

**Proposed Change 1 to the Regional Policy  
Statement for the Wellington Region**

**Section 42A Hearing Report  
Hearing Stream 3 – Climate Change – General**

**Topic: Climate Change – General  
Process: Freshwater Planning Process and Schedule 1, Part 1  
Process  
Prepared by: Jerome Wyeth  
Report Date: 31 July 2023  
Hearing Date: 28 August to 6 September 2023**

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## Executive Summary

1. This report considers submissions received by Greater Wellington Regional Council ('the Council') in relation to the relevant provisions of Proposed Change 1 to the Regional Policy Statement for the Wellington Region (Change 1) as they apply to Climate Change - General topic.
2. This topic is primarily following Schedule 1, Part 1 (S1P1) process of the Resource Management Act 1991 (RMA) with three issue statements (issue 2, 3 and 4) and one objective (Objective CC.1) following the Freshwater Planning Process (FPP). The categorisation of provisions between these two processes is discussed in this report.
3. A total of approximately 342 original submission points and 246 further submissions were received on this topic. The submissions on this topic were wide ranging and request a range of different amendments and outcomes from strengthening the provisions as notified to withdrawing the climate change provisions from Change 1. The following key issues were raised in submissions:
  - The extent to which Change 1 should address climate change mitigation.
  - Potential for the Change 1 provisions to duplicate and conflict with national climate change policy and initiatives.
  - The GHG emission reduction targets in Objective CC.3 and the extent to which these can be achieved under the RMA and within the respective functions of regional councils and territorial authorities.
  - The extent to which Policy CC.8 can be achieved by regional councils and territorial authorities and concerns about the practicality of creating a regime for offsetting GHG emissions in regional and district plans.
  - General comments to improve the clarity and wording of climate change provisions in Change 1 to ensure these are workable and achievable in practice.
4. Other issues raised by submitters in relation to this topic are also covered in the report, along with a range of consequential amendments I recommend in response to those submissions.
5. As a result of analysing the key issues in submissions, I have recommended a number of amendments to the Change 1 provisions to address these concerns. The key amendments I am recommending are as follows:
  - Retaining the general intent of the climate change provisions in Change 1 on the basis this is a significant resource management issue for the region that requires immediate action to address its adverse effects on the environment and the well-being of people and communities.
  - Amendments to the proposed climate change objectives to clarify the outcome sought and remove unclear terms while retaining the underlying focus and intent.

- Amendments to Policy CC.8 to be more specific on the approach to reduce GHG emissions through regional and district plans by adopting a hierarchy approach based on best practice. This approach retains the focus on reducing and avoiding gross GHG emissions as the priority. I have also recommended Method CC.2 is refocused on developing guidelines to support the implementation of Policy CC.8 by local authorities in the region to ensure this is done in a coordinated and cost-effective manner that is aligned with national climate change policy and initiatives.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Climate Change – General provisions in Change 1 be amended as set out in **Appendix 1** of this report.
  7. I have also undertaken a section 32AA evaluation for the amendments I have recommended which is included within the main body of this report.
  8. For the reasons outlined in this report, I consider that the proposed objectives and provisions (policies and methods), with my recommended amendments, will be the most appropriate means to:
    - Achieve the purpose of the RMA and give effect to higher order planning documents in respect of the proposed objectives; and
    - Achieve the relevant objectives of the RPS, in respect to the proposed provisions.

## Interpretation

9. This report utilises a number of abbreviations as set out in the table below.

**Table 1: Abbreviations of terms**

<b>Abbreviation</b>	<b>Means</b>
the Act/RMA	Resource Management Act 1991
Change 1	Proposed Change 1 to the Regional Policy Statement for the Wellington Region
CCRA	Climate Change Response Act 2002
Council	Greater Wellington Regional Council
ERP	Emission Reduction Plan, May 2022
FPP	Freshwater Planning Process
GHG emissions	Greenhouse gas emissions
IPCC	Intergovernmental Panel on Climate Change
NAP	National Adaptation Plan, August 2022
NPS	National Policy Statement
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-UD	National Policy Statement on Urban Development 2020
PNRP	Operative Natural Resources Plan for the Wellington Region
NZ ETS	New Zealand Emission Trading Scheme
P1S1	Part 1, Schedule 1 process
RPS	Operative Regional Policy Statement for the Wellington Region 2013
Section 32 Report	Section 32 Report for Proposed Change 1 to the Regional Policy Statement for the Wellington Region

**Table 2: Abbreviations of Submitters' Names**

<b>Abbreviation</b>	<b>Means</b>
Ātiawa	Ātiawa ki Whakarongotai Charitable Trust
BLNZ	Beef and Lamb New Zealand Limited
CDC	Carterton District Council
Fish and Game	Wellington Fish and Game Council
Forest and Bird	Royal Forest and Bird Protection Society of New Zealand Inc.
Fuel Companies	BP Oil NZ Ltd Mobil Oil NZ Ltd and Z Energy Ltd
Harmony	Harmony Energy New Zealand Limited
HortNZ	Horticulture New Zealand
Kāinga Ora	Kāinga Ora Homes and Communities
KCDC	Kāpiti Coast District Council
MDC	Masterton District Council
Muaūpoko	Muaūpoko Tribal Authority
Meridian	Meridian Energy Limited
Ngāti Toa	Te Rūnanga o Toa Rangatira
PCC	Porirua City Council
Rangitāne	Rangitāne O Wairarapa Inc
SWDC	South Wairarapa District Council
Te Tumu Paeroa	Te Tumu Paeroa – Office of the Māori Trustee
UHCC	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council
Waka Kotahi	Waka Kotahi / New Zealand Transport Agency
WCC	Wellington City Council
WIAL	Wellington International Airport Limited
WFF	Wairarapa Federated Farmers

## 1.0 Introduction

### 1.1 Purpose

10. The purpose of this report is to provide the Hearing Panels with a summary and evaluation of the original and further submissions received on Climate Change – General topic. It makes recommendations as to whether those submissions should be accepted or rejected and concludes with recommended amendments to the Climate Change – General provisions in Change 1. This report has been prepared under section 42A of the RMA.
11. The recommendations are informed by technical expertise provided by Jake Roos, Team Leader Climate Change at Council, and the analysis and evaluation that I have undertaken. I have also considered the section 42A reports for Hearing Stream One 'Overview Report' and 'General Submissions Report' which provide background to Change 1 and administrative matters relating to Change 1.

### 1.2 Scope of this report

12. Change 1 has been notified via two plan-making processes under Schedule 1 of the RMA:
  - The FPP under section 80A and Part 4, Schedule 1 for the provisions that form the Freshwater Planning Instrument. These provisions are marked in the Change 1 document with the freshwater icon.
  - The standard plan-making process in Part 1, Schedule 1 (P1S1).
13. This report addresses submission points primarily under P1S1 and three issue statements and one objective being considered under the FPP. Table 1 below sets out the Change 1 provisions addressed in this topic and the process that they are being considered under.

Provision	Process
Climate Change Regionally Significant Issue 1, 4, 6	Schedule 1
Climate Change Regionally Significant Issue 2, 3, 5	FPP
Objective CC.1	FPP
Objective CC.2	Schedule 1
Objective CC.3	Schedule 1
Objective CC.7	Schedule 1
Objective CC.8	Schedule 1

Provision	Process
Policy CC.8	Schedule 1
Method CC.1	Schedule 1
Method CC.2.	Schedule 1

### 1.3 Author

14. My name is Jerome Geoffrey Wyeth, and I am employed by 4Sight Consulting – Part of SLR (4Sight), a planning and environmental consultancy. I hold the qualifications of Bachelor of Science (Geography) and Masters of Science (Geography), with First Class Honours. I am a Full member of the New Zealand Planning Institute.
15. I have over 18 years of experience in resource management and planning with roles in central government, local government and the private sector. My primary area of work at 4Sight is policy planning for local and central government and I am 4Sight's National Policy Sector Lead. I have worked on a number of district and regional plans at various stages of the RMA Schedule 1 process and have prepared planning evidence for local authority and Environment Court hearings on a range of resource management issues.
16. I have been closely involved in the development and implementation of numerous national direction instruments under the RMA (national policy statements and national environmental standards), from the policy scoping stage through to policy decisions and drafting, the preparation of section 32 evaluation reports and implementation guidance. This includes close involvement in national direction instruments relating to highly productive land, climate change, renewable electricity generation and transmission, indigenous biodiversity and plantation forestry.
17. My involvement in developing national direction on climate change mitigation with the Ministry for the Environment includes being closely involved in proposed national direction on industrial process heat which is summarised below and considered in more detail in the Climate Change – Energy, Waste and Industry Section 42A Report.
18. I was not directly involved in the development of the provisions for Change 1, although I did have some involvement in the Section 32 Report prior to notification, focused on the climate change provisions that are being considered in Hearing Stream 3. I have now familiarised myself with the process that was followed to develop Change 1, the provisions addressed in this topic, and the relevant sections of the Section 32 Report.
19. I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court 1 January 2023. I have complied with that



Code when preparing this written statement of evidence and I agree to comply with it when I give any oral evidence.

