



Submission by Genesis Energy Limited

Trading as Genesis

---

ON

Draft National Planning Standards

17 August 2018

# Submission by Genesis Energy Limited

Trading as Genesis

ON

## Draft National Planning Standards

---

To: Ministry for the Environment  
PO Box 10362  
Wellington 6143  
  
planningstandards@mfe.govt.nz

Date: 17 August 2018

Name: Genesis Energy Limited

Contact: Karen Sky  
Environmental Manager  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Phone: [REDACTED]

E-mail [REDACTED]

Address for Service: As above

## Submission

---

Genesis Energy Limited, trading as Genesis (“Genesis”) makes this submission on the Draft National Planning Standards, as set out in Table 1 below.

As an organisation with electricity generation assets, and LPG facilities across New Zealand, Genesis supports the intent of the National Planning Standards to improve consistency in plan and policy statement structure, format and content.

By way of introduction, Genesis is New Zealand’s largest electricity and gas retailer, supplying energy to more than 650,000 customer connections nationwide. We also generate and trade electricity and natural gas through a diverse range of assets across the country. Genesis’ diverse portfolio of assets comprises:

- Thermal generation: The Huntly Power Station, the largest electricity generation facility in New Zealand by capacity (953 MW).
- Hydro generation: Three hydro schemes including Tongariro (361.8 MW, Waikaremoana (138.0 MW) and Tekapo (179.0 MW). These schemes comprise eight power stations (six in the North Island and two in the South Island), and use an extensive range of lakes, rivers and streams for generation purposes
- Other renewable generation: Genesis owns and operates a 7.3 MW wind farm at Hau Nui in the North Island and holds resource consents to establish a wind farm at Castle Hill in the northern Wairarapa.
- A 46% interest in the Kupe Joint Venture, which owns the Kupe oil and gas field.
- A nationwide bottled LPG supply and distribution network.

Genesis’ ability to generate electricity is reliant on its ability to appropriately use natural resources. The use of resources is enabled by way of resource consents. Ensuring that resource consents can be renewed and are not adversely affected by changes to rules (that may necessitate reviews) are a key focus area for Genesis.

Given its extensive portfolio of renewable electricity generation assets and resource consents, Genesis also seeks to ensure that RMA planning documents recognise the resource use requirements of renewable electricity generation infrastructure and give effect to the requirements of the National Policy Statement on Renewable Electricity Generation 2011 (“**NPSREG**”).

Genesis’ specific submission points are presented in the Table 1.

