

SUBMISSION ON THE PROPOSED REGIONAL LAND AND WATER PLAN

**UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE
RESOURCE MANAGEMENT ACT 1991**

Please note that submissions are required to be received by the West Coast Regional Council no later than **5.00 pm, Friday 15 October 2010.**

To: Chief Executive Officer
West Coast Regional Council
PO Box 66
GREYMOUTH 8470
Ph (03) 768 0466
Fax (03) 768 7133 or scan and email to info@wcrc.govt.nz

Submission On: Proposed Regional Land and Water Plan

Name: *[Full Name]* Genesis Energy.....

Address: *[Full Postal Address]* P O Box 10568.....
Wellington.....
.....

1. The specific provisions of the Proposed Plan that my submission relates to are as follows:

As per attached submission

.....

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2. My submission is that: *[State in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons.]*

As per attached submission

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[Please turn over]

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3. I seek the following decision from the West Coast Regional Council *[give precise details]*:

As per attached submission.....
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4. I ~~do~~ ~~or do not~~ wish to be heard in support of my submission *[delete one]*.

5. If others make a similar submission I ~~would~~ ~~or would not~~ be prepared to consider presenting a joint case with them at any hearing *[delete one]*.

.....
[Signature of person making submission or person authorised to sign on behalf of person making submission]

...15 October 2010.....
[Date]

Title and Address for Service of person making submission:

.....Jeremy Stevenson-Wright.....
.....Environmental Policy Manager.....
.....Genesis Energy.....
.....P O Box 10 568.....
.....Wellington.....

Telephone No:..04 495 3340..... Fax No:
.....



Submission by Genesis Power Limited

Trading as Genesis Energy

ON

Proposed West Coast Regional Land and Water Plan

15 OCTOBER 2010

Submission by Genesis Power Limited

Trading as Genesis Energy

ON

Proposed West Coast Regional Land and Water Plan

To: The Chief Executive Officer
West Coast Regional Council
P.O. Box 66
Greymouth 7840
info@wrc.govt.nz

Date: 15 October 2010

Name: Genesis Power Limited

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1. Introduction

1. Genesis Energy welcomes the opportunity to submit on the Proposed West Coast Regional Land and Water Plan (the Proposed Plan).
2. Genesis Energy would like to be heard in support of this submission.

Summary

3. Genesis Energy generally supports the intention of the Proposed Plan to improve the efficiency and ease of use of regional planning documents by combining the previous three regional planning documents into one.
4. Genesis Energy generally supports the provisions in the Proposed Plan with respect to hydro electricity generation activities. In particular Genesis Energy agrees that the development of new schemes should retain the “discretionary” activity status. However, Genesis Energy would like to take the opportunity to suggest minor improvements to the Proposed Plan provisions that, in its view, will enhance the previous regional planning documents.
5. In Genesis Energy’s view, these small amendments to the Proposed Plan are required to ensure that it:
 - is consistent with the RMA (specifically section 5(2)(c) in providing for the remedying or mitigating of an adverse effects;
 - recognises the national importance of hydro generation and the significance of hydro generation to the current and future wellbeing of the Region;
 - provides for variability in different water bodies, and provides the appropriate tool for establishing limits which reflect the unique characteristics of individual water bodies;
 - enables the transfer of water permits; and
 - recognises the importance of existing infrastructure (such as hydro generation dams) and allows for their continued efficient operation.
6. Genesis Energy’s specific submissions on the provisions of the Proposed Plan are detailed below.

2. Genesis Energy

7. Genesis Energy is an electricity generator and retailer with approximately 2000MW of installed generation capacity. The Genesis Energy generation portfolio is a diverse mix of generation stations enabling the efficient use of resources while ensuring that national electricity demands can be met, Genesis Energy owns and operates:
 - the Tongariro Power Scheme (hydro);
 - the Waikaremoana Power Scheme (hydro) in the Hawkes Bay;
 - the Hau Nui Wind Farm in south Wairarapa; and
 - the Huntly Power Station, the largest thermal power station in New Zealand.
8. Genesis Energy continues to develop new electricity generation prospects, including a wind farm project Castle Hill in Northern Wairarapa, the Slopedown wind farm project in Southland, and the gas-fired Rodney Power Station. It is currently in negotiations to acquire Tekapo A and B Power Stations in Canterbury from Meridian Energy.
9. Genesis Energy fully supports and depends upon the sustainable management and efficient use of natural and physical resources as promoted by the Resource Management Act 1991 (“RMA”).
10. Genesis Energy’s interest in the Proposed Plan is primarily related to the implications for future electricity generation in this region.

