



Submission by Genesis Energy Limited

Trading as Genesis

ON

Mackenzie District Plan Review – Stage 3
Proposed Plan Change 23
General Rural, Natural Character,
Natural Features and Landscapes

26 January 2024

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Mackenzie District Plan Review – Stage 3 Proposed Plan Change 23 General Rural, Natural Character, Natural Features and Landscapes

To: Mackenzie District Council

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1. Introduction

Genesis Energy Limited (**Genesis**) welcomes the opportunity to submit on the Proposed Plan Change 23 (**PC23**) relating to the General Rural, Natural Character, and Natural Features and Landscape 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 23 (General Rural, Natural Character, and Natural Features and Landscape Chapters)

Sub Point	Provision Number	Position	Reasons for submission	Relief sought
Definition				
1.	Earthworks	Support	The definition of earthworks is supported.	Retain the definition of earthworks as notified.
2.	Infrastructure	Oppose	<p>Infrastructure is included in the list of definitions associated with PC23, 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 “<i>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</i>”. While Genesis consider 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><i>Means —</i></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> <ol style="list-style-type: none"> <i>uses them in connection with the generation of electricity for the person’s use; and</i> <i>does not use them to generate any electricity for supply to any other person:</i> <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 “Infrastructure <u>and energy storage facilities</u>”.</p>

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3.	Operational Need	Support	<p>Genesis notes that the definition of “<i>Operational need</i>” is currently limited to the residential, commercial and mixed use and general industrial zones and Plan Changes 23, 24, 25, 26 and 27 propose to extend the application of the term to those chapters introduced through plan changes 23, 24, 25, 26 and 27, where the terms are used in those chapters.</p> <p>On this basis, the definition of “<i>operational need</i>” is supported and should be applied throughout the plan.</p>	Retain the definition of “ <i>operational need</i> ” as notified and apply it throughout the plan.
4.	Reverse sensitivity	Support	The definition of reserve sensitivity is supported	Retain the definition of reverse sensitivity as notified.
GRUZ – General Rural Zone Chapter				
5.	Introduction	Support	<p>The reference to activities that have an operational need or functional need to locate in the Rural zone is appropriate and supported, however, Genesis consider that REG activities should also be included into the introduction on the basis that such activities are predominantly located within the General Rural Zone and this should be reflected in the anticipated character of the zone. Clarification should also be provided to plan users that the provisions in the GRUZ chapter to not apply to REG activities.</p>	<p>Amend the introduction as follows:</p> <p>...</p> <p><i>The purpose of the General Rural Zone is to enable a range of primary production activities, as well as other compatible activities that rely on or support the natural resources within rural areas of the District, including tourism and conservation along with those activities that have an operational need or functional need to locate in the zone <u>including renewable electricity generation activities</u>.</i></p> <p>....</p> <p><i>The General Rural Zone includes a range of environments including hill and high country, downlands and plains, each with their own associated landscapes, vegetation and ecosystems. The General Rural Zone also has areas of highly productive land, which are important for primary production purposes. It also includes areas with important values such as Outstanding Natural Landscapes, Outstanding Natural Features, Sites of Natural Significance and Sites and Areas of</i></p>

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				<p><i>Significance to Māori. The majority of Te Manahuna / the Mackenzie Basin is identified as an Outstanding Natural Landscape. Activities in this area are managed through the district-wide Natural Features and Landscapes chapter in Part 2 of the District Plan, which apply in addition to the provisions set out below.</i></p> <p><u><i>Renewable Electricity Generation activities are managed under the REG Chapter of the Plan and are not subject to the provisions in this chapter.</i></u></p>
6.	GRUZ-O1 – Zone Purpose	Support	Objective GRUZ-O1 provides for activities where they rely on the natural resource found only in a rural location which is supported.	Retain Objective GRUZ-O1 as notified.
7.	GRUZ-O2 – Zone Character and Amenity Values	Support in part	Objective GRUZ-O2 recognises the function needs and operational needs of activities within the zone which is generally supported. Genesis however consider that reverse sensitivity effects on other activities that are typically found in a rural location should be included in clause 4.	<p>Amend Objective GRUZ-O2 as follows:</p> <p><i>The adverse effects of activities and built form within the General Rural Zone are managed in a way that:</i></p> <ol style="list-style-type: none"> <i>1. Maintains a rural character consisting of a low overall building density with a predominance of open space and vegetation cover;</i> <i>2. Supports, maintains, or enhances the function and form, character, and amenity values of the zone;</i> <i>3. Recognises the functional needs and operation needs of activities within the zone; and</i> <i>4. Allows primary production, and activities that directly support primary production, <u>and other activities that are typically found in a rural location</u> to operate without risk of being compromised by reverse sensitivity.</i>

