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To: [Mailroom Mailbox](#)
Cc: [Karen Sky](#)
Subject: Plan Change 7 to the LWRP Submission
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Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[20190913- Genesis Submission - ECAN_PC7_FINAL.pdf](#)

Tena koe,

Please find **attached** a submission from Genesis Energy Ltd on Proposed Plan Change 7 to the Land and Water Regional Plan.

I would appreciate if you could reply to confirm receipt of this submission.

If you have any queries please do not hesitate to contact me.

Nga mihi
Alice



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Submission by Genesis Energy Limited

Trading as Genesis

ON

**Proposed Plan Change 7 to the Canterbury Land and Water
Regional Plan**

13 September 2019

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Trading as Genesis

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Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

To: The Chief Executive
Environment Canterbury
PO Box 345
Christchurch 8140
mailroom@ecan.govt.nz

Date: 13 September 2019

Submitter name: Genesis Energy Limited

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1. Introduction

Genesis Energy Limited (**Genesis**) welcomes the opportunity to provide a submission to Environment Canterbury (**ECan**) on Proposed Plan Change 7 (**PC7**) to the Canterbury Land and Water Regional Plan (**LWRP**).

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

Environmental Manager

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 Canterbury Region, Genesis owns and operates the Tekapo Power Scheme located in the Mackenzie Basin.

Tekapo Power Scheme and the wider Waitaki Power Scheme

The Tekapo Power Scheme sits at the head of the Waitaki Valley and comprises the Tekapo A (30 MW) and Tekapo B (160 MW) power stations, Lake Tekapo and its associated inflows, and the Tekapo Canal. The Tekapo Power Scheme generates approximately 980GWh per annum of renewable electricity (equivalent to the amount of electricity used annually by approximately 120,000 households). In generating this electricity, the Tekapo Power Scheme makes an important contribution to New Zealand's security of electricity supply, particularly in the South Island and in Canterbury which are dependent on hydro-electricity generation. Furthermore, the water used for generation through the Tekapo Power Scheme is then utilised six additional times to generate electricity through power stations operated by Meridian Energy. Together, the Tekapo Power Scheme and the stations operated by Meridian Energy comprise the Waitaki Power Scheme.

The Tekapo Power Scheme has been part of the existing environment of the Waitaki Catchment for many decades, with Tekapo A Power Station being commissioned in 1951 and Tekapo B Power Station in 1977.

The Tekapo Power Scheme is a significant part of New Zealand's electricity generation market, and water from Lake Tekapo has the highest potential energy of all generation stations in the South Island, given that water leaving Lake Tekapo via the Tekapo Power Scheme passes through all eight power stations in the overall Waitaki Power Scheme.

Given the national importance of the Tekapo Power Scheme, Genesis has significant interest in any proposal to modify planning documents in the Canterbury Region.

3. Submissions and Relief Sought

Primary Submission

Given the way PC7 has been drafted, Genesis' primary submission is that PC7 needs to be amended in order that it explicitly and appropriately recognises the national significance of the Tekapo Power Scheme and provides for its continued existence, operation, maintenance, upgrading and replacement.

Genesis submits that this can be achieved by ensuring that PC7 includes specific provisions that:

- Prevent PC7 from constraining operations of the Tekapo Power Scheme; and
- Prevent all other activities that are within the purview of PC7 from having actual or potential adverse effects on the operation of the Tekapo Power Scheme.

Without limiting the generality of its primary submission, Genesis also makes the following additional submission points.