20. The scope of my evidence relates to the Climate Change – General topic. I confirm that the issues addressed in this statement of evidence are within my area of expertise.
21. Any data, information, facts and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
22. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

#### **1.4 Supporting Evidence**

23. The evidence which I have used or relied upon in support of the analysis and opinions expressed in this report includes the Section 32 Report for Change 1 and the technical evidence of Mr Ross outlined above.

#### **1.5 Key Issues**

24. A number of submitters raised issues with the range of provisions relating to the Climate Change – General topic. A total of approximately 342 original submission points and 246 further submissions were received on this topic. I consider that the key issues in contention in submissions on this topic are as follows:
  - The extent to which Change 1 should address climate change mitigation.
  - Potential for the Change 1 provisions to duplicate and conflict with national climate change policy and initiatives.
  - The GHG emission reduction targets in Objective CC.3 and the extent to which these can be achieved under the RMA and within the respective functions of regional councils and territorial authorities.
  - The extent to which Policy CC.8 can be achieved by regional councils and territorial authorities and concerns about the practicality of creating a regime for offsetting GHG emissions in regional and district plans.
  - General comments to improve the clarity and wording of climate change provisions in Change 1 to ensure these are workable and achievable in practice.
25. This report addresses each of these key issues, as well as other issues raised by submissions. This report does not address all issues raised in submissions on this topic as Appendix 2 provides a recommendation for each individual original and further submission point.

## 1.6 Pre-hearing Meetings

26. At the time of writing this report there has not been any pre-hearing meetings, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

## 2.0 Statutory Considerations

### 2.1 Resource Management Act 1991

27. Change 1 has been prepared in accordance with the RMA and in particular, the requirements of:

- Section 30 - The functions of regional councils.
- Section 61 - Matters to be considered by regional council (policy statements).
- Section 62 - Contents of regional policy statements.

### 2.2 National direction

28. The Section 32 Report provides a detailed assessment of relevant national direction that Change 1 gives effect to and this detail is not repeated here. This section provides a high-level summary of relevant RMA national direction and other relevant national policy direction to this topic.

### The National Policy Statement on Urban Development

29. The National Policy Statement on Urban Development 2020 (NPS-UD) seeks to ensure New Zealand has well-functioning urban environments that enable people and communities to provide for their social, economic and cultural well-being (Objective 1). Objective 8 of the NPS-UD is that New Zealand's urban environments:

- (a) support reductions in greenhouse gas emissions; and*
- (b) are resilient to the current and future effects of climate change.*

30. These objectives are given effect to through a range of policies including Policy 1 which is for planning decisions to contribute to well-functioning urban environments which (among other things): "*(e) support reductions in greenhouse gas emissions; and (g) are resilient to the likely current and future effects of climate change.*" Policy 6 of the NPS-UD also states that:

**Policy 6:** *When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters: ...*

- (e) the likely current and future effects of climate change*

## The National Environmental Standards for Air Quality

31. The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 include regulations to capture and destroy methane gas from large landfills (Regulations 25-27).

### National Direction on Industrial Process Heat

32. The Government recently gazetted the National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023 and the Resource Management (National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 (NES). The NPS and NES for GHG emissions from industrial process heat came into force on 27 July 2023.

33. The NPS and NES for GHG emissions from industrial process heat are broadly aimed at reducing greenhouse gas emissions from industrial process heat<sup>1</sup> and are intended to support the amendments to the RMA to remove the barriers to regional councils considering the effects of greenhouse gas emissions on climate change.

34. The NPS and NES for GHG emissions from industrial process heat are intended to work together and reduce greenhouse gas emissions from industrial process heat by:

- Prohibiting discharges of greenhouse gases from new heat devices<sup>2</sup> burning coal and phasing out coal in existing heat devices by 2037.
- Providing nationally consistent policies and regulations to enable consistent assessment of resource consent applications for discharges of greenhouse gases from industrial process heat.
- Requiring regional councils to include a policy in their regional plans to consider the cumulative effects of industrial greenhouse gas emissions when assessing resource consent applications.
- Requiring resource consent applicants to submit an 'emissions plan' with a consent application that demonstrates how they will effectively manage greenhouse gas emissions.
- Ensuring the best practicable option is applied to prevent or minimise any actual or likely adverse climate change effects from the discharge of greenhouse gases.

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<sup>1</sup> Defined in the NES as "**industrial process heat**—(a) means thermal energy that is used— (i) in industrial processes, including in manufacturing and in the processing of raw materials; or (ii) to grow plants or other photosynthesising organisms indoors; but (b) does not include thermal energy used in the warming of spaces for people's comfort (for example, heating of commercial offices)".=

<sup>2</sup> Defined in the NES as "**heat device**—(a) means a device that produces industrial process heat (for example, a boiler, furnace, engine, or other combustion device); but (b) does not include a device used for the primary purpose of—(i) generating electricity, including a generator used for back-up electricity or for maintaining the electricity network; or (ii) transmitting electricity, including in mobile and fixed substations".

- Providing nationally consistent resource consent conditions, including monitoring and reporting requirements.

35. The NPS and NES for GHG emissions from industrial process heat therefore provides comprehensive, nationally consistent policy direction and regulations to manage greenhouse gas emissions from industrial process heat. The NES does not expressly allow regional plan rules to be more stringent or lenient.

### **National Policy Statement for Freshwater Management**

36. Policy 4 of the National Policy Statement for Freshwater Management 2020 (NPS-FM) seeks to ensure freshwater is managed as part of New Zealand's integrated response to climate change.

### **Climate Change Response Act 2002**

37. The purpose of the Climate Change Response Act 2002 (CCRA) is to:

*(aa) provide a framework by which New Zealand can develop and implement clear and stable climate change policies that—*

- (i) contribute to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5° Celsius above pre-industrial levels; and*
- (ii) allow New Zealand to prepare for, and adapt to, the effects of climate change:*

38. The CCRA was amended in 2019 by Climate Change Response (Zero Carbon) Amendment Act 2019 introduced four key changes to the CCRA:

- Legally binding domestic GHG emission reduction targets for New Zealand to:
  - i. Reduce net emissions of all GHG emissions (except biogenic methane) to zero by 2050
  - ii. Reduce emissions of biogenic methane to 24-47 % below 2017 levels by 2050
- A system of five-yearly emissions budgets to act as stepping-stones towards the long-term target
- A requirement for the Government to develop and implement policies for climate change mitigation and adaptation through an emissions reduction plan and a national adaptation plan; and
- Establishing an independent Climate Change Commission to provide expert advice and monitoring to help keep successive governments on track to meeting long-term goals.

### **Emission Reduction Plan**

39. The Emission Reduction Plan (ERP) is a required plan under section 5ZI of the CCRA and it includes a wide range of policies and actions to reduce GHG

emissions across the economy, including specific actions in relation to planning and infrastructure, transport, energy and industry, agriculture, forestry and waste.

40. The ERP establishes that the planning system and investment in infrastructure needs to support emissions reductions across the transport, building and construction, forestry and nature-based solutions, energy, waste and agriculture sectors (Chapter 7). Other key recommendations in the Emissions Reduction Plan relevant to RMA planning and Change 1 include reducing reliance on cars and support public and active transport (chapter 10), increasing renewable electricity and reducing industrial emissions (chapter 11), supporting afforestation and encouraging natives (chapter 14).