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8.	GRUZ-P2 – Other Activities	Support in part	The recognition in Policy GRUZ-P2 of the importance of primary production activities to the economic wellbeing of the district and the prioritisation of primary production and activities which support primary production is generally supported, however Genesis considers that other activities that are typically found in a rural location should also be provided for under this Policy.	<p>Amend Policy GRUZ-P2 as follows:</p> <p><i>Recognise the importance of primary production activities <u>and other activities typically found in a rural location</u>, to the economic wellbeing of the district, and prioritise primary production these activities and activities which that support primary production them, within the General Rural Zone, by:</i></p> <ol style="list-style-type: none"> <i>1. Providing for new economic activity that directly supports, is dependent on, or is ancillary to primary production, <u>and other activities that are typically found in a rural location</u>;</i> <i>2. Enabling recreation and tourism activities based on farming experiences or conservation activities;</i> <i>3. Ensuring the land resource of the General Rural Zone is not compromised by activities with no functional need or operational need to locate in the zone.</i>
9.	GRUZ-P3 – Reverse Sensitivity	Support	Policy GRUZ-P3 seeks for reverse sensitivity effects on primary production activities that have a direct relationship with or a dependent on primary production, existing renewable electricity generation activities and the Tekapo military training area to be avoided which is supported.	Retain Policy GRUZ-P3 as notified.
10.	Deletion of Schedule A and Rules 13.1.1, 13.2.1 and 13.3.1 in Section 7 of the Operative MDP.	Support	The deletion of Schedule A, and rules 13.1.1, 13.2.1 and 13.3.1, and assessment matter 16.3.j in Section 7 of the operative MDP is supported, subject to adoption of the relief sought in Genesis submissions across PC23, PC24, PC25, PC26 & PC27.	Subject to adoption of the relief sought by Genesis across PC23, PC24, PC25, PC26 and PC27, retain the deletion of Schedule A of Section 7 and rules 13.1.1, 13.2.1 and 13.3.1, and assessment matter 16.3.j in section 7 of the MDP as notified.

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NFL – Natural Features and Landscape Chapter				
11.	NFL – Introduction	Support in part	<p>Clarification should be provided within the introduction or as a note to plan users that REG activities within ONF and ONL overlays are managed under the REG chapter of the plan.</p> <p>The introduction to the Natural Features and Landscapes chapter specifically identified the supporting assessment of associated values for the Eastern and Western Outstanding Natural Landscape areas, however no such evaluation of Te Manahuna / Mackenzie Basin has been referenced or provided in the proposed NFL Chapter. In the absence of an assessment of the landscape characteristics and values for Te Manahuna / Mackenzie Basin, direct reference to the eastern and western technical landscape assessments is not supported.</p>	<p>Amend the introduction as follows:</p> <p>...</p> <p><i>These overlays apply to areas which have been assessed and identified as having high levels of biophysical, sensory or associated landscape values, which makes them either outstanding (ONF or ONL) or more modified landscapes, but with high aesthetic and scenic values which justify management of forestry activities (FMA). The process supporting the identification of these overlays and the associated values is described in the Eastern and Western Landscape Characterisation and Evaluation Reports prepared by Boffa Miskell in 2023.</i></p> <p>...</p> <p><i>Note to Plan users: Forestry Management Areas are categorised as Visual Amenity Landscapes for the purpose of the National Environmental Standards for Commercial Forestry.</i></p> <p><u><i>Renewable Electricity Generation activities are managed under the REG Chapter of the Plan and are not subject to the provisions in this chapter.</i></u></p>
12.	NFL-O2 – Te Manahuna / Mackenzie Basin ONL	Support	The relocation of the part of Objective NFL-O2 to the Renewable Electricity Generation Chapter is supported on the basis that the provisions of the natural features and landscapes chapter do not apply to renewable electricity generation activities.	Retain Objective NFL-O2 as notified.
13.	NFL-R5 - Earthworks	Oppose in part	Provided that the provisions of Natural Features and Landscapes chapter do not apply to Renewable Electricity Generation Activities, consistent with Genesis' submissions on Plan Change 26, The provision for earthworks within the Te Manahuna/Mackenzie	Amend Rule NFL-R5 as follows:

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			Basin ONL for the purpose of track maintenance is generally supported. Gensis however, consider that greater clarity is needed with regard to the scope of works associated with track maintenance.	NFL-R5	Earthworks	
				ONF ONL	<p>Activity Status: PER</p> <p>Where:</p> <p>1. Undertaken for the purpose of the maintenance and repair of existing fence lines, tracks <u>(including those required for vehicle access)</u>, reticulated stock water systems (including troughs); or</p> <p>2. Earthworks on any site shall not exceed 500m³ by volume and 500m² by area per site in any 5-year period.</p> <p>3. No earthworks or tracking in the Te Manahuna/Mackenzie basin ONL shall be located within Scenic Viewing Areas, Scenic Grasslands or Lakeside Protection Areas identified on the Planning Maps other than for the purpose of <u>walking, cycling and vehicle access</u> track maintenance.</p> <p>Advice Note:</p> <p>This rule applies in addition to the rules in the Earthworks Chapter.</p>	<p>Activity status when compliance is not achieved with R5.1 or R5.2: DIS</p> <p>Activity status when compliance is not achieved with R5.3: NC</p>

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NATC – Natural Character Chapter				
14.	Introduction	Oppose in part	Clarification should be provided within the introduction or as a note to plan users that REG activities are managed under the REG chapter of the plan and are not subject to the provisions in the Natural Character chapter.	<p>Amend the introduction to the Natural Character Chapter as follows:</p> <p>...</p> <p><i>Most of the District's natural freshwater bodies with attributes that form part of the natural character are included in the accompanying schedules. All natural waterbodies are important and even if they are not presently scheduled, it does not mean that they do not have natural character values and therefore reduced setbacks apply to surface waterbodies not included in the schedule.</i></p> <p><u><i>Renewable Electricity Generation activities are managed under the REG Chapter of the Plan and are not subject to the provisions in this chapter.</i></u></p>