Provision	Support / Oppose	The submission is:	Relief Sought
Whole Plan			
Whole Plan	Support in Part / Oppose in Part	Genesis supports and opposes certain aspects of Plan Change 7, as detailed in this submission.	Retain as notified except where amendments are specifically sought in this submission.
Section 2.9 – Definitions			
Definitions – Indigenous Freshwater Species Habitat	Oppose	The definition is too broadly framed and needs to be amended to make it explicit that the habitat needs to have significant values before being identified as an Indigenous Freshwater Species Habitat.	Amend the definition to require that a freshwater habitat needs to have significant values before being identified as an Indigenous Freshwater Species Habitat.
Section 4 Policies			
Table 1A (Freshwater Outcomes for Canterbury Rivers) and Table 1B (Freshwater Outcomes for Canterbury Lakes)	Support	Genesis supports the amendments to Table 1A and Table 1B as notified insofar as they align with the attributes presented in Table 15B (a) and 15B (b) that apply to the Waitaki Catchment.	Retain the amendments to Table 1A and Table 1B to ensure consistency with the outcomes sought in the sub-regional sections of the plan.
Policy 4.61A – Abstraction of Water	Oppose in Part	<p>Genesis holds resource consent to divert the full flow of the upper Tekapo River to the Tekapo Canal. Genesis also has the ability to release large volumes of water down the Tekapo River. It is unclear how the new proposed Indigenous Freshwater Species Habitats in the vicinity of the Tekapo River, Tekapo Canal and Lake Benmore have accounted for the large hydrological fluctuations that are possible in the Tekapo River.</p> <p>Provision needs to be made for activities associated with the continued operation, maintenance, upgrading and replacement of nationally significant infrastructure, such as the Tekapo Power Scheme.</p>	<p>Delay any consideration of Policy 4.61A until the details of the values, characteristics and species within each Indigenous Freshwater Species Habitat have been assessed and specified in the Land and Water Regional Plan.</p> <p>and</p> <p>Amend the policy by adding the following, or adding words with like effect:</p> <p><u>This policy does not apply to any abstraction relating to the operation, maintenance, upgrading or replacement of the Tekapo Power Scheme.</u></p>

Provision	Support / Oppose	The submission is:	Relief Sought
Policy 4.99 and Policy 4.100 – Managed Aquifer Recharge	Oppose	Genesis seeks that the continued operation, maintenance, upgrading and replacement of the Tekapo Power Scheme be protected from all Managed Aquifer Recharge activities.	Amend Policies 4.99 and 4.100 by adding the following, or adding words with like effect: <u>Prevent any activities that have actual or potential adverse effects on the operation, maintenance, upgrading and replacement of the Tekapo Power Scheme.</u>
Policy 4.101 - Indigenous Freshwater Species Habitat	Oppose	Genesis holds resource consent to divert the full flow of the upper Tekapo River to the Tekapo Canal. Genesis also has the ability to release large volumes of water down the Tekapo River. It is unclear how the new proposed Indigenous Freshwater Species Habitats in the vicinity of the Tekapo River, Tekapo Canal and Lake Benmore have accounted for the large hydrological fluctuations that are possible in the Tekapo River. Provision needs to be made for activities associated with the continued operation, maintenance, upgrading and replacement of nationally significant infrastructure, such as the Tekapo Power Scheme.	Delay any consideration of Policy 4.101 until the details of the values, characteristics and species within each Indigenous Freshwater Species Habitat have been assessed and specified in the Land and Water Regional Plan. and Amend the policy by adding the following, or adding words with like effect: <u>This policy does not apply to any activity associated with the operation, maintenance, upgrading or replacement of the Tekapo Power Scheme.</u>
Policy 4.102 – Indigenous Freshwater Species Habitat	Oppose	Genesis holds resource consent to divert the full flow of the upper Tekapo River to the Tekapo Canal. Genesis also has the ability to release large volumes of water down the Tekapo River. It is unclear how the new proposed Indigenous Freshwater Species Habitats in the vicinity of the Tekapo River, Tekapo Canal and Lake Benmore have accounted for the large hydrological fluctuations that are possible in the Tekapo River. Provision needs to be made for activities associated with the continued operation, maintenance, upgrading and replacement of nationally significant infrastructure, such as the Tekapo Power Scheme.	Delay any consideration of Policy 4.102 until the details of the values, characteristics and species within each Indigenous Freshwater Species Habitat have been assessed and specified in the Land and Water Regional Plan. and Amend the policy by adding the following, or adding words with like effect: <u>This policy does not apply to any instream structures associated with the Tekapo Power Scheme.</u>
Region Wide Rules			
All rules relating to Freshwater Indigenous	Oppose	Genesis holds resource consent to divert the full flow of the upper Tekapo River to the Tekapo Canal. Genesis also has	Remove the identification of the culvert in Irishman Creek in the vicinity (and including the culvert) of the Tekapo Canal as an Indigenous Freshwater Species Habitat.

Provision	Support / Oppose	The submission is:	Relief Sought
Species Habitats, specifically: <ul style="list-style-type: none"> • Rule 5.136 • Rule 5.137 • Rule 5.138 • Rule 5.139 • Rule 5.140 • Rule 5.140A • Rule 5.141A • Rule 5.141A • Rule 5.148 • Rule 5.151 • Rule 5.152 • Rule 5.152A • Rule 5.163 • Rule 5.167 • Rule 5.168 		<p>the ability to release large volumes of water down the Tekapo River.</p> <p>It is unclear how the new Indigenous Freshwater Species Habitats in the vicinity of the Tekapo River, Tekapo Canal and Lake Benmore have accounted for the large hydrological fluctuations that are possible in the Tekapo River</p> <p>Additionally, Genesis seeks that Irishman Creek in the vicinity of the culvert (and including the culvert) under the Tekapo River is not identified as an Indigenous Freshwater Species Habitat (or provision is made in the rules to allow the activities associated with the maintenance of significant infrastructure be provided for by way of permitted activity rules).</p>	<p>and</p> <p>Amend the rule by adding the following, or adding words with like effect:</p> <p><u>...or in any Indigenous Freshwater Species Habitat unless the activity is associated with the Tekapo Power Scheme.</u></p>
Rule 5.191 – Managed Aquifer Recharge	Oppose	Genesis seeks that the operation of the Tekapo Power Scheme be protected from the activities associated with Managed Aquifer Recharge.	Amend the rules so that activities considered under Rule 5.191 must avoid adverse effects on the operation of the Tekapo Power Scheme.

Provision	Support / Oppose	The submission is:	Relief Sought
Section 14 - Orari-Temuka-Opihi-Pareora			
Policy 14.4.14 – Out of Catchment Water	Oppose	<p>Genesis seeks the deletion of this policy and seeks that there are provisions introduced into the plan making it clear that waterbodies in the Upper Waitaki will not be the source of the introduced water in the OTOP zone.</p> <p>A new policy framework and prohibited activity rule should be included in the plan that prohibits the use of out of catchment water within the OTOP zone that is sourced from waterbodies in the upper Waitaki catchment.</p> <p>Genesis also seeks any consequential changes required to give effect to the relief sought (including amendments to the allocation tables (14(h) to 14(za) if the provision for out of catchment water being introduced to the zone has been made).</p>	<p>Delete Policy 14.4.14.</p> <p>and</p> <p>Introduce a new provision in PC7 that prohibits the use and discharge of out of catchment water sourced from water bodies in the upper Waitaki Catchment in the OTOP FMUs.</p> <p>and</p> <p>Any consequential amendments necessary to give effect to this submission point.</p>
Indigenous Freshwater Species Habitats - Mapping			
Mapping – Indigenous Freshwater Species Habitat	Oppose	<p>There needs to be provision for activities within these areas if they are associated with the operation of significant infrastructure.</p> <p>This is particularly pertinent for the identification of Irishman Creek as the area that is shown as being an Indigenous Freshwater Species Habitat includes the culvert inflows under the Tekapo Canal. The culverts that are located under the canal are required to be regularly inspected and maintained (including gravel extraction) and these activities are critical from a dam safety perspective.</p>	<p>Remove the identification of Irishman Creek in the vicinity of the culvert (and including the culvert) under the Tekapo Canal as an Indigenous Freshwater Species Habitat.</p>
Any and all consequential amendments		<p>Genesis seeks that all consequential changes to PC 7 are made in order to give effect to the submission points and relief sought in this submission.</p>	<p>Make all necessary consequential changes.</p>