### **National Adaptation Plan**

41. The National Adaptation Plan (NAP) is a required plan under section 5ZS of the CCRA and it brings together the Government's efforts to help build climate resilience and it sets out the Government's future priorities and work programme. The Section 32 Report notes that the NAP includes a number of actions that are being implemented through Change 1 as follows:

- Supporting Māori to adapt to the impacts of climate change
- Direction to manage the impacts of climate hazards on communities and the natural and built environment
- Providing information and raising awareness of climate change and natural hazards
- Supporting the development and implementation of climate adaptation plans including actions that support managed retreat
- Direction to support and prioritise nature-based solutions
- Direction to restore and enhance indigenous ecosystems and biodiversity
- Policy support to implement national direction on NPS-FM, the National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB) and the New Zealand Coastal Policy Statement 2010.<sup>3</sup>

### **2.2 Section 32AA**

42. I have undertaken an evaluation of my recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations (1) A further evaluation required under this Act—***

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<sup>3</sup> Section 32 Report, pg.39.

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

43. The required section 32AA evaluation for changes recommended as a result of consideration of submissions is provided within this report, as required by section 32AA(1)(d)(ii) of the RMA.

### **2.3 Trade Competition**

44. Trade competition is not considered relevant to the Climate Change – General topic within Change 1. There are no trade competition issues raised within the submissions that I am aware of.

## **3.0 Consideration of Submissions and Further Submissions**

### **3.1 Overview**

45. The Climate Change - General topic consists of a number of issues, five objectives, one policy, two methods, climate change anticipated environmental results, and climate change definitions. The proposed provisions address in this topic are as follows:

- Chapter 3.1A - Climate change – introduction and resource management issues

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- Objective CC.1
- Objective CC.2
- Objective CC.3
- Objective CC.7
- Objective CC.8
- Policy CC.8
- Method CC.1
- Method CC.2
- Anticipated environmental results
- Definitions (carbon emission assessment, climate change adaptation, climate change mitigation, emissions, greenhouse gases, general submissions on definitions)
- Remaining general submissions on Change 1.

46. A total of approximately 342 original submission points and 246 further submissions were received on this topic. The total number of submissions and further submissions on this topic are broadly allocated across these provisions as set out in the table below.

<b>Provision</b>	<b>Original submissions</b>	<b>Further submissions</b>
General submissions - climate change	52	21
Introduction	85	20
Issues 1-6	31	28
Objective CC.1	25	32
Objective CC.2	18	46
Objective CC.3	38	20
Objective CC.7	24	18
Objective CC.8	18	15
Policy CC.8	17	14
Method CC.1	7	3
Method CC.2	9	8
Methods – general comments	3	5

Provision	Original submissions	Further submissions
Anticipated environmental result	3	3
Definitions	17	18

### 3.2 Report Structure

47. The issues raised in submissions are addressed as sub-topics within this report. Some submissions are general in nature and cross several sub-topics and are therefore addressed under more than one sub-topic heading where relevant.
48. Clause 49(4)(c) of Schedule 1, Part 4 of the RMA allows the Freshwater Hearings Panel to address submissions (for the purpose of providing reasons for accepting or rejecting submissions) by grouping them either by the provisions to which they relate, or the matters to which they relate. Clause 10(3) of Schedule 1, Part 1 of the RMA also specifies that the Council is not required to address each submission individually. On this basis, I have undertaken my analysis and evaluation on a primarily provisions-based approach with one two overarching sub-topics (general submissions on climate change and general submissions on Change 1), rather than a submission-by-submission approach.
49. This report should be read in conjunction with the submissions and the summary of those submissions. **Appendix 2** sets out my recommendations on whether to accept or reject individual submission points based on the analysis contained within the body of this report.
50. Where I have recommended amendments to provisions as a result of relief sought by submitters, I have set this out in this report, with a further evaluation provided in accordance with section 32AA of the RMA for each provision. I have also provided a marked-up version of the provisions with recommended amendments in response to submissions in **Appendix 1**.

### 3.3 Format for Consideration of Submissions

51. For each sub-topic, my analysis of submissions is set out in this report as follows:
  - Matters raised by submitters
  - Analysis
  - Section 32AA evaluation (where applicable)
  - Recommendations.

### 3.4 Categorisation of provisions into the Freshwater Planning Instrument

52. Section 80A of the RMA provides the relevant tests for determining which parts of Change 1 should form part of the Freshwater Planning Instrument (FPI):



*(1) The purpose of this subpart is to require all freshwater planning instruments prepared by a regional council to undergo the freshwater planning process.*

*(2) A freshwater planning instrument means—*

*(a) a proposed regional plan or regional policy statement for the purpose of giving effect to any national policy statement for freshwater management:*

*(b) a proposed regional plan or regional policy statement that relates to freshwater (other than for the purpose described in paragraph (a)):*

*(c) a change or variation to a proposed regional plan or regional policy statement if the change or variation—*

*(i) is for the purpose described in paragraph (a); or*

*(ii) otherwise relates to freshwater.*

*(3) A regional council must prepare a freshwater planning instrument in accordance with this subpart and Part 4 of Schedule 1. However, if the council is satisfied that only part of the instrument relates to freshwater, the council must—*

*(a) prepare that part in accordance with this subpart and Part 4 of Schedule 1; and*

*(b) prepare the parts that do not relate to freshwater in accordance with Part 1 of Schedule 1 or, if applicable, subpart 5 of this Part.*

53. Council undertook a process to categorise Change 1 provisions between the FPP and standard Schedule 1 process when Change 1 was notified in August 2022. This process applied the High Court decision on the Proposed Regional Policy Statement for the Otago Region - *Otago Regional Council v Royal Forest & Bird Protection Society of NZ Inc* [2022] NZHC 1777.

54. The scope of the FPI as notified in Change 1 is identified through the use of the **≈FW** symbol next to the relevant provision. Justification for the allocation of each provision to the FPP is provided in Appendix E of the Section 32 Report. The Section 80A(2)(c) tests were specified in paragraphs 192 and 202 of the above High Court decision as:

- Give effect to parts of the NPS-FM that regulate activities because of their effect on the quality or quantity of freshwater, or
- Relate directly to matters that will impact on the quality or quantity of freshwater.

55. Council applied these tests to determine whether a provision was in the FPI or not. The categorisation process was undertaken at a provision level without splitting provisions. Therefore, if part of a provision met either of the tests above, the whole provision was included in the FPI even if it related to other matters. Each provision

was also assessed independently and its relationships to other provisions did not form the basis for whether or not it was included in the FPI.

56. Change 1 was drafted in an integrated way, and many provisions therefore contribute to the purpose for which section 80A was enacted; to address freshwater quality. The fundamental concepts of Te Mana o Te Wai and an integrated approach - ki uta ki tai informed how the objectives, policies and methods of Change 1 have been drafted.

57. A number of submitters on Change 1 have raised concerns regarding the categorisation of provisions to the FPI. Winstone Aggregates, Forest and Bird, WIAL and WFF also attended Hearing Stream 1 to speak to their concerns regarding categorisation of Change 1 provisions to the FPI. The primary concerns raised are that too many provisions were notified in Change 1 as part of the FPI and that the justification for inclusion in the FPI was not clear enough in light of the High Court Decision outlined above.

### 3.4.1 Matters raised in submissions

58. There were no specific submissions about the categorisation of climate change regionally significant issues 2, 3 and 5 or Objective CC.1 into the FPP.

### 3.4.2 Analysis

59. I have assessed each provision addressed in this report according to the two tests that were applied to categorise each provision in Change 1 to either the FPP or to standard Schedule 1 process at the time of notification. The result of my assessment is shown in the table below.