Yours sincerely



Karen Sky

**Environmental Manager**

**Table 1: Draft National Planning Standards – Specific Submission Points**

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
<b>Draft Regional Policy Statement Structure Standard (S-RPS)</b>			
Direction 3	Oppose in Part	<p>Genesis considers that it is appropriate to include a chapter in regional policy statements regarding the management of energy. However, regional policy statements also generally acknowledge matters relating to the provision of energy and infrastructure in other relevant chapters. These include chapters regarding the management of fresh water, the appropriate use of which is a fundamental requirement for Genesis hydro and thermal generation assets.</p> <p>Genesis submits that the National Planning Standards need to continue to provide for this approach so that there is clear integration / expectation as to how natural and physical resources will be managed. The National Planning Standards should not unintentionally compartmentalise the management of natural and physical resources in regional policy statements by way of one chapter simply specifying how key natural resources will be protected or managed, and another chapter including generic provisions regarding the use and development of energy and infrastructure</p>	<p><b>Amend</b> Table 3 (the right-hand column) under Direction 3 as follows:</p> <p><u>Infrastructure and Energy</u></p> <p>If infrastructure and energy matters are addressed in the regional policy statement they must be included in the Infrastructure and Energy chapter, <u>acknowledging that matters related to the management of infrastructure and energy may also need to be addressed in other theme chapters (e.g. coastal environment, landscape, landforms and natural character, and water).</u></p>
New Direction		<p>Genesis considers there is a strong case for energy, including renewable electricity generation, to be located in its own self-contained chapter in planning documents, separate from other infrastructure. Combining energy with infrastructure risks resulting in a generic framework being applied to all infrastructure without recognising specific differences of some forms of infrastructure.</p>	<p><b>Separate</b> Infrastructure and Energy in Part 4 – Themes, creating a <b>new theme</b> specifically for Energy.</p> <p><i>The amendment sought above regarding the acknowledgment that energy / infrastructure matters may need to be addressed in other chapters will also need to be encompassed for both the Infrastructure and Energy chapters.</i></p>
<b>Draft Regional Plan Structure Standard (S-RP)</b>			
Direction 3	Oppose in Part	<p>Genesis considers that it is appropriate to include a chapter in regional plans regarding the management of energy and infrastructure. However, regional plans</p>	<p><b>Amend</b> Table 4 (the right-hand column) under Direction 3 as follows:</p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
		<p>also generally acknowledge matters related to the provision of energy in other relevant chapters. These include chapters regarding the management of fresh water, the appropriate use of which is a fundamental requirement for Genesis hydro and thermal generation assets.</p> <p>Genesis submits that the National Planning Standards need to continue to provide for this approach so that there is clear integration / expectation as to how natural and physical resources will be managed. The National Planning Standards should not unintentionally compartmentalise the management of natural and physical resources in regional policy statements by way of one chapter simply specifying how key natural resources will be protected or managed, and another chapter including generic provisions regarding the use and development of energy and infrastructure</p>	<p><u>Infrastructure and Energy</u></p> <p>If a local authority chooses to address matters on a theme basis and infrastructure and energy matters are addressed in the regional plan they must be included in the Infrastructure and Energy chapter, <u>acknowledging that matters related to the management of infrastructure and energy may also need to be addressed in other theme chapters (e.g. coastal environment, landscape, landforms and natural character, and water).</u></p>
