



Further Submission by Genesis Energy Limited

Trading as Genesis

ON

Mackenzie District Plan Review – Stage 1
Proposed Plan Change 20 (Strategic Chapters)

3 October 2022

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Mackenzie District Plan Review – Stage 1 Proposed Plan Change 20 (Strategic Chapters)

To: Mackenzie District Council
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Date: 3 October 2022

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1. Introduction

Genesis Energy Limited (**Genesis, submitter #7**) makes the specific further submissions on the Proposed Plan Change 20 (Strategic Chapters) to the Mackenzie District Plan, as set out in the table below.

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.

In accordance with Clause 8(1)(b) of the First Schedule of the Resource Management Act 1991, Genesis has an interest in the Proposed Plan Change that is greater than the interest of the general public. Specifically, Genesis owns and operates the Tekapo Power Scheme, which is part of the Waitaki Power Scheme. The Waitaki Power Scheme is the largest hydro-electric power scheme in New Zealand, and plays a critical role in decarbonizing New Zealand's economy. Genesis' submission on the Proposed Plan Change is focused on ensuring the ongoing operation of the Tekapo Power Scheme is not compromised, and to provide for new renewable energy generation within the district, recognizing their role in reducing greenhouse gas emissions and mitigating the potential effects of climate change.

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

Nāku noa, nā



Alice Barnett
Environmental Policy and Planning Manager

Sub#	Submitter	Provision	Relief sought by Submitter Deletion in strikethrough Addition <u>underlined</u>	Genesis Support / Oppose	Reason	Relief sought by Genesis
1	New Zealand Pork	ATC – A Thriving Community Introduction	Retain Introduction as notified.	Support in part	Whilst the district is predominantly rural, existing nationally and regionally significant infrastructure activities, such as the Waitaki Power Scheme must be appropriately recognized, including its role in mitigating the potential effects of climate change.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
1	New Zealand Pork	UDF-O1	Amend Strategic Objective UFD-O1 to include a sixth clause as follows: UDF-O1 Urban Form and Development The District’s townships and settlements grow and develop in a consolidated way that: ... <u>6. responds to the rural/urban interface to maintain primary production and avoid reverse sensitivity effect.</u>	Support in part	Genesis supports the recognition that reverse sensitivity need to be appropriate addressed – this applies to rural/urban interface, as well as against significant infrastructure and activities as outlined in Genesis’ primary submission.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
2	Heritage New Zealand	Unspecified	Addition of an objective to promote the identification, recognition and protection of places, structures and features which are significant to Mackenzie’s wider character and cultural heritage.	Oppose in part	The relief sought is high-level and unspecific, therefore its strategic implication is too uncertain to allow appropriate consideration of potential effects in the district, including any unintended consequences.	Reject relief.
4	Chorus NZ, Spark NZ and Vodafone NZ	UFD-O1	Retain Strategic Objective UFD-O1 as notified.	Support in part	Genesis considers UFD-O1 as notified does not recognize and address potential reverse sensitivity effects if incompatible activities are located in close proximity.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
5	Royal Forest and Bird Protection Society of New Zealand	Strategic Direction Introduction	Amend Part 2 Section: Strategic Direction, Introduction to: For the purposes of preparing, changing, interpreting, and implementing the District Plan, all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these Strategic Directions. There is no hierarchy between the stated Objectives. No one Strategic Objective has primacy over another strategic objective, and the Strategic Objectives	Oppose	As set out by the New Zealand Planning Standards, the purpose of the Strategic Direction chapter is to outline the key strategic or significant resource management matters for the District. The provisions in other chapters of the plan should therefore be consistent with the Strategic Directions, and not only provide the type of guidance sought by the submitter.	Reject relief and retain Strategic Direction, Introduction as notified.

