



Further Submission by Genesis Energy Limited

Trading as Genesis

ON

Mackenzie District Plan Review – Stage 4

**Proposed Plan Changes 28 & 29 and associated variations to Plan
Changes 23, 26 & 27**

24 February 2025

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Proposed Plan Changes 28 & 29 and associated variations to Plan Changes 23, 26 & 27

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| To: | Mackenzie District Council 53 Main Street Fairlie 7925 Via email to: districtplan@mackenzie.govt.nz |
| Date: | 24 February 2025 |
| Submitter name: | Genesis Energy Limited |
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1. Introduction

Genesis Energy Limited (**Genesis**) welcomes the opportunity to provide a submission to Mackenzie District Council on Proposed Plan Changes 28 (**PC28**) and 29 (**PC29**) and associated variations to Plan Changes 23, 26 & 27 of the Mackenzie District Plan, as set out in the table below.

Genesis wishes to be heard in support of this submission.

In accordance with Clause 8(1)(b) of the First Schedule of the Resource Management Act 1991, Genesis has an interest in Proposed Plan Changes 28 and 29 to the Mackenzie District Plan greater than the interest of the general public.

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

If other persons make a similar submission, then Genesis would consider presenting joint evidence at the time of the hearing.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Alice Barnett'.

Alice Barnett

Environmental Policy and Planning Manager

Table 1: Plan Change 28

| Submitter Name | Sub no. | Section of Plan | Summary of Relevant Part of Submission | Support / Oppose | Reason | Relief Sought |
|--|---------|-----------------|--|------------------|---|---------------------|
| Natural Hazards Commission Toka Tū Ake | 29.02 | Interpretation | Amend the definition of Critical Infrastructure to include healthcare, education, emergency services, visitor accommodation and major hazardous facilities, and provide separate provisions for these activities which are more restrictive than those for other critical infrastructure. | Oppose in part | The definition of Critical Infrastructure as notified is suitable. The stated rational that some facilities might be more at risk/vulnerable to hazards than a telecommunication network (or other defined infrastructure) is irrelevant to the definition of critical infrastructure which seeks to identify nationally significant infrastructure that would need urgent reinstating in the case of a natural hazard event. | Disallow submission |
| Meridian Energy Limited | 39.09 | Natural Hazards | Insert new objective: NH-O1A Critical Infrastructure New subdivision, use and development of land for critical infrastructure avoids increasing the risks of natural hazards to people, property and infrastructure or, where avoidance is not practicable, mitigation measures minimise such risks. | Support | Support the relief as submitted as it recognises the need for critical infrastructure within areas of natural hazards. | Accept submission |
| Meridian Energy Limited | 39.08 | Natural Hazards | Amend NH-01 to exclude critical infrastructure and insert new objective (ref 39.09) | Support | Support the relief as submitted as it recognises the need for critical infrastructure within areas of natural hazards. | Accept submission |
| Meridian Energy Limited | 39.10 | Natural Hazards | Amend NH-02 to exclude major hazard facilities that are also critical infrastructure | Support | Support the relief as submitted as it recognises the need for critical infrastructure within areas of natural hazards. | Accept submission |
| Chorus, Connexa, FortySouth, One NZ & Spark | 35.06 | Natural Hazards | Amend NH-02 to recognise the functional and/or operational need of the critical infrastructure | Support | Support the relief as submitted as it recognises the need for critical infrastructure within areas of natural hazards. | Accept submission |

