



Submission by Genesis Energy Limited

Trading as Genesis

ON

Proposed Waikato District Plan

9 October 2018

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To: The Chief Executive
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1. Introduction

Genesis Energy Limited (**Genesis**) welcomes the opportunity to provide a submission to the Waikato District Council (**WDC**) on the Proposed Waikato District Plan 2018 (Stage 1) (the **Proposed District Plan**), which was publicly notified on 18 July 2018.

Genesis wishes to be heard in support of this submission.

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

2. Background

Genesis is an electricity generator and energy retailer with a diverse portfolio of renewable and thermal electricity generation assets including hydro, thermal and wind generation plants spread across New Zealand. It is one of the largest electricity generators in the country.

Within the Waikato District Council area, Genesis owns and operates the Huntly Power Station located beside the Waikato River at Huntly. The Huntly Power Station currently has the country's largest fleet of thermal electricity generators.

Huntly Power Station

Huntly Power Station comprises the following six separate generating units:

- Units 1 to 4, the four original nominal 250 MW Rankine generating units capable of burning coal, natural gas or a combination of the two and, when necessary, fuel oil to support unit start up during restricted gas supply or combustion difficulties;
- Unit 5, one nominal 403 MW combined cycle gas turbine; and
- Unit 6, one nominal 50 MW open cycle gas turbine, which is also capable of firing diesel.

Collectively, Huntly Power Station represents approximately 12.5% of New Zealand's installed generation capacity. Huntly Power Station is, and will remain for the foreseeable future, a significant component of New Zealand's electricity supply system, particularly due to its size, proximity to the Auckland load centre, unique ability to stockpile fuel on site and ability to provide security of energy supply during dry years, peak periods or when other weather dependant generation is unable to meet consumer demand. Genesis' current plans are to keep the Rankine Units operational until at least 2022. As part of the need to manage thermal generation to meet the future needs of New Zealand,

changes have been made to the existing Waikato Regional Council resource consents to provide for the operation of additional fast-start open cycle gas turbines.

The operational footprint of the Huntly Power Station consists of a number of land parcels. The primary power station infrastructure is located on the corner of Hetherington and Te Ohaaki Roads. The 'West Mine' coal receival site is located to the west of the power station and coal is delivered to the power station site via a 3 kilometre overland conveyor. Excess ash is slurried through a dedicated pipeline from the power station to the 'Ash Ponds' which are located 2 kilometre north of the main site.

Genesis also holds several ancillary land parcels in the area, including agricultural land adjacent to the Ash Ponds (referred to as 'Scott Farm') and land immediately north and south of the main power station site. The operational and non-operational sites are shown in Figure 1 below.



Figure 1. Location of Huntly Power Station site and ancillary sites (outlined in orange) (Scale 1:36,000).

Given the national importance of the Huntly Power Station, Genesis has significant interest in the Proposed Waikato District Plan to ensure that the current and future operation of the Huntly Power Station is not compromised.

3. Submissions and Relief Sought

Genesis seeks the retention of the objectives, policies, rules, planning maps/ overlays, and Section 32 Analysis to enable the continued operation of the Huntly Power Station and associated ancillary activities, except where otherwise requested by this submission.

As a general submission point, Genesis considers that the Huntly Power Station is Regionally Significant Infrastructure as set out in the Waikato Regional Policy Statement (and could also be considered as a Regionally Significant Industry). The Waikato District Plan is required to provide for these regionally significant activities.

This section details Genesis' specific submissions and the relief sought.

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
Whole of Plan		Genesis considers that existing and proposed regionally significant industry and regionally significant infrastructure is an important component of the Waikato district. Policy 4.4 in the Waikato Regional Policy Statement (RPS) requires that the value and long-term benefits of regionally significant industry to economic, social and cultural wellbeing is recognised and that the potential for reverse sensitivity effects are avoided or minimised. Implementation method 4.4.1 anticipates that these matters will be addressed in District Plans. The RPS also requires that regionally significant industry be “identified in regional or district plans”.	That Regionally Significant Industries be identified explicitly in the Waikato District Plan and that, the Huntly Power Station be explicitly identified as a Regionally Significant Industry in appropriate places in the District Plan.
SECTION A PLAN OVERVIEW AND STRATEGIC DIRECTIONS			
Chapter 1: Introduction			
1.4.4 The urban environment	Support with amendments	Genesis notes that the Proposed District Plan states that protecting the rural environment for such things as productive rural activities is a key focus for the Plan and that a key issue for the urban environment is the maintenance of the productive capacity of the rural resource. While Genesis does not disagree with these, it considers that this must be achieved within a context that also protects existing and new regionally significant infrastructure and regionally significant industry. This is recognised in part in 1.4.3.2(c), but not with respect to the urban environment in 1.4.4.	That the following be added to 1.4.4: <u>“(c) In line with the Regional Policy Statement, the district plan must ensure that urban development recognises, provides for and protects existing and proposed regionally significant industry and regionally significant infrastructure.”</u>
1.5.5 (d) Services and general infrastructure	Support with amendments	This paragraph comments on the need to ensure protection of regionally and nationally-significant infrastructure and lists a number of current infrastructure types. The use of “i.e.” in this paragraph leads the reader to a specific interpretation limited to	Amend part of 11.5.5(d) to read as follows, or words to like effect: “... The district needs to ensure the protection of regionally and nationally-significant infrastructure, i.e. <u>e.g.</u> electricity

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		the infrastructure listed. Genesis submits that it would be more appropriate to use “e.g.” to ensure that the listed infrastructure are identified as examples (and not an exhaustive list) of the regionally and nationally-significant infrastructure.	generation infrastructure and energy corridor, road and rail transport corridors, gas and transmission corridors and water infrastructure. ...”
1.5.7.7 Energy	Support with amendments	<p>Genesis supports the recognition of the importance of the Huntly Power Station and associated infrastructure both at a national and regional level.</p> <p>Genesis considers that the energy resources and infrastructure listed in 1.5.7.7 should be identified as regionally significant industries.</p>	<p>Amend 1.5.7.7 as follows:</p> <p>“The district plan recognises the national and regional importance of existing energy resources and infrastructure, which include coalfields, coal mines, Huntly Power Station, gas, electricity transmission, and coal conveyance facilities, as well as renewable energy. <u>These are regionally significant industries located in the Waikato District. The plan addresses the positive and adverse effects of energy infrastructure and development.</u>”</p>
SECTION B OBJECTIVES AND POLICIES			
Chapter 3: Natural Environment			
3.2 Significant Natural Areas	Support with amendments	<p>Genesis supports WDC’s general approach towards management and identification of the District’s Significant Natural Areas (SNA) and acknowledges WDC’s response to the feedback provided by Genesis on the Draft Proposed Plan. However, Genesis remains concerned with the extent of SNAs identified on the Huntly Power Station site, ancillary land and enhancement sites. Such enhancement sites having been planted and maintained by Genesis as requirements of regional resource consents.</p> <p>The Proposed Plan defines SNA as “... an area of significant indigenous biodiversity that is identified ... on the planning maps.” It does not appear from this definition that there has to be anything “natural” about areas defined as SNAs. That is, the term SNA is a misnomer when applied to created areas like the Genesis river site planting projects.</p>	That the areas identified on the planning maps as Significant Natural Areas on the Huntly Power Station Site and ‘Scott Farm’ be removed.

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
		<p>The areas that are currently being managed by Genesis for enhancement planting are subject to ongoing maintenance to enhance the values within the sites for the purpose of improving biodiversity but should not be protected in the same way as an existing natural area.</p> <p>The additional restrictions and rules as drafted in the Proposed District Plan would impact on the management of the enhancement plantings and Genesis' ability to meet conditions imposed by resource consents.</p>	
3.2.3 Policy - Management hierarchy	Support with amendments	<p>Genesis supports the general approach to management of Significant Natural Areas (SNA) as detailed in Policy 3.2.3 and 3.2.4.</p> <p>Genesis considers that there may be circumstances where it is impractical for "not net loss" to be achieved. In that regard, Genesis considers that environmental compensation be included as a mechanism to manage effects, specifically for regionally significant industry and regionally significant infrastructure. This approach has been used widely around New Zealand in district plans for managing biodiversity.</p>	<p>Amend Policy 3.2.3(a) as follows:</p> <p>"(a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:</p> <p>...</p> <p>(iv) after remediation or mitigation has been undertaken, offset <u>or compensate</u> any significant residual adverse effects in accordance with Policy 3.2.4."</p>
3.2.4 Policy – Biodiversity Offsetting	Support with amendments		<p>Amend Policy 3.2.4 as follows:</p> <p>"(a) Allow for a biodiversity offset <u>or compensatory measure</u> to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, or on indigenous biodiversity outside such Significant Natural Areas.</p> <p>(b) Within a Significant Natural Area, a biodiversity offset <u>or compensatory measure</u> will only be considered appropriate where adverse effects have been avoided, remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and</p> <p>(i) the biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting; and</p> <p>(ii) the biodiversity offset can achieve no net loss of indigenous biodiversity:</p>

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
			<p>A. preferably in the affected area of Significant Natural Area; or</p> <p>B. where that is not practicable, in the ecological district in which the affected area of Significant Natural Area is located.</p> <p><u>(iii) Environmental compensation will be considered for effects associated with operation, maintenance and enhancement of regionally significant industry and regionally significant infrastructure.</u></p>
3.2.6 Policy - Providing for vegetation clearance	Support with amendments	As stated above, Genesis consider it inappropriate to identify Significant Natural Areas (SNA) on land used for the Huntly Power Station and at Scott Farm. Nevertheless, Genesis consider that there should be a provision of vegetation clearance within SNA that includes clearance of vegetation that is impinging on adjacent existing activities.	That the following, or similar, be added to 3.2.6: <u>“(v) the vegetation is impinging on adjacent existing activities.”</u>
3.4 Significant Amenity Landscapes	Support in part	<p>Genesis supports the general approach to maintain and enhance identified Significant Amenity Landscapes (SAL) as detailed in section 3.4.</p> <p>With respect to the Huntly Power Station site, the area of the intake forebay and cooling water discharge has been identified as a SAL. It is not appropriate for this area be mapped as a SAL as public access is restricted due to significant health and safety risk. This area is zoned Heavy Industrial in the Proposed District Plan and there are no amenity landscapes in this area that need to be mapped or protected.</p> <p>An area of the ‘Scott Farm’ land which Genesis owns has been identified as a SAL. This area is a productive dairy farm, in a rural landscape, and it forms part of the overall Huntly Power Station ash management regime, rather than an area with high amenity value that warrants protection. Genesis is concerned that the overlay may compromise the existing use of that land as a pastoral farm, the</p>	Genesis requests that the SAL overlay in the planning maps be removed from the Huntly Power Station Heavy Industrial Zone and Scott Farm.

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
		operation of the Huntly Power Station ash disposal system and the site enhancement and/or remediation work that Genesis is undertaking or proposes. Identification of this land as part of a SAL is inconsistent with operational uses of the land and health and safety matters arising from those operations. Genesis requests that the SAL overlay be removed from the Huntly Power Station Site and Scott Farm.	
Chapter 4: Urban Environment			
4.1.6 Policy – Commercial and industrial activities	Support with amendments	Genesis supports the direction of Policy 4.1.6 that commercial and industrial activities be provided in the Heavy Industrial Zone, which is what the Huntly Power Station has been zoned as. However, Genesis also considers that electricity generation activities should also be provided within the Huntly Power Station Heavy Industrial Zone.	Retain Policy 4.1.6 in the same or similar form with the following amendments: “... (ii)Business; (iii)Industrial; and (iv)Heavy Industrial; <u>and</u> (v) <u>Electricity generation within the Huntly Power Station Heavy Industrial Zone.</u> ”
4.1.13 Policy – Huntly	Support with amendments	As noted above, it is important to protect existing and new regionally significant infrastructure and/or industry from reverse sensitivity issues as a direction of the Regional Policy Statement, which the district plan must give effect to. Genesis considers it important to be explicit in the Proposed District Plan that Huntly is developed in such a manner that recognises, provides for and protects the Huntly Power Station and ancillary activities.	That the following be added to Policy 4.1.13 (a): “ <u>(iv) Reverse sensitivity effects on regionally significant industry and infrastructure are avoided or minimised.</u> ”
4.6.2 Policy – Provide Industrial Zones with	Support with amendments	Genesis supports the inclusion of Industrial and Heavy Industrial Zones in the Waikato District Plan and their appropriate application to activities such as regionally significant industries. Genesis considers that Huntly	Retain Policy 4.6.2 in the same or similar form, with the addition of a new clause (iii):

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
different functions		Power Station should be recognised as a regionally significant industry in this policy context.	<u>“(iii) Recognise and provide for the Huntly Power Station as a regionally significant industry.”</u>
4.7.2 Policy – Subdivision location and design	Support with amendments	Genesis considers that subdivision activities in the urban environment must be located and designed to ensure that reverse sensitivity effects on regionally significant industry and infrastructure are avoided.	That the following be added to Policy 4.7.2 Policy: <u>“(viii) Avoids reverse sensitivity effects on existing and proposed regionally significant industry and regionally significant infrastructure.”</u>
4.7.11 Policy – Reverse sensitivity	Support with amendments	Genesis supports Policy 4.7.11 Reverse Sensitivity but considers that it should be amended to explicitly refer to existing and proposed regionally significant industry and regionally significant infrastructure in the same way that it refers to intensive farming, extraction industry and industrial activity and to replace “dwellings” with “sensitive activities”.	That Policy 4.7.11 be amended by 1. Replacing “dwellings” in Policy 4.7.11(b) with “sensitive activities”; and 2. Including (c) as follows: <u>“(c) Avoid potential reverse sensitivity effects of locating new sensitive activities in the vicinity of Regionally Significant Industry or Regionally Significant Infrastructure.”</u>
Chapter 5: Rural Environment			
5.3.3 Policy – Industrial and commercial activities	Support with amendments	Policy 5.3.3 provides for industrial and commercial activities in the rural environment. Genesis considers that the matters listed should be extended to include the coal transport and ash management activities associated with the Huntly Power Station.	That the following be added to Policy 5.3.3: <u>“(c) Provide for the existing coal and ash transport and management facilities associated with the Huntly Power Station.”</u>
5.3.7 Policy - Reverse sensitivity effects	Support with amendments	Policy 5.3.7 recognises reverse sensitivity matters relating to agricultural activities in the rural environment. Genesis considers that existing and proposed regionally significant industry and regionally significant infrastructure also forms part of the rural environment and should also be provided for in this policy.	Add a new (vi) to Policy 5.3.7(a) as follows: <u>“(vi) Existing and proposed regionally significant industry and regionally significant infrastructure.”</u>
5.3.17 Policy – Specific area - Huntly Power Station – Coal and ash water	Support with amendments	Genesis supports Policy 5.3.17 as it recognises and provides for facilities that are integral to the operation of the Huntly Power Station. It is appropriate that the overlay in the planning maps specifies the area in which these activities occur and facilities are located.	That Policy 5.3.17 is amended as follows: <u>“(b) Provide for specific facilities that include the handling, stockpiling and haulage of coal and the disposal management of coal ash and associated water within identified areas in close proximity to Huntly Power Station.”</u>

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
		<p>Policy 5.3.17(b) incorrectly lists the facilities as being for disposal of coal ash but those facilities provide for the management of the coal ash. Genesis considers that this policy should be amended to correctly reflect the purpose for which the ash management site exists.</p> <p>Policy 5.3.17 does not list coal stockpiling in this specific area but this is an activity that is undertaken within the identified area and is integral to the operation of Huntly Power Station.</p>	
Chapter 6: Infrastructure and Energy			
6.1 General Infrastructure			
6.1 General Infrastructure	New Provision	Genesis considers that existing and proposed regionally significant infrastructure should be explicitly recognised and provided for in the Infrastructure section of the Plan. Policy 6.6 in the Waikato Regional Policy Statement requires that the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected and that particular regard is given to the benefits that can be gained from the development and use of regionally significant infrastructure.	<p>That a new Policy 6.1.X be inserted into the District Plan as follows:</p> <p><u>“6.1.X Policy – Regionally Significant Infrastructure</u> <u>(a) Have particular regard to the benefits that can be gained from the development and use of regionally significant infrastructure (as defined in the Waikato Regional Policy Statement 2016); and</u> <u>(b) Protect the effectiveness and efficiency of existing and planned regionally significant infrastructure.”</u></p>
6.1.1 Objective – Development, operation and maintenance of infrastructure	Support	Genesis supports this objective and recommend it is retained in the same or similar form.	Retain Objective 6.1.1 in the same or similar form.
6.1.2 Policy - Development, operation and maintenance	Support	Genesis supports this policy and recommend it is retained in the same or similar form.	Retain Policy 6.1.2 in the same or similar form.