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			<p>should be read as a whole.</p> <p><u>For the purpose of plan implementation (including in the determination of resource consent application and notices of requirement):</u></p> <p><u>a. The strategic objectives in this chapter may provide guidance on what the related objectives and policies in other chapters of the Plan are seeking to achieve in relation to the Strategic Issues;</u></p> <p><u>b. The relevant objective and policies of the plan (including Strategic Objectives and Strategic Policies in this Chapter) are to be considered together and no fixed hierarchy exists between them.</u></p>			
5	Royal Forest and Bird Protection Society of New Zealand	ATC – A Thriving Community Introduction	Retain introduction as notified.	Support in part	Whilst the district is predominantly rural, existing nationally and regionally significant infrastructure activities, such as the Waitaki Power Scheme must be appropriately recognized, including its role in mitigating the potential effects of climate change.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
5	Royal Forest and Bird Protection Society of New Zealand	ATC-O4	Retain Strategic Objective ATC-O4 as notified.	Oppose	Genesis considers ATC-O4 as notified does not adequately provide for renewable electricity generation activities in the district.	Reject relief and adopt the relief sought by Genesis in its primary submission.
5	Royal Forest and Bird Protection Society of New Zealand	NE – Natural Environment Introduction	<p>Amend Introduction by adding an additional paragraph after the second paragraph:</p> <p><u>It is important to maintain indigenous biodiversity that may not of itself be significant. The Mackenzie’s biodiversity in general contributes to the District’s social and cultural well-being. A failure to protect or maintain indigenous biodiversity could adversely affect the community’s environment, social, cultural and economic well-being.</u></p>	Oppose	Genesis considers references seeking to ‘maintain’ and ‘protect’ indigenous biodiversity that may not be significant exceeds the scope of section 6 of the RMA and Plan Change 18 which also forms part of the District Plan Review.	Reject relief.

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5	Royal Forest and Bird Protection Society of New Zealand	NE-O1	<p>Amend Strategic Objective NE-O1 by separating it into two objectives:</p> <p>NE-O1 Natural Environment</p> <p>The values of the natural environment that make the District unique, contribute to its character, identity and wellbeing, and <u>or</u> have significant <u>or outstanding</u> intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes values associated with:-</p> <ol style="list-style-type: none"> 1. mahika kai resources; 2. night sky darkness; 3. outstanding natural features and landscapes; 4. significant indigenous biodiversity; and 5. water bodies and their margins <p>Then add new NE-O2:</p> <p><u>Across the District:</u></p> <ol style="list-style-type: none"> <u>1. mahika kai resources are protected and enhanced;</u> <u>2. night sky darkness is protected, and enhanced;</u> <u>3. there is an overall net gain in the quality and quantity of indigenous ecosystems and habitat, and indigenous biodiversity across the district and significant indigenous vegetation and habitats are protected;</u> <u>4. the natural character of freshwater bodies including wetlands is preserved or enhanced, or restored where degradation has occurred;</u> <u>5. outstanding natural features and outstanding natural landscapes are identified and their values recognised and protected;</u> <u>6. people have access to a network of natural areas for open space and recreation, conservation and education, including within riparian areas, the western ranges, and within urban environments;</u> <u>7. land and water resources are managed through</u> 	Oppose	Genesis considers the proposed new NE-O2 is not consistent with NE-O1 where the values are to be recognised and provided for, and protected and enhanced <u>where appropriate</u> .	Reject relief and retain Strategic Objective NE-O1 as notified.

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			<p><u>an integrated approach which recognises the importance of ki uta ki tai to Ngāi Tahu and the wider community, and the inter-relationships between ecosystems, natural processes and with freshwater; and</u></p> <p>8. <u>the mauri of ecosystems and indigenous biodiversity is safeguarded and freshwater is managed in a way that gives effect to “Te Mana o te Wai.”</u></p>			
5	Royal Forest and Bird Protection Society of New Zealand	UDF-O1	<p>Amend Strategic Objective UDF-O1 to include a sixth clause as follows:</p> <p>UDF-O1 Urban Form and Development</p> <p>The District’s townships and settlements grow and develop in a consolidated way that:</p> <p>...</p> <p>6. <u>incorporates and sustains indigenous biodiversity.</u></p>	Oppose in part	Genesis considers the relief sought is unclear as “incorporate” and “sustain” are not terms used under the RMA. The relief sought may result in negative unintended consequences.	Reject relief and adopt relief sought by Genesis in its primary submission.
8	Enviro Waste Services Ltd	ATC-O3	<p>Amend Strategic Objective ATC-O3 to include the additional sentence:</p> <p>ATC-O3 Infrastructure</p> <p>The importance of infrastructure to the District and beyond is recognised and provided for. <u>Regionally significant infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development.</u></p>	Support in part	Genesis supports the recognition that infrastructure needs to be protected from reverse sensitivity effects, however considers the relief should relate to nationally significant infrastructure in addition to regionally significant infrastructure as sought.	<p>Accept relief in addition to the following addition (in <u>red underline</u>):</p> <p>ATC-O3 Infrastructure</p> <p>The importance of infrastructure to the District and beyond is recognised and provided for. <u>Regionally and nationally significant infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development.</u></p>
9	Opuha Water Limited	ATC – A Thriving Community Introduction	<p>Amend ATC – A Thriving Community Introduction as follows:</p> <p>There is a range of locally, regionally and nationally important infrastructure located within the District. Infrastructure is necessary to support the functioning of the community, both within and beyond the</p>	Support in part	Genesis generally supports the reference to allow the maintenance and upgrade of infrastructure to occur within the district.	Accept relief sought subject to refining the drafting.

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			District, but its establishment and operation can have adverse effects. While needing to appropriately manage its effects, the continued ability for this infrastructure to operate, <u>be maintained and upgraded</u> , as well as development of new infrastructure is important to the well-being of the community of <u>the Mackenzie District</u> , the Canterbury <u>Region</u> and nationally.			
9	Opuha Water Limited	ATC-O4	Retain Strategic Objective ATC-O4 as notified.	Oppose	Genesis considers ATC-O4 as notified does not adequately recognize the role of, and provide for the development and operation of, renewable electricity generation activities in the district.	Reject relief and adopt the relief sought by Genesis in its primary submission.
9	Opuha Water Limited	NE – Natural Environment Introduction	Amend NE – Natural Environment Introduction as follows: While these resources have intrinsic values, they are also important to the District’s social and cultural well-being in terms of the contribution they make to the District’s character and identity, and its desirability as a place to live in and visit. Many of the District’s natural resources are also significant to mana whenua and their connection with their takiwā. Economic value is derived from these natural resources, for example from tourism that is based on the natural resources within the District, and from hydro-electric power generation <u>and irrigation</u> . A failure to protect the values of these resources could adversely affect the community’s environmental, social, cultural and economic well-being.	Oppose in part	While Genesis supports, in principle, initiatives that promote social, cultural and economic well-being, doing so must not compromise the national, regional and local benefits derived from renewable energy generation in the District.	Reject relief and retain NE – Natural Environment Introduction as notified; or reinforce the primacy of natural resource use where it is associated with renewable electricity generation.
11	Meridian Energy Limited	ATC – A Thriving Community Introduction	Amend paragraph four of the introduction to Chapter: ATC - A Thriving Community and add a fifth paragraph. There is a range of locally, regionally and nationally important infrastructure located within the District. Infrastructure is necessary to support the functioning of the community, both within and beyond the District, but its establishment and operation can have	Support	The relief sought is consistent with Genesis’ primary submission.	Accept relief sought.

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			<p>adverse effects. While needing to appropriately manage its effects, the continued ability for this infrastructure to operate, as well as development of new infrastructure is important to the well-being of the community of Mackenzie, Canterbury and nationally. This includes the contribution that <u>existing and new</u> renewable electricity generation and transmission assets located in the District make to the nation.</p> <p>To be followed by a fifth paragraph: <u>Part of the nationally significant Waitaki Power Scheme (WPS) is located within the district. The WPS is the largest hydro-electric power scheme in New Zealand and significantly contributes to decarbonising New Zealand's economy, mitigating the potential effects of climate change and reducing the District's reliance on non-renewable energy sources.</u></p>			
11	Meridian Energy Limited	ATC-O4	<p>Replace notified ATC-O4 with new proposed ATC-O4: ATC-O4 Renewable Electricity The local, regional and national benefits of the District's renewable electricity generation and electricity transmission assets are recognised and their development, operation, maintenance and upgrade are provided for. Renewable electricity generation activities, including the nationally significant Waitaki Power Scheme, and the electricity transmission network:</p> <ol style="list-style-type: none"> a. <u>are recognised for their local, regional and national benefits, including reducing greenhouse gas emissions;</u> b. <u>are provided for, including their development, operation, maintenance and upgrade;</u> c. <u>are protected from reverse sensitivity effects; and</u> d. <u>provide for the current and future energy needs of the District's communities and economy.</u> 	Support	The relief sought is consistent with Genesis' primary submission.	Accept relief sought.

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11	Meridian Energy Limited	UFD-01	Amend Strategic Objective UFD-01 to include a sixth clause as follows: UDF-01 Urban Form and Development The District's townships and settlements grow and develop in a consolidated way that: ... <u>6. protects significant infrastructure and activities in the District from reverse sensitivity effects.</u>	Support	The relief sought is consistent with Genesis' primary submission.	Accept relief sought.
12	Waka Kotahi	UFD-01	Retain Strategic Objective UFD-01 as notified.	Support in part	Genesis considers UFD-01 as notified does not recognize and address potential reverse sensitivity effects if incompatible activities are located in close proximity.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
14	Environment Canterbury	ATC-01	Amend Strategic Objective ATC-01 clause 2 to read: ATC -01 Live, Work, Play and Visit The Mackenzie District is a desirable place to live, work, play and visit, where: 1. there are a range of living options, businesses, and recreation activities to meet community needs; 2. Activities that are important to the community's social, economic and cultural well-being, including appropriate economic development opportunities, <u>are provided for, while ensuring adverse environmental effects are managed appropriately;</u> and, 3. the amenity values and character of different areas are maintained or enhanced. Or alternatively add a new Strategic Objective that seeks: <u>Avoid significant adverse effects on the environment and avoid, remedy or mitigate other adverse effects.</u>	Oppose	Infrastructure activities, including renewable energy generation activities, may at times have a technical, functional or operational requirement to be located in an area where adverse effects cannot be fully avoided, remedied or mitigated. Infrastructure activities are equally important to ensure the district is a desirable place to live, work, play and visit, and should therefore be provided for equally at the strategic objective level to the need to manage adverse effects on the environment.	Reject relief sought and retain ATC-01 as notified.
14	Environment Canterbury	ATC-02	Replace Strategic Objective ATC-02 with: ATC-02 Rural Areas The significant contribution of rural areas to the social, economic and cultural well-being of the	Oppose	Genesis considers this submission is too narrowly focused and considers that the notified version ACT-02 is more appropriate.	Reject relief sought and retain ATC-02 as notified.

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			District is recognised and provided for. <u>The natural and physical resources of rural areas that contribute to the wellbeing of the district are maintained and enhanced.</u>			
14	Environment Canterbury	ATC-03	Replace Strategic Objective ACT-03 with either of the following: ATC – 03 Infrastructure The importance of infrastructure to the District and beyond is recognised and provided for. <u>The importance of regionally significant infrastructure is recognised and provided for without major constraints from other activities, while managing its adverse effects.</u> Or alternatively: <u>Regionally significant infrastructure is provided for without major constraints from other activities, while managing its adverse effects.</u>	Oppose	Genesis considers the recognition of infrastructure in the district should not be restricted to regionally significant infrastructure only, as there are other nationally significant infrastructure and local infrastructure that play an important role in the district. In addition, while Genesis considers it is important to recognize the important role of infrastructure, it is not necessary to also refer to the management of adverse effects in ACT-03, given that such obligations are set out in other provisions in the chapter.	Reject relief sought and retain ATC-03 as notified.
14	Environment Canterbury	ATC-04	Delete Strategic Objective ATC-04 and replace with the following: ATC-04 Renewable Energy The local, regional and national benefits of the District's renewable electricity generation and electricity transmission assets are recognised and their development, operation, maintenance and upgrade are provided for. <u>Important renewable electricity generation and electricity transmission assets are provided for without major constraints from other activities, while managing their adverse effects.</u>	Oppose	Whilst Genesis support the recognition to provide for renewable electricity generation and electricity transmission activities without major constraints, it is not necessary to also refer to the management of adverse effects in ACT-03, given that such obligations are set out in other provisions in the chapter. In addition, Genesis considers the relief sought does not adequately recognize the role of renewable electricity generation activities in the district nor provide for their ongoing operation and development.	Reject relief sought and adopt the relief sought by Genesis in its primary submission.
14	Environment Canterbury	ATC-05	Replace Strategic Objective ATC-05 with the following: ATC-05 Adaption and resilience The approach to managing resources allows the community to be resilient and adapt appropriately to	Support	Genesis supports the relief sought which focuses on the need to consider climate change effects.	Accept relief sought.

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			<p>change, including the effects of climate change. <u>The effects of climate change are recognised, and an integrated management approach is adopted, that ensures:</u></p> <ol style="list-style-type: none"> <u>1. climate change is considered in natural hazards management;</u> <u>2. the community can adapt to climate change;</u> <u>3. energy efficiency in urban form and settlement patterns;</u> <u>4. energy efficient infrastructure.</u> 			
14	Environment Canterbury	New ATC-O6	<p>Add Strategic Objective ATC-O6 as follows: <u>ATC- O6 Natural hazard risks are addressed so that:</u></p> <ol style="list-style-type: none"> <u>1. areas subject to natural hazard risk are identified;</u> <u>2. development is avoided in areas where the risks of natural hazards to people, property and critical infrastructure are assessed as being unacceptable; and</u> <u>3. for other areas, natural hazard risks are appropriately mitigated.</u> 	Support in part	Genesis supports identifying areas subject to natural hazard risks; however, infrastructure activities may at times have a technical, functional or operational requirement to be located in an area subject to natural hazard risks, and can be designed to function despite the natural hazard. Such activities should be provided for subject to the natural hazard risks being appropriately avoided, remedied or mitigated to the extent practicable.	<p>Accept relief in addition to the following addition (in red underline and strikethrough): <u>ATC- O6 Natural hazard risks are addressed so that:</u></p> <ol style="list-style-type: none"> <u>1. areas subject to natural hazard risk are identified;</u> <u>2. development within areas subject to natural hazard risks are managed so that natural hazard risks on people, property and infrastructure are avoided, remedied or mitigated. development is avoided in areas where the risks of natural hazards to people, property and critical infrastructure are assessed as being unacceptable; and</u> <u>3. for other areas, natural hazard risks are appropriately mitigated.</u>

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14	Environment Canterbury	NE-O1	<p>Amend Strategic Objective NE-O1 as follows: NHE-O1 Natural and Historic Environment</p> <p>The <u>important</u> values of the natural <u>and historic</u> environment, including those that make the District unique, contribute to its character, identity and wellbeing, and have significant intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes values associated with:</p> <ol style="list-style-type: none"> 1. mahika kai resources; 2. night sky darkness; 3. outstanding natural features and landscapes; 4. significant indigenous biodiversity; and 5. water bodies and their margins; 6. <u>historic heritage</u>. 	Oppose in part	Genesis considers a strategic direction must be clear, focused and definitive. The proposed words “including those” when referring to values in the district suggests there may be other matters in addition to values that need to be considered, which makes the objective inappropriately open-ended and unclear.	<p>Accept relief only if the following deletion is made (in red strikethrough):</p> <p>NHE-O1 Natural and Historic Environment</p> <p>The <u>important</u> values of the natural <u>and historic</u> environment, including those that make the District unique, contribute to its character, identity and wellbeing, and have significant intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes values associated with:</p> <ol style="list-style-type: none"> 1. mahika kai resources; 2. night sky darkness; 3. outstanding natural features and landscapes; 4. significant indigenous biodiversity; and 5. water bodies and their margins; 6. <u>historic heritage</u>.
14	Environment Canterbury	UFD-O1	<p>Amend Strategic Objective UFD-O1 to read: UDF-O1 Urban Form and Development</p> <p>The District’s townships and settlements grow and develop in a consolidated way that:</p> <ol style="list-style-type: none"> 1. is integrated with into, and respects the surrounding natural and physical environment <u>in a way that protects significant natural values</u>; 2. achieves good connectivity with other parts of the urban areas; 3. <u>avoids increasing the risk of natural hazards within</u> 	Support in part	Genesis generally supports the relief sought subject to the additional amendment sought in its primary submission.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.

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			<u>high hazard areas and avoids or mitigates other hazards;</u> 4. 3- <u>is integrated with the efficient and effective provision of</u> is supported by appropriate infrastructure; 5. 4- maintains the character of each township, and its attractiveness to residents, businesses and visitors; and 6. 5- responds to the needs of the community, including diversity in housing and business opportunities.; 7. <u>protects community drinking water supplies;</u> 8. <u>protects the life supporting capacity, health and productive capacity of highly productive land.</u>			
16	Department of Conservation	ATC – A Thriving Community	Retain ATC – A Thriving Community as notified.	Support in part	As outlined in Genesis’ primary submission.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
16	Department of Conservation	UFD – Urban Form and Development	Retain UFD – Urban Form and Development as notified.	Support in part	As outlined in Genesis’ primary submission.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
17	Nova Energy Limited	Definition: Lake	Delete the following definition in ‘Section 3: Definitions’ from the existing District Plan: Lake: means permanent body of freshwater entirely or nearly surrounded by land	Support	Genesis supports the deletion of the existing District Plan definition and the adoption of the definition from the National Planning Standard.	Accept relief sought.
17	Nova Energy Limited	Definition: River	Delete the following definition in ‘Section 3: Definitions’ from the existing District Plan: River: means a permanently or intermittently flowing body of freshwater with a formed and recognisable bed, but does not include any artificial watercourse (including irrigation canal, water supply race, canal for the supply of water for electricity power-generation and farm drainage canal).	Support	Genesis supports the deletion of the existing District Plan definition and the adoption of the definition from the National Planning Standard.	Accept relief sought.

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17	Nova Energy Limited	ATC-O3	Amend Strategic Objectives ATC-O3 as follows: ATC-O3: Infrastructure The importance of <u>existing and appropriate future</u> infrastructure to the District and beyond is recognised and provided for.	Support	Genesis supports the recognition and provision for existing and future infrastructure activities as sought.	Accept relief sought.
17	Nova Energy Limited	ATC-O4	Amend Strategic Objectives ATC-O4 as follows: ATC-O4: Renewable Electricity The local, regional and national benefits of the District's <u>existing and appropriate future</u> renewable electricity generation and electricity transmission assets are recognised, and their development, operation, maintenance and upgrade are provided for.	Support in part	Genesis supports the relief sought to recognize existing and future renewable electricity generation and transmission activities; however, considers the strategic objective does not go far enough to provide for the activities.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.
17	Nova Energy Limited	UFD-O1	Retain Strategic Objective UFD-O1 as notified.	Support in part	Genesis considers UFD-O1 as notified does not recognize and address potential reverse sensitivity effects if incompatible activities are located in close proximity.	Accept relief, subject to inclusion of the relief sought by Genesis in its primary submission.