| Submitter Name | Sub no. | Section of Plan | Summary of Relevant Part of Submission | Support / Oppose | Reason | Relief Sought |
|---|---------|-----------------|--|------------------|---|---------------------|
| Nova Energy Limited | 56.05 | Natural Hazards | Amend NH-P4 to include development of critical infrastructure in the Flood Hazard Overlay Area where the infrastructure does not increase flood risk on another site. | Support | Support the relief as submitted as it provides for new critical infrastructure, not only operation and upgrades of existing critical infrastructure. | Accept submission |
| Transpower New Zealand Ltd | 31.08 | Natural Hazards | Amend NH-P5 to provide for the operation, maintenance, repair, replacement and upgrading of critical infrastructure where the infrastructure does not increase flood risk on surrounding properties. | Support | Support the relief as submitted as it provides for the maintenance and repair of existing critical infrastructure in the High Flood Hazard Area and aligns with NH-P4. | Accept submission |
| Transpower New Zealand Ltd | 31.09 | Natural Hazards | Amend NH-P7 and NH-P8 (2) to clarify that this does not apply to critical infrastructure | Support | Support the relief as submitted as it provides clarity and ensures provision of critical infrastructure is not unduly restricted. | Accept submission |
| Natural Hazards Commission Toka Tū Ake | 29.16 | Natural Hazards | Remove the second provision of NH-P8. | Oppose | <p>The relief sought does not recognise the critical need for infrastructure to be located in a Fault Hazard area, despite the risk of a fault rupture, and the provision's requirement that buildings are designed to an appropriate level to manage this risk.</p> <p>It is noted that Genesis supports Transpower New Zealand Ltd's submission point 31.09 that ensures NH-P8 does not apply to critical infrastructure.</p> | Disallow submission |
| Meridian Energy Limited | 39.14 | Natural Hazards | Amend NH-R6 to include positive effects in the matters of discretion | Support | Support the relief as submitted on the basis that it provides for consideration of the positive effects of critical infrastructure. | Accept submission |
| Meridian Energy Limited | 39.15 | Natural Hazards | Amend NH-R8 to clarify that NH-R8 does not apply to buildings and structures already provided by for NH-R6 | Support | Support the relief as submitted on the basis that should there be critical infrastructure located within the Ostler Fault Hazard Area Overlay, NH-R8 is not an appropriate rule to regulate this. | Accept submission |

| Submitter Name | Sub no. | Section of Plan | Summary of Relevant Part of Submission | Support / Oppose | Reason | Relief Sought |
|---------------------------------|---------|------------------|--|------------------|--|---------------------|
| Michael Beauchamp | 30.01 | Hydro Inundation | Remove property from the Hydro Overlay or not apply any conditions to property within this overlay | Oppose | The Hydro Inundation Overlay provides an important function to protect the safety of people and property and minimise the potential for reverse sensitivity effects on hydroelectricity schemes. | Disallow submission |
| Anthony Honeybone | 08.01 | Hydro Inundation | Remove the Hydro Inundation chapter until MDC complete a standard policy development process and fully understand the risk of hydro inundation. Or Rewrite the chapter to ensure it takes a risk based approach rather than starting from a baseline worst case scenario that doesn't consider the likelihood of the hazard occurring. | Oppose | Hydro inundation has unique potential for reverse sensitivity effects that differs to other natural hazards, which requires consideration best achieved through a separate chapter in the Plan. As outlined in the introduction of the chapter and the s32 report, the likelihood of a natural hazard resulting in hydro inundation is low, however the potential effects on people and property in this unlikely event is high, as are the ongoing reverse sensitivity effects on hydroelectricity schemes, therefore it is appropriate to apply the overlay as mapped and provide the relevant provisions of the Hydro Inundation chapter. | Disallow submission |
| Grant and Natasha Hocken | 12.01 | Hydro Inundation | Remove the Hydro Inundation mapping and Chapter in the District Plan. | Oppose | The Hydro Inundation Overlay provides an important function to protect the safety of people and property and minimise the potential for reverse sensitivity effects on hydroelectricity schemes. As outlined in the s32 report, the likelihood of a natural hazard resulting in hydro inundation is low, however the potential impact on people and property in this unlikely event is high, as are the ongoing reverse sensitivity effects on hydroelectricity schemes, therefore it is appropriate to apply the overlay as mapped and provide the relevant provisions of the Hydro Inundation chapter. | Disallow submission |