3. Land Management

Genesis Energy generally supports the provisions of Section 3 – Land Management. Genesis Energy’s submissions on specific parts of this section are set out below:

Objective 3.2.1

To avoid or reduce adverse effects from land disturbance so that the region’s water and soil resources are sustainably managed.

Submission

Oppose in part.

Reasons for submission

Genesis Energy opposes this objective in part on the basis that “avoid or reduce” is inconsistent with section 5(2)(c) of Part 2 of the Act. Reducing adverse effects is very arbitrary as it is not clear what the adverse effects would be reduced from.

Decision sought

Genesis Energy suggests the following amendments to Objective 3.2.1:

To avoid, remedy or mitigate ~~or reduce~~ adverse effects from land disturbance so that the region’s water and soil resources are sustainably managed.

Policy 3.3.1

To manage the disturbance of land and vegetation in order to avoid, remedy or mitigate any adverse effects on:

- (a) The stability of the land (eg. Slumping, subsidence, or erosion), river banks, and riverbeds and coastal margins;*
- (b) Water quality, including clarity, turbidity, and temperature changes, and instream values;*
- (c) Changes in water level including water table;*
- (d) Public access to rivers, lakes, and their margins and the coast;*
- (e) Natural character, and aquatic ecosystems;*
- (f) Soil depth and soil fertility;*
- (g) The integrity of property or structures;*
- (h) Cultural and recreational values; and*
- (i) Significant indigenous vegetation and significant habitats of indigenous fauna.*

Submission

Support.

Reasons for submission

Genesis Energy agrees that it is appropriate to avoid, remedy or mitigate adverse effects generated from land disturbance activities.

Policy 3.3.10

To encourage the retention, maintenance, or planting of appropriate riparian vegetation.

Submission

Support.

Reasons for submission

Genesis Energy agrees that it can be appropriate to remove or disturb riparian vegetation in some circumstances, such as during the construction or operation of a hydro scheme. It is also important that existing structures and infrastructure are not adversely affected by the planting of inappropriate riparian vegetation, as stated in the explanation to this policy.

4. Lake and Riverbed Management

Genesis Energy generally supports the objectives and policies in Section 4 – Land and Riverbed Management as they are generally consistent with section 5(2)(c) of the Act.

Genesis Energy's submission on specific provisions in this section are:

Policy 4.3.1

To provide for appropriate use and development in lakes and rivers and recognise the benefit to the community of maintaining existing structures and infrastructure.

Submission

Support in part.

Reasons for submission

Genesis Energy supports this policy in part as it is considered that hydro development can be an appropriate use of a water resource. Genesis Energy is concerned that “community benefit” may be interpreted as being limited to the benefits that are derived on a direct and local basis, rather than including regional and national benefits. Therefore, Genesis Energy suggests that this policy be clarified to recognise the wider social and economic benefits that can be derived from the use of structures and infrastructure.

Decision sought

Amend Policy 4.3.1 as follows:

To provide for appropriate use and development in lakes and rivers and recognise the social and economic benefits ~~to the community~~ of maintaining existing structures and infrastructure.

5. Natural and Human Use Values of Water

Genesis Energy is generally supportive of the provisions in Section 6 – Natural and Human Use Values of Water. A secure and reliable electricity supply is fundamental for social and economic wellbeing, as well as for people’s health and safety. Such matters are a relevant consideration under Section 5 of the RMA and should be recognised explicitly in the provisions of the Proposed Plan.

Genesis Energy suggests that the Proposed Plan should have regard to the “the benefits to be derived from the use and development of renewable energy”. This could be recognised by the addition of new issues, objectives and additional policies (i.e in addition to Policy 6.3.2) and also by making amendments to existing provisions to reflect the requirements of section 7(j) of the RMA.