Provision in FPI	S32 report justification	S42A assessment on notified provision
Climate change – issue 2	Issue discusses impacts on natural ecosystem health, including freshwater ecosystem health, which is intrinsically and directly linked to impacts on freshwater quality and quantity.	I agree with the section 32 report assessment that Climate Change Issue 2 addresses the impacts of climate change on ecosystems, including freshwater ecosystems. However, in my opinion, the issue is primarily focused on the pressures of climate change on biodiversity and the range of services associated with health ecosystems. I therefore consider that Climate Change Issue 2 does not have a direct enough association to matters that impact on water quality or quantity to be included in the FPI.
Climate change – issue 3	Issues discusses impacts on mahinga kai and water security, which directly relates to impacts on freshwater quality and quantity. Mahinga kai is also a compulsory value in NPS-FM Appendix 1A.	I agree with the section 32 report assessment that Climate Change Issue 3 addresses the impacts of natural hazards on mahinga kai and water security. However, in my opinion, the issue is primarily focused on the risks of natural hazards being exacerbated by climate change and traditional responses to development which are much broader than freshwater. I therefore

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		consider that Climate Change Issue 3 does not have a direct enough association to matters that impact on water quality or quantity to be included in the FPI.
Climate change – issue 5	Issue discusses matters directly related to freshwater quality and quantity.	I agree with the section 32 report assessment that Climate Change Issue 5 discusses mahinga kai and fresh waterbodies. However, in my opinion, the issue is primarily focused on the impacts of climate change on the Māori well-being which is much broader than freshwater. I therefore consider that Climate Change Issue 5 does not have a direct enough association to matters that impact on water quality or quantity to be included in the FPI.
Objective CC.1	Sustainable freshwater management directly relates to protecting and enhancing freshwater quality and quantity.	I acknowledge that Objective CC.1 provides for sustainable freshwater management in clause (a) and I also acknowledge that freshwater management and nature-based solutions form a critical part of climate-resilience. However, in my opinion, Objective CC.1 is much broader in scope than freshwater management. It seeks to achieve a low-emission and climate-resilient region and ensure that climate change mitigation and climate change adaptation are central considerations in resource management, development, and infrastructure decisions. This involves a wide range of considerations and actions that are much broader than freshwater management. For this reason, I consider that Objective CC.1 should not be included in the FPI.

60. As a result of the assessment undertaken in the table above, I recommend that climate change regionally significant issues 2, 3 and 5 and Objective CC.1 are moved from the FPP into the standard Schedule 1 process.

### **3.5 General submissions on the climate change provisions**

#### **3.5.1 Matters raised by submitters**

61. There were a large number of general submissions on the climate change provisions in Change 1 with the majority of these general submissions supporting the climate change provisions either in full or part.

62. A large number of submissions support the climate change provisions in Change 1 and request that these are retained as notified, including Steven Ensslen [s19.003], DOC [S32.003], Rachel Bolstad [S64.002], Peter Thompson [S123.001], Parents for Climate Aotearoa [S71.001], Victoria University of Wellington Students Association [S75.001], Te Tumu Paeroa [S102.003], Generation Zero Wellington [S141.001], Guardians of the Bays of Incorporated [S94.023], and Rangitāne [S168.019]. Reasons that these submitters support the climate change provisions in Change 1 include:

- Climate change is the most significant issue of our time and climate change mitigation through the RPS is important to respond to this issue.
- Climate change is having significant adverse effects and the mitigation methods proposed through Change 1 are necessary to address these effects.
- It is appropriate to recognise and address climate change in the RPS, including the impacts of climate change on ecosystem health and biodiversity, and the role of nature-based solutions.
- There is a need to act now to limit global warming though the climate change targets in Change 1, which is in the best interests of current and future generations.
- The climate change provisions in Chapter 3.1A recognise that Māori land is disproportionately affected by climate change.
- The provisions seek to work in partnership with mana whenua/tangata whenua to address climate change issues.

63. Other submitters support the climate change provisions in Change 1 in part with minor caveats or amendments requested. For example:

- AQA [S29.003] supports the RPS addressing climate change, while noting the importance of aggregates in Chapter 3.1A.
- Tony Chad [S95.004] supports the RPS addressing climate change but considers that regional plans should require Carbon Reduction Plans.
- Neo Leaf Global [S127.010] supports the climate change provisions in Change 1 overall, but seeks to ensure the provisions are workable and effective.
- Ātiawa [S131.003] supports the intent of the climate change provisions in Change 1 that recognise and address the impacts of climate change on the environment.
- WIAL [S148.003] supports the intent of climate change provisions in the RPS, but notes that these need to include sufficient flexibility for the Airport to appropriately adapt to the challenges and opportunities that the changing climate will present.
- NZ Centre for Sustainable Cities [S151.011] supports the climate change provisions but is concerned these may be weakly implemented and under-resourced. To address this concern, NZ Centre for Sustainable Cities requests that the climate change provisions be appropriately resourced and implemented actively and urgently, to effectively reduce GHG emissions in the region.

64. Other general submissions oppose, either in full or part, the climate change provisions in Change 1 and generally request that the provisions are withdrawn. For example:

- WFF [S163.008] opposes the climate change provisions in Change 1 and requests that these be deleted and considered as part of the full review of the RPS scheduled for 2024. WFF has raised a number of concerns with the climate change provisions in Change 1, including those addressed throughout this report, including the lack of cost-benefit analysis and inadequate section 32 evaluation to support the provisions. BLNZ support this submission and consider that there is no urgency to expand the scope of Change 1 beyond the NPS-UD at this point of time and there is a risk the climate change provisions will conflict with national policy.
- Phillip Clegg [S62.005] and Sarah (Dr) Kerkin [S69.025] are concerned that Change 1 is addressing climate change in advance of central government direction on the issue. While the submitters support the general intent of the provisions, they are concerned that regional approaches to climate change will result in a patchwork of inconsistent requirements and request that the climate change provisions in Change 1 are withdrawn on this basis.
- Gene Clendon [S76.003] is concerned that Change 1 is inconsistent with national climate change policy, including the split gas approach, and requests that the climate change provisions be deleted on the basis that there is lots of national level initiatives on this issue.
- Best Farm Ltd/Hunters Hill Ltd/Lincolnshire Farm Ltd/ Stebbings Farmlands Ltd [S135.001] is concerned that the climate change provisions in Change 1 will place a huge burden on councils and are inconsistent with national direction and Chapter 3.9 provisions relating to urban development.

### **3.5.2 Analysis**

65. The rationale of addressing climate change through Change 1 is explained in detail in the Section 32 Report<sup>4</sup> and in the technical evidence of Jake Roos referred to above, so is not repeated in detail here. However, given the significance of this topic and diverse views of submitters, it is important in my opinion to reiterate the key planning and effects-based reasoning for addressing climate change through Change 1. This reasoning is relevant to all climate change topics in Hearing Stream 3.

66. In my opinion, it is appropriate for Change 1 to address climate change for the following key reasons:

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<sup>4</sup> In particular at pg. 19-24, 36-40, 62-78 of Section 32 Report.

- Climate change is a significant resource management issue that is having significant adverse effects on the environment and people and communities in the region. In particular:
  - i. Global temperatures have already risen between 0.8 and 1.2°C above pre-industrial levels, and this has caused rapid, widespread changes to the atmosphere, ocean, cryosphere, and biosphere<sup>5</sup>. These global impacts are being felt by New Zealand and within the Wellington Region.
  - ii. The potential scale of impacts from climate change is confirmed not just by scientific studies but also by New Zealand's direct experiences of increasingly severe and dangerous floods, droughts, fires and storms<sup>6</sup>. More recently, Cyclone Gabrielle has highlighted the significant damage of these extreme weather events to the environment, communities and the economy.
  - iii. At a more regional level, there are predictions for significant impacts in the Wellington region if GHG emissions are not significantly reduced, including a significant increase in hot days and more winter rainfall along the west coast of the region<sup>7</sup>.
- There is a recognised role for the RMA, the planning system and local government to reduce GHG emissions to complement national policy direction and initiatives. Of particular relevance:
  - i. The Climate Change Commission has emphasised that all levels of central and local government must work together with strong climate plans to meet GHG emission reduction targets<sup>8</sup>.
  - ii. The ERP has emphasised the important role of local government and the planning system in meeting GHG emission reduction targets, stating '*Local government is fundamental to meeting our 2050 targets, mitigating the impacts of climate change and helping communities to adapt to climate change...Local government makes decisions in many sectors that will need to transition. Councils provide local infrastructure and public services...They also have planning and decision-making powers in relation to land use and urban form.*'<sup>9</sup>
  - iii. The Ministry for the Environment has recognised the role of the RMA to support reductions in GHG emissions through the RMA

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<sup>5</sup> IPCC Sixth Assessment Report Working Group 1 – the Physical Science Basis: Headline Statements from the Summary for Policymakers.

<sup>6</sup> ERP.

<sup>7</sup> NIWA (2017), '*Climate Change and Variability – Wellington Region*' as reference in the introduction to new Chapter 3.1A Climate Change.

<sup>8</sup> New Zealand Climate Change Commission, 2021: Ināia tonu nei: a low emissions future for Aotearoa.