| Submitter Name | Sub no. | Section of Plan | Summary of Relevant Part of Submission | Support / Oppose | Reason | Relief Sought |
|------------------------------------|---------|------------------|--|------------------|--|---------------------|
| Mackenzie Properties Ltd | 13.01 | Hydro Inundation | Remove the Hydro Inundation mapping and Chapter in the District Plan. | Oppose | The Hydro Inundation Overlay provides an important function to protect the safety of people and property and minimise the potential for reverse sensitivity effects on hydroelectricity schemes. As outlined in the s32 report, the likelihood of a natural hazard resulting in hydro inundation is low, however the potential impact on people and property in this unlikely event is high, as are the ongoing reverse sensitivity effects on hydroelectricity schemes, therefore it is appropriate to apply the overlay as mapped and provide the relevant provisions of the Hydro Inundation chapter. | Disallow submission |
| High Country Properties Ltd | 14.01 | Hydro Inundation | Remove the Hydro Inundation mapping and Chapter in the District Plan. | Oppose | The Hydro Inundation Overlay provides an important function to protect the safety of people and property and minimise the potential for reverse sensitivity effects on hydroelectricity schemes. As outlined in the s32 report, the likelihood of a natural hazard resulting in hydro inundation is low, however the potential impact on people and property in this unlikely event is high, as are the ongoing reverse sensitivity effects on hydroelectricity schemes, therefore it is appropriate to apply the overlay as mapped and provide the relevant provisions of the Hydro Inundation chapter. | Disallow submission |
| Meridian Energy Limited | 39.16 | Hydro Inundation | Requests that the HI Introduction is amended to be clear that the Waitaki Power Scheme infrastructure both contains water (for example behind dams) and conveys water (for example through | Support | Support the relief as submitted as the clarification provided accurately describes the combined Waitaki Power Scheme infrastructure. | Accept submission |

| Submitter Name | Sub no. | Section of Plan | Summary of Relevant Part of Submission | Support / Oppose | Reason | Relief Sought |
|--------------------------------|---------|------------------|---|------------------|---|---------------------|
| | | | canals) for hydro electricity generation purposes. | | | |
| Springwater Trust | 02.01 | Hydro Inundation | Amend the non-complying activity status of residential visitor accommodation within the RLZ and Hydro Inundation Overlay to Permitted, subject to providing a community response plan. | Oppose | The non-complying activity status is supported as it seeks to discourage additional residential intensity within the Hydro Inundation Overlay in the Rural Lifestyle Zone (RLZ). The RLZ provides for greater residential intensity than the General Rural Zone (GRUZ), and therefore greater potential for reverse sensitivity effects on hydroelectricity schemes. Therefore, the non-complying activity status applied to the RLZ and the discretionary status applied to the GRUZ are considered appropriate. | Disallow submission |
| Meridian Energy Limited | 39.22 | Notable Trees | Amend Tree-P5 to allow destruction or removal of Notable Trees where there is functional or operational need to locate critical infrastructure in a place that would require the destruction or removal of Notable Trees. | Support | Support the relief as submitted as it recognises the national significance of renewable electricity generation activities. For consistency it may be pertinent to include a corresponding rule within the chapter that provides for the removal of Notable Trees as a restricted discretionary activity where functional or operational need is demonstrated. | Accept submission |
| Meridian Energy | 39.23 | Subdivision | Amend SUB-R7E to provide a conditional statement before matters of discretion are listed, and include a new matter of discretion – the potential for the subdivision to increase adverse effects of hydro inundation on people, buildings and structures. | Support | Support the relief seeking the conditional statement Activity Status: RDIS where the activity complies with the standards proposed. | Accept submission |

Table 2: Plan Change 29

| Submitter Name | Sub no. | Section of Plan | Summary of Relevant Part of Submission | Support/Oppose | Reason | Relief Sought |
|--|---------|-----------------|--|----------------|--|------------------|
| Meridian Energy Ltd | 18.02 | Noise | Amend NOISE-O1 to recognise the functional needs and operational needs of critical infrastructure | Support | Support the relief as sought as it is consistent with the NPS-REG and the need to recognise the functional and operational needs of critical infrastructure. | Allow submission |
| Meridian Energy Ltd | 18.06 | Noise | Amend NOISE-R17 to apply to sensitive activities within 500m of any critical infrastructure, to protect renewable electricity generation activities from the potential for reverse sensitivity effects | Support | Support the relief as sought as it is consistent with the NPS-REG and would protect nationally important renewable electricity generation activities from the potential for reverse sensitivity effects. | Allow submission |
| Opuha Water Ltd | 28.07 | Noise | Amend NOISE-R17 to apply to sensitive activities within 500m of any critical infrastructure, to protect renewable electricity generation activities from the potential for reverse sensitivity effects | Support | Support the relief as sought as it is consistent with the NPS-REG and would protect renewable electricity generation activities from the potential for reverse sensitivity effects. | Allow submission |
| Chorus, Connexa, FortySouth, One NZ and Spark | PC29.15 | Signs | Amend SIGN-R4 to include signs used during maintenance, upgrading and construction of new infrastructure as permitted activities. | Support | Support the relief as sought as it provides clarity around temporary signage associated with maintenance and construction of infrastructure. | Allow submission |