoid new infrastructure (excluding the national grid <u>and energy storage facilities associated with the supply of renewable electricity</u>) that has adverse effects on the following, in an area of significant indigenous vegetation and significant habitats of indigenous fauna:</i></p> <ol style="list-style-type: none"> <i>loss of ecosystem representation and extent;</i> <i>disruption to sequences, mosaics, or ecosystem function;</i> <i>fragmentation of significant indigenous vegetation and significant habitats of indigenous fauna or the loss of buffers or connections within significant indigenous vegetation and significant habitats of indigenous fauna;</i> <i>a reduction in the function of the significant indigenous vegetation and significant habitats of indigenous fauna as a buffer or connection to other important habitats or ecosystems; and</i> <i>a reduction in the population size or occupancy of Threatened or At Risk (declining) species that use significant indigenous vegetation and significant habitats</i>

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
				<p><i>of indigenous fauna for any part of their life cycle, unless it is lifeline utility infrastructure or regionally <u>or nationally</u> significant infrastructure, in which case INF-P5 applies instead, where:</i></p> <ol style="list-style-type: none"> 6. <i>the infrastructure provides significant national or regional public benefits;</i> 7. <i>there is a functional need or operational need for the infrastructure to be in that particular location; and</i> 8. <i>there are no practicable alternative locations for the infrastructure outside of an area of significant indigenous vegetation and significant habitats of indigenous fauna.</i>
46.	INF-R1 – Operation, Maintenance or Removal of Existing Infrastructure, Including Access Tracks	Support	The provision for the operation, maintenance or removal of existing infrastructure, including access tracks as a permitted activity is supported.	Retain Rule INF-R1 as notified.
47.	INF-R6 – Any Infrastructure Buildings or Structure, or Accessory Building to Infrastructure Not Otherwise Listed	Support	<p>Gensis understand that Rule INF-R6 provides for any Infrastructure Buildings or Structure, or Accessory Building to Infrastructure not otherwise listed as a permitted activity subject to compliance with INF-S1 to INF-S3, which would otherwise be a restricted discretionary activity.</p> <p>On the basis that battery energy storage systems are included in the definition of infrastructure as sought by Genesis through submission point 3 above, these systems and any of their associated buildings and structures would be subject to this rule.</p>	Retain Rule INF-R6 as notified.

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
48.	INF-S1 – Sensitive Areas	Support	<p>Standard INF-S1 requires (unless located within road reserve) that infrastructure is located outside of any sensitive area. The activity status for infrastructure located within sensitive areas is a restricted discretionary activity, with matters of discretion restricted to: functional or operational need for the location of the activity, the management of adverse effects on the values of the sensitive area, and the benefits of the activity which is supported.</p>	<p>Retain Standard INF-S1 as notified.</p>