By way of an example, the Horizons Regional Council Proposed One Plan (for which decisions were recently released and are now subject to appeal) includes a specific policy relating to the benefits to be derived from renewable energy. *Policy 3-4: Renewable Energy* of the Proposed One Plan states (for the purposes of the Proposed Plan, the words “and Territorial Authorities” could be omitted):

The Regional Council and Territorial Authorities must have particular regard to:

(i) the benefits of the use and development of renewable energy resources including:

- (A) contributing to reduction in greenhouse gases,*
- (B) reduced dependency on imported energy sources,*
- (C) reduced exposure to fossil fuel price volatility, and*
- (D) security of supply for current and future generations,*

(ii) the Region’s potential for the use and development of renewable energy resources, and

(iii) the need for renewable energy activities to locate where the renewable energy resource is located.

The Taranaki Regional Policy Statement includes specific policy relating to the development of renewable energy resources that could be included in the Proposed Plan:

ENERGY POLICY 3

The use and development of renewable energy resources will be promoted whilst avoiding, remedying or mitigating adverse effects on the environment as far as practicable.

In addition, Genesis Energy has a number of submissions on some specific provisions:

Policy 6.3.1

In the management of any activity involving water to give priority to avoiding, in preference to remedying or mitigating:

- (1) Adverse effects on:*
 - (a) The habitats of threatened species identified in Schedule 5A;*
 - (b) Water supply values identified in Schedule 5B;*
 - (c) Spiritual and cultural values and uses of significance to Poutini Ngāi Tahu identified in Schedule 5C;*
 - (d) The significant natural character of wetlands, and lakes and rivers and their margins;*
 - (e) Outstanding natural features and landscapes;*
 - (f) Significant indigenous vegetation and significant habitat of indigenous fauna assessed in accordance with Policy 9.2 of the West Coast Regional Policy Statement;*
 - (g) Existing public access to and along lakes and rivers;*
 - (h) Significant historic heritage.*
- (2) Adverse effects which cause or exacerbate flooding, erosion, land instability, sedimentation or property damage.*
- (3) Adverse effects on existing lawful uses.*

Submission

Support in part.

Reason for submission

Genesis Energy supports Policy 6.3.1 in part, however it is considered that the policy should be amended to also provide for the remedying or mitigating of an adverse effect where complete avoidance is not practicable.

Decision sought

Amend Policy 6.3.1 as follows:

In the management of any activity involving water to give priority where this is practicable to avoiding, ~~in preference to~~ then remedying or mitigating:

- (1) Adverse effects on:*
 - (a) The habitats of threatened species identified in Schedule 5A;*
 - (b) Water supply values identified in Schedule 5B;*

- (c) *Spiritual and cultural values and uses of significance to Poutini Ngäi Tahu identified in Schedule 5C;*
 - (d) *The significant natural character of wetlands, and lakes and rivers and their margins;*
 - (e) *Outstanding natural features and landscapes;*
 - (f) *Significant indigenous vegetation and significant habitat of indigenous fauna assessed in accordance with Policy 9.2 of the West Coast Regional Policy Statement;*
 - (g) *Existing public access to and along lakes and rivers;*
 - (h) *Significant historic heritage.*
- (2) *Adverse effects which cause or exacerbate flooding, erosion, land instability, sedimentation or property damage.*
- (3) *Adverse effects on existing lawful uses.*

Policy 6.3.2

To take into account the benefits from the use and development of renewable energy, including the social and economic benefits.

Submission

Support.

Reason for submission

Genesis Energy supports the recognition of the significant community benefits, both locally and nationally, of renewable energy generation provided by this policy. It is consistent with Section 7(j) of the RMA.

Policy 6.3.3

In the management of any activity involving water, to avoid, remedy, or mitigate adverse effects on:

- (a) *water quality;*
- (b) *amenity values;*
- (c) *indigenous biological diversity;*
- (d) *intrinsic values of ecosystems;*
- (e) *the natural character of wetlands, and lakes and rivers and their margins, not described in 6.3.1(1)(d);*
- (f) *historic heritage not described in 6.3.1(1)(h).*

Submission

Oppose in part.

Reasons for submission

Policy 6.3.1 provides that adverse effects on “significant natural character” and “significant historic heritage” be avoided, remedied or mitigated. Policy 6.3.3 also requires that “natural character” and “historic heritage” be avoided, remedied or mitigated. Genesis Energy believes that there is no useful distinction between these descriptions and that the inclusion in Policy 6.3.3 is an unnecessary duplication already adequately provided for by Policy 6.3.1.

Decision sought

Amend Policy 6.3.3 as follows:

In the management of any activity involving water, to avoid, remedy, or mitigate adverse effects on:

- (a) water quality;*
- (b) amenity values;*
- (c) indigenous biological diversity;*
- (d) intrinsic values of ecosystems;*
- ~~*(e) the natural character of wetlands, and lakes and rivers and their margins, not described in 6.3.1(1)(d);*~~
- ~~*(f) historic heritage not described in 6.3.1(1)(h).*~~

Policy 6.3.6

To recognise and provide for the following features of water bodies when considering adverse effects on their natural character:

- (a) The topography, including the setting and bed form;*
- (b) The natural flow characteristics;*
- (c) The natural water level and its fluctuation;*
- (d) The natural water colour and clarity;*
- (e) The ecology; and*
- (f) The extent of use or development within the catchment, including the extent to which that use and development has influenced (a) to (e).*

Submission

Support in part.

Reasons for submission

As drafted Policy 6.3.6 does not account for the high variability in features of water bodies. Rivers and lakes are naturally variable and their morphology, flow characteristics and natural colour and clarity may change regularly, not just the water level. The ecology and extent of use or development may also change.

Decision sought

Amend Policy 6.3.6 as follows:

To recognise and provide for the following features of water bodies when considering adverse effects on their natural character:

- (a) The topography, including the setting and bed form;*
- (b) The natural flow characteristics;*
- (c) The natural water level and its fluctuation;*
- (d) The natural water colour and clarity;*
- (e) The ecology; ~~and~~*
- (f) The extent of use or development within the catchment, including the extent to which that use and development has influenced (a) to (e); and*
- (g) The spatial and temporal variability of (a)-(f).*

6. Surface Water Quantity

Genesis Energy generally supports the approach taken by the Proposed Plan in its objectives and policies with respect to water quantity and associated values.

Genesis Energy's submissions on specific provisions in this section are:

Objective 7.2.2

To provide for the water needs of the West Coast's industries, network utility operators, and community water supplies.

Submission

Support in part.

Reasons for submission

Genesis Energy supports the intent of this objective, but submits that hydro development is also a significant component of the West Coast's existing and future economy and is also dependent upon a water resource. Genesis Energy submits that this objective should be broadened to also include hydro electricity generation schemes which are also dependent on the water resource.

Decision sought

Amend Objective 7.2.2 as follows:

To provide for the water needs of the West Coast's industries, network utility operators, ~~and community water supplies.~~ and hydro electric generation schemes.

Objective 7.2.3

To promote the efficient use of water.

Submission

Support in part.

Reasons for submission

Genesis Energy supports this objective, but seeks that specific recognition is given to hydro generation as an efficient use of water. Hydro electric generation activities are non-consumptive and such activities that return water to the same

water body without any significant reduction in water quality are a good example of an efficient use of water.

Decision sought

The explanation to Objective 7.2.3 is amended to provide specific reference to hydro development as a good example of a non consumptive water use.

Policy 7.3.2 and Policy 7.3.3

Policy 7.3.2

Where Policy 7.3.1 does not apply, a minimum flow based on 75% of the mean annual low flow will be applied as a condition of consent.

Policy 7.3.3

To consider granting an application for a resource consent to take water from a river, consider subject to a minimum flow lower than that specified in Policy 7.3.2, on a case-by-case basis, provided:

- (a) Any adverse effects on instream values or natural character of the source water body or any other connected water body are avoided, remedied or mitigated; and*
- (b) Any adverse effects on lawfully existing takes of water are no more than minor;*
- (c) The application if granted, together with the cumulative effect of other existing lawful takes, avoids, remedies or mitigates adverse effects on the life supporting capacity of any waterbody.*

Submission

Oppose in part.

Reason for submission

Minimum flows should not be set arbitrarily, rather they must be based on an assessment of the minimum flow that is required to sustain an aquatic ecosystem and other existing activities downstream of the take or activity.

Genesis Energy suggests that enabling minimum flows to be set on a case by case basis, taking into account instream values, and effects on existing users or uses is the appropriate method. It notes that the setting of a minimum flow on a case by case basis is provided for in Policy 7.3.3.

Decision sought

Delete Policy 7.3.2 and amend Policy 7.3.3 as follows:

Policy 7.3.3

~~To consider granting an application for a For resource consent applications to take water from a river, consider subject to requiring a minimum flow lower than that specified in Policy 7.3.2, to be maintained on a case-by-case basis, provided where:~~

- (a) Any adverse effects on instream values or natural character of the source water body or any other connected water body are avoided, remedied or mitigated; and*
- (b) Any adverse effects on lawfully existing takes of water are no more than minor;*
- (c) The application if granted, together with the cumulative effect of other existing lawful takes, avoids, remedies or mitigates adverse effects on the life supporting capacity of any waterbody.*

Policy 7.3.5

To suspend the taking of water when minimum flows have been reached.

Submission

Oppose in part.

Reason for submission

Electricity generation is an essential activity of national and regional importance, akin to other essential water takes such as, drinking and stock water purposes. Policy 7.3.5 does not recognise this national and regional importance and Genesis Energy is concerned that this lack of recognition could lead to suspending the taking of water for hydro generation purposes once minimum flows have been reached.

Genesis Energy suggests that Policy 7.3.5 and the explanatory note be amended to note that water is required for the maintenance of essential services such as public drinking water supplies and to provide for the health and safety of communities, and that hydro electricity generation is of national importance in ensuring that the health and safety of communities is provided for.

Decision sought

Amend Policy 7.3.5 as follows (or to like effect):

To suspend or reduce the taking of water when minimum flows have been reached, except where the taking of water is required to maintain or operate essential services and infrastructure.

The explanatory note for Policy 7.3.5 should be amended as follows (or to like effect):

Whenever possible water should always be available for the provision of essential services and for hydro generation (particularly during times when electricity generation or transmission is otherwise constrained or when the maintenance of a minimum flow would unnecessarily limit the supply of electricity for essential services).

Policy 7.3.6

To promote the efficient use of water and to consider the need to cap the overall allocation from any water body.

Submission

Support in part.

Reason for submission

Whilst Genesis Energy considers that a proactive approach is appropriate that limits the overall allocation from any water body, it notes that capping will require sufficient information on water quantity, taking into account existing users and uses. Furthermore Genesis Energy considers that any “capping” of allocation can only be implemented if there is also a provision or means by which new users can gain access to water, such as the transfers of water allocations or permits. Genesis Energy considers that the transfers of water allocations or permits on a catchment, either in part or whole, should be enabled as part of this Policy.

Decision sought

Policy 7.3.6 be amended to promote the transfer of water permits.

Policy 7.3.8 and 7.3.9

7.3.8 Where lake levels are already controlled, to recognize and provide for the purpose of that control if limits are to be placed on operating levels.

7.3.9 To limit the operating levels of any controlled lake where appropriate, to avoid or mitigate adverse effects on:

(a) The matters referred to in Policy 6.2.1, 6.2.2 and 6.2.3;

- (b) *Riparian values;*
- (c) *Lakeshores and public access;*
- (d) *Bed stability; and*
- (e) *The needs of the West Coast's people and communities.*

Submission

Support in part.

Reasons for submission

Genesis Energy supports Policy 7.3.8 as it is appropriate to recognise the primary function and purpose for the control of lake levels (e.g. hydro generation).

However, Genesis Energy opposes part of the related Policy 7.3.9 and considers that it is inconsistent with Policy 7.3.8. Policy 7.3.9 should recognise that lake levels are to be controlled for the primary purpose for which control facilities were created, which in most cases is for hydro generation.

In addition, there appears to be a minor typographical error in that Policy 7.3.9 refers to non-existent Policies 6.2.1, 6.2.2 and 6.2.3.

Decision sought

Amend Policy 7.3.9 as follows:

To ~~limit the~~ ensure operating levels of any controlled lake are consistent with the purpose for which the control facilities were created and, where appropriate, to avoid or mitigate adverse effects on:

- ~~(a) The matters referred to in Policy 6.2.1, 6.2.2 and 6.2.3;~~*
- (b) Riparian values;*
- (c) Lakeshores and public access;*
- (d) Bed stability; and*
- (e) The needs of the West Coast's people and communities.*

Policy 7.3.11

To require, where necessary, desirable and practicable, provision for fish migration.

Submission

Support.

Reason for submission

Genesis Energy agrees that a wide variety of methods should be considered and employed to assist fish migration where it is adversely affected by an activity.

Policy 7.3.14

Financial contributions, works or services may be required to offset, remedy, or mitigate any unavoidable adverse effect of the taking, damming or diversion of water.

Submission

Support in part.

Reasons for submission

Genesis Energy accepts that financial contributions, works or services, may be an appropriate offset to remedy or mitigate any unavoidable adverse effects of the taking, damming or diversion of water. However, Genesis Energy considers that any requirement for financial contributions can only be made on a case by case basis, and this should be reflected in the explanation to the policy. Furthermore, Genesis Energy suggests that the Council should be required to take into consideration the positive effects of the development, and the likely investment in its construction.

Decision sought

Amend Policy 7.3.14 as follows:

Financial contributions, works or services may be required to offset, remedy, or mitigate any unavoidable adverse effect of the taking, damming or diversion of water.

Explanation

The taking, damming or diversion of water can result in unavoidable adverse effects on the natural and human use values supported by a water body. Where such effects occur, financial contributions, works or services may be required as a condition of a resource consent to offset, remedy or mitigate the effects. A financial contribution may not be appropriate in every case, and on this basis every activity requiring a resource consent will be considered on a case by case basis as to the nature and extent of any contribution that may be required. When determining whether or not to impose a financial contribution, the type of contribution and its value, the West Coast Regional Council will have regard to:

- (a) The size and extent of the activity for which consent is granted and that the contribution shall be in reasonable proportion to the significance of any adverse effects caused or contributed to by the activity; and
- (b) The extent to which any positive effects of the activity offset any adverse effects.

7. Rules

With the exception of Rule 51 as described below, Genesis Energy generally supports the rule structure of the Proposed Plan and considers that it provides the appropriate classifications for most activities. In particular, Genesis Energy strongly supports Rule 57 as it believes discretionary activity status is the appropriate classification for the damming, taking and discharge of water for other hydroelectric generation activities in the region.

Rule 51

For the hydro-electricity operations identified in Schedule 11 of this Plan:

- i) The damming of water for hydroelectric power generation purposes*
- ii) The taking of water for hydroelectric power generation purposes*
- iii) The use of water for hydroelectric power generation purposes*
- iv) The discharge of water and trace contaminants to water for hydroelectric generation purposes*
- v) The diversion of water for hydroelectric generation purposes is a **controlled activity**.*

Submission

Support in part.

Reason for submission

Genesis Energy supports a controlled activity status to renew consents for existing hydro schemes as contained in Schedule 11 to the Plan. However, Genesis Energy notes that this rule will impose unnecessary cost on future hydro developments as new schemes will require a plan change to update Schedule 11.

Genesis Energy suggests that this unnecessary cost is best avoided by amending Rule 51 instead refers to “all legally authorised and existing hydro electric generation”. This is common language that can be legally defined at the point of interpretation, and affords greater flexibility to the Regional Plan without compromising the intention of the rule.

Decision sought

Delete Schedule 11 and amend Rule 51 as follows:

For the hydro-electricity operations that have been lawfully authorised and established identified in Schedule 11 of this Plan:

- i) The damming of water at the same volume for hydroelectric power generation purposes*
- ii) The taking of water at the same rate for hydroelectric power generation purposes*
- iii) The use of water for hydroelectric power generation purposes*
- iv) The discharge of water and trace contaminants to water at the same rate for hydroelectric generation purposes*
- v) The diversion of water at the same rate for hydroelectric generation purposes*

is a controlled activity.

...

Explanation

Rule 51 relates to the reconsenting of existing activities associated with lawfully authorised and established hydroelectric power generation schemes. This rule recognises that certain dams identified in Schedule 11 have been lawfully established and operated responsibly for a number of years and the range of issues which require consideration by the Council is not as wide as for a new dam. It is not expected within the lifetime of this Plan that new consent for ~~these existing dams~~ an existing hydroelectric generation scheme would be declined, therefore a controlled activity status is appropriate and it provides certainty for the applicant.

The Department of Conservation has particular functions involving the preservation and protection of freshwater fisheries and freshwater fish habitat. Furthermore, many of the existing hydro schemes ~~listed in Schedule 44~~ in the Region are located on (in full or in part) or connected to, areas administered by the Department.

8. Conclusion

Genesis Energy reiterates its general support for the Proposed Plan, subject to those amendments suggested by this submission. Genesis Energy welcomes the provisions of the Proposed Plan that support electricity generation activities within the region. Genesis Energy wishes to be heard in support of this submission.