<sup>9</sup> ERP, pg.34.

amendments which came in to force in 2022<sup>10</sup>. More recent guidance from the Ministry for the Environment states “*Planning decisions can have long-term consequences for the emissions created in cities, districts and regions, so they can be a powerful tool to reduce emissions. Plans developed under the RMA should consider how they can support the actions and outcomes in the emissions reduction plan*”.<sup>11</sup>

- Addressing the adverse effects of climate change is, in my opinion, directly relevant to achieving the purpose of the RMA<sup>12</sup> and the role of a RPS to address resource management issues of significance to the region.
- It is widely accepted through international agreements and the scientific community that there is an urgent need to act to avoid the risk of catastrophic climate change impacts. Of particular relevance:
  - i. In 2021, the Climate Change Commission made a call to all New Zealanders to “*take climate action today, not the day after tomorrow*”, concluding that New Zealand needs to be proactive and courageous to address the challenges of climate change and that bold climate action is possible when we work together”<sup>13</sup>.
  - ii. The IPCC AR6 summary report for policymakers warned that any further delay in systemic and transformative change, particularly in the way in which we use and develop our natural and physical resources, will miss a brief and rapidly closing window of opportunity to secure a liveable and sustainable future for all<sup>14</sup>.
- At a broad level, there is evidence that the long-term costs of inaction are significantly higher than the costs of acting now which is addressed in more detail the evidence of Mr Roos. This include Mr Roos’s evidence that macro-economic studies beginning with the Stern Review by the UK Treasury in 2006 have consistently shown the costs of acting to limit GIG

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<sup>10</sup> These 2022 amendments repealed the provisions in the RMA that prevented regional councils from consider the effects of GHG emissions on climate change when making air discharge rules and considering air discharge permits.

<sup>11</sup> Ministry for the Environment (2022) National adaptation plan and emissions reduction plan: Resource Management Act 1991 guidance note, pg.15.

<sup>12</sup> This was a key conclusion in Section 32 Report for Change 1 and the recently published section 32 report for National Direction for Industrial Process Heat which concluded that the objective of the NPS to mitigate climate change is directly relevant to the purpose of the RMA and a number of Part 2 matters. Refer: Ministry for the Environment. 2023. National Direction for Greenhouse Gas Emissions from Industrial Process Heat: Section 32 report.

<sup>13</sup> New Zealand Climate Change Commission, 2021: Ināia tonu nei: a low emissions future for Aotearoa.

<sup>14</sup> Intergovernmental Panel on Climate Change (2022): AR6 Summary for Policy makers  
[https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC\\_AR6\\_WGI\\_SPM.pdf](https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM.pdf)

emissions are far less than not acting, which have been more recently confirmed at a national level<sup>15</sup>.

67. It is therefore clear, in my opinion, that Change 1 is not “jumping the gun” in relation to climate change mitigation as suggested by BLNZ and that “kicking the can” further down the road will significantly increase the challenges and costs of climate change mitigation and adaptation in the region and the associated environmental, economic, social and cultural costs<sup>16</sup>. In my opinion, this is not an appropriate way to provide for the well-being of current and future generations and achieve the purpose of the RMA, and it justifies the need for Change 1 to address climate change.
68. For these reasons, I recommend that the general submissions requesting that the climate change provisions in Change 1 are deleted be rejected. I recommend that submissions requesting the climate change provisions in Change 1 are retained be accepted to the extent that they are satisfied with the amendments being recommended to these provisions in this and other Climate Change Section 42A Reports.
69. Another common concern with the climate change provisions in Change 1 is that these are not supported by a robust cost-benefit analysis and section 32 evaluation. In response, I note that the climate change provisions in Change 1 are primarily aimed at setting the direction on the outcomes to be achieved in the region (objectives), policies that are to be given effect to through regional and district plans, and non-regulatory policies and methods. It is not practicable, nor efficient or particularly useful in my opinion, to undertake a detailed cost-benefit assessment of objectives aimed at long-term climate change outcomes that will be given effect to through future plan changes. I fully acknowledge and agree with submitters that these future plan changes to give effect to key policies (e.g. Policy CC.5 and Policy CC.8) need to be supported by a robust analysis and section 32 evaluation which is discussed further in relation to those provisions.
70. For these reasons, I do not agree that a lack of detailed cost benefit analysis for the climate change provisions is a valid reason to withdraw the climate change provisions in Change 1 and continue to ‘kick the can down the road’. As such, I recommend the submissions of WFF and Dairy NZ on this issue are rejected.

### **3.5.3 Recommendations**

71. Accordingly, I recommend that general original and further submissions points relating to climate change provisions in Change 1 are accepted, accepted in part, or rejected as set out in **Appendix 2**.

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<sup>15</sup> For example: <https://www.lse.ac.uk/GranthamInstitute/publication/the-economics-of-climate-change-the-stern-review/>, [https://eiuperspectives.economist.com/sites/default/files/The%20cost%20of%20inaction\\_0.pdf](https://eiuperspectives.economist.com/sites/default/files/The%20cost%20of%20inaction_0.pdf), <https://www.nature.com/articles/s41558-021-01203-6>, IPCC AR6 SYM SPM C2.4

<sup>16</sup> This sentiment has been consistently emphasised by the Climate Change Commission stating “*We have already waited too long to reduce greenhouse gas emissions. The more we wait, the more the impacts of climate change, and the costs of our inaction, will compound and cascade.*” Refer: [Insight: The costs of inaction are already here » Climate Change Commission \(climatecommission.govt.nz\)](#)



### **3.6 Introduction to Chapter 3.1A and climate change resource management issues**

#### ***3.6.1 Matters raised by submitters***

72. This section addresses submissions on the introduction text and six regionally significant climate change issues in the Chapter 3.1A – Climate Change.

#### ***Introduction text***

73. There are approximately 84 original submission points and 20 further submission points on the introduction text for Chapter 3.1A in Change 1. A number of submitters support the introduction text and request that it be retained as notified, including Rangitāne [S168.0104], Muaūpoko [S133.026], Te Tumu Paeroa [S102.094], SEANZ [S117.001], KCDC [S16.001/02], and Generation Zero [S141.002].

74. Other submitters support the intent of the introductory text for Chapter 3.1A but request amendments to clarify statements or address concerns. For example, numerous Mangaroa Peatland submitters<sup>17</sup> consider that 'restoration' is inadequately defined in relation to natural ecosystems and the word 'restore' should be removed from the introduction of Chapter 3.1A in Change 1 in relation to natural ecosystems.

75. HCC [S115.006] and WCC [S140.006] are concerned that the statement "seven of the past nine years" is not future-proofed and request it be amended so that it does not quickly become out of date. WIAL [S148.015] requests amendments to the introductory text to better recognise other national legislation and regulations that respond to climate change, including the CCRA, the NZ ETS, and the Zero Carbon Amendment Act 2019. Wellington Water [S113.003] request a new Issue (Issue 7) be added to the list of regionally significant climate change issues to address water security.

76. Other submitters oppose the introductory text for Chapter 3.1.A in part and request amendments to address their concerns. This includes PCC [S30.003] who oppose the length of the introductory text in Chapter 3.1A and request that it be shortened to avoid repetition. Winstone Aggregates [S162.006] is concerned that mineral activities are not sufficiently recognised in the introductory text to Chapter 3.1A and request that it is amended to reflect the benefits of mineral resources for the region.

77. Other submitters, such as Robert Anker [S31.004 to 012 and S31.034], Phillip Clegg [S62.010 and 011] and Sarah (Dr) Kerkin [S96.005, 006 and 007], raise numerous concerns with the introduction text, including (among others) a lack of balance between reducing GHG emissions and maintaining the economy, too much focus on a goal of maintaining a global temperature that is no longer realistic, and disagreement that carbon sinks are just a 'short-term' solution.

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<sup>17</sup> 42 submissions in total - S20.001, S21.001, S23.001, S26.001, S33.001, S38.001 to S48.001, S54.001, S55.001, S57.002, S58.002, S59.001, S87.001, S91.001, S97.001, S101.001, S103.001 to S105.001, S107.001 to S112.001, S121.001, S122.001, S138.001, S146.001, S149.001, S150.001, S156.001 and S158.001 to S160.001

78. WFF [S163.010] oppose the introduction text in Chapter 3.1A in full and request that it be deleted. WFF is concerned that Change 1 is being advanced ahead of national direction on climate change and considers that it is more appropriate that climate change matters be addressed through the full review of the RPS scheduled for 2024.

***Regionally significant climate change issue 1 – Significantly reducing greenhouse gas emissions***

79. There are six original submission points and three further submission points on Regionally Significant Climate Change Issue 1 in Change 1. Ātiawa [S131.015] supports the issue and requests that it be retained as notified.

80. Other submitters support the intent of Issue 1 but request amendments to address perceived gaps or concerns. For example, KCDC [S16.003] and UHCC [S34.005] consider that the issue should include a description of the tools available to address GHG emissions, while also noting some of the legislative limitations and the importance of funding in reducing GHG emissions.

81. Meridian [S100.003] supports Issue 1 but requests an amendment to state “*Development of the renewable energy resources available in the region will be necessary to assist the transition from fossil fuel dependency and reduce greenhouse gas emissions*”. Taranaki Whānui [S167.012] supports Issue 1 in part but request a more aspirational target for reducing GHG emissions from agriculture.

***Regionally significant climate change issue 2 – Climate change and biodiversity***

82. There are three original submission points and five further submission points on Regionally Significant Climate Change Issue 2 in Change 1. Fish and Game [S147.003] supports Issue 2 and requests that it be retained as notified on the basis it is necessary to give effect to the NPS-FM.

83. Other submitters support the intent of Issue 2 but request minor amendments to the wording. For example, Ātiawa [S131.016] and Taranaki Whānui [S167.013] seek corrections/additions to the references to “~~the~~ Te Ao Tūroa”, and mana whenua/tangata whenua.

***Regionally significant climate change issue 3 – Climate change and natural hazards***

84. There are nine original submission points and five further submission points on Regionally Significant Climate Change Issue 3 in Change 1. Two submitters support Issue 3 and request that it be retained as notified, being Taranaki Whānui [167.014] and Fish and Game [S147.004].

85. Other submitters support the intent of Issue 3 but request amendments to clarify or address their concerns. For example, KCDC [S16.004] and UHCC [S34.006] are concerned that the language used regarding hard engineered protections is unjustified and disregards the potential for hard engineered solutions to improve resilience to climate change. KCDC and UHCC request specific amendments to address their concerns, including removing reference to “our over-reliance” on

hard engineering protection words and to make it clear that hard engineered works can be designed to withstand the impacts of climate change. Horticulture NZ [S128.003] requests that Issue 3 be amended to refer to food security for clarity.

86. Philip Clegg [S62.013] and Sarah (Dr) Kerkin [S96.009] oppose Issue 3 on the basis it is based on a pre-conceived view of hard engineered protection works. The submitters request that the statement about '*over reliance on hard engineered protection works...*' be deleted as there are many examples worldwide of successfully designed and implemented hard engineered protections.
87. Outdoor Bliss Heather Blissett [S11.001] is concerned that the words 'climate change' are too passive and requests that the wording is strengthened to reflect the human induced aspect of climate change.
88. Ātiawa [S131.017] requests that mana whenua and wāhi tapu sites are recognised in Issue 3 by amending the first sentence to include these words.

***Regionally significant climate change issue 4 – Impacts of climate change will exacerbate existing inequities***

89. There are six original submission points and four further submission points on Regionally Significant Climate Change Issue 4. Ātiawa [S131.018] and Dom Harris [S4.002] support Issue 4 and request that it be retained as notified.
90. Phillip Clegg [S62.014] and Sarah (Dr) Kerkin [S96.010] support Issue 4 in part, as they support consideration of equity and fairness in the proposed approach to climate change. However, both submitters are concerned that peatland landowners will bear the full cost of maintaining carbon storage for climate change purposes. If the climate change provisions in Change 1 are retained, the submitters request that Council identify how to mitigate the impact on landowners as part of any "nature-based solution".
91. Taranaki Whānui [S167.015] and Ngāti Toa [S170.007] both support Issue 4 in part, but request amendments to recognise inequities more specifically for Māori. Taranaki Whānui requests an amendment to Issue 4 to add an acknowledgement that Māori/iwi/hapū traditionally contribute less GHG emissions but bear a greater burden in responding to climate change. Ngāti Toa requests an amendment to refer to "especially for iwi and Māori" in the first sentence of the issue statement.

***Regionally significant climate change issue 5 – Climate change and Māori well-being***

92. There are five original submission points and nine further submission points on Regionally Significant Climate Change Issue 5. Ātiawa [s131.019], Taranaki Whānui [S167.016], Kahungunu Ki Wairarapa [S169.001] and Fish and Game [S147.005] all support Issue 5 and requests that be retained as notified.
93. Ngāti Toa [S170.079] supports Issue 5 in part and requests amendments to highlight inequities in the resource management system, which impact Māori communities more when responding to climate change.

***Regionally significant climate change issue 6 – Overcoming social inertia and competing interests to address climate change***

94. There are three original submission points and two further submission points on Regionally Significant Climate Change Issue 6. Ātiawa [S131.020] and Taranaki Whānui [S167.017] both support Issue 6 and request that it be retained as notified.
95. UHCC [S34.007] supports Issue 6 in part but raises some concerns that the issue statement as expressed assumes that many people and businesses do not understand or do not want to address climate change, which is not necessarily true or evidenced. UHCC considers that most people are aware of climate change but lack the ability or funding to support the transition.
96. UHCC requests that Issue 6 be amended to address these concerns as follows: *Many people and businesses lack an understanding of the connection between their actions, greenhouse gas emissions and climate change and the ways that it will impact their lives. In turn, this detracts from our ability and support to conceive of the changes we can make to help the transition to a low-emissions and climate-resilient future. Social inertia and competing interests are the biggest issues to overcome to address climate change.*

***Table 1A: Climate Change objectives and titles of polices and methods to achieve the objectives***

97. There are six original submissions and eight further submissions on Table 1A in Chapter 3.1A of Change 1. Most submitters support Table 1A and request that it be retained as notified or with minor amendments, including Fish and Game [S147.006], VicLabour [S89.002], and Guardians of the Bays [S94.006].
98. Taranaki Whānui [167.026] supports Table 1A in part, but request a new objective to work in partnership with mana whenua in tackling climate change. Outdoor Bliss Heather Blisset [S11.003] support the provisions but request a minor amendment to strengthen the wording on the basis the wording is too passive.
99. WFF [S163.011] oppose Table 1A for the same reasons as outlined elsewhere in the report (i.e. delay the climate change provisions until a full review of the RPS) and request that the table be deleted.

***3.6.2 Analysis***

***Introduction text for Chapter 3.1A***

100. I consider that the introduction text for Chapter 3.1A is largely fit for purpose. The majority of submission points support this introduction text in full or in part, with minor amendments requested to address particular sector interests or to provide more clarity. A minority of submitters (e.g. PCC, WFF and three individual submitters) oppose the introduction text for Chapter 3.1A either in part or in full.
101. I disagree with PCC that the introduction text to Chapter 3.1A is too long – climate change is a complex issue with numerous drivers, barriers and implications for a wide range of sectors, mana whenua/tangata whenua, and communities in the region. It is appropriate, in my opinion, for the introduction of

Chapter 3.1A to provide a more detailed overview of this issue to provide the context for the climate change provisions in Change 1. I therefore recommend that the relief sought from PCC is rejected.

102. I disagree with Winstone Aggregates that the introduction text requires specific mention of significant mineral resources. The purpose of the introduction text is to provide context for why climate change is a significant resource management issue for the Wellington region and outline the key areas of action required to significantly, immediately and rapidly reduce GHG emissions to address this issue. As such, I recommend that this submission point from Winstone Aggregates is rejected.

103. I acknowledge the concern from Wellington Water that climate change is going to make water security an increasingly significant resource management issue for the region. However, it is not necessary to add water security to Chapter 3.1A as its own regionally significant climate change issue in my opinion as this is covered to a large extent by Issue 3, and further additions to the climate change issues may risk diluting their significance.

104. With respect to the points raised in opposition by individual submitters (Robert Ankers, Phillip Clegg and Sarah (Dr) Kerkin), I acknowledge the concern that Chapter 3.1A focuses on reducing GHG emissions to contribute to a global solution to climate change and that there are potential economic costs involved in taking that action. However, as discussed above in section 2.7, I consider that there is a need to act now to address climate change through Change 1 as this is clearly a significant resource management issue for the region (national and world) and taking action now will help avoid steeper and more costly GHG emission reductions in the future.

While I acknowledge that it appears increasingly unlikely that the world will act sufficiently to limit global warming to 1.5°C, this remains the goal of the Paris Agreement and represents the generally accepted threshold beyond which catastrophic impacts from climate change become likely. As such, I consider it is appropriate that this remains the focus of the climate change provisions in Change 1. In response to concerns from these submitters with the statement that carbon sinks are a 'short-term' solution, the intent behind use of the term 'short-term' in the introductory text was to recognise that sequestration potential is limited by land availability and by uncertainty about whether the sinks will be maintained and retained in the long term (i.e. beyond 100 years). I consider that this meaning in the text is unclear and recommend an amendment to provide better clarity below. For these reasons, I recommend that these submission points be accepted in part.

105. I agree with the suggested amendments from PCC in relation to the costs and benefits of climate change not being felt equally across communities and other minor wording changes to improve clarity. I also agree with the submissions from HCC and WCC that the reference to 'seven of the past nine years' will quickly become an outdated reference and that reference to a specific point in time is required. My recommended amendments to respond to these submissions are outlined below and in Appendix 1.

106. I also agree with the recommended amendments in the technical evidence of Mr Roos who responds to a number of submitters concerns with the introductory text for Chapter 3.1A. Those amendments include:

- Replacing the paragraph stating that “we are already locked into continued warming until at least mid-century” with a paragraph more focused on opportunities to reduce warming through immediate and significant reductions in GHG emissions.
- Replacing “short-term” with “near-term” to be consistent with IPCC AR6 Synthesis Report.
- Removing the reference to carbon sequestration being a short-term solution and instead noting the limitations and risks associated with an over-reliance on carbon sequestration.

107. I agree with WIAL and PCC that there is relevant national legislation and policies that are central to addressing climate change and Change 1 forms part of this wider national picture. However, I consider such references are not needed in the introduction to Chapter 3.1A and could detract from the focus of addressing climate change in the Wellington region through Change 1. I also note that alignment with this national climate change policy is referred to the explanation of certain climate change policies in Change 1. I therefore recommend these submissions are accepted in part.

108. I disagree with the large number of submissions seeking to delete the words ‘and restore’ from the introduction text with respect to natural ecosystems. Restoration is a key component of the NPSIB, which was gazetted on 31 May 2023, and has an overarching objective *‘to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date’*. Clause (1)(b)(iii) of the NPSIB objective states that this is to be achieved *‘by protecting **and restoring** indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity’* [emphasis added]. This is supported by a range of policies and clauses in the NPSIB which seek to promote the restoration of indigenous biodiversity, in particular Policy 13 and Clause 3.21. Policy 4 of the NPSIB is to manage indigenous biodiversity to promote resilience to the effects of climate change. Clause 3.6 also directs local authorities to recognise the role of indigenous biodiversity in mitigating climate change.

109. As such, I consider that restoration is a well understood concept in the context of natural ecosystems and is supported by this clear national direction. It is therefore entirely appropriate in my opinion to refer to restoration of natural ecosystems in Change 1, including in the introduction to Chapter 3.1A given the role of ecosystems in the climate change response. As such I recommend that submissions requesting deletion of the words ‘and restore’ from the introduction text for Chapter 3.1A are rejected.

110. I address the requested relief from WFF to delay (the non NPS-UD provisions) in Change 1 until the 2024 RPS review in my Section 42A Report – Integrated

Management (paragraphs 229 to 231). The requested relief was also addressed in the Section 42A Report – General Submissions (paragraphs 129 to 137) – both reports recommend these submissions are rejected for similar reasons. As such, I recommend that this submission of WFF is rejected, consistent with the recommendations in other section 42A reports.

111. Finally, although it is not the subject of a submission on the introduction text, I recommend a consequential change to replace 'iwi' with 'mana whenua/tangata whenua' in the introduction text for Chapter 3.1A to be consistent with other Change 1 provisions.

***Regionally significant climate change issue 1 – Significantly reducing greenhouse gas emissions***

112. I consider that Regionally Significant Climate Change Issue 1 appropriately sets the scene for Chapter 3.1A by highlighting the most critical issue in addressing climate change – that GHG emissions must be reduced significantly, immediately and rapidly.

113. I agree with KCDC and UHCC that utilising all available tools to address GHG emissions will be essential and there are legislative limitations and funding issues that limit the ability of Change 1 to fully address climate change. However, I do not agree that Issue 1 is the appropriate place to articulate these matters as the issue is focused on the effects of climate change and the significant reductions in GHG emissions needed to respond to climate change not **how** that issue should be addressed. That is the role of the objectives, policies and methods that seek to address this significant resource management issue.

114. As such, I recommend that the submissions seeking references to tools, legislation or funding limitations in the explanation of Issue 1 are accepted in part to the extent they are satisfied the relief sought is addressed through the climate change objectives, policies and methods in Change 1 that address Issue 1.

115. Similarly, I consider that Meridian makes a valid point that increasing renewable energy generation is necessary to reduce GHG emissions and transition away from fossil-fuel dependency. However, this requested amendment is also setting out **how** Issue 1 needs to be addressed rather than providing further detail on the issue that needs to be addressed (for example, barrier to the development and uptake of renewable energy generation). I consider the role of renewable energy generation in responding to climate change in more detail in the Climate Change – Energy, Waste and Industry topic, where I make a number of recommendations consistent with this relief sought by Meridian. Accordingly, I recommend this submission from Meridian is accepted in part.

116. I agree with Taranaki Whānui that agricultural GHG emissions make up a large component of GHG emissions in the Wellington region and I acknowledge their desire for a more aspirational target for reducing agricultural GHG emissions. However, I note that the purpose of Issue 1 is not to outline sector specific GHG emission reduction targets, but more emphasise the significant reductions in GHG emissions that are required to effectively respond to climate change. I also consider agricultural GHG emissions in more detail in the Climate Change –

Agricultural Emissions Section 42A Report where I make a number of recommendations consistent with the relief sought by Taranaki Whānui. Accordingly, I recommend that this submission point from Taranaki Whānui is accepted in part.

***Regionally significant climate change issue 2 – Climate change and biodiversity***

117. The submissions received on Regionally Significant Climate Change Issue 2 supported the issue in full or part, subject to minor amendments. I acknowledge the support for Issue 2 from Fish and Game and I recommend the amendments requested by both Ātiawa and Taranaki Whānui are accepted as these either fix a wording error or help ensure consistent use of 'mana whenua/tangata whenua' in the relevant Change 1 provisions.

***Regionally significant climate change issue 3 – Climate change and natural hazards***

118. The key theme of submissions relating to Regionally Significant Climate Change Issue 3 is a concern that the issue was too focused on a perceived 'over-reliance' on hard engineering solutions and that the issue should be reframed to acknowledge the role that hard engineering solutions can play in responding to the risks of natural hazards and the effects of climate change. I agree that by using absolute terms such as 'over-reliance', Issue 3 gives the impression that there is no role for well-designed hard engineering solutions to improve resilience to natural hazards and climate change.

119. I largely agree with the recommended amendments to Issue 3 from KCDC. The alternative wording recognises that hard engineering solutions have a role in improving resilience to natural hazards and climate change where these are designed appropriately alongside natural solutions. Accordingly, I recommend that the KCDC and UHCC submission points on Issue 3 be accepted in part.

120. I disagree with the suggestions of Phillip Clegg and Sarah (Dr) Kerkin that the solution is simply to delete all references to hard engineering solutions – as this is an important issue to acknowledge in relation to improving resilience to the risks from natural hazards and climate change. As such, I recommend that both these submissions be accepted in part to the extent my recommended amendments help address their concerns with Issue 3.

121. I agree with the suggestion from Ātiawa to include a reference to mana whenua sites and wāhi tapu as key features that are also at risk from climate change affected natural hazards. I also agree with the suggestion from HortNZ to add in the word 'security' as I consider this appropriately captures the intent. As such, I recommend that these submissions be accepted.

122. Finally, I do not recommend the phrase 'climate change' be replaced with 'human induced climate destruction' as requested by Outdoor Bliss Heather Blissett. I do not consider that the phrase 'climate change' is passive, rather it is a well understood and factual description of the significant issue the region and the national is facing. The role of humans, both in inducing climate change and being



the solution, is well articulated though the various climate change provisions in Change 1 in my opinion.

***Regionally significant climate change issue 4 – Impacts of climate change will exacerbate existing inequities***

123. Submissions on Regionally Significant Climate Change Issue 4 were all in support, either in full or part. The issues raised were minor wording suggestions or questions raised by Phillip Clegg and Sarah (Dr) Kerkin as to 'how' the inequalities referred to in Issue 4 will be addressed by Council, particularly with respect to landowners impacted by 'nature-based solutions'. As outlined above, I consider the 'how' is the role of implementing objectives, policies and methods to determine how best to address climate change in equitable way. This equitable transition to a low-emissions and climate-resilient region is also discussed in more detail in relation to Objective CC.3 below. As such, I recommend that the submissions of Phillip Clegg and Sarah (Dr) Kerkin on Issue 4 be accepted in part insofar as the relief they are seeking is addressed through the relevant climate change objectives, policies and methods. I also understand that their concerns about nature-based solutions are being considered through the Climate Change – Nature-based Solutions Section 42A Report.

124. I agree in principle that the reference to 'Māori' in the issue explanation is too narrow as raised by Ngāti Toa. However, I recommend using the words 'mana whenua/tangata whenua' rather than 'iwi and Māori' to be more consistent with the language used elsewhere in Change 1. I also acknowledge the point made by Taranaki Whānui that Māori/iwi/hapū traditionally contribute less to GHG emissions but bear a greater burden. However, it is my opinion that this issue is already sufficiently covered by Issue 4 and further elaboration on this point is not required. As such I recommend that the submissions of Ngāti Toa and Taranaki Whānui be accepted in part.

***Regionally significant climate change issue 5 – Climate change and Māori well-being***

125. As with Issue 4, Issue 5 is supported in full or in part by all submitters. I acknowledge the submission made by Ngāti Toa that inequities disproportionately impact iwi and Māori with respect to climate change. However, I do not consider that this matter needs to be repeated in Issue 5 as it is well articulated in Issue 4 in my opinion. I do recommend the issue is amended to refer to 'mana whenua/tangata whenua' rather than Māori to be consistent with other relevant Change 1 provisions consistent with my recommendations above.

***Regionally significant climate change issue 6 – Overcoming social inertia and competing interests to address climate change***

126. The only submission point requesting changes to Regionally Significant Climate Change Issue 6 is from UHCC, with the other two submissions in support. I agree that the notified wording of Issue 6 assumes a lack of understanding of climate change issues as a core reason for social inertia, when there are other equally challenging barriers (including funding and capacity) to people and businesses taking action on climate change issues. However, I consider that the extent of the

amendments sought by UHCC downplay the issue of social inertia which is a significant issue and the focus of Issue 6.

127. I consider there is benefit in refining the wording of Issue 6 to address some of the concerns raised by UHCC, but with the aim of recognising the full range of barriers to people and businesses successfully addressing climate change. As such, I recommend that the UHCC submission on Issue 6 be accepted in part.

**Table 1A: Climate Change objectives and titles of policies and methods to achieve the objectives**

128. The matters raised by submitters for Table 1A are largely addressed in other sections of this report and I do not consider any further recommendations are required to address the relief sought. In response to the request from Taranaki Whānui, I consider that Objective CC.8 (and other Change 1 provisions, including the integrated management provisions) sufficiently address the relief sought and a further climate change objective on partnership with mana whenua/tangata whenua is not required, and would likely result in duplication with other Change 1 provisions. Similarly, I recommend that the request from Outdoor Bliss Heather Blisset to strengthen the wording is rejected, noting that I recommend a number of amendments to the climate change provisions in this topic below. I recommend that the request from WFF to delete Table 1A and withdrawal the climate change provisions in Change 1 is also rejected for the same reasons as outlined in other sections of the report.

### **3.6.3 Recommendations**

129. I recommend the introduction of Chapter 3.1A is amended as set out below.

As of 2022, long term weather records show that seven of the past nine years have been amongst New Zealand's warmest on record, with 2021 and 2016 being the two hottest recorded years...

...Predictions are for significant climate change impacts in the Wellington Region<sup>1</sup> significant impacts by 2090 if global greenhouse gas emissions are not significantly reduced...

While historical emissions mean that we are already locked into continued global warming until at least mid-century, and longer for sea-level rise, there is still opportunity to avoid the worst impacts of climate change if we act urgently across all sectors to make significant reductions in global greenhouse gas emissions.

...There is still an opportunity to limit warming to 1.5 °C if global net anthropogenic CO<sub>2</sub> emissions are reduced by 48 percent from 2019 levels by 2030 and a 99 percent reduction in CO<sub>2</sub> emissions is achieved by 2050 (these are median values). When all greenhouse gases are considered, global net emissions expressed as CO<sub>2</sub>e must reduce by between 73 and 98 percent by 2050 to give a 50% chance of limiting warming to 1.5 °C with low or no overshoot...

...While this will require bold and decisive action, there is a need to act carefully, recognising that the costs and benefits of change will not be felt equally across our communities and that provision needs to be made for an equitable transition.

In 2019, Greater Wellington Regional Council declared a climate emergency, pledging to become carbon neutral by 2030 and to take a leadership role to develop a Regional Climate Emergency Response Programme, working collaboratively with ~~mana whenua/tangata whenua iwi~~, key institutions and agencies to reduce *greenhouse gas emissions* and prepare for the unavoidable effects of climate change, supporting international and central government targets for *greenhouse gas emissions* reductions and adaptation planning.

The key areas of action required to address climate change are to:

1. Reduce gross *greenhouse gas emissions*. This includes transitioning as rapidly as possible from fossil fuels to renewable energy and recognising that methane reductions offer a significant opportunity for *limiting* global cooling in the *nearshort-term*.

2. Increase greenhouse gas sinks through carbon sequestration, while recognising that ~~due to the limitations of this approach, this is only a short-term solution, and~~ that the focus must be on reducing gross GHG emissions.

130. I recommend the following amendments to the climate change issues:

#### **Issue 2**

Climate change is placing significant additional pressure on species, habitats, ecosystems, and ecosystem processes, especially those that are already threatened or degraded, further reducing their *resilience*, and threatening their ability to persist. This, in turn, reduces the health of natural ecosystems, affecting their ability to deliver the range of ecosystem services, such as carbon sequestration, natural hazard mitigation, erosion prevention, and the provision of food and amenity, that support our lives and livelihoods and enable ~~mana whenua/tangata whenua~~ to exercise their way of being in ~~the~~ Te Ao Tūroa, the natural world.

#### **Issue 3**

The hazard exposure of our communities, land, ~~mana whenua/tangata whenua~~ The hazard exposure of our communities, land, ~~mana whenua/tangata whenua sites, wāhi tapu~~, infrastructure, food *security* (including mahinga kai), and water security is increasing because of climate change impacts on a range of natural hazards. Traditional approaches to development ~~that tend not to have not~~ fully considered the impacts on natural systems. ~~, and our over-reliance on~~ ~~hard~~ engineered protection works ~~that have not been designed to withstand the impacts of climate change, which will~~ inevitably become *compromised overwhelmed* and uneconomic to sustain, ~~will which can~~ ultimately increase the risk to communities and the environment.

#### **Issue 4**

The impacts and costs of responding to climate change will not be felt equitably, especially for ~~mana whenua/tangata whenua~~ *Māori*. Some communities have no, or only limited, resources to enable mitigation and adaptation and will

therefore bear a greater burden than others, with future generations bearing the full impact.

#### **Issue 5**

5. Climate change threatens tangible and spiritual components of **mana whenua/tangata whenua Māori** well-being

Climate change threatens both the tangible and spiritual components of **mana whenua/tangata whenua Māori** well-being, including Te Mana o Te Wai and Te Rito o Te Harakeke, mahinga kai, and taonga species, and the well-being of future generations. Significant sites for **mana whenua/tangata whenua Māori**, such as marae, wāhi tapu and urupā, are particularly vulnerable as they are frequently located alongside the coast and fresh waterbodies.

#### **Issue 6**

Many people and businesses lack **the understanding, ability or support make the changes needed transition to a low-emissions and climate-resilient future. It can be challenging for people and businesses to make the an understanding of** the connection between their actions, *greenhouse gas emissions* and climate change and the ways that **climate change it** will impact their lives. ~~In turn, this detracts from our ability to conceive of the changes we can make to help the transition to a low-emissions and climate-resilient future.~~ Social inertia and competing interests are **some of** the biggest issues to overcome to address climate change.

131. Accordingly, I recommend that original and further submissions points relating to the Introduction to Chapter 3.1A and climate change issues in Change 1 are accepted, accepted in part or rejected as set out in **Appendix 2**.

### