

FORM 5

UNDER CLAUSE 6, FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991 SUBMISSION ON PROPOSED MACKENZIE DISTRICT PLAN

TO: Mackenzie District Council
SUBMISSION ON: Plan Changes 23 – 27 of the Mackenzie District Plan Review
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1 Introduction

- 1.1 This is a submission on Proposed Plan Changes 23 – 27 (**PCs 23 – 27**) of the Mackenzie District Plan by Nova Energy Limited (**Nova**).
- 1.2 Nova could not gain an advantage in trade competition through this submission.
- 1.3 The specific parts of PCs 23 – 27 to which this submission relates are the provisions set out in **Appendix 1**.
- 1.4 The submission provides the relevant context to Nova's operations, before confirming the specific Council decisions sought on the provisions of PCs 23 – 27, which will form part of the Proposed Mackenzie District Plan (**Proposed Plan**).

2 Nova Energy

- 2.1 Nova is a 100 per cent New Zealand owned and operated company focussed on the supply of energy. As a retailer, wholesaler and generator, Nova serves over 100,000 customers nationally.
- 2.2 Nova Energy is a subsidiary of the Todd Corporation, which has been one of New Zealand's leading companies for over 100 years.
- 2.3 Nova is associated with numerous electricity generation assets across New Zealand, including a solar farm, peaking plants and cogeneration facilities. The Nova business also includes energy retail brands MegaTel and Wise Prepay, and a majority interest in solar developer Sunergise International and its subsidiaries Sunergise New Zealand and Clay Energy.
- 2.4 The Todd Corporation has land ownership and development interests in the Mackenzie District.
- 2.5 Nova is committed to the environmental, social and economic wellbeing of the Mackenzie District and the Canterbury Region, now and into the future.

3 General reasons for submission

3.1 While most of the provisions in PCs 23 – 27 are supported in their entirety, Nova wishes to emphasise the significance of renewable energy infrastructure to the economic and social wellbeing of the district and region. The proposed provisions in PCs 23 – 27 enable energy generation and infrastructure, which Nova supports. The primary reasons for this submission are to ensure that the provisions of the Proposed Plan:

- a) enable future renewable energy development and operations;
- b) promote the sustainable use and management of the relevant natural and physical resources;
- c) enable the social and economic wellbeing of the people of the Mackenzie District; and
- d) meet the reasonably foreseeable needs of future generations.

3.2 Considering Council's staged approach to the review of the Operative District Plan, Nova recognises that future stages of the review will provide opportunity to ensure the Proposed Plan provides for the greater recognition and provision for current and future development and operations sought. However, it is submitted that the scope of PCs 23 – 27 is such that it provides a good opportunity to outline their interests.

3.3 As currently drafted, the provisions of the PCs largely achieve the above outcomes.

4 Specific reasons for submission

4.1 Without limiting the general submissions above, the specific reasons for this submission are to support operative provisions covered by PCs 23 – 27, and the Proposed Plan more generally, provide for the following (without limitation):

- a) Support for activities that have a functional and operational need to be established within a rural area.
- b) A clear and explicit direction and planning framework for renewable energy and renewable electricity activities.
- c) Recognition of the benefits of renewable energy and its contribution towards addressing the effects of climate change.
- d) Acknowledgment of the importance of infrastructure to people and the community's wellbeing.
- e) Provisions that give effect to the Canterbury Regional Policy Statement and applicable National Policy Statements.

4.2 In addition to the above, our submission is that the Proposed plan should provide support for activities which significantly benefit the regional and national economy, and enhance the social, economic and cultural wellbeing of communities. Our submission is that PCs 23 – 27 (as proposed) largely achieve this through the support for future use of renewable energy resources in the district, which have the potential to (without limitation):

- a) maximise utilisation of the significant and extensive existing electricity transmission infrastructure within the District;
- b) support New Zealand's transition to a low emissions economy, by enabling investment in renewable electricity generation;

- c) provide employment and lifestyle opportunities through the continued operation and development of renewable energy facilities in the District;
- d) support local Mackenzie businesses where practicable; and
- e) provide opportunities to efficiently supply local industry with regional generation activities by minimising transmission losses.

4.3 For any Proposed Plan provisions not addressed, or specifically referred to, in this submission, Nova either agrees with, or is indifferent to, the Proposed Plan provisions as written in their present form. Should the drafting subsequently change, Nova reserves its ability to file a further submission or provide further comment on those changes.

4.4 Nova is in general agreement with the assessments in the section 32 reports and that the proposed changes from PCs 23 – 27 (noting the amendments suggested in the table in Appendix 1) will be the most appropriate way to achieve the purpose of the Resource Management Act 1991.

5 Relief sought and hearing

5.1 The specific relief sought by Nova for PCs 23 – 27 is set out in the table **attached as Appendix 1** to this submission.

5.2 Nova wishes to be heard in support of its submission. If others make a similar submission, Nova will consider presenting a joint case with them at hearing.

Date: 24 January 2024

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Chris Pye
Projects and Development Manager
Nova Energy

Appendix 1 – Specific relief sought

Note: **Strikethrough** text represents proposed deletions and **underlined** text represents text proposed to be inserted

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
PC 23				
PC 23 – Natural Character Chapter	Insert proposed new Natural Character Chapter	Support	Retain proposed chapter.	Nova supports the insertion of a new Natural Character chapter as proposed to give effect to the National Policy Statement for Freshwater Management and the Canterbury Regional Policy Statement (CPRS).
PC 23 – Natural Features and Landscapes Chapter	Insert proposed new Natural Features and Landscapes Chapter	Support	Retain proposed chapter.	Nova supports the insertion of a new Natural Features and Landscapes Chapter as proposed, as it provides for the integrated management of the effects of the use, development or protections of land associated natural and physical resources of the district.
PC 23 – General Rural Zone	Insert proposed new General Rural Chapter	Support	Retain proposed chapter.	Nova supports the insertion of a new General Rural Zone chapter as

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
				<p>proposed for the following reasons (without limitation):</p> <ul style="list-style-type: none"> • It recognises and provides for other activities that rely on the natural resources found only in a rural location. • It supports activities that have a functional and operational need to be established within a rural area. • It provides for activities that are important to the community's social, economic and cultural wellbeing. • It gives effect to the CPRS and National Policy Statement for Highly Productive Land.
PC 23 – Definitions	Add and amend definitions in the Definitions chapter as contemplated in the Overview and Section 32 Reports for PC 23 (within the 'Interpretation' section in 'Part 1 – Introduction and General Provisions)	Support	Retain additions, amendments and deletions as proposed.	Nova supports the insertion, amendment and deletion of definitions as proposed.

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
	Delete definitions from 'Section 3 – Definitions			
PC 23 – Planning maps, zones, and overlays	Amend planning maps, areas and overlays as contemplated in the Overview and Section 32 Reports for PC 23	Support	Retain proposed changes.	Nova supports the amendments of planning maps, zones and overlays as proposed.
PC 24				
PC 24 – Sites and areas of significance to Māori	Insert proposed new Sites and Areas of Significance to Māori Chapter	Support	Retain proposed chapter.	Nova supports the insertion of a new Sites of significance to Māori chapter so far as mana whenua support its inclusion.
PC 24 – Definitions and glossary terms	Add and amend definitions in the Definitions chapter as contemplated in the Overview and Section 32 Reports for PC 24 (within the 'Interpretation' section in 'Part 1 – Introduction and General Provisions)	Support	Retain additions, amendments and deletions as proposed.	Nova supports the insertion, amendment and deletion of definitions and glossary terms as proposed, so far as they are supported by mana whenua.

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
	<p>Add glossary terms to the Glossary Chapter as contemplated in the Overview and Section 32 Reports for PC 24 (within the 'Interpretation' section in Part 1 – Introduction and General Provisions)</p> <p>Delete definitions from 'Section 3 – Definitions as contemplated in the Overview and Section 32 Reports for PC 24</p>			
PC 24 – Planning maps, zones, and overlays	Amend planning maps, areas and overlays as contemplated in the Overview and Section 32 Reports for PC 24	Support	Retain proposed changes.	Nova supports the amendments of planning maps, zones and overlays as proposed so far as they are supported by mana whenua.
PC 25				
PC 25 – Rural Lifestyle Zone	Insert proposed new Rural Lifestyle Chapter	Support	Retain proposed chapter.	Nova supports the insertion of a new Rural Lifestyle Zone Chapter as proposed.

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
PC 25 – Definitions	<p>Add and amend definitions in the Definitions chapter as contemplated in the Overview and Section 32 Reports for PC 25 (within the 'Interpretation' section in 'Part 1 – Introduction and General Provisions)</p> <p>Delete definitions from 'Section 3 – Definitions'</p>	Support	Retain additions, amendments and deletions as proposed.	Nova supports the insertion, amendment and deletion of definitions as proposed.
PC 25 – Planning maps, zones, and overlays	Amend planning maps, areas and overlays as contemplated in the Overview and Section 32 Reports for PC 25	Support	Retain proposed changes.	Nova supports the amendments of planning maps, zones and overlays as proposed.
PC 26				
PC 26 – Renewable Electricity Generation	Insert proposed new Renewable Electricity Generation Chapter.	Support	Retain proposed chapter.	Nova supports the insertion of a new Renewable Electricity Generation Chapter as proposed, for the following reasons (without limitation):

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
				<ul style="list-style-type: none"> • It provides clear and explicit direction in relation to renewable energy. • It establishes a planning framework to assess the development of new renewable electricity generation activities. • It gives effect to the CRPS and the National Policy Statement on Renewable Electricity Generation. • It recognises the benefits of renewable energy and its contribution towards addressing the effects of climate change.
PC 26 – Infrastructure	Insert proposed new Infrastructure Chapter	Support	Retain proposed chapter.	<p>Nova supports the insertion of a Infrastructure Chapter as proposed, for the following reasons (without limitation):</p> <ul style="list-style-type: none"> • It acknowledges the importance of infrastructure to people and the community's wellbeing. • It provides a planning framework to assess the development of infrastructure.

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
				<ul style="list-style-type: none"> • It seeks management of effects relative to the sensitivity of the environment. • It protects important existing infrastructure from reverse sensitivity effects. • It gives effect to the CRPS and the National Policy Statement on Electricity Transmission.
PC 26 – Definitions	<p>Delete definitions from 'Section 3 – Definitions.'</p> <p>Add and amend definitions in the Definitions chapter as contemplated in the Overview and Section 32 Reports for PC 26 (within the 'Interpretation' section in 'Part 1 – Introduction and General Provisions), including the following:</p> <p>'investigation activities'</p>	Support in part	<p>Retain additions, amendments and deletions as proposed, subject to the below:</p> <p>For the definition of 'investigation activities' amendments should be made as follows:</p>	The proposed language limits who can undertake investigation activities and is not required within the definition.

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
			<p>means the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators and includes the following structures and activities:</p> <ul style="list-style-type: none"> a. erecting an anemometer mast; b. erecting weather stations for the measurement of meteorological conditions; c. digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions; d. installing instruments into drill holes for monitoring groundwater levels and land movement; e. erecting survey monuments and installing instruments to monitor land movement; f. erecting telemetry stations for the transmission of instrument data; g. installing microseismic stations to measure microseismic activity and ground noise; 	

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
	<p>'transmission line'</p> <p>'regionally significant infrastructure'</p>		<p>h. erection of signs or notices giving warning of danger; and</p> <p>i. security fencing associated with the above structures and activities.</p> <p>For the definition of 'transmission line', amendments should be made as follows:</p> <p>a. <i>means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid; and</i></p> <p>b. <i>includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a. applies; but</i></p> <p>c. <i>does not include an electricity substation.</i></p> <p>For the definition of 'regionally significant infrastructure', amendments should be made as follows:</p>	<p>This definition could also apply to the connection of transmission lines between electricity generation infrastructure and distribution networks, as well as the national grid. The additional wording is not required within the definition.</p> <p>The additional language should be included to align the district plan definition with the definition used for</p>

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
			<p>means:</p> <ul style="list-style-type: none"> a. <i>strategic land transport network and arterial roads</i> b. <i>telecommunication facilities</i> c. <u>national, regional and local renewable electricity generation activities of any scale</u> d. <i>the electricity transmission network</i> e. <i>wastewater collection, treatment and disposal networks</i> f. <i>community land drainage infrastructure</i> g. <i>community potable water systems</i> h. <i>established community-scale irrigation and stockwater infrastructure</i> i. <i>electricity distribution network</i> 	'regionally significant infrastructure' in the Canterbury Regional Policy Statement (see pg 243 in the definitions section). The inclusion of this additional language gives effect to the regional policy statement in accordance with section 75(3)(c) of the Resource Management Act 1991.
PC 26 – Planning maps, zones, and overlays	Amend planning maps, areas and overlays as contemplated in the Overview and Section 32 Reports for PC 26	Support	Retain proposed changes.	Nova supports the amendments of planning maps, zones and overlays as proposed.

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
PC 27				
PC 27 - Earthworks	Insert proposed new Earthworks Chapter	Support	Retain proposed changes.	Nova supports the insertion of an Earthworks Chapter as proposed.
PC 27 – Transport	Insert proposed new Transport Chapter	Support	Retain proposed changes.	Nova supports the insertion of a Transport Chapter as proposed.
PC 27 – Subdivision	Insert proposed new Subdivision Chapter	Support	Retain proposed changes.	Nova supports the insertion of a Subdivision Chapter as proposed.
PC 27 – Public Access	Insert proposed new Public Access Chapter	Support	Retain proposed changes.	Nova supports the insertion of a Public Access Chapter as proposed.
PC 27 – Definitions	<p>Add and amend definitions in the Definitions chapter as contemplated in the Overview and Section 32 Reports for PC 27 (within the 'Interpretation' section in 'Part 1 – Introduction and General Provisions').</p> <p>Delete definitions from 'Section 3 – Definitions.'</p>	Support	Retain additions amendments and deletions as proposed.	Nova supports the insertion, amendment and deletion of definitions as proposed.

Chapter of Proposed Plan	Proposed Plan provision	Support / Oppose	Relief Sought	Reason
PC 27 – Planning maps, zones, and overlays	Amend planning maps, areas and overlays as contemplated in the Overview and Section 32 Reports for PC 27.	Support	Retain proposed changes.	Nova supports the amendments of planning maps, zones and overlays as proposed.