New Direction		<p>Genesis considers there is a strong case for energy, including renewable electricity generation, to be located in its own self-contained chapter in planning documents, separate from other infrastructure. Combining energy with infrastructure risks resulting in a generic framework being applied to all infrastructure without recognising specific differences of some forms of infrastructure.</p>	<p><b>Separate</b> Infrastructure and Energy in Part 4 – Themes, creating a <b>new theme</b> specifically for Energy.</p> <p><i>The amendment sought above regarding the acknowledgment that energy / infrastructure matters may need to be addressed in other chapters will also need to be encompassed for both the Infrastructure and Energy chapters.</i></p>
<b>Draft District Plan Structure Standard (S-DP)</b>			
Direction 3	Oppose in Part	<p>Genesis considers that the National Planning Standards should recognise that it may be appropriate for specific infrastructure and energy matters to be addressed via special purpose zones in some instances. For example, by an Electricity Generation Zone or an Energy Zone. In this regard, there may be examples where power station sites are zoned as specific purposes zones in a manner similar to airports, ports or hospitals.</p>	<p><b>Amend</b> Table 5 (the right-hand column) under Direction 3 as follows:</p> <p><u>Infrastructure and Energy</u></p> <p>Local authorities must consider whether sections should also be included in this chapter and include them if they are required...</p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
			<u>Infrastructure and energy matters may also be addressed via specific purpose zones or other provisions that are applicable to the circumstances relating to specific infrastructure and energy matters.</u>
New Direction		Genesis considers there is a strong case for energy, including renewable electricity generation, to be located in its own self-contained chapter in planning documents, separate from other infrastructure. Combining energy with infrastructure risks resulting in a generic framework being applied to all infrastructure without recognising specific differences of some forms of infrastructure.	<b>Separate</b> Infrastructure and Energy in Part 4 – Themes, creating a <b>new theme</b> specifically for Energy.  <i>The amendment sought above regarding the acknowledgment that energy / infrastructure matters may need to be addressed in other chapters will also need to be encompassed for both the Infrastructure and Energy chapters.</i>
<b>Combined Plan Structure Standard (S-CP)</b>			
Direction 3 – Table 6	Oppose in Part	Genesis considers that it is appropriate to include a section in an RPS section of a combined plan regarding the management of energy. However, plans also generally acknowledge matters related to the provision of energy and infrastructure in other relevant chapters. These include chapters regarding the management of fresh water, the appropriate use of which is a fundamental requirement for Genesis hydro and thermal generation assets.  Genesis submits that the National Planning Standards need to continue to provide for this approach so that there is clear integration / expectation as to how natural and physical resources will be managed. The National Planning Standards should not unintentionally compartmentalise the management of natural and physical resources in combined plans by way of one chapter simply specifying how key natural resources will be protected or managed, and another chapter including generic provisions regarding the use and development of energy and infrastructure	<b>Amend</b> Part 3 - Regional Policy Statement (the right-hand column) as follows:  <u>Infrastructure and Energy</u> If infrastructure and energy matters are addressed in the regional policy statement on a theme basis the must be included in the infrastructure and energy section, <u>acknowledging that matters related to the management of infrastructure and energy may also need to be addressed in other sections (e.g. coastal environment, landscape, landforms and natural character, and water).</u>
		Genesis considers there is a strong case for energy, including renewable electricity generation, to be located in its own self-contained chapter in planning documents, separate from other infrastructure. Combining energy with infrastructure risks	<b>Separate</b> Infrastructure and Energy in Part 3 _ Regional Policy Statement, creating a <b>new section</b> specifically for Energy.

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
		resulting in a generic framework being applied to all infrastructure without recognising specific differences of some forms of infrastructure.	<i>The amendment sought above regarding the acknowledgment that energy / infrastructure matters may need to be addressed in other chapters will also need to be encompassed for both the Infrastructure and Energy chapters in the regional plan and district plan sections of a combined plan also.</i>
<b>Draft Introduction and General Provisions Standard (S-IGP)</b>			
Direction 9	Support	Genesis supports the direction on cross-boundary issues as cross-boundary issues are a common problem for many hydro-electricity generation schemes which may traverse multiple districts. This is the case for the Tongariro Power Scheme which crosses two regional council jurisdictions and three district council jurisdictions. In addition, wind farms are often located in the jurisdictions of multiple councils. For example, the Castle Hill Wind Farm crosses two regional and two district jurisdictions.	<b>Retain</b> Direction 9 as proposed.
<b>Draft District Wide Matters Standard (S-DWM)</b>			
Direction 7	Oppose in Part	<p>This direction relates to the district-wide section on landscape, landforms and natural character. Clause (b) refers to objectives, policies, methods and rules “that will ensure the life supporting capacity of these systems are safeguarded”.</p> <p>Safeguarding the life-supporting capacity of air, water, soil, and ecosystems is a s5 RMA matter, but it’s not clear how it relates specifically to landscape, landforms and natural character elements under Direction 7 – it appears as if the incorrect statutory requirement has been applied.</p> <p>Genesis therefore considers that Direction 7(b) be amended to be consistent with the statutory requirements of the RMA.</p>	<p><b>Amend</b> Direction 7 as follows:</p> <p>7 If the following matters are to be addressed in combined plans or district plans, they must be located in the Landscape, landforms and natural character section:</p> <p>a. ...</p> <p>b. objectives, policies and methods, including rules (if any) that will <u>protect outstanding natural features and landscapes from inappropriate subdivision, use and development, and maintain significant or valued features and landscapes ensure the life supporting capacity of these systems are safeguarded</u></p> <p>c. ...</p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
Directions 21 to 25	Support in Part	<p>Genesis considers that there should be separate chapters for Energy and Infrastructure.</p> <p>In respect of Direction 21, District plans must give effect to National Policy Statements, not give effect “to the extent relevant”. Genesis has therefore proposed amendments to reflect the statutory requirements.</p> <p>Genesis generally supports the directions on Infrastructure and Energy chapter (however, considers they should be separate standalone chapters). Direction 23c references provisions to manage reverse sensitivity effects between infrastructure / energy and other activities which is supported. Genesis has suggested a change to Direction 23 to separate Energy from Infrastructure and also reference the relevant zone chapters (as Genesis considers that there should be a specific zone in a District Plan for Electricity Generation).</p> <p>Direction 24 usefully references the Noise and Vibration Metrics Standard CM-2, however a change has been proposed to require the measurement methods to be consistent with the New Zealand Standard.</p> <p>Importantly, Direction 25 enables a Special Purpose Zone to be applied to electricity generation. However, Genesis considers that the most efficient approach is to enable a specific “Electricity Generation Zone” to be utilised in a District Plan.</p>	<p><b>Amend</b> the Planning Standard to enable Energy to be a separate chapter from Infrastructure.</p> <p><b>Amend</b> Direction 21 as follows:</p> <p>The Infrastructure and <u>E</u>nergy chapters must, <del>to the extent relevant</del> contain provisions that give effect to:</p> <ol style="list-style-type: none"> <li>National Policy Statement for Renewable Electricity Generation 2011</li> <li>National Policy Statement on Electricity Transmission 2008.</li> </ol> <p><b>Amend</b> Direction 23 as follows:</p> <p>If relevant to a local authority, the following matters must be addressed in the Infrastructure and <u>E</u>nergy chapters, <u>and relevant zone chapters where appropriate</u>, unless provided in a special purpose zone, requirement or designation...</p> <p><b>Amend</b> Direction 24 as follows:</p> <p>Any noise related metrics <u>and measurement methods</u> must be consistent with the Noise and Vibration Metrics Standard (CM-2).</p>
Direction 31	Support	Direction relates to noise and light section. Clause (d) is supported relating to Plans addressing noise reverse sensitivity.	<b>Retain</b> Direction 31 as proposed.
Direction 32	Oppose in Part	A change has been proposed to Direction 32 to reference the measurement methods alongside the noise related metrics.	<b>Amend</b> Direction 32 as follows:

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> or wording to similar effect
			Any noise related metrics <u>and measurement methods</u> must be consistent with the Noise and Vibration Metrics Standard (CM-2).
<b>Draft Area Specific Matters Standard (S-ASM)</b>			
Direction 7	Support in Part	<p>Genesis supports the intent of Direction 7 in that it enables a special purpose zone to be created. However, it is unclear whether Direction 7 only allows for a special purpose zone to be created if all the criteria are met, or there only needs to be one criterion to be met. Amendments are proposed to clarify that only one criterion needs to be met for a special purpose zone to be created.</p> <p>An additional criterion has been proposed in relation to cross boundary issues – for schemes such as the Tongariro Power Schemes it is appropriate for a specific zone to be proposed so there is a consistent set of provisions applying to the activity across all district plans.</p> <p>Genesis also considers there is a strong case for energy, including renewable electricity generation, to be located in its own self-contained chapter in planning documents, separate from other infrastructure.</p>	<p>Amend Direction 7 as follows:</p> <p>An additional special purpose zone must only be created when the proposed land use activities and anticipated development within the defined area:</p> <ul style="list-style-type: none"> <li>a. are significant to the district or region; <u>or</u></li> <li>b. could not be enabled by any other zone; <u>or</u></li> <li>c. could not be enabled by the introduction of an overlay, precinct, designation, development area, or specific control; <u>or</u></li> <li>d. <u>involves cross-boundary issues with another district or region.</u></li> </ul>
<b>Draft Electronic Accessibility and Functionality Standard (F-1)</b>			
Table 18: Standard for baseline accessibility and functionality requirements		Genesis considers that the National Planning Standards should enable planning documents to be viewed as both a single pdf or individual chapter pdfs and that key word search functionality should be available for both whole of plan and individual chapters.	<p>Amend Table 18 as follows:</p> <p>Plan accessibility and functionality</p> <p>.....</p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
			<p>9 Plans and regional policy statements support key word search functionality <u>for both whole of plan and chapter by chapter.</u></p> <p><u>9A. All policy statements and plans prepared under the Resource Management Act 1991 shall be available as a single PDF or as chapter-by-chapter PDFs.</u></p>
Table 20 – Additional description levels		Genesis considers that functional levels should include having the ability to extract / copy parts of the Plan not just “download, print out and provide”.	<p><b>Amend</b> Table 20, Level 5 as follows:</p> <p>Ability to download, print out, <u>extract</u> and provide, without alteration, a hard copy version of the plan which includes planning maps (in part of the entire document).</p>
<b>Draft Definitions Standard (CM-1)</b>			
Definition of ‘Ancillary Activity’	Support in Part	The definition is supported subject to the term for ‘site’ being appropriately defined (as sought below).	<b>Retain</b> the definition (subject to the modifications to the definition of ‘Site’).
Definition of ‘Building’	Oppose in Part	<p>There is a potential issue with the ‘building’ definition specifying “...enclosed with two or more walls and a roof, or any structure that is similarly enclosed”.</p> <p>For example, hydro dams can include internal rooms that are enclosed by walls and a roof, but the rooms are not the principle purpose. That is, a dam (and its internal components) should be classified as a ‘structure’ and specifically excluded from the ‘building’ definition. The same would apply to other enclosed structures, such as tunnels, pipelines, and wind turbine towers.</p> <p>The examples given above are all types of ‘infrastructure’ as defined in the RMA, which are generally structures that are managed differently in policy statements and plans from other types of ‘buildings’. It is therefore considered appropriate to exclude ‘infrastructure’ from the ‘building’ definition.</p>	<p><b>Amend</b> the definition as follows:</p> <p>Building - means any structure, whether temporary or permanent, moveable or fixed, that is enclosed, with 2 or more walls and a roof, <del>or any structure that is similarly enclosed</del></p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
		An amendment to the definition has been proposed to remove the subjectivity to the definition (which will have the effect of enabling infrastructure to be excluded and managed differently to buildings). This will not affect the ability of plans to control and manage the effects (including bulk and location) of infrastructure, or of structures more generally.	
Definition of 'Cleanfill'	Oppose in Part	The proposed definition does not distinguish between cleanfill (being natural materials such as clay, gravel, sand, soil and rock which may be deposited on a site as fill during earthworks) and cleanfill sites (which are sites where cleanfill material may be deposited). They are two different concepts, and both should be defined in the National Planning Standards.	<p><b>Amend</b> the definition as follows:</p> <p>Cleanfill <u>Site</u> - means an area used for the disposal of exclusively inert, non-decomposing material.</p> <p>AND <b>insert</b> the following definition:</p> <p><u>Cleanfill - means natural material such as clay, gravel, sand, soil and rock which has been excavated or quarried from areas that are not contaminated with manufactured chemicals or chemical residues as a result of industrial, commercial, mining or agricultural activities.</u></p>
Definition of 'Drain'	Oppose in Part	The definition as drafted refers to any artificial watercourse that is designed, constructed or used for the purpose of the drainage of surface or subsurface water and is too broad. Genesis considers that the definition should be amended to make it explicitly clear that the definition of drain excludes a canal (being an artificial watercourse) for electricity generation, irrigation or water supply purposes.	<p><b>Amend</b> the definition as follows:</p> <p>Drain - means any artificial watercourse, open or piped, that is designed and constructed, or used, for the purpose of the drainage of surface or subsurface water <u>(but excludes any artificial watercourse for the conveyance of water for electricity generation, irrigation or water supply purposes).</u></p>
Definition of 'Drinking Water'	Oppose in Part	Genesis considers the reference to "intended to be used" in this definition, with respect to the use of water, introduces unnecessary subjectivity to the definition. Definitions should be clear and concise; therefore, this degree of subjectivity is not supported. Genesis considers that the definition should be focused on the current use of water and the authorised use of water (i.e via resource consent).	<p><b>Amend</b> the definition as follows:</p> <p>Drinking water - means water <del>intended to be used</del> <u>or authorised to be used</u> for human consumption, and includes water <del>intended to be used</del> <u>or authorised to be used</u> for food preparation, utensil washing, and oral or other personal hygiene.</p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
Definition of 'Dust'	Oppose in Part	There is an issue with how this definition is drafted, particularly in respect of ash which is a by-product of combustion, but the definition refers to non-combusted particulate matter. Genesis has proposed an amendment to reflect the intent.	<p><b>Amend</b> the definition as follows:</p> <p>Dust - means all <del>non-combusted</del> particulate matter that is suspended in the air or has settled after being airborne. Dust may be derived from various materials including sand, cement, fertiliser, coal, soil, paint, ash, animal products or wood.</p>
Definition of 'Footprint'	Oppose in Part	The proposed definition for the term 'footprint' refers to 'ground floor level'. For consistency with other defined terms Genesis considers that the definition should refer to 'ground level'.	<p>Amend the definition as follows:</p> <p>Footprint - means the total area of structures at ground <del>floor</del> level and the area of any section of any of those structures that protrudes directly above the ground.</p>
Definition of 'Functional Need'	Oppose in Part	<p>While the definition of 'Functional Need' is not opposed by Genesis, there are both functional (can only occur in that location) and operational (technical requirements arising because of that location) needs for infrastructure that should be recognised. Genesis' opposition in part to the definition is primarily in relation to a definition being not proposed in the Draft National Planning Standards for 'Operational Need'. The definition does not account for the operational needs of activities that may impact on where they can be located.</p> <p>The NPSREG recognises the concept of functional need as well as operational need in the context of renewable electricity generation activities. Examples of technical, logistical or operational characteristics or constraints may include:</p> <ul style="list-style-type: none"> <li>• The ability to transmit electricity from where it is generated to where it is used (i.e. proximity to suitable transmission or distribution infrastructure);</li> <li>• The design and placement of wind turbines within a windfarm to minimise turbulence effects; and</li> <li>• The ramping rates for hydro-electricity reservoirs to meet operational and market conditions.</li> </ul>	<p><b>Retain</b> the definition of Functional Need:</p> <p>Functional need - means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment</p> <p>AND <b>insert</b> a definition for Operational Need as follows:</p> <p><u>Operational need – means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.</u></p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
		<p>Many RMA planning documents contain definitions for both functional and operation needs of infrastructure. This includes the Auckland Unitary Plan – Operative in Part, which considers whether the infrastructure has a functional or operational need to be located in, or, traverse a proposed location.</p> <p>Genesis considers that both functional need and operational should be defined in the National Planning Standards.</p>	
Definition of ‘height’ in a District Plan context	Oppose in Part	The definition proposed is problematic for structures in or on the beds of lakes and rivers. The amendments proposed by Genesis would allow district plan rules to specify a separate reference point (i.e. other than ground level) when measuring height, for certain purposes. Therefore, bespoke height rules could be drafted to address the complexities of measuring the height in relation to electricity generation infrastructure (for example, dams).	<p><b>Amend</b> the definition as follows:</p> <p>Height - means the vertical distance between <u>ground level at any point and the highest part of the a structure immediately above that point and a reference point. The reference point is ground level, unless otherwise stated in a rule.</u></p>
Definition of ‘height’ in a Regional Policy Statement and Regional Plan context	Support	Genesis supports the definition proposed.	<b>Retain</b> the definition.
Definition of ‘Industrial Activity’	Oppose in Part	<p>Genesis considers that the proposed definition is too narrow in scope and could have the unintended consequence of excluding many existing industrial activities, including activities undertaken within industrial zones. In particular, clause (a) needs to be broader than just applying to “goods”. Genesis therefore considers that the definition should include a reference to “<i>industrial or trade process</i>” as defined in the RMA.</p> <p>Including references to the RMA term expressly captures the chain of process from receipt of raw materials through to dispatch or use in another processes and acknowledges that an industrial activity can involve the use, storage, treatment or disposal of waste material, and the discharge of contaminants (e.g. air discharges) associated with the industrial or trade processes.</p>	<p>Amend the definition as follows:</p> <p>Industrial activity - means an activity for the primary purpose of:</p> <ul style="list-style-type: none"> <li>(a) manufacturing, fabricating, processing, packing, storing, maintaining, or repairing goods; or</li> <li>(b) research laboratories used for scientific, industrial or medical research; or</li> <li>(c) yard based storage, distribution and logistics activities; or</li> <li><u>(d) undertaking an industrial or trade process (as defined in section 2 of the RMA); or</u></li> <li><del>(e)</del> any training facilities for any of the above activities</li> </ul>
Definition of ‘Notional Boundary’	Support	Genesis supports the definition of Notional Boundary.	<b>Retain</b> the definition.

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
Definition of 'Reverse Sensitivity'	Oppose in Part	<p>As an owner and operator of large electricity infrastructure assets, Genesis supports having a definition of 'Reverse Sensitivity', which is a key RMA matter of importance to the sector. However, Genesis considers that there are two issues with the proposed definition.</p> <ol style="list-style-type: none"> <li>1. The definition applies to existing lawfully established activities but not unimplemented consented activities. The MfE Evaluation Report states that "such [consented but unimplemented] activities form part of the existing environment, and therefore are caught by the term "existing activity"." Genesis does not agree with this – there is a high degree of uncertainty as to whether unimplemented consents are considered an existing activity. MfE's intent that unimplemented consents be captured as part of the Reverse Sensitivity definition needs to be made explicit. Genesis has therefore proposed amendments to the definition to capture the intent.</li> <li>2. The proposed definition also implies that the new activity sensitive to the existing activity must be recently established in order for there to be a reverse sensitivity effect. It is common for plans to seek the avoidance of reverse sensitivity effects from the outset which may mean the sensitive activity is not established in a particular locality. For example, there are often provisions in plans that seek to avoid sensitive activities such as residential activities establishing around a power station or other electricity generation infrastructure. The definition should therefore refer also to the "potential establishment" of new activities.</li> </ol>	<p><b>Amend</b> the definition as follows:</p> <p>Reverse sensitivity - means the potential for the operation of <del>an</del> <u>consented (but unimplemented) or</u> existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment, <u>potential establishment,</u> or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by <del>an consented (but unimplemented) or</del> existing activity.</p>
Definition of 'Setback'	Support	Genesis supports the definition as proposed.	<b>Retain</b> the proposed definition of 'Setback'.
Definition of 'Sewage'	Support	The definition is supported in so far as it refers to " <i>...any waste in water from industrial or commercial processes</i> ". 'Sewage' is referred to in the definition for 'wastewater' which is also supported. Any change to the definition for 'sewage' may require a consequential change to the 'wastewater' definition to ensure it continues to capture the liquid waste from an industrial or trade premises/process.	<b>Retain</b> the definition.

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> or wording to similar effect
Definition of 'Site'	Oppose in Part	Genesis has proposed amendments to the definition to cover circumstances where a hydro scheme covering a dam, spillway, power station and switchyard may be regarded as a "site", given it is generally managed as an integrated activity (or site). The amendments enable rules to determine what constitutes to be a "site" as well as the proposed definition. These amendments provide sufficient flexibility to allow for local circumstances in relation to the management of specific "sites" that would not be considered "sites" under the proposed definition.	<p><b>Amend</b> the definition as follows:</p> <p>means:</p> <ul style="list-style-type: none"> <li>a) an area of land comprised in a single computer freehold register (record of title as per Land Transfer Act 2017); or</li> <li>b) an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be administered separately without the prior consent of the council; or</li> <li>c) the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate computer freehold register could be issued without further consent of the Council; or</li> <li>d) in the case of land subdivided under the Unit Title Act 1972 or the cross lease system, a site is deemed to be the whole of the land subject to the unit development or cross lease; or</li> <li>e) an area of adjacent land comprised in two or more computer freehold registers where an activity is occurring or proposed</li> </ul> <p><u>unless otherwise stated in a rule.</u></p>
Definition of 'Small Scale Renewable Electricity Generation'		Genesis supports the definition as proposed.	<b>Retain</b> the definition.
Definition of 'Special Audible Characteristics'	Oppose in Part	The definition does not currently provide sufficient certainty, such as the location where its "subjective acceptability" is applied or how it is assessed. Any 'special audible characteristics' should only apply at the 'notional boundary' (as defined by the draft Standard) and its assessment should be in accordance with a relevant Acoustic New Zealand Standard.	<p>Amend the definition as follows:</p> <p>Special audible characteristics - means sound that has a distinctive characteristic such as tonality or impulsiveness which affects its subjective acceptability <u>assessed (unless otherwise stated in a rule) at the notional boundary in accordance with the applicable New Zealand Acoustical Standard.</u></p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
Definition of 'Structure'	Oppose in Part	<p>The definition of 'structure' differs from the definition given in section 2 of the RMA. The MfE Consultation Document and the MfE Evaluation Report both state that any definition already contained within the RMA is applied verbatim where it is seen as fit for purpose. MfE has not provided any commentary as to why the definition has been changed or why it is considered to not be fit for purpose. Having two definition makes it extremely unclear as to which definition – the RMA or the National Planning Standards takes the priority.</p> <p>If there are activities that are not considered structures (based on the definition in the RMA) or buildings (based on the definition in the Standards) – such as containers or scaffolding, then there is still the ability for district councils to regulate these activities without amending the definition of structure.</p> <p>Genesis considers that if the RMA definition is no longer fit for purpose, then the National Planning Standard should not be used as the vehicle make changes to legislative definitions.</p>	<p><b>Delete</b> the definition of 'Structure' from the National Planning Standards and rely on the RMA definition.</p> <p>Below shows the National Planning Standards definition with the changes required to amend it to the RMA definition.</p> <p>Structure - means any building, equipment, device, or other facility made by people and which is fixed to <del>or located on</del> land; and includes any raft, <del>but excludes motorised vehicles that be moved under their own power.</del></p>
Definition of 'Wastewater'	Support	<p>The definition is supported in so far as it refers to 'sewage' which itself is defined as <i>"...any waste in water from industrial or commercial processes"</i>. Any change to the definition for 'sewage' may require a consequential change to the 'wastewater' definition to ensure it continues to capture the liquid waste from an industrial or trade premises/process.</p>	<p><b>Retain</b> the definition.</p>
<b>Draft Noise and Vibration Metrics Standard (CM-2)</b>			
Directions 3 and 4		<p>The wording of Direction 3 requires any plan rules that manage noise must be consistent with the noise measurement methods of the New Zealand Standards. However, there is no requirement in the Standard for plan rules to adopt the corresponding noise metrics contained in the New Zealand Standards.</p> <p>Genesis has proposed amendments to appropriately implement the relevant acoustic New Zealand Standards</p>	<p><b>Amend</b> Directions 3 and 4 as follows:</p> <p>3. Any plan rule to manage an emission of noise must be consistent with <u>the noise related metrics and</u> noise measurement methods in the New Zealand Standards listed in table 30: Acoustic New Zealand Standards below.</p>

Standard	Support/ Oppose	Reason	Relief Sought [New text shown as <u>underlined</u> and deleted text shown as <del>strike through</del> ] or wording to similar effect
			<p>Table 30: Acoustic New Zealand Standards referenced</p> <p>...</p> <p><u>4.Any plan rule to manage an emission of noise must be consistent with the assessment methods in section 6 Rating Level and section 7 LMAX in New Zealand Standard 6802:2008 Acoustics—Environment Noise.</u></p>