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
6.1.4 Policy – Infrastructure benefits	Support	Genesis supports this policy and recommend it is retained in the same or similar form.	Retain Policy 6.1.2 in the same or similar form.
6.1.5 Policy – Natural hazards and climate change	Support with amendments	Genesis supports the intent of this policy, but recommend it is made explicit that this policy relates to new infrastructure.	Amend Policy 6.1.5(a) as follows: “(a) Encourage the design and location of <u>new</u> infrastructure to take account of natural hazards and the effects of climate change.”
6.1.6 Objective – Reverse sensitivity	Support	Genesis supports this objective and recommend it is retained in the same or similar form.	Retain Objective 6.1.6 in the same or similar form.
6.1.7 Policy – Reverse sensitivity and infrastructure	Support	Genesis supports this policy and recommend it is retained in the same or similar form.	Retain Policy 6.1.7 in the same or similar form.
6.3 Energy			
6.3.6 Objective – Non-renewable energy	Support with amendments	Genesis supports this objective and the recognition of non-renewable energy resources within the district. Genesis recommends that this policy is amended to make it explicit that the district also recognises non-renewable electricity generation.	Amend Objective 6.3.6 as follows: “(a) Non-renewable energy resources <u>and electricity generation</u> are recognised within the district.”
6.3.7 Policy – Recognise non-renewable energy resources	Support	Genesis supports this policy and recommend it is retained in the same or similar form.	Retain Policy 6.3.7 in the same or similar form.
SECTION C RULES			
Chapter 14: Infrastructure and Energy			

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)				
14.2 Rules applying to all infrastructure	Support	Genesis is generally supportive of the proposed rule framework in section 14.2 of the Proposed District Plan.	Retain rules in 14.2 in the same or similar form.				
14.3 General infrastructure	Support	Genesis is generally supportive of the proposed rule framework in section 14.3 of the Proposed District Plan.	Retain rules in 14.3 in the same or similar form.				
14.6 Electricity generation	Support with amendment	Electricity generation is the primary activity undertaken within the Huntly Power Station Heavy Industrial Zone. Genesis considers that it is unclear whether “electricity generation” is an industrial activity provided for within the zone or whether the electricity generation provisions in section 14.6 apply. Genesis requests new permitted and restricted discretionary activity rules to provide for electricity generation within the Huntly Power Statin Heavy Industrial Zone.	Support with the addition of a new Permitted Activity Rule 14.6.1 as follows:				
			<table><tr><th>Activity</th><th>Activity-specific conditions</th></tr><tr><td>P5 Electricity generation within the Huntly Power Station Heavy Industrial Zone</td><td>14.6.1.[X] Electricity generation within the Huntly Power Station Heavy Industrial Zone that complies with the Huntly Power Station Heavy Industrial Zone rules.</td></tr></table>	Activity	Activity-specific conditions	P5 Electricity generation within the Huntly Power Station Heavy Industrial Zone	14.6.1.[X] Electricity generation within the Huntly Power Station Heavy Industrial Zone that complies with the Huntly Power Station Heavy Industrial Zone rules.
			Activity	Activity-specific conditions			
			P5 Electricity generation within the Huntly Power Station Heavy Industrial Zone	14.6.1.[X] Electricity generation within the Huntly Power Station Heavy Industrial Zone that complies with the Huntly Power Station Heavy Industrial Zone rules.			
			And, a new Restricted Discretionary Activity Rule as follows:				
<table><tr><th>Activity</th><th>Activity-specific conditions</th></tr><tr><td>RD4 Electricity generation within the Huntly Power Station Heavy Industrial Zone that do not comply with one or more of the conditions Rule 14.6.1.[X]</td><td>Discretion is restricted to the extent of effects associated with the Huntly Power Station Heavy Industrial Zone rules that the activity does not comply with.</td></tr></table>	Activity	Activity-specific conditions	RD4 Electricity generation within the Huntly Power Station Heavy Industrial Zone that do not comply with one or more of the conditions Rule 14.6.1.[X]	Discretion is restricted to the extent of effects associated with the Huntly Power Station Heavy Industrial Zone rules that the activity does not comply with.			
Activity	Activity-specific conditions						
RD4 Electricity generation within the Huntly Power Station Heavy Industrial Zone that do not comply with one or more of the conditions Rule 14.6.1.[X]	Discretion is restricted to the extent of effects associated with the Huntly Power Station Heavy Industrial Zone rules that the activity does not comply with.						
14.12 Transportation							

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
P4 Traffic Generation	Support	Genesis supports retaining the specific permitted activity conditions for traffic generation from Huntly Power Station.	Retain 14.12.1.4(1)(f) in the same form.
Chapter 21: Industrial Zone Heavy			
21.2.3.2 Noise – Huntly Power Station			
21.2.3.2 P1	Support	Genesis support the permitted activity for noise generated by emergency generators and emergency sirens.	Retain permitted activity rule 21.2.3.2 P1 in the same form.
21.2.3.2 P2	Support with amendments	Genesis is supportive of including specific noise rules for Huntly Power Station. However, the wording of Permitted Activity Rule 2 and Rule 3 differs from the Operative District Plan in that it refers to noise measured within any site in the Residential Zone or at the notional boundary within any site in the Rural Zone. This means that if sites change within either zone, the noise standard that the Huntly Power Station is expected to meet will change, particularly within the Rural Zone. Development outside of the Huntly Power Station site could compromise operation of the Station as it is difficult to alter the current operating noise environment around the Station.	Amend permitted activity rule 21.2.3.2 P2 as follows: “(a) Noise measured at the notional boundary <u>of any dwelling house existing as at 25 September 2004</u> within any site in the Rural Zone does not exceed: (i) 55dB (LAeq), 7am to 10pm (ii) 45dB (LAeq) and 75dB (L _{Amax}), 10pm to 7am the following day.”
21.2.3.2 P3	Support with amendments	Genesis therefore recommends that the present rule framework providing for the existing noise emissions remains in place and protects the significant infrastructure from potential noise and reverse sensitivity effects. Genesis does not consider the Section 32 Report provides adequate justification as to why these changes to the permitted activity rules have been made. Noting the Section 32 Report states “ <i>However, these standards in the Waikato Section have been place for a considerable period of time.</i> ” and we	Amend permitted activity rule 21.2.3 P3 as follows: “(a) Noise measured within any site in the Residential Zone must meet the permitted noise levels for that zone. at the site <u>boundary of any dwelling house existing as at 25 September 2004 in any other zone does not exceed:</u> (i) <u>50dBA (L₁₀), 7am to 7pm, Monday to Saturday, and</u> (ii) <u>45dBA (L₁₀), 7pm to 10pm, Monday to Saturday; and</u> (iii) <u>40dBA (L₁₀), and 65dBA (L_{max}) all other times and public holidays.</u> ”

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
		assume this statement references the standards in the Operative District Plan.	
21.2.5 Earthworks			
21.2.5.2 Earthworks - Significant Natural Areas	Neutral	As above, part of the Huntly Power Station that is zoned Heavy Industrial has been identified as a Significant Natural Area (SNA). Genesis has advised this identification is inappropriate for such a site and requested that the SNA be removed from the Huntly Power Station site.	That the areas identified on the planning maps as Significant Natural Areas on the Huntly Power Station Site and 'Scott Farm' be removed.
21.2.6 Hazardous substances			
21.2.6 P1	Support with amendments	<p>A range of hazardous substances are stored and used at Huntly Power Station, in compliance with the relevant Health and Safety at Work (Hazardous Substances) Regulations (the Regulations) and the Health and Safety at Work Act (the HSAW Act). Genesis notes that the proposed hazardous substance rules represent a duplication of the requirements under these regulations and HSAW Act and would prefer that all control of such substances at the Huntly Power Station site is exercised under the Regulations and HSAW Act, which is designed specifically for and is fit for that purpose.</p> <p>Alternatively, Genesis seeks site specific provisions relating to the Huntly Power Station site to provide for such matters as operation of the gas reception area and operation of the water intake structures on the banks of the Waikato River.</p>	<p>That either:</p> <p>A. Rule 21.2.6 be amended to read "Hazardous substance use, storage or disposal at any site within a heavy industrial zone shall be managed in accordance with the Safety at Work (Hazardous Substances) Regulations, and that any activity that does not comply with the Safety at Work (Hazardous Substances) Regulations is a discretionary activity"; OR</p> <p>B. That P1 is amended to read:</p> <p>"(a) The use, storage or disposal of any hazardous substance where:</p> <p>(i) the aggregate quantity of hazardous substance of any hazard classification on a site is less than the quantity specified for the Heavy Industrial Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances); <u>or</u></p> <p>(ii) <u>the activity is located in the Heavy Industrial Zone at Huntly Power Station and is located at least 20m distance from the zone boundary, except in relation to existing water intake and outfall structures (where no setback applies).</u>"</p>
21.2.7.1 Signs	Support	Genesis supports the rule framework proposed.	Retain 21.2.7.1 P1, P2, P3 and RD1 in the same or similar form.

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
21.2.8 P1 Outdoor storage of goods or materials	Support with amendments	Coal stockpiles are maintained at the Huntly Power Station in order to provide an ongoing supply of coal to the power station generation units. These stockpiles were created specifically for the purpose of the power station operation and can vary in dimension within the stockpile over time as generation demand varies. These changes can be due to coal supplies arriving in bulk, coal being stockpiled in order to provide generation resilience during potential power supply shortages (such as during low river inflows or significant maintenance outages at other places in the New Zealand generation and transmission network. The stockpiles are managed as a strategic fuel supply source. Genesis seeks the flexibility to operate the coal stockpiles within the site according to demand requirements rather than the specific limits in the Proposed Plan and therefore there should be no bulk limits in relation to these areas (note that location would be managed through the requirement that they stay within the existing stockpile areas.	That 21.2.8 Outdoor storage of goods or materials be amended by adding the following wording to P1 Outdoor storage of goods: “(a) <u>Stockpiles of coal located within existing stockpile areas on the Huntly Power Station site; or</u> (b) (a) Outdoor storage of goods or materials must comply <u>complying</u> with all of the following conditions...”
21.3 Land Use - Building			
21.3.1 P1 Height - General	Oppose	The Operative District Plan contains specific rules for the construction or alteration of a building or structure at the Huntly Power Station. Genesis requests that the Proposed Plan retains the specific provisions for Huntly Power Station from the Operative District Plan to ensure future development is not compromised.	That a new permitted activity rule be inserted as follows: “ <u>P2</u> (a) <u>The construction or alteration of any building or structure at the Huntly Power Station may be up to:</u> (i) <u>a maximum height of 60 m, and</u> (ii) <u>35m on 90% of the site.</u> ”
Chapter 22: Rural Zone			
22.2.4 Hazardous substances		A range of hazardous substances are stored and used at Huntly Power Station and ancillary sites, in compliance with the relevant Health and Safety at Work (Hazardous Substances) Regulations (the	That 22.2.4 P1 is amended to read: “(a) The use, storage or disposal of any hazardous substance where:

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
		<p>Regulations) and the Health and Safety at Work Act (the HSAW Act). Genesis notes that the proposed hazardous substance rules represent a duplication of the requirements under these regulations and HSAW Act and would prefer that all control of such substances at the Huntly Power Station and ancillary sites is exercised under the Regulations and HSAW Act, which is designed specifically for and is fit for that purpose.</p> <p>Alternatively, Genesis seeks site specific provisions relating to the Huntly Power Station operations.</p>	<p>(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rural Zone in Table 65.1 contained within Appendix 65 (Hazardous Substances), <u>or</u></p> <p>(ii) <u>the activity is located in Specific Area 22.6.1. and is managed in accordance with the Health and Safety at work (Hazardous Substances) Regulations.</u></p>
22.3.7.2 Building setback – sensitive land use	Support with amendments	<p>The land surrounding the Huntly Power Station is zoned Rural. The permitted activity rule P1 lists specific distances for the set back of buildings for a sensitive land use from particular activities or sites. The Huntly Power Station is not listed in P1 and Genesis consider it appropriate for the power station to also be listed.</p>	<p>Add a new (x) to Rule 23.3.7.2 P1 as follows: <u>“(x) 500 m from the boundary of the Huntly Power Station.”</u></p>
22.6 Specific Area Huntly Power Station Coal and Ash Water	Support with amendments	<p>Genesis supports the intent of the Waikato District Council in addressing concerns raised in the previous feedback provided by Genesis in relation to coal and ash management. However, the rules proposed in the Rural Zone chapter are unnecessarily complex and involve a significant degree of cross referencing.</p> <p>Genesis considers that given the specificity of the ash management practices to the Huntly Power Station (in that few other activities in the district would require any rules of this nature) a standalone rule, specific to the Huntly Power Station activities should be created that does not rely on cross referencing.</p> <p>The ash ponds are not the final location for disposal of the ash. It is an ash management facility where by the suspend solids (i.e. ash) are separated from the ash water. The ash water is returned to the Huntly Power</p>	<p>The rule be amended as follows: <u>22.6 – Amend the heading to “Specific Area – Huntly Power Station – Coal and Ash Management.</u></p> <p>22.6.1 Application of Rules</p> <p>(a) <u>Notwithstanding any other rule in the District Plan</u>, the rules that apply to a permitted activity are set out in Rule 22.6.2 within the Huntly Power Station: Coal and Ash Water <u>Management</u> Specific Area as identified on the planning maps are as follows:</p> <p style="padding-left: 40px;">(i) Rule 22.2 Land Use – Effects</p> <p style="padding-left: 40px;">(ii) Rule 22.3 Land Use – Building, except:</p> <p style="padding-left: 80px;">A. Rule 22.3.7 Building setbacks do not apply and Rule 22.6.3 applies instead; and</p>

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
		<p>Station and discharged via the cooling water outfall. The solid ash is reclaimed from the ponds, stockpiled (for drying) and then transported to an appropriate offsite disposal facility. Genesis considers that all of these activities should be covered by way of a specific permitted activity rule.</p> <p>In that regard the specific area should be renamed "Huntly Power Station: Coal and Ash Management Specific Area".</p>	<p>B.Rule 22.3.4 Height does not apply and Rule 22.6.4 applies instead.</p> <p>C.Rule 22.6.5;</p> <p>D.Rule 22.6.6; and</p> <p>E.Rule 22.6.7</p> <p>(b)The rules that apply to any other activity that is not provided in Rule 22.6.2 are those that apply to the Rural Zone as follows:</p> <p>(i)Rule 22.1 Land Use — Activities</p> <p>(ii)Rule 22.2 Land Use — Effects</p> <p>(iii)Rule 22.3 Land Use — Building; and</p> <p>(iv)Rule 22.4 Subdivision</p> <p>22.6.2 Permitted Activities – Huntly Power Station <u>Coal</u></p> <p>(a)The rules that apply to a specific permitted activity within the Huntly Power Station: Coal and Ash Water Specific Area as identified on the planning maps are as follows:</p> <p>(i)Rule 22.2 Land Use — Effects</p> <p>(ii)Rule 22.3 Land Use — Building, except:</p> <p>A.Rule 22.3.7 Building setbacks do not apply and Rule 22.6.3 applies instead; and</p> <p>B.Rule 22.3.4 Height does not apply and Rule 22.6.4 applies instead.</p> <p>C.Rule 22.6.6 Coal stockpile height, setback and coverage;</p> <p>D.Rule 22.6.7 Ash disposal and transport of coal ash water; and</p>

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)						
			<div>E.Rule 22.6.8 Energy corridor — transportation of minerals and substances</div> <table><tr><td>P1</td><td>(a) Coal related activities involving: (i)stockpiling; (ii)screening and sorting; (iii)use of transportation conveyors; (iv)erection, operation, and maintenance of loading and unloading facilities; and (v)an activity that is ancillary to those listed in (i) – (iv) above.</td></tr></table> <div>22.6.3 Discretionary Activities – Huntly Power Station Coal (a)The activities listed below are discretionary activities.</div> <table><tr><td>D1</td><td>An activity that does not comply with Rule 22.6.2 P1.</td></tr></table> <div>22.6.4 Building setback and location – Huntly Power Station</div> <table><tr><td>P1</td><td>(a)A building must be: (i)set back at least 20m from every boundary of Specific Area 22.6 where its height exceeds 20m; and</td></tr></table>	P1	(a) Coal related activities involving: (i)stockpiling; (ii)screening and sorting; (iii)use of transportation conveyors; (iv)erection, operation, and maintenance of loading and unloading facilities; and (v)an activity that is ancillary to those listed in (i) – (iv) above.	D1	An activity that does not comply with Rule 22.6.2 P1.	P1	(a)A building must be: (i)set back at least 20m from every boundary of Specific Area 22.6 where its height exceeds 20m; and
P1	(a) Coal related activities involving: (i)stockpiling; (ii)screening and sorting; (iii)use of transportation conveyors; (iv)erection, operation, and maintenance of loading and unloading facilities; and (v)an activity that is ancillary to those listed in (i) – (iv) above.								
D1	An activity that does not comply with Rule 22.6.2 P1.								
P1	(a)A building must be: (i)set back at least 20m from every boundary of Specific Area 22.6 where its height exceeds 20m; and								

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)										
			<table><tr><td></td><td>(ii) set back at least 10m from every boundary of Specific Area 22.6 where its height is up to 20m; or (iii) located within an energy corridor.</td></tr><tr><td>D4</td><td>A building that does not comply with Rule 22.6.4 P1.</td></tr></table> <p>22.6.5 Building height</p> <table><tr><td>P4</td><td>(a) A building must not exceed a height of: (i) 30m within an area of up to 1500m²; and (ii) 20m for the balance of Specific Area 22.6.</td></tr><tr><td>D4</td><td>A building that does not comply with Rule 22.6.5 P1.</td></tr></table> <p>22.6.64 Coal stockpile height, setback and coverage</p> <table><tr><td>P1</td><td>(a) Coal stockpiles must: (i) not exceed a height of 15m; (ii) be set back at least 5m from the boundary of Specific Area 22.6; (iii) not exceed 25% of Specific Area 22.6.</td></tr></table>		(ii) set back at least 10m from every boundary of Specific Area 22.6 where its height is up to 20m; or (iii) located within an energy corridor.	D4	A building that does not comply with Rule 22.6.4 P1.	P4	(a) A building must not exceed a height of: (i) 30m within an area of up to 1500m²; and (ii) 20m for the balance of Specific Area 22.6.	D4	A building that does not comply with Rule 22.6.5 P1.	P1	(a) Coal stockpiles must: (i) not exceed a height of 15m; (ii) be set back at least 5m from the boundary of Specific Area 22.6; (iii) not exceed 25% of Specific Area 22.6.
	(ii) set back at least 10m from every boundary of Specific Area 22.6 where its height is up to 20m; or (iii) located within an energy corridor.												
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Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)						
			<table><tr><td>RD1</td><td>(a) Coal stockpiles that do not comply with Rule 22.6.6 P1. (b) Council's discretion is restricted to the following matter: (i)visual amenity</td></tr></table> <p>22.6.75 <u>Management of ash water</u> Ash disposal and transport of coal ash water</p> <table><tr><td>P1</td><td>(a) The <u>management of disposal</u> of coal ash (including the deposition of ash into the ponds, reclamation of ash from the ponds, stockpiling, drying, the handling of ash and the transportation of ash for offsite disposal) and the transport of coal ash water where: (i) these materials are transported between the Huntly Power Station and the ash disposal ponds located adjacent to Te Ohaaki Road via the pipeline located within Specific Area 22.6; and (ii) they involve the operation and maintenance of the ash disposal ponds located adjacent to Te Ohaaki Road within Specific Area 22.6. <u>(iii) The transport of ash for offsite disposal results in less than 85 vehicle movements per day.</u> <u>(iv) The offsite ash disposal occurs at a facility authorised to receive the ash.</u></td></tr><tr><td>RD1</td><td>(a) The <u>management disposal</u> of coal ash and the transport of coal ash water that does not comply with Rule 22.6.57 P1.</td></tr></table>	RD1	(a) Coal stockpiles that do not comply with Rule 22.6.6 P1. (b) Council's discretion is restricted to the following matter: (i)visual amenity	P1	(a) The <u>management of disposal</u> of coal ash (including the deposition of ash into the ponds, reclamation of ash from the ponds, stockpiling, drying, the handling of ash and the transportation of ash for offsite disposal) and the transport of coal ash water where: (i) these materials are transported between the Huntly Power Station and the ash disposal ponds located adjacent to Te Ohaaki Road via the pipeline located within Specific Area 22.6; and (ii) they involve the operation and maintenance of the ash disposal ponds located adjacent to Te Ohaaki Road within Specific Area 22.6. <u>(iii) The transport of ash for offsite disposal results in less than 85 vehicle movements per day.</u> <u>(iv) The offsite ash disposal occurs at a facility authorised to receive the ash.</u>	RD1	(a) The <u>management disposal</u> of coal ash and the transport of coal ash water that does not comply with Rule 22.6.57 P1.
RD1	(a) Coal stockpiles that do not comply with Rule 22.6.6 P1. (b) Council's discretion is restricted to the following matter: (i)visual amenity								
P1	(a) The <u>management of disposal</u> of coal ash (including the deposition of ash into the ponds, reclamation of ash from the ponds, stockpiling, drying, the handling of ash and the transportation of ash for offsite disposal) and the transport of coal ash water where: (i) these materials are transported between the Huntly Power Station and the ash disposal ponds located adjacent to Te Ohaaki Road via the pipeline located within Specific Area 22.6; and (ii) they involve the operation and maintenance of the ash disposal ponds located adjacent to Te Ohaaki Road within Specific Area 22.6. <u>(iii) The transport of ash for offsite disposal results in less than 85 vehicle movements per day.</u> <u>(iv) The offsite ash disposal occurs at a facility authorised to receive the ash.</u>								
RD1	(a) The <u>management disposal</u> of coal ash and the transport of coal ash water that does not comply with Rule 22.6.57 P1.								

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)	
				(b) Council’s discretion is restricted to the following matters: (i)visual amenity; and (ii)traffic effects.
			22.6.68 Energy corridor - transportation of minerals and substances	
			P1	(a) The transportation of minerals and substances in an energy corridor must comply with all the following conditions: (i) be limited to coal ash, aggregate, overburden, cleanfill, wastewater and other liquids (other than a hazardous substance); (ii) not deposit discernible minerals or dust; and (iii) not result in odour identified outside the energy corridor.
			RD1	(a)Any activity that does not comply with Rule 22.6. <u>68</u> P1. (b)Council’s discretion is restricted to the following matter: (i)adverse amenity effects.
SECTION D APPENDICES AND SCHEDULES				
Chapter 29: Appendices				
Appendix 1: Acoustic Insulation				

Provision	Support / Oppose	The submission is:	Relief Sought (additions <u>underlined</u> , deletions struck through)
6. Acoustic insulation for other areas	Support	Genesis supports the specific requirements for buildings containing noise-sensitive activities within 350 m of the Huntly Power Station site boundary requiring specific internal sound levels.	Retain 6.1 Conditions for Permitted Activities and the associated Table 14: Internal sound level in the same or similar form.

4. Section 32 Analysis

Genesis has some concerns regarding the messaging about the Huntly Power Stations transition to being completely gas fired contained in the Section 32 Report for Infrastructure.

“1.3 Resource Management Issues to be Addressed

5. Huntly Power Station generates 953 MW and is New Zealand's largest power station by capacity and is owned and operated by Genesis Energy. The power station currently has three units operating•

- *Unit 5 – 403MW which uses natural gas as a fuel source*
- *Two Rankine units – Two 250MW units which are capable of using coal and gas to generate electricity.*
- *Unit 6 – 50.8MW which burns gas or diesel to generate electricity*

While Genesis Energy is intending to phase out the coal-fired Rankine units, the Huntly site will continue to generate electricity from the two existing gas fuelled units.”

This statement is not correct. There are four Rankine Units on the Huntly Power Station site, all of which are consented to operate on coal as well as gas until 2037. Two of these units are currently operational, one is about to be put into ‘dry’ storage and another has been decommissioned.

In addition, the last sentence regarding the Rankine Units is also not correct. The Rankine Units can be fully run on gas and while coal as a fuel source is planned to be phased out on site, the Rankine Units can still operate on gas.

Genesis requests that the Section 32 Report be amended to reflect the correct status of the Huntly Power Station, as follows (and in any place necessary in the Section 32 reports):

“Huntly Power Station currently generates up to 953.8 MW and is New Zealand's largest power station by capacity and is owned and operated by Genesis Energy. The power station has the following units:

- *Unit 5 – 403MW which uses natural gas as a fuel source*
- *Four Rankine Units – 250MW units which are capable of using coal and gas to generate electricity.*
- *Unit 6 – 50.8MW which burns gas or diesel to generate electricity*

Genesis also has the ability under its regional council consents to construct and operate an additional 400MW of gas fired generation to progressively replace the Rankine Units.

While Genesis is intending to phase out the use of coal as a fuel source at some point in the future, all of the current units on site are able to run on natural gas. Huntly Power Station is, and will remain for the foreseeable future, a significant component of New Zealand's electricity supply system.”

If you wish to discuss any of the matters raised in our submission, please do not hesitate to contact Alice Barnett (Environmental Lead – Policy and Planning) on 07 958 5061 or alice.barnett@genesisenergy.co.nz

Yours sincerely

A handwritten signature in black ink, appearing to read 'Karen Sky', with a stylized, flowing script.

Karen Sky

Environmental Manager



Further Submission by Genesis Energy Limited

Trading as Genesis

ON

Proposed Waikato District Plan

15 July 2019

Further Submission by Genesis Energy Limited

Trading as Genesis

ON

Proposed Waikato District Plan

To: The Chief Executive
Waikato District Council
Private Bag 544
Ngaruawahia 3742

Date: 15 July 2019

Submitter name: Genesis Energy Limited

Contact: Alice Barnett
Environmental Lead – Policy &
Planning

Address: Genesis Energy Limited
Tokaanu Power Station
Private Bag 36
Turangi 3353

Phone: 07 958 5061

Email: alice.barnett@genesisenergy.co.nz

Address for Service: As above

1. Introduction

Genesis Energy Limited, trading as Genesis ("**Genesis**") makes the specific further submissions on the Proposed Waikato District Plan, as set out in 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 the Proposed Waikato 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.

Yours sincerely

A handwritten signature in black ink, appearing to be 'ABN' followed by a horizontal line.

Alice Barnett

Environmental Lead – Policy and Planning

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Ports of Auckland	578.51	Definitions - Height	<p>Amend the definition of 'Height' in Chapter 13 Definitions as follows:</p> <p><u>Height</u></p> <p><u>Means, in relation to a structure, the vertical</u></p> <p><u>No account shall also be taken of:</u></p> <ul style="list-style-type: none"> • <u>lift wells;</u> • <u>lift towers;</u> • <u>elevator and stair bulkheads;</u> • <u>roof water tanks;</u> • <u>machinery rooms;</u> • <u>plant, including cooling towers, air-conditioning units, including any access walkways and screening directly associated with the plant;</u> • <u>cranes;</u> • <u>derricks;</u> • <u>reefer gantries;</u> • <u>cargo stacking and lifting devices;</u> • <u>conveyors;</u> • <u>stacking of cargo;</u> • <u>telecommunications equipment associated with industrial activities;</u> • <u>lighting poles and associated equipment that are ancillary to industrial activities; and</u> • <u>aerials that are ancillary to industrial activities.</u> 	Support	For the reasons presented in the submission.	Accept submission
Ports of Auckland	578.63	Rule 20.2.4	<p>Amend Rule 20.2.4 P1 Glare and Artificial Light Spill, as follows:</p> <p>Glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site <u>beyond the boundary of the Industrial Zone and the Heavy Industry Zone. Lighting associated with plant and machinery is excluded from this Rule.</u></p>	Support	For the reasons provided in the Ports of Auckland submission.	Accept submission
Stevenson Waikato Limited	591.8	Rule 14.12.1	<p>Amend Rule 14.12.1 P4(d) Traffic Generation, as follows:</p> <p>(d) Within the Rural Zone:</p> <p>(i) There is a maximum 200 vehicle movements per day and no more than 15% of these vehicle movement are heavy vehicle movements; or</p>	Support in part	For the reasons presented in the submission. Genesis considers that this limit should be applied to all activities in the rural zone in addition to aggregate extraction activities.	Accept in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			(ii) Within the Agricultural Research Centres identified on the planning maps as a Specific Area there is maximum 3000 vehicle movements per day; or (iii) Within the Aggregate Extraction Areas or Aggregate Resource Areas identified on the planning maps there is a <u>maximum of 400 vehicle movements per day including heavy vehicle movements.</u>			
Director General of Conservation	585.1 585.2	Policy 3.2.6	Delete policy 3.2.6 Providing for vegetation clearance as it is too permissive.	Oppose	Genesis supports the retention of this policy, subject to the amendments set out in Genesis primary submission.	Reject submission
Director General of Conservation	585.9	New Definition – Biodiversity Offset	<u>Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate prevention and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferable a net gain of biodiversity on the ground.</u>	Support in part	Genesis supports the inclusion of a definition for biodiversity offsets, provided that a similar definition for “Environmental Compensation” also be included in the District Plan and that environmental compensation measures are recognised and provided for in a similar way to offsets.	Accept in part
Director General of Conservation	585.10	New Definition – Environmental Compensation	<u>Environmental compensation comprises actions offered as a means to address residual adverse effects on the environmental arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground.</u>	Support in part / oppose in part	Genesis supports the inclusion of a definition for “Environmental Compensation” provided that environmental compensation measures are recognised and provided for in a similar way to offsets. Genesis does not support the wording of the definition proposed by the Director General of Conservation.	Accept in part/ Reject in part
Director General of Conservation	585.14	Appendix 6	Various amendments to Appendix 6 (Biodiversity Offsets).	Support in part / oppose in part	For the reasons presented in Genesis’ primary submission, any framework for offsetting should also include environmental compensation alongside.	Accept in part/ Reject in part
Director General of Conservation	585.38	New – Bat Zones and Tree Protection	Include mapping, objectives, policies and rules which recognise bat zones and tree protection	Oppose in part	Genesis supports the protection of native species such as the native bat, however there is insufficient information provided in the submission to understand the implications of a (so far) undefined Bat Protection and Tree Protection Zone.	Reject in part
Director General of Conservation	585.46	Policy 3.2.3	Amend Policy 3.2.3 as follows:	Oppose in part	Genesis considers that, for a SNA that has been ground-truthed and	Reject in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			(a) Recognise and protect indigenous biodiversity within Significant Natural Areas by: (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled as a preference		appropriately classified as an SNA (unlike some of the SNA's mapped over Genesis assets) that avoidance should be a preference. However, this policy should also enable specific activities as notified.	
Director General of Conservation	585.17 585.18 585.19 585.24	Rule 20.2.9 Rule 21.2.9 Rule 22.2.7	Include a maximum vegetation clearance permitted activity rule for all purposes; and Include a minimum setback distance from water bodies for all purposes; and Change P2 to a maximum area of clearance rather than a maximum volume; and Any other relevant amendments.	Oppose in part	The Department of Conservation requests that various rules associated with vegetation clearance within an SNA be amended. However, the specifics of those amendments are unclear and therefore the effect of the amendments proposed are uncertain.	Reject submission
Director General of Conservation	585.47	Policy 3.2.4(b)	Amend Policy 3.2.4(b) Biodiversity as follows: (b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been <u>preferentially</u> avoided, <u>then</u> remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and...	Oppose	SNA's need to be properly mapped and ground-truthed before applying a policy of this nature.	Reject submission
Director General of Conservation	585.48	Policy 3.2.4	Add a new clause (c) to Policy 3.2.4 Biodiversity offsetting that provides for consideration of environmental compensation in cases where biodiversity offsetting cannot be reasonably achieved as to address environmental effects that cannot be avoided, remedied or mitigated.	Oppose	Genesis considers that environmental compensation should have equal standing with offsetting.	Reject submission
Auckland Waikato Fish and Game Council	433.11	New Policy in 5.3	Add a new policy in section 5.3 Rural Character and Amenity, as follows: <u>5.3.19 - Public access to wetlands, streams, rivers, lakes and the coast</u> <u>(a) Opportunities for public access to wetlands, streams, rivers, lakes and the coast are supported by:</u> <u>(i) Settlement development and growth providing access to wetlands, streams, rivers, lakes and the coast;</u> <u>(ii) Esplanade reserves or strips providing access to wetlands, streams, rivers, lakes and the coast at subdivision stage;</u> <u>(iii) Public access to and along the margins of wetlands, streams, rivers, lakes with high natural character, and conservation, recreation, amenity, heritage and cultural values are maintained and enhanced.</u>	Oppose in part	Genesis supports the intent of this policy in that public access should be enhanced – however, there are some circumstances where public access to the margins of waterbodies creates significant health and safety issues that require careful and thoughtful management. Any policy of this nature needs to ensure health and safety concerns and appropriate management, particularly around infrastructure, are recognised and accounted for.	Reject in part. Genesis would welcome further discussions with Fish and Game as to the appropriate policy wording to capture access around infrastructure.

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Auckland Waikato Fish and Game Council	433.20	Definitions - New	Add a definition for "biodiversity offsets" to Chapter 13: Definitions as follows: <u>Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate prevention and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.</u>	Support in part	Genesis supports the inclusion of a definition for biodiversity offsets, provided that a similar definition for "Environmental Compensation" also be included in the District Plan and that environmental compensation measures are recognised and provided for in a similar way to offsets.	Accept in part
Auckland Waikato Fish and Game Council	433.21	Definitions - New	Add a definition for "environmental compensation" to Chapter 13: Definitions as follows: <u>Environmental compensation comprises actions offered as a means to address residual adverse effects on the environment arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground.</u>	Support in part / oppose in part	Genesis supports the inclusion of a definition Environmental Compensation provided that environmental compensation measures are recognised and provided for in a similar way to offsets. Genesis does not support the wording of the definition proposed by Fish and Game.	Accept in part/ Reject in part
Auckland Waikato Fish and Game Council	433.37	Policy 3.2.4	Amend policy as follows: (a) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, or on indigenous biodiversity outside such Significant Natural Areas. (b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been <u>preferentially</u> avoided, <u>then</u> remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and (c) <u>Where biodiversity cannot be reasonably achieved as to address environmental effects that cannot be avoided, remedied or mitigation, consideration of environmental compensation must be made.</u>	Oppose	Genesis considers that environmental compensation should be recognised as an appropriate response to addressing the adverse effects of an activity, alongside avoiding, remedying or mitigating adverse effects, or providing for a biodiversity offset. Genesis does not support the wording proposed by Fish and Game	Reject submission
Transpower New Zealand Limited	576.6	Policy 3.2.6 (a)	Add a new clause (v) to Policy 3.2.6 (a) Providing for vegetation clearance as follows (or equivalent references to Regionally significant infrastructure or the National Grid): <u>(v) associated with the operation, maintenance and upgrading of infrastructure</u>	Support	For the reasons provided in the Transpower submission (noting that under the Waikato RPS the Huntly Power Station is "Regionally Significant Infrastructure" and also	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
					fits within the RPS definition of "Regionally Significant Industry").	
Transpower New Zealand Limited	576.10	Policy 4.7.11	Amend Policy 4.7.11 (b) Reverse sensitivity, as follows (or equivalent references to Regionally Significant Infrastructure or the National Grid): (b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, <u>infrastructure</u> , extraction industry or industrial activity.	Support	For the reasons outlined in the Transpower submission.	Accept submission
Transpower New Zealand Limited	576.11	Policy 5.3.9	Add a new clause (c) to Policy 5.3.9 Non-rural activities, as follows: (c) <u>Recognise that some activities require a rural location</u>	Support	For the reasons outlined in the Transpower submission.	Accept submission
Transpower New Zealand Limited	576.73	Objective 6.1.6 (a)	Amend Objective 6.1.1 (a) Development, operation and maintenance of infrastructure, as follows: (a) Infrastructure is developed, operated and maintained <u>and upgraded</u> to benefit the social, economic, cultural and environmental wellbeing of the district, <u>region and nation</u> .	Support	For the reasons outlined in the Transpower submission.	Accept submission
Transpower New Zealand Limited	576.16 576.17 576.18 576.19 576.20 576.21	Objective 6.2.1 Policy 6.2.2 Policy 6.2.3 Policy 6.2.4 Policy 6.2.5 Policy 6.2.6	Amend various objectives and policies to provide for the National Grid.	Support	For the reasons outlined in the Transpower submission.	Accept submission
Transpower New Zealand Limited	573.36	Definitions - New	Amend the Proposed District Plan to use the term "Regionally Significant Infrastructure"	Support	For the reasons outlined in the Transpower submission.	Accept submission
Transpower New Zealand Limited	576.49	Section 1.4.3.2	Amend Section 1.4.3.2 (b) Protecting the rural environment, as follows: ...towns or villages. Non-rural activities must occur in towns, villages and defined growth areas, and the expansion of such areas should be managed so that adverse effects on rural areas are minimised.	Support	For the reasons outlined in the Transpower submission.	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Fonterra Limited	797.16	Policy 5.4.2	Amend Policy 5.4.2 (a) Access to minerals and extractive industries as follows (or words to similar effect): Enable <u>the continued operation and development</u> of extractive industries provided that adverse effects are avoided, remedied or mitigated.	Support	For the reasons provided in the Fonterra submission.	Accept submission
Fonterra Limited	797.21	Definition - New	Add a definition of "reverse sensitivity" to Chapter 13 Definitions as follows (or words to similar effect): <u>the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u>	Support	For the reasons provided in the Fonterra submission.	Accept submission
Fonterra Limited	797.44	Policy 5.3.7(c)	Amend Policy 5.3.7(c) Reverse sensitivity effects to read (or words to similar effect): Mitigate the adverse effects of reverse sensitivity through the use of setbacks <u>for sensitive activities</u> and the design of subdivisions and development.	Support	For the reasons provided in the Fonterra submission. The Huntly Power Station is surrounded by rural land – it is important that sensitive activities are set back from the HPS and reverse sensitivity is managed.	Accept submission
Federated Farmers	680.68	Policy 5.3.9	Delete Policy 5.3.9 Non-rural activities	Oppose	Genesis considers that a policy for non-rural activities is required.	Reject submission
Federated Farmers	680.83	Objective 6.1.8	Amend Objective 6.1.8 Infrastructure in the community and identified areas as follows: 6.1.8 Objective – <u>Proposed and/or designated</u> h infrastructure in the community and identified areas (a) <u>Proposed and/or designated</u> h infrastructure takes into account the qualities and characteristics of surrounding environments and community well-being.	Oppose in Part / Support in Part	Genesis considers that if amendments are made to this provision, it should reflect consented (but not yet implemented) infrastructure as well as existing / designated infrastructure.	Accept in part
Federated Farmers	680.137	Definition – Functional Need	Means for Chapter 14 Infrastructure and Energy , the need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment <u>for any number of reasons.</u>	Oppose	The addition of “for any number of reasons” adds little to the definition and is unspecific.	Reject submission
Federated Farmers	680.210	Rule 22.2.6.1 P1 Signs-General	Add new clause (b) to Rule 22.2.6.1 P1 Signs-General, as follows: <u>(b) Signs required for legislative purposes</u>	Support	For the reasons provided in the Federated Farmers submission	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Federated Farmers	680.266	Definitions – Sensitive Land use	Amend the definition of "Sensitive land use" in Chapter 13 Definitions, as follows: Means an education facility including a childcare facility, waananga and koohanga reo, a residential activity , papakaainga building, rest home, retirement village, travellers' accommodation, home stay , health facility or hospital.	Oppose	Genesis does not support the removal of "residential activity" and "homestay" from the definition of sensitive land use. These two activities are as sensitive as an activity such as a retirement village, and in the context of reverse sensitivity (i.e. a residential activity being undertaken next to the boundary of an existing industrial site) these two activities need to have the same planning response as other sensitive activities / land uses.	Reject submission
New Zealand Transport Agency	742.8	Policy 3.2.6	Add new sub-clauses to Policy 3.2.6(a) Providing for vegetation clearance as follows: <u>(v) operating maintaining or upgrading existing infrastructure</u> <u>(vi) the construction and operation of new regionally significant infrastructure where there is a need for that infrastructure to be located within the Significant Natural Area</u>	Support	For the reasons provided in the NZTA submission.	Accept submission
New Zealand Transport Agency	742.19	Policy 4.2.15(b)	Amend Policy 4.2.15(b) Earthworks as follows: Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land. buildings, <u>infrastructure</u> and structures.	Support	For the reasons provided in the NZTA submission.	Accept submission
New Zealand Transport Agency	742.36	Policy 5.3.5	Amend Policy 5.3.5(b)(iv) Earthworks activities as follows: Adjoining properties, and public services <u>and infrastructure</u> are protected	Support	For the reasons provided in the NZTA submission.	Accept submission
New Zealand Transport Agency	742.45	Objective 6.1.1	Amend Objective 6.1.1 Development, operation and maintenance of infrastructure, as follows: Infrastructure is developed, operated and maintained to benefit the enhance social, economic, cultural and environmental well-being of the district .	Support	For the reasons provided in the NZTA submission.	Accept submission
New Zealand Transport Agency	742.48	Policy 6.1.3	Amend Policy 6.1.3(a)(ii) Technological advances as follows: Allow for the re-use of redundant infrastructure and structures <u>and the upgrading of existing infrastructure</u> where appropriate; and ...	Support	For the reasons provided in the NZTA submission.	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
New Zealand Transport Agency	742.49	Objective 6.1.6	Amend Objective 6.1.6 Reverse Sensitivity as follows: <u>Existing and planned infrastructure (including the National Grid) is protected from reverse sensitivity effects, and infrastructure (including the National Grid) its construction, operation, maintenance repair, replacement and upgrading is not compromised.</u>	Support	For the reasons provided in the NZTA submission.	Accept submission
New Zealand Transport Agency	742.50	Policy 6.1.7	Amend Policy 6.1.7 Reverse sensitivity and infrastructure as follows: Avoid reverse sensitivity effects <u>on existing and planned infrastructure from subdivision, use and development as far as reasonably practicable, so that the its construction operation maintenance repair replacement and upgrading the ongoing and efficient operation of infrastructure is not compromised.</u>	Support	For the reasons provided in the NZTA submission.	Accept submission
New Zealand Transport Agency	742.78	Definitions - New	Add a definition of "regionally significant infrastructure" to Chapter 13: Definitions	Support in part	For the reasons provided in the NZTA submission, and provided that the definition is consistent with the Waikato RPS.	Accept submission in part
Meridian Energy	580.12	Objective 3.2.1	Amend Objective 3.2.1 Significant Natural Areas as follows: (a) Indigenous biodiversity in Significant Natural Areas is protected and enhanced .	Support	For the reasons provided in the Meridian submission.	Accept submission
Meridian Energy	580.13	Policy 3.2.3	Amend Policy 3.2.3(a)(iv) Management Hierarchy as follows: (iv) after remediation or mitigation has been undertaken, provide for managing residual effects by means of <u>environmental compensation or biodiversity offsets in accordance with Policy 3.2.4.</u>	Support	For the reasons provided in the Meridian submission.	Accept submission
WEL Networks Limited	692.32	Section 1.5.7.7(a)	Amend Section 1.5.7.7 (a) Energy, as follows (or other amendments to give effect to the concerns raised): (a) The district plan recognises the national and regional importance of existing energy resources and infrastructure, which include coalfields, coal mines, Huntly Power Station, gas, electricity transmission <u>and distribution</u> , and coal conveyance facilities, as well as renewable energy. The plan addresses the positive and adverse effects of energy infrastructure and development.	Support	For the reasons provided in the WEL Networks submission.	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Chorus New Zealand Limited Spark New Zealand Trading Vodafone New Zealand Limited	648.30 644.30 646.30	Policy 6.1.3	Amend Policy 6.1.3 - Technological advances by replacing it with the following wording as proposed in the draft National Planning Standard for Network Utilities or any other changes of like effect: <u>Provide flexibility for network utilities to adopt new technologies that:</u> 1. <u>Improve access to, and efficient use of, networks and services;</u> 2. <u>Allow for the re-use of redundant services and structures;</u> 3. <u>Increase resilience, safety or reliability of networks and services;</u> 4. <u>Result in environmental benefits and enhancements; or</u> 5. <u>Promote environmentally sustainable outcomes including green infrastructure and the increased the utilisation of renewable resources.</u>	Oppose	As notified, Policy 6.1.3 applies to all infrastructure – the definition of which includes electricity generation, transmission and distribution infrastructure and pipelines for the conveyance of gas etc. The effect of the amendments proposed by Chorus, Spark and Vodafone limits the policy to solely network utilities which is not the intent of the policy and is not supported by Genesis (which supports having a policy providing for the ability to utilise technological advancements).	Reject submissions
First Gas	945.33	Chapter 6: Infrastructure	Add a definition for "Regionally Significant Infrastructure" and corresponding objective and policy framework for "Regionally Significant Infrastructure" in order to give effect to the Waikato Regional Policy Statement	Support	For the reasons provided in the First Gas submission.	Accept submission
Waikato District Health Board	923.155	Noise – Huntly Power Station	Amend Rule 21.2.3.2 P2, P3, P4 and RD1- Noise- Huntly Power Station as follows: P2 <u>Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:</u> (a) Noise measured at the following noise limits at any point within a notional boundary within in the Rural Zone must not exceed: (i)55 dB LAeq(15min) dB (LAeq) 7am to 10pm; and (ii)45 dB LAeq(15min) dB (LAeq) and 75dB (LAmax), 10pm to 7am the following day; (iii)75dB LAFmax, 10pm to 7am the following day; (b)The permitted activity noise limits for the zone of any other site where sound is received, other than in the Rural Zone. P3 (a) Noise measured within any site in the Residential Zone must meet the permitted noise levels for that zone.	Oppose	Genesis supports the wording presented in its own submission.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			<p>P4 (a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound." (b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise."</p> <p>RD1 (a) Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and (b) Sound Noise that does not comply with Rule 21.2.3.2 P1, or P2, P3 and P4. (b) (c) Council's discretion...</p>			
Synlait Milk Limited	581.7	Chapter 4 – Urban Environment	Add a new objective that recognises the adverse effects arising from General Industrial and Heavy Industrial Zones may require different management approaches with more lenient standards in the Heavy Industrial Zone being appropriate.	Support in part	For the reasons provided in the Synlait Milk submission and subject to the exact wording of the objective.	Accept submission in part
Synlait Milk Limited	581.12	Chapter 5	Add policies to Chapter 5 Rural Environment which specifically address the potential for increased housing density in the rural environment to encroach on lawfully established heavy industry activities in adjoining zones.	Support in part	For the reasons stated in the submission and subject to the exact nature of the provisions.	Accept submission in part
Synlait Milk Limited	581.20	Definitions – Industrial Activity	Amend the definition of "industrial activity" in Chapter 13 Definitions to include ancillary activities such as research facilities, laboratories, yard based activities, logistics and transport related activities.	Support in part	For the reasons provided in the Synlait Milk submission and subject to the exact wording of the amendments.	Accept submission in part
Synlait Milk Limited	581.29 581.38	21.2.7 - Signs	Add a new rule to Rule 21.2.7 Signs Permit signs for way-finding, health and safety and other regulatory requirements e.g. signage required for storage of hazardous substances.	Support in part	For the reasons provided in the Synlait Milk submission, subject to the exact wording of the amendments.	Accept submission in part
Synlait Milk Limited	581.29	22.3.7.4 – Building Setbacks (Rural Zone)	Amend Rule 22.3.7.4 Building setback - Noise sensitive areas to include a requirement for noise sensitive activities to be setback from a Heavy Industrial Zone boundary.	Support in part	For the reasons provided in the Synlait Milk submission, subject to the exact nature of the setback requirement.	Accept submission in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
The Oil Companies	785.44	Policy 10.1.4	Amend Policy 10.1.4 – Reverse Sensitivity Effects as follows: a. Separate <u>Ensure that the expansion and value of existing and future investment by hazardous facilities is recognized by avoiding reverse sensitivity effects between</u> sensitive land use activities <u>and</u> lawfully established hazardous facilities; b. Separate new hazardous facilities from existing sensitive land use activities; and c. Avoid the storage, processing or disposal of hazardous waste in sensitive environments	Support	For the reasons provided in the Oil Companies submission (reverse sensitivity is not provided for in HSNO and / or Health and Safety legislation).	Accept submission
The Oil Companies	785.54	Chapter 21	Add a new Permitted Activity Rule to Chapter 21 – Industrial Zone Heavy as follows: PX <u>Any Health and Safety signage required by legislation.</u> AND Add an additional definition (if necessary) of 'health and safety' sign as follows: <u>Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO/Work-safe).</u>	Support	For the reasons provided in the Oil Companies submission.	Accept submission
The Oil Companies	785.55	All Zones	Add a new Permitted Activity Rule to any other Zone Chapters not covered by other submission points as follows: PX <u>Any Health and Safety signage required by legislation.</u> AND Add an additional definition (if necessary) of 'health and safety' sign as follows: <u>Health and Safety sign means any sign necessary to meet other legislative requirements (e.g. HSNO/Work-safe).</u>	Support	For the reasons provided in the Oil Companies submission. Genesis would particularly support this in the context of the Rural Zone where critical coal and ash infrastructure are located.	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
The Oil Companies	785.58	Chapter 4.6	<p>Add to Chapter 4.6 Industrial and Heavy Industrial Zones new policies as follows:</p> <p><u>4.6.10 – Policy - Signage</u> <u>(a) In the Industrial Zone and Industrial Heavy Zone, provided for:</u> <u>(i) The establishment of signs where they are associated with the activity carried out on the site on which they are located;</u> <u>(ii) Public information and Health and Safety signs that are of benefit to community well-being; and</u> <u>(iii) Establishment of signage commensurate with the lower amenity and industrial function of the zones with controls on the size, location appearance and number of signs to ensure they do not detract from the visual amenity of the surrounding environment.</u></p> <p><u>4.6.11 – Policy- Managing the adverse effects of signs</u> <u>(a) In the Industrial Zone and Industrial Heavy Zone ensure that:</u> <u>(i) The location, colour, content and appearance of signs directed at traffic are controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;</u> <u>(ii) Signs that generate adverse effects from illumination, light spill, flashing or reflection are avoided;</u> <u>(iii) the placement of signs do not obstruct the free movement of:</u> <u>A. Pedestrians along the footpath;</u> <u>B. Vehicle use of the road carriageway.</u></p>	Support	For the reasons provided in the Oil Companies submission. Genesis considers that this policy should apply to all zones in the District Plan.	Accept submission
New Zealand Steel Holdings Ltd	827.19	Policy 6.1.9	<p>Amend Policy 6.1.9 Environmental effects, community health, safety and amenity as follows (or words to similar effect):</p> <p>Require the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure and its associated structures to avoid, remedy or mitigate adverse effects on the environment, community health, safety and amenity <u>in a manner that corresponds to the scale and significance of effects</u></p>	Support	For the reasons set out in the NZ Steel Submission.	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
New Zealand Steel Holding Ltd	827.27	Definition - Infrastructure	Add a new clause (m) to the definition of 'Infrastructure' in Chapter 13 Definitions as follows (or word to similar effect): <u>m. Material slurry pipelines and associated facilities including pump stations are considered to be infrastructure</u>	Support	For the reasons set out in the NZ Steel Submission and to ensure that the Huntly Power Station ash pipeline is included within the ambit of the definition.	Accept submission
New Zealand Steel Holdings Ltd	827.44	Policy 5.3.3	Amend Policy 5.3.3(b) Industrial and commercial activities as follows (or words to similar effect): (b) Avoid locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource <u>or other resources (such as minerals)</u>	Support	For the reasons set out in the NZ Steel Submission.	Accept submission
Waikato District Council	697.320	Appendix 5	Amend Appendix 5 Hazardous substances to include Assessment Criteria for Discretionary Activities	Oppose	Genesis considers that the HSNO / Health and Safety legislation is sufficient to manage the risks associated with hazardous substances.	Reject submission
Waikato District Council	697.559	New Policy – Rural Environment	Add after Policy 5.3.9 Non-rural activities a new policy for retirement villages as follows: <u>5.3.9A Policy – Retirement villages</u> <u>(a) Provide restricted opportunities for retirement villages within 800m distance of towns and villages within the rural environment.</u>	Oppose	Genesis is concerned that the policies and rules proposed in respect of retirement villages could affect the Huntly Power Station which is surrounded by Rural Zone land and it is in close proximity to the Huntly town / urban environment.	Reject submission
Waikato District Council	697.569 697.570 697.571 697.572 697.573	Hazardous Substances	Various amendments in respect of hazardous substances	Oppose	Genesis considers that the HSNO / Health and Safety legislation is sufficient to manage the risks associated with hazardous substances.	Reject submissions
Waikato District Council	697.608 697.681	Rule 20.1.1 P1	Add to Rule 20.1.1 P1 Industrial activity specific conditions, as follows: (a) where the industrial activity adjoins a Residential, Village, Reserve or Country Living Zone on the side or rear boundary of the site, a 3m wide landscaped strip must be provided running parallel with the side and/or rear boundary. (b) where the industrial site contains or is adjacent to a river or a permanent or intermittent stream, an 8m wide landscaped strip must be provided, measured from the top edge of the closest bank and extending across the entire length of the watercourse.	Oppose	Genesis opposes these rules as they do not recognise or provide for industrial activities established prior to the other more sensitive zones. Should the industrial activity be developed secondary to the other sensitive uses (residential etc) then it should be required to manage its amenity related effects. However, if a newer residential or other sensitive activity develops beside the industrial activity that industrial activity should not be required to address the potential reverse sensitivity effects. If	Reject submissions

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
					<p>a rule of this nature is proposed, then it needs to be drafted to ensure it only captures new industrial activities.</p> <p>Genesis is also concerned with the drafting of (b) in respect of the requirement for an 8-metre-wide landscape planting strip. This does not recognise existing activities beside waterbodies, and those which have critical infrastructure at a water body. For example, the Huntly Power Station is on the banks of the Waikato River and has a large cooling water intake and outfall – which cannot be planted. This rule needs to be drafted in a different manner to ensure there are no unintended consequences.</p>	
Waikato District Council	697.691	Noise – Huntly Power Station	<p>Delete Rule 21.2.3.2 P3 and P4 Noise Huntly Power Station</p> <p>AND</p> <p>Amend Rule 21.2.3.2 P2 Noise – Huntly Power Station, as follows:</p> <p>(a) Noise measured at the notional boundary within any site in the Rural Zone must not exceed:</p> <p>(i) 55dB (LAeq) 7am to 10pm; and</p> <p>(ii) 45dB (LAeq) and 75dB (LAmx) 10pm to 7am the following day.</p> <p><u>(b) Noise measured within any other site in the Residential Zone must meet the permitted noise levels for that zone.</u></p> <p><u>(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound".</u></p> <p><u>(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise".</u></p> <p>AND Make consequential amendments as follows:</p> <p>RD1(a) Noise that does not comply with Rule 21.2.3.1 <u>P1 or P2</u>,</p>	Oppose	Genesis supports the wording presented in its own submission.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Waikato District Council	697.708	Rule 21.2.6	(i) the aggregate quantity of hazardous substance of any hazard classification on a site is less than the quantity specified for the Industrial Zone Heavy in Table 5.1 contained within Appendix 5 (Hazardous Substances).	Oppose	Genesis considers that the HSNO / Health and Safety legislation is sufficient to manage the risks associated with hazardous substances.	Reject submission
Waikato District Council	697.709	Rule 21.2.8	Amend Rule 21.2.8 P1(a)(vi) Outdoor storage of goods or materials, as follows: (vi) be screened from any public road, public reserve and adjoining site in another zone, other than the Industrial Zone, by either of the following: C. a landscaped strip consisting of plant species that achieve a minimum height of 1.8m at maturity; or D. a close-boarded or solid fence or wall to a height of 1.8m. AND Add new condition as P1(a)(vii) Outdoor storage of goods or materials, as follows: (vii) complies with rule 21.3.3 (daylight admission)	Oppose	Genesis is concerned with any amendments to the outdoors storage of goods as there has been no provision made for coal stockpiles in the Heavy Industrial Zone.	Reject submission
Waikato District Council	697.711	Rules 21.2.8	Amend Rules 21.2.8(a)(vi) A and B Outdoor storage of goods or materials, to ensure the practical application at an industrial site.	Support in part	Genesis, via its primary submission, seeks amendments to the outdoor storage rules to enable coal stockpiling at the HPS (as per the operative District Plan).	Accept submission insofar as the outdoor storage rules are amended
Waikato District Council	697.751	New Rule – Retirement Villages (Rural Zone)	Add new Rule 22.1.3 RD3 as follows: <u>RD3</u> <u>A new retirement village or alterations to an existing retirement village that meets all of the following conditions:</u> <u>(a) The site or combination of sites where the retirement village is proposed to be located has a minimum net site area of 3ha;</u> <u>(b) The site is either serviced by or within 400m walking distance of public transport;</u> <u>(c) The site is either:</u> <u>(i) connected to public water and wastewater infrastructure;</u> <u>or</u> <u>(ii) serviced with on-site water and wastewater infrastructure.</u> <u>(d) Minimum living court or balcony area and dimensions:</u> <u>(i) Apartment – 10m² area with minimum dimension horizontal and vertical of 2.5m;</u> <u>(ii) Studio unit or 1 bedroom unit – 12.5m² area with minimum dimension horizontal and vertical of 2.5m; or</u>	Oppose	Restricted Discretionary Activity status for a retirement in the village in the rural zone is not supported by Genesis. The more appropriate activity status for an intensive activity of this nature is discretionary. Genesis also is concerned that there are no requirements for an activity of this nature (being a sensitive activity) to be set back from Industrial / Heavy Industrial Activities (such as the Huntly Power Station) that are located near Rural and Residential Zones. Further consideration needs to be given to this activity in terms of ensuring there are no reverse sensitivity issues.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			<p>(iii) 2 or more bedroomed unit – 15m² area with minimum dimension horizontal and vertical of 2.5m;</p> <p>(e) Minimum service court is either:</p> <p>(i) Apartment – Communal outdoor space (ie no individual service courts required) of at least 5m² with a minimum dimension of 1.5 metres for each apartment; or</p> <p>(ii) All other units – 10m² with a minimum dimension of 1.5 metres for each unit;</p> <p>(f) Building height does not exceed 8m, except for 15% of the total building coverage, where buildings may be up to 10m high;</p> <p>(g) The following Land Use – Effects rule in Rule 22.2 does not apply:</p> <p>(i) Rule 22.2.7 (Signs);</p> <p>(h) The following Land Use – Building rules in Rule 22.3 do not apply:</p> <p>(i) Rule 22.3.1 (Dwelling);</p> <p>(ii) Rule 22.3.3 (Building Height);</p> <p>(i) The following Infrastructure and Energy rule in Chapter 14 does not apply:</p> <p>(i) Rule 14.12.1 P4(1)(a) (Traffic generation).</p> <p>(a) Council's discretion is restricted to:</p> <p>(i) Integration of the retirement village into the rural landscape;</p> <p>(ii) Adverse effects on rural character and amenity;</p> <p>(iii) Connectivity to existing towns and villages, including connections to existing walkways, roading infrastructure and public transportation;</p> <p>(iv) Connectivity to public reticulated public water supply and wastewater, or provision of services on site;</p> <p>(v) Bulk and scale of the retirement village development;</p> <p>(vi) Reverse sensitivity effects;</p> <p>(vii) Effects on the roading network.</p>			
Waikato District Council	697.777	Rule 22.2.4 P1	<p>Amend Rule 22.2.4 P1(a)(i) Hazardous substances, as follows:</p> <p>(a) The use, storage or disposal of any hazardous substances <u>must meet the following conditions where:</u></p> <p>(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rural Zone in Table 65.1 contained within Appendix 65 (Hazardous Substances).</p>	Oppose	Genesis considers that the HSNO / Health and Safety legislation is sufficient to manage the risks associated with hazardous substances.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Waikato District Council	697.811	Rule 22.3.7.1	Add a new clause (iii) to Rule 22.3.7.1 RD1(b) Building Setbacks - all boundaries, as follows: <u>(iii) reverse sensitivity.</u>	Support	For the reasons provided in the Waikato District Council submission	Accept submission
Waikato District Council	697.748	Rule 22.1.2	Add to Rule 22.1.2 Permitted Activities P14, as follows: <u>Residential Activity</u> <u>Nil (Conditions)</u>	Support in part / Oppose in part	Genesis agrees that a residential activity needs to be listed in the "permitted activities" in the Rural Zone. However, Genesis considers that it would be prudent to include appropriate setbacks (as a standard) for residential activities from the boundary of existing industrial activities to reduce the potential for reverse sensitivity issues.	Accept submission in part.
Waikato Regional Council	81.33	Rule 22.2.8	Add an additional assessment criteria to Rule 22.2.8 RD1 Indigenous vegetation clearance outside a Significant Natural Area as follows: <u>the extent to which adverse effects have been avoided, remedied, mitigated or offset.</u>	Oppose in part	Genesis supports the intent of the submission; however any assessment criteria of this nature needs to include "environmental compensation" as well as offsetting.	Accept in part / reject in part
Waikato Regional Council	81.92	Chapter 3.1	Amend Chapter 3.1 Indigenous Vegetation and Habitats to provide for the opportunity to offset non-significant biodiversity.	Oppose	Genesis considers that amendments are not required, given that section 104 of the RMA enables an applicant to offer an offset or compensatory measure.	Reject submission
Waikato Regional Council	81.94	Chapter 3.1	Amend Chapter 3.1 Indigenous Vegetation and Habitats to provide a mitigation hierarchy for indigenous biodiversity outside of an Significant Natural Area.	Oppose	Genesis opposes a mitigation hierarchy for indigenous biodiversity outside of an SNA	Reject submission
Waikato Regional Council	81.95 81.96	Chapter 3.2	Amend Section 3.2 Significant Natural Areas to ensure that policies related to indigenous biodiversity outside of Significant Natural Area are not under section 3.2 Significant Natural Areas,	Support	For the reasons provided in the submission.	Accept submission
Waikato Regional Council	81.102	Policy 3.2.3	Amend Policy 3.2.3 Management hierarchy as follows: (a) Recognise and protect indigenous biodiversity within Significant Natural Areas by: (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled ; (ii) remedying any effects that cannot be avoided; then (iii) mitigating any effects that cannot be remedied; and (iv) after remediation or mitigation has been undertaken, offset any significant residual <u>more than minor</u> adverse effects in accordance with Policy 3.2.4.	Oppose	Genesis opposes the amendments to the policy.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Waikato Regional Council	81.103	Policy 3.2.4	Amend Policy 3.2.4 Biodiversity Offsetting to address biodiversity offsets in relation to indigenous biodiversity outside of Significant Natural Areas.	Oppose	Genesis considers that amendments are not required, given that section 104 of the RMA enables an applicant to offer an offset or compensatory measure.	Reject submission
Waikato Regional Council	81.187	Appendix 6	Amend Appendix 6 (2) (1) Biodiversity Offsetting as follows: Restoration, enhancement and protection actions <u>offered by an applicant</u> will only be considered a biodiversity offset where they are used to offset <u>compensate for the anticipated</u> reasonably-measurable residual effects of activities <u>that are anticipated will remain</u> after appropriate avoidance, remediation and mitigation measures actions <u>have been applied</u> occurred in accordance with Policy 3.2.3.	Oppose in part	Given that some submitters are seeking environmental compensation be provided for (which Genesis supports) the use of “compensate” in the Appendix may cause confusion between and offset and environmental compensation measure.	Reject in part
Waikato Regional Council	81.249	Policy 3.2.4	Amend Policy 3.2.4 Biodiversity Offsetting to require offsetting of more than minor residual adverse effects on Significant Natural Areas.	Support in part	Genesis supports the intent of the submission in that it is only more than minor / significant residual effects that are required to be offset. However, any amendments of this nature should include environmental compensation alongside offsetting.	Accept in part
Ohinewai Land Limited / David Peacocke.	428.1	General Plan / Planning Maps	Amend the Proposed District Plan to include a growth area at Ohinewai in accordance with the plan attached to the submission.	Oppose	The relief the submitter is seeking is unclear – Genesis is not sure as to whether Ohinewai is being proposed for residential or industrial growth. The map attached to the submission includes the area owned by Genesis referred to as “Scott Farm” and includes the HPS ash ponds. Genesis is not supportive of land near the ash ponds being rezoned for any urban growth.	Reject submission
Waikato River Authority	642.4	Maatauranga Maaori	Amend the Proposed District Plan to allow for greater integration of Maatauranga Maaori throughout the various policies in the Plan.	Support in part	Genesis supports the submission, subject to the exact nature of the provisions.	Accept in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Waikato River Authority	642.5	Waikato River as an Outstanding Natural Landscape and Feature	Amend the Proposed District Plan, including maps, to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape.	Oppose	The implications of identifying the entire Waikato River as an ONF and ONL have not been fully assessed and there may be significant unintended consequences of identifying the entire river as an ONL and ONF.	Reject submission
Horticulture NZ	419.23	Rule 22.2.7	Retain Rule 22.2.7P1 Indigenous vegetation clearance inside a Significant Natural Area, as notified OR Add a new clause (vi) to Rule 22.2.7 P1 (a) Indigenous vegetation clearance inside a Significant Natural Area, as follows: (a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes: ... <u>(vi) removal of vegetation for pest management and biosecurity works</u>	Support	For the reasons presented in the Horticulture NZ submission.	Accept submission
Horticulture NZ	419.57	New Policy	Add a new policy within Section 5.3 Rural Character and Amenity, as follows: <u>Rural character and amenity includes the following elements:</u> <u>(a) A rural working environment</u> <u>(b) Some activities are seasonal in nature</u> <u>(c) Intensity of development reflecting the rural production environment, such as buildings and structures for rural production and domestic purposes</u> <u>(d) Varying levels of noise associated with seasonal and intermittent rural production activities.</u> <u>(e) Relatively open space and low density of development.</u> <u>(f) Odours, noise and dust typical of rural activities.</u> <u>(g) Generally low levels of vehicle traffic with seasonal fluctuations.</u> <u>(h) The presence of large numbers of farmed animals and extensive areas of plant vine or fruit crops and areas of forestry.</u> <u>(i) Accessory buildings and structures (including crop support and artificial crop protections structures) across the landscape.</u>	Support in part	Genesis supports the intent of the submission, but seeks to ensure that non-rural activities that have a functional, locational or operational reason to be located in the rural environment be provided for.	Accept in part
Horticulture NZ	419.64	Policy 5.3.9	Amend the title of Policy 5.3.9 Non-rural activities, as follows: Policy 5.3.9 <u>Other</u> Non rural activities AND	Oppose in part	Genesis appreciates the intent of the submission, given that the policy does list rural-based industries. However, there needs to be provision	Reject in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			Amend Policy 5.3.9 Non-rural activities, to further clarify and refine the policy OR Amend Policy 5.3.9 Non-rural activities by combining it with Policy 5.3.3 Industrial and commercial activities.		for non-rural activities to locate in the rural zone where they have functional or operational requirement to.	
Horticulture NZ	419.69	Policy 6.1.4	Delete Policy 6.1.4(a)(iv) Infrastructure benefits. AND Any consequential or additional amendments as a result of changes sought in the submission.	Oppose	Genesis opposes the deletion of this policy.	Reject submission
Horticulture NZ	419.71	Policy 6.1.7	Delete Policy 6.1.7 Reverse sensitivity and infrastructure AND Add a new replacement Policy 6.1.7 Reverse sensitivity and infrastructure, as follows: <u>Manage the potential adverse effects of activities adjacent to infrastructure, including to reduce the potential for reverse sensitivity effects, by ensuring sensitive activities, and inappropriate subdivision, use and development do not occur in a location or form that significantly constrains the safe, effective and efficient operation, maintenance, upgrade and development of the infrastructure.</u>	Oppose	Genesis supports the notified version of the policy.	Reject submission
Horticulture NZ	419.119	Definitions - Energy corridor	No specific decision requested, but the submission is seeking clarification of the definition of "Energy Corridor" in Chapter 13 Definitions.	Oppose	Genesis opposes any amendments to the definition.	Reject submission
Horticulture NZ	419.140	Vegetation clearance	Amend the definition of "Vegetation clearance" in Chapter 13 Definitions, as follows: Indigenous Vegetation clearance Includes the modification, burning, cutting, crushing, spraying and removal by physical, mechanical, chemical or other means <u>of indigenous vegetation, of all forms of vegetation, including indigenous, and may include exotic plants</u> . It does not include vegetation clearance relating to routine cultivation or grazing clearing: <u>(a) hedges, shelter belts and amenity plants, or</u> <u>(b) vegetation along fences and around dams and ponds, or</u> <u>(c) vegetation around public utility networks, or</u> <u>(d) vegetation that impedes or is likely to impede flood flows</u> <u>(e) vegetation for the maintenance of roads and tracks, or</u> <u>(f) scattered trees, shrubs or regenerating bush amongst pasture or horticultural crops, or</u> <u>(g) vegetation that is infected by an unwanted organism as declared by the Ministry of Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993.</u>	Support	Genesis supports the proposed amendments for the reasons in the submission.	Accept submission
Balle Bros Group Limited	466.1	Hazardous facility	Delete the definition for "Hazardous Facility" from Chapter 13 Definitions.	Support in part	Genesis supports the intent of the submission in so far as HSNO regulations provide the necessary	Accept submission in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
					regulation to manage hazardous substances. However, there may be reverse sensitivity policies relating to hazardous facilities that require definition.	
Balle Bros Group Limited	466.7	Rule 16.2.4.3	Amend Rule 16.2.4.3 Earthworks – Significant Natural Area to allow for ground truthing of all Significant Natural Areas prior to inclusion as a property record and on planning maps.	Support	Genesis supports the intent of the submission to ground truth the SNA's in the PDP.	Accept submission
Hamilton City Council	535.8	Policy 3.2.6	Delete Policy 3.2.6 (a)(iv) Providing for vegetation clearance.	Oppose	There are some circumstances where it is appropriate to clear vegetation from an SNA. These circumstances need to be provided for in the plan.	Reject submission
Hamilton City Council	535.71	Rule 22.2.7 P6 Indigenous	Delete Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area; AND Delete Rule 22.2.7 P6 Indigenous vegetation clearance inside a Significant Natural Area.	Oppose	There are some circumstances where it is appropriate to clear vegetation from an SNA. These circumstances need to be provided for in the plan.	Reject submission
Geoscience Society of New Zealand	8.4 8.5	General plan	Add more policies and rules to protect Outstanding Natural Features and provide criteria for the potential identification of others. Add into Section 3.3 Outstanding Natural Features, criteria for identifying Outstanding Natural Features, similar to that in the Auckland Unitary Plan, Northland Regional Plan and other local districts...	Oppose in part	The proposed provisions are unspecified and therefore the implications cannot be assessed (there is a lack of certainty).	Reject in part
Ian McAlley	368.3	Objective 3.3 Outstanding Natural Features and Landscapes	Amend Section 3.3 Outstanding Natural Features and Landscapes, to ensure that limitations on development only apply to Outstanding Natural Features and Landscapes that are specifically identified in the District Plan.	Support in part	For the reasons presented in the submission and subject to the exact nature of the amendments.	Accept in part
Ian McAlley	368.4	Objective 3.4 Significant Amenity Landscapes	Amend Objective 3.4.1(a) Significant Amenity Landscapes, to clearly identify that the objective only relates to specifically identified Significant Amenity Landscapes.	Support in part	For the reasons presented in the submission and subject to the exact nature of the amendments.	Accept in part
Ian McAlley	862.31	Section 3.4 Significant Amenity Landscapes	Add a schedule that reflects the outcomes of the Waikato District Landscape Study, which notes the attributes and features that lend itself to the Significant Amenity Landscape status; OR If a schedule is not included, delete all Significant Amenity Landscapes from the Proposed District Plan;	Support in part	For the reasons presented in the submission and subject to the exact nature of the amendments.	Accept in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Housing New Zealand Corporation	749.24	Section 6.2 National Grid	Delete Section 6.2 National Grid, and all related provisions including the spatial extent of the overlay. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.	Oppose	Genesis does not support the deletion of the provisions relating to the National Grid.	Reject submission
Housing New Zealand Corporation	749.73	Section 14.4 National Grid	Delete Section 14.4 National Grid and the full package of objectives, policies, rules and definitions including the spatial extent of the overlay.	Oppose	Genesis does not support the deletion of the provisions relating to the National Grid.	Reject submission
Housing New Zealand Corporation	749.115	General plan	Delete any rule for building setback for sensitive land use in all zones.	Oppose	Setbacks for sensitivity land uses and activities are important for managing reverse sensitivity effects.	Reject submission
Housing New Zealand Corporation	749.153	Maps > Zones	Amend the extent of Residential Zone, Village Zone and Rural Zone as contained in Attachment 4 of the submission.	Support in part	Support for the reasons presented in the submission. Genesis supports provisions that limit urban sprawl, subject to the exact nature of the amendments.	Accept in part
Housing New Zealand Corporation	749.154	Medium Density Zoning	Add a new "Medium Density Residential Zone" to the Proposed District Plan zone maps as contained in Attachment 4 of the submission for the following urban settlements: <ul style="list-style-type: none"> • Huntly • Ngaruawahia • Pokeno • Raglan • Taupiri • Te Kauwhata • Tuakau 	Oppose in part/ Support in part	Genesis is largely supportive of promoting a compact urban form and increasing density in already developed areas. However, an increase in residential development or density creates the potential for reverse sensitivity issues for existing activities – particularly at the Huntly Power Station.	Reject in part
Housing New Zealand Corporation	749.155	General plan	Delete objectives, rules, rules and definitions relating to the National Grid. AND Delete overlays that provide for the National Grid.	Oppose	Genesis does not support the deletion of the provisions relating to the national grid.	Reject submission
Sharp Planning Solutions	695.76	Definitions - Notional boundary	Amend the definition of "Notional Boundary" in Chapter 13 Definitions consistent with Section 218 of the Resource Management Act and other Councils.	Support in part	Genesis supports a definition of notional boundary and, subject to the exact wording of the amendment, would support potential amendments.	Accept in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Raglan Naturally	831.48	Section C Rules	<p>Add new rules that read as follows <u>In a significant indigenous vegetation or habitat area the following are discretionary activities:</u></p> <ul style="list-style-type: none"> • <u>Cultivation</u> • <u>Spreading soil or other material (including fertilizer or lime) in excess of existing routine application rates</u> • <u>Drainage works, apart from routine maintenance</u> • <u>Land reclamation from estuary or other wetlands</u> • <u>Modifications to watercourses apart from routine maintenance</u> • <u>Flood defences</u> • <u>Infilling ditches, ponds, pits, pools, marshes or historic earthwork features</u> • <u>Clearing vegetation or land (by physical removal, burning, application of herbicides, or deliberate overgrazing, tramping, or rooting by livestock) in</u> • <u>preparation for cultivation</u> • <u>Introducing livestock (including poultry) at intensive stocking rates or increasing stocking rates to intensive levels.</u> 	Oppose	Genesis does not consider that an additional rule in relation to significant indigenous vegetation / habitat areas is required.	Reject submission
Raglan Naturally	831.59	Rule 20.2.9 Indigenous vegetation clearance	Delete Rule 20.2.9 Indigenous vegetation clearance inside a Significant Natural Area	Oppose	There are some circumstances where vegetation clearance within an SNA should be provided for.	Reject submission
Raglan Naturally	831.88	Rule 22.2.8	Delete Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area	Oppose	There are circumstance were vegetation clearance should be provided for.	Reject submission
Waikato-Tainui	286.14 286.15	Outstanding Natural Features and Landscape	<p>Amend the Proposed District Plan to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape</p> <p>AND</p> <p>Amend the Proposed District Plan maps to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape.</p>	Oppose	The implications of identifying the entire Waikato River as an ONF and ONL have not been fully assessed and there may be significant unintended consequences of identifying the entire river as an ONL and ONF.	Reject submission
Waikato-Tainui	286.15		Amend the Proposed District Plan after undertaking a natural character assessment for the Waikato River to determine if there are any areas of high or outstanding natural character.	Support	For the reasons set out in the submission.	Accept submission
Waikato-Tainui	286.35	Chapter 14 - Infrastructure	Amend Chapter 14 Infrastructure to provide clear provisions to manage the effects of infrastructure and energy activities on Maaori Areas of Significance and Maaori Sites of	Support in part	Genesis supports the intent of the submission, subject to the nature of the provisions.	Accept in part

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			Significance. This may include amending the activity status, rules and defining terms such as “identified areas.”			
Ministry of Education	781.3	Policy 4.16 – Commercial and Industrial Activities	Amend 4.1.6 Policy - Commercial and industrial activities, so that education facilities are included as follows: 4.1.6 Policy - <u>Education</u> , commercial and industrial activities (a) Provide for <u>education facilities</u> , commercial and industrial development in the following zones: ...	Support in part	Genesis supports the intent of the submission, however, if education activities are to be provided for it should be by way of an education-specific policy.	Accept in part
Ministry of Education	781.4	New Policy – Chapter 5	Add a new policy in Chapter 5: Rural Environment to provide for education facilities in the rural environment as follows: <u>Policy - Education Facilities within the Rural Environment</u> <u>To allow activities which are compatible with the role, function and predominant character of the Rural Environment, while managing the effects of the activities on the environment, including: Education facilities</u>	Support in part	Genesis supports the ability for education facilities to be located within the rural environment. However, the rule framework needs to ensure that there are no reverse sensitivity issues (i.e. by not allowing sensitive activities to be located next to industry or infrastructure).	Accept in part
Ministry of Education	781.24	Rule 20.1.1.P2 and New rule (Industrial Zone)	Amend Rule 20.1.1 P2 Permitted Activities as follows: P2 Trade and industry training activity <u>Any education facility which is not incidental to a trade and industry training activity is a restricted discretionary activity.</u> AND Add a new restricted discretionary activity rule for educational facilities in the Industrial Zone as follows: <u>20.1.2 Restricted Discretionary Activities</u> <u>(1) The activities listed below are restricted discretionary activities.</u> <u>(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.</u> <u>Activity</u> <u>RD1 Education Facilities</u> <u>Matters of discretion</u> <u>a. The extent to which it is necessary to locate the activity within the Industrial Zone.</u> <u>b. Reverse sensitivity effects of adjacent activities.</u> <u>c. The extent to which the activity may adversely impact on the transport network.</u>	Oppose	While Genesis appreciates the intent of this submission, it is considered that Discretionary Activity status rather than Restricted Discretionary Status is more appropriate for these type of sensitive activities within a lower amenity environment such as the industrial zone.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			<p>d. <u>The extent to which the activity may adversely impact on the streetscape.</u></p> <p>e. <u>The extent to which the activity may adversely impact on the noise environment.</u></p> <p>AND</p> <p><u>Amend Rule 20.1.3 Non-Complying activities as follows:</u> <u>NC1 Any activity that is not listed as a permitted, restricted discretionary or discretionary activity.</u></p>			
Ministry of Education	781.26	Rule 21.1.1.P2 and New Rule – Heavy	<p>Amend Rule 21.1.1 P2 Permitted Activities as follows:</p> <p>P2 Trade and industry training activity <u>Any education facility which is not incidental to a trade and industry training activity is a restricted discretionary activity.</u></p> <p>AND</p> <p>Add a new restricted discretionary activity rule for educational facilities as follows:</p> <p><u>21.1.2 Restricted Discretionary Activities</u> <u>(1) The activities listed below are restricted discretionary activities.</u> <u>(2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.</u></p> <p><u>Activity</u> <u>RD1 Education Facilities</u> <u>Matters of discretion</u> <u>a. The extent to which it is necessary to locate the activity within the Industrial Zone Heavy.</u> <u>b. Reverse sensitivity effects of adjacent activities.</u> <u>c. The extent to which the activity may adversely impact on the transport network.</u> <u>d. The extent to which the activity may adversely impact on the streetscape.</u> <u>e. The extent to which the activity may adversely impact on the noise environment</u></p> <p>AND</p> <p>Amend Rule 21.1.3 NC1 Non-Complying Activities as follows:</p>	Oppose	While Genesis appreciates the intent of this submission, it is considered that Discretionary Activity status rather than Restricted Discretionary Status is more appropriate for these type of sensitive activities within a lower amenity environment such as the Heavy Industrial Zone.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			NC1: Any activity that is not listed as a permitted, <u>restricted discretionary</u> or discretionary activity.			
Ministry of Education	781.27	Rule 22.1.5 and Rule 22.1.3 (Rural Zone)	<p>Delete Rule 22.1.5 D6 Discretionary Activities relating to an education facility.</p> <p>AND</p> <p>Amend Rule 22.1.3 Restricted Discretionary Activities as follows: Rule 22.1.3 Restricted Discretionary Activities (1) The activities listed below are restricted discretionary activities (2) Discretion to grant or decline consent and impose <u>conditions is restricted to the matters of discretion set out in the following table:</u></p> <p><u>Activity</u> <u>RD3 Education facilities</u> <u>Council's discretion shall be restricted to the following matters:</u> a. <u>The extent to which it is necessary to locate the activity within the Rural Zone.</u> b. <u>Reverse sensitivity effects of adjacent activities.</u> c. <u>The extent to which the activity may adversely impact on the transport network.</u> d. <u>The extent to which the activity may adversely impact on the streetscape.</u> e. <u>The extent to which the activity may adversely impact on the noise environment.</u></p>	Oppose	Genesis considers that Discretionary Activity status is more appropriate for education facilities within the Rural Zone.	Reject submission
Ministry of Education	781.28	Rule 22.5.2 P2 and new Rule 22.5.3	<p>Amend Rule 22.5.2 P2 Permitted Activities - Agricultural and Horticultural Research as follows:</p> <p>P2 An education facilities that is incidental to agricultural or horticultural research. <u>Any education facilities which are not incidental to agricultural or horticultural research is a restricted discretionary activity.</u></p>	Oppose	Genesis considers that Discretionary Activity status is more appropriate for education facilities within the Rural Zone.	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			<p>AND</p> <p>Add a new Rule 22.5.3 Restricted Discretionary Activities as follows:</p> <p><u>22.5.3 Restricted Discretionary Activities</u> <u>(1) The activities listed below are restricted discretionary activities</u></p> <p><u>Activity</u></p> <p><u>RD3 Education facilities</u> <u>Council's discretion shall be restricted to the following matters:</u> <u>a. The extent to which it is necessary to locate the activity within the Rural Zone.</u> <u>b. Reverse sensitivity effects of adjacent activities.</u> <u>c. The extent to which the activity may adversely impact on the transport network.</u> <u>d. The extent to which the activity may adversely impact on the streetscape.</u> <u>e. The extent to which the activity may adversely impact on the noise environment.</u></p>			
Woolworths	588.59	Rule 14.12.1	<p>Amend Rule 14.12.1 P4 Traffic generation activity-specific conditions 14.12.1.4(1)(d) as follows: (d) Within the Industrial Zone and Heavy Industrial Zone (excluding the Huntly Power Station and Huntly Quarry); (i) Maximum 250 vehicle movements per day100 vehicles per hour (any hour) and no more than 15% of these vehicle movements are heavy vehicle movements</p> <p>AND Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.</p>	Support	Genesis supports the intent of this submission but considers that if this be accepted it should be applied consistently across all traffic generation rules and apply to vehicle movements from all industrial / heavy industrial sites.	Accept submission in part
Jackie Colliar	493.5	Waikato River as an Outstanding Natural Feature and Landscape	Amend the Proposed District Plan and maps to include the Waikato River in its entirety as both an Outstanding Natural Feature and Outstanding Natural Landscape.	Oppose	The implications of identifying the entire Waikato River as an ONF and ONL have not been fully assessed and there may be significant unintended consequences of identifying the entire river as an ONL and ONF.	Reject submission
Jackie Colliar	493.6	Waikato River Corridor Zone	Amend the Proposed District Plan to include a Waikato River Corridor Zone to recognise the special status and importance of the Waikato River.	Oppose	There is no clarity in the submission as to what the Waikato River Corridor Zone would provide for (i.e. no	Reject submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
					objective, policy or rule framework suggested).	
Turangawaewae Trust Board	984.18	Waikato River as an Outstanding Natural Feature and Landscape	Amend the Proposed District Plan to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape AND Amend the Proposed District Plan maps to include the Waikato River in its entirety as both an Outstanding Natural Feature and an Outstanding Natural Landscape.	Oppose	The implications of identifying the entire Waikato River as an ONF and ONL have not been fully assessed and there may be significant unintended consequences of identifying the entire river as an ONL and ONF.	Reject submission
KiwiRail Holdings Limited	986.7	Policy 3.6.2	Add a new clause (v) to Policy 3.2.6(a) Providing for vegetation clearance as follows (or similar amendments to achieve the requested relief): (a)Provide for the clearance of indigenous vegetation in Significant Natural Areas when: ... <u>(v) operating, maintaining or upgrading existing infrastructure</u>	Support	For the reasons set out in the KiwiRail submission.	Accept submission
KiwiRail Holdings Limited	986.10	Policy 3.5.4(a)(iv)	Amend Policy 3.5.4(a)(iv) Protecting the natural character of wetlands, and lakes and rivers and their margins as follows (or similar amendments to achieve the requested relief): (iv)requiring appropriate setbacks of <u>new</u> activities from wetlands, lakes and rivers.	Support	For the reasons set out in the KiwiRail submission.	Accept submission
KiwiRail Holdings Limited	986.21	Policy 4.2.15(b)	Amend Policy 4.2.15(b) as follows (or similar amendments to achieve the requested relief): Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings, <u>infrastructure</u> and structures.	Support	For the reasons set out in the KiwiRail submission.	Accept submission
KiwiRail Holdings Limited	986.22 986.29	Policy 4.4.2 Policy 5.6.16	Amend as follows (iii)Maintaining appropriate setback distances between high noise environments and sensitive land uses and <u>noise-sensitive activities</u> ; (iv)Managing the location of sensitive land uses <u>and noise-sensitive activities</u> , particularly in relation to lawfully-established high noise generating activities; and (v)Requiring acoustic insulation where <u>noise-sensitive</u> activities are located within high noise environments.	Support	For the reasons set out in the KiwiRail submission.	Accept submission
KiwiRail Holdings Limited	986.48	Definitions – Noise Sensitive Activity	Amend the definition of “noise-sensitive activity” in Chapter 13 Definitions as follows (or similar amendments to achieve the requested relief):	Support	For the reasons set out in the KiwiRail submission.	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			Means the following: buildings used for residential activities, including boarding establishments, rest homes, retirement villages, papakaainga housing development, in-house aged care facilities, travellers' accommodation, and other buildings used for residential accommodation but excluding (a) camping grounds; (b) marae and marae complex; (c) hospitals; (d) <u>educational facilities including teaching areas and sleeping rooms in an education facility and student accommodation;</u> (e) <u>places of assembly.</u>			
Winstone Aggregates	723.9	Rule 14.12.1.4	(d) Within the Rural Zone: (i) There is maximum 200 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements; or (ii) Within the Agricultural Research Centres identified on the planning maps as a Specific Area there is maximum 3000 vehicle movements per day; or (iii) <u>All traffic movements generated from sites identified on the planning maps as Aggregate Extraction Areas, there is a maximum of 400 vehicle movements per day; or</u>	Support	For the reasons presented in the Winstone submission. However, Genesis considers that this should also apply to similar activities such as coal and ash management areas.	Accept submission
Bathurst Resources Ltd and BT Mining Ltd	771.1	General	Retain the continued recognition of existing coal mining operations in the Proposed District Plan. AND Amend the Proposed District Plan to provide for the continuation of existing coal mine operations	Support	For the reasons stated in the submission.	Accept submission
Bathurst Resources Ltd and BT Mining Ltd	771.2	Section 1.4.2.3	Amend Section 1.4.2.3 (viii) Challenges as follows: (a) Economic development challenges facing the district are as follows: ... (viii) A perceived decline in the mining sector which <u>needs to be addressed by making provision for existing mining activities to expand into areas outside the existing Coal Mining and Aggregate Extraction Areas while addressing, with coal resources in particular becoming increasingly difficult and expensive to access, as well public concerns about the</u> <u>around environmental impacts of coal and mineral mining in the region, are a concern, considering its share of the district's GDP.</u>	Support	For the reasons stated in the submission.	Accept submission
Bathurst Resources Ltd and BT Mining Ltd	771.6	Section 1.5.7.7	Amend Section 1.5.7.7 Energy as follows: (a) The district plan recognises the national and regional importance of existing energy resources and infrastructure,	Support	For the reasons stated in the submission.	Accept submission

Submitter	Submission point ref.	Provision	Relief Sought by Submitter	Genesis Support / Oppose	Reason	Relief Sought by Genesis
			which include coalfields, coal mines, Huntly Power Station, gas, electricity transmission, and coal conveyance facilities, as well as renewable energy. The plan addresses the positive and adverse effects of energy infrastructure and development and makes provision for the continued supply of coal by recognising and making provision for future expansion of existing coal mines.			

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Waikato District Council



Submission by Genesis Energy Limited

Trading as Genesis

ON

**Proposed Waikato District Plan – Stage 2 and Variation 2
Natural Hazards and Climate Change**

22 September 2020

Submission by Genesis Energy Limited

Trading as Genesis

ON

Proposed Waikato District Plan – Stage 2 and Variation 2 Natural Hazards and Climate Change

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1. Introduction

Genesis Energy Limited (**Genesis**) welcomes the opportunity to provide a submission to the Waikato District Council (**WDC**) on the Proposed Waikato District Plan – Stage 2 and Variation 2 Natural Hazards and Climate Change (**Stage 2 of the Proposed Plan**), which was publicly notified on 27 July 2020.

Genesis wishes to be heard in support of this submission.

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

Nāku noa, nā



Karen Sky

Group Manager Environment and Community

2. Background

Genesis is a submitter to Stage 1 of the Proposed Waikato District Plan (Submitter 924, Further Submitter 1345), and is actively involved in the Hearing process of multiple topics.

Genesis is an electricity generator and energy retailer with a diverse portfolio of renewable and thermal electricity generation assets including hydro, thermal and wind generation plants spread across New Zealand. Within the Waikato district, Genesis owns and operates the Huntly Power Station (**HPS**), located beside the Waikato River at Huntly. The HPS is identified as a Regionally Significant Infrastructure by the Waikato Regional Policy Statement 2016. As a facility for the generation of electricity, the HPS is captured under the definition of “infrastructure” in Chapter 13 Definitions of the Proposed Waikato District Plan.

A full description of the HPS, including ancillary activities and land ownership, is available in Genesis' original submission and is not repeated in this submission. In summary, the operational and non-operational sites associated with the HPS are shown in Figure 1 below, these include the primary power station and cooling water intake/outfall structures at the corner of Hetherington and Te Ohaaki Roads; the 'West Mine' coal receival site to the west and a 3km overland conveyor; the 'Ash Ponds' to the north and dedicated pipeline; and ancillary landholdings such as the 'Scott Farm'.

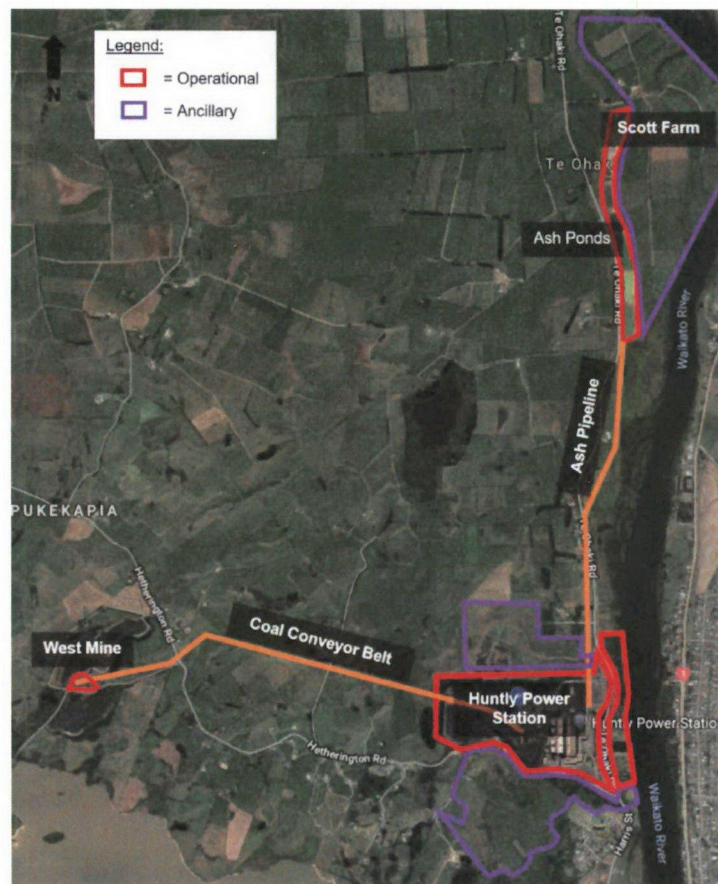


Figure 1: Location of Huntly Power Station and ancillary activities

3. Submissions and Relief Sought

Under Stage 2 of the Proposed Plan, the Waikato River frontage at the HPS east of Te Ohāki Road and the entire Scott Farm is identified as a “Flood Plain Management Area” and “High Risk Flood Area”. South of the HPS on the southern side of Hetherington Road, parts of Genesis’ landholding is identified as a “Flood Ponding Area” and “Defended Area”.

As a general submission point, Genesis supports the intent of Stage 2 of the Proposed Plan, for the purpose of appropriately managing the effects of natural hazards and climate change on land use activities within the Waikato District. Whilst a risk-based approach is taken to avoid sensitive activities in areas subject to natural hazard and climate change impacts, Genesis supports the recognition and provision for essential infrastructure and utilities, which may already be located, or have a technical, functional or operational need to be located on land subject to natural hazards. As highlighted in the section 32 report, the more permissive regulatory framework recognised that utility providers will

ensure the design and location of infrastructure takes into account of the natural hazards, as well as implement appropriate mitigation to minimise risk to people and property.

However, Genesis considers the proposed framework does not adequately provide for maintenance or repair activities to existing infrastructure such as the HPS, nor does it provide for ancillary activities necessary as part of the HPS operation. In particular, the permissive regime as anticipated by the section 32 report appears to apply only to utilities provided by a network utility operator or requiring authority – the proposed approach therefore does not recognise that existing infrastructure may already, or cannot avoid, being located in areas of natural hazards. Genesis notes that while the proposed definition of “Utility” for the purpose of Chapter 15 includes the “Transformation, transmission, generation or distribution of electricity...”, this is limited to the generation of electricity by “network utility operators or requiring authorities”. Electricity generators, such as Genesis, are not network utility operators nor are they requiring authorities meaning that rules applying to utilities only would not apply to electricity generation infrastructure. It is clear from the objectives and policies in 15.2 that it is intended that Chapter 15 applies to infrastructure and not just to utilities. Genesis therefore seeks amendments to all rules limited to “utilities” to include infrastructure.

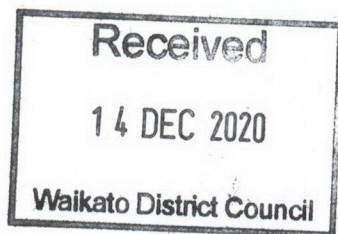
To ensure the ongoing operation of the HPS and ancillary activities, Genesis makes the following specific submissions and relief sought, as outlined in the table below.

Provision	Support / Oppose	Reason for submission	Relief Sought (additions <u>underlined</u> , deletions struck through)
15.2 Objectives and policies			
Policy 15.2.1.1	Support with amendments	Genesis is concerned that the objective and policies for the High Risk Flood Area includes a general presumption to avoid activities and development. The overarching avoidance framework does not reflect the Resource Management Act 1991, which allows for activities to occur (where adverse effects can be appropriately avoided, remedied or mitigated), and does not recognise that certain activities (such as infrastructure and utilities) may not be able to avoid such areas. Accordingly, Genesis considers Policy 15.2.1.1 should be amended to focus on an assessment of effects of activities in areas of natural hazards.	Amend Policy 15.2.1.1 as follows: “Policy 15.2.1.1 – new development in areas at significant risk from natural hazards (a) Avoid new subdivision, use and development where they will increase the risk to people’s safety, well-being and property in the following areas identified as being at significant risk from natural hazards <u>cannot be appropriately remedied or mitigated</u> : (i) High Risk Flood Area; (ii) High Risk Coastal Hazard (Inundation) Area; (iii) High Risk Coastal Hazard (Erosion) Area.”
Policy 15.2.1.2	Support with amendments	Similar to Genesis’ comment to Policy 15.2.1.1 above, Genesis considers Policy 15.2.1.2 should be amended to focus on an assessment of effects of activities in areas of natural hazards.	Amend Policy 15.2.1.2 as follows: “Policy 15.2.1.2 – Changes to existing land use activities and development in areas at significant risk from natural hazards (a) In areas of High Risk Flood, High Risk Coastal Hazard (Erosion) and High Risk Coastal Hazard (Inundation), ensure that when changes to existing land use activities and development occur, a range of risk reduction options are assessed, and development that would increase risk to people’s safety, well-being and property is avoided <u>where the risk cannot be appropriately remedied or mitigated</u> .”

Provision	Support / Oppose	Reason for submission	Relief Sought (additions <u>underlined</u> , deletions struck through)
Policy 15.2.1.4	Support with amendments	<p>Genesis supports proposed Policy 15.2.1.4 which provides for new infrastructure and utilities located in areas subject to significant risk from natural hazards where there is a technical, functional or operational requirement.</p> <p>However, Genesis considers the policy should be expanded to explicitly include ancillary activities associated with the operation of infrastructure. The explicit reference is required particularly as ancillary activities are not currently included in the definition of "infrastructure" in Chapter 13 Definitions in Stage 1 of the Proposed Waikato District Plan.</p>	<p>Amend Policy 15.2.1.4 as follows:</p> <p>"Policy 15.2.1.4 – New infrastructure and utilities in areas subject to significant risk from natural hazards</p> <p>(a) Enable the construction of new infrastructure and utilities, <u>including any ancillary activities</u>, in areas at significant risk from natural hazards, including High Risk Flood, High Risk Coastal Hazard (Inundation) and High Risk Coastal Hazard (Erosion) areas only where:</p> <p>(i) the infrastructure and utilities are technically, functionally or operationally required to locate in areas subject to natural hazards, or it is not reasonably practicable to be located elsewhere; and</p> <p>(ii) any increased risks to people, property and the environment are mitigated to the extent practicable; and</p> <p>(iii) the infrastructure and utilities are designed, maintained and managed, including provision of hazard mitigation works where appropriate, to function to the extent practicable during and after natural hazard events."</p>
Policy 15.2.1.5	Support with amendments	<p>Genesis supports proposed Policy 15.2.1.5 which provides for the operation, maintenance and minor upgrading of existing infrastructure and utilities in all areas subject to natural hazards.</p> <p>However, similar to Genesis' submission on proposed Policy 15.2.1.4 above, Genesis considers the policy should expand to include ancillary activities associated with the operation of infrastructure, as well as provide for any rehabilitation activities.</p>	<p>Amend Policy 15.2.1.5 as follows:</p> <p>"Policy 15.2.1.5 – Existing infrastructure and utilities in all areas subject to natural hazards</p> <p>(a) Provide for the operation, maintenance, and minor upgrading <u>and rehabilitation</u> of existing infrastructure and utilities, <u>including any ancillary activities</u>, in all areas subject to natural hazards."</p>
Policy 15.2.1.13	Support with amendments	To correct a typographical error in the policy.	<p>Amend Policy 15.2.1.13 as follows:</p> <p>"Policy 15.2.1.13 – Control filling of land within the 1% AEP floodplain and flood ponding areas</p> <p>(a) Control filling of land within the 1% AEP floodplain and flood ponding areas to ensure that the potential adverse effects on flood storage capacity, overland flows, run-off volumes on surrounding properties on or infrastructure, are avoided or mitigated."</p>

Provision	Support / Oppose	Reason for submission	Relief Sought (additions <u>underlined</u> , deletions struck through)
15.4 Flood Plain Management Area and Flood Ponding Areas			
Rule 15.4.1 P5	Support with amendments	<p>Genesis considers Rule 15.4.1 P1 does not accurately reflect the intent of Policy 15.2.1.5 and the section 32 assessment where a permissive framework is provided for existing infrastructure and utilities in all areas subject to natural hazards. In addition, Genesis considers the permissive framework should also apply to any rehabilitation activities.</p> <p>Genesis therefore seeks amendments to the rule to explicitly reference infrastructure, and their ancillary activities.</p>	<p>Amend Rule 15.4.1 P5 as follows:</p> <p>"Construction, replacement, repair, maintenance, minor upgrading, or upgrading or rehabilitation of <u>infrastructure and utilities, and their ancillary activities.</u>"</p>
Rule 15.4.1 P6	Support with amendments	<p>Similar to comment above, Genesis considers the Permitted Activity rule for earthworks in the Flood Plain Management Area and Flood Ponding Areas do not adequately provided for existing infrastructure as anticipated by Policy 15.2.1.5.</p> <p>Genesis therefore seeks amendments to the rules to explicitly reference infrastructure, their ancillary activities, as well as any rehabilitation of the site when the activity is no longer required.</p>	<p>Amend Rule 15.4.1 P6 as follows:</p> <p>"Earthworks associated with construction, replacement, repair, maintenance, minor upgrading, or upgrading or rehabilitation of <u>infrastructure and utilities, including ancillary activities and</u> the formation and maintenance of access tracks."</p>

Provision	Support / Oppose	Reason for submission	Relief Sought (additions <u>underlined</u> , deletions struck through)
15.5 High Risk Flood Area			
Rule 15.5.1 P1	Support with amendments	<p>Genesis considers Rule 15.5.1 P1 does not accurately reflect the intent of Policy 15.2.1.5 and the section 32 assessment where a permissive framework is provided for existing infrastructure located in all areas subject to natural hazards, including high risk areas.</p> <p>Genesis therefore seeks amendments to the rule to explicitly reference existing infrastructure, and their ancillary activities. In addition, Genesis considers the permissive framework should also include earthworks associated with the repair, maintenance or minor upgrade activities, which would likely be minor in nature, and any rehabilitation of the site when the activity is no longer required.</p>	<p>Amend Rule 15.5.1 P1 as follows:</p> <p>“(1) Repair, maintenance, or minor upgrading, <u>or rehabilitation of existing infrastructure, utilities, and their ancillary activities.</u></p> <p>(2) New telecommunication lines, poles, cabinets and masts/poles supporting antennas.</p> <p><u>(3) Earthworks associated with activities under (1) and (2), or rehabilitation of the site occupied by the infrastructure, utilities or ancillary activities.”</u></p>
Rule 15.5.2 RD1	Support with amendments	<p>Genesis considers Rule 15.5.2 RD1 does not accurately reflect the intent of Policy 15.2.1.4 and the section 32 assessment where a permissive resource consent framework (as a restricted discretionary activity) is provided for new infrastructure and utilities, and upgrades to existing infrastructure and utilities, which have a technical, functional, operational or practical need to be located in areas subject to significant risk from natural hazards.</p> <p>Genesis therefore seeks amendments to the rule to explicitly reference existing infrastructure, their ancillary activities, and associated earthworks.</p>	<p>Amend Rule 15.5.2 RD1 as follows:</p> <p>“(1) New utilities not provided for in Rule 15.5.1 P1(2).</p> <p>(2) Upgrading of existing <u>infrastructure, utilities, and their ancillary activities</u> not provided for in Rule 15.5.1 P1(1).</p> <p><u>(3) Earthworks associated with activities under (1) and (2).”</u></p>
15.14 Definitions (Stage 2 Content)			
New definition: “Minor upgrading”	Support with amendments	<p>Genesis considers the new definition for “minor upgrading” does not accurately reflect the intent of Policy 15.2.1.5 and the section 32 assessment where a permissive framework is provided for existing infrastructure located in all areas subject to natural hazards.</p> <p>Genesis therefore seeks amendments to the definition to explicitly reference existing infrastructure.</p>	<p>Amend the definition as follows:</p> <p>“Minor upgrading</p> <p>For the purpose of Chapter 15 means an increase in the capacity, efficiency or security of existing <u>infrastructure and utilities</u> where this utilises existing structures and networks and/or structures and networks of a similar scale and character.”</p>



Further Submission by Genesis Energy Limited

Trading as Genesis

— ON —

Proposed Waikato District Plan – Stage 2 and Variation 2 Natural Hazards and Climate Change

14 December 2020

Further Submission by Genesis Energy Limited

Trading as Genesis

ON

Proposed Waikato District Plan – Stage 2 and Variation 2 Natural Hazards and Climate Change

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districtplan@waidc.govt.nz

Date: 14 December 2020

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1. Introduction

Genesis Energy Limited (**Genesis, Submitter #2104**) makes the specific further submissions on the Proposed Waikato District Plan – Stage 2 and Variation 2 Natural Hazards and Climate Change (**Stage 2 of the Proposed Plan**), as set out in the table below.

Genesis wishes to be heard in support of this submission.

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

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 Huntly Power Station, which plays a critical role in offering dry period electricity security, and ancillary services such as frequency and voltage support. Genesis' submission on Stage 2 of the Proposed Plan is focused on ensuring the ongoing operation or future development options at the HPS is not compromised.

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

Nāku noa, nā



Karen Sky

Group Manager Environment and Community

Submitter	Sub#	Provision	Relief Sought by Submitter Deletion in strikethrough Addition underlined	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Transpower New Zealand Ltd	2101.8	Policy 15.2.1.5	Amend 15.2.1.5(a) as follows: (a) Provide for the operation, <u>repair</u> , maintenance, <u>replacement</u> and minor upgrading of existing infrastructure and utilities in all areas subject to natural hazards.	Support	For reasons set out in Transpower's submission, Genesis supports the addition of "repair" and "replacement" to provide clarity to the policy.	Accept relief in addition to relief sought by Genesis
Waikato Regional Council	2102.33	New Policy 15.2.1.5A	New Policy 15.2.1.5A as follows: <u>Policy 15.2.1.5A – New infrastructure and utilities in all areas subject to natural hazards</u> (a) <u>Provide for new infrastructure and utilities in all areas subject to natural hazards, provided that the hazard is not exacerbated or risks increased to other properties.</u>	Support with amendments	Genesis considers the relief sought by the Waikato Regional Council should be extended to explicitly reference associated earthworks and ancillary activities for the new infrastructure and utilities. Accordingly, Genesis seeks the following amendment to the relief sought by the Waikato Regional Council: <i>Policy 15.2.1.5A – New infrastructure and utilities in all areas subject to natural hazards</i> (a) <i>Provide for new infrastructure and utilities, including associated earthworks and ancillary activities, in all areas subject to natural hazards, provided that the hazard is not exacerbated or risks increased to other properties.</i>	Accept relief subject to amendments sought by Genesis
WEL Networks Limited	2106.11	Rule 15.5.1 P1	Amend Rule 15.5.1 P1 as follows: (1) Repair, maintenance or minor upgrading of existing utilities <u>and associated earthworks</u> . (2) New telecommunication <u>and electricity</u> lines, poles, cabinets and masts/poles supporting antennas <u>and associated earthworks</u> .	Support	For reasons in the WEL Networks Limited submission which is similar to the concerns raised by Genesis' submission.	Accept relief in addition to relief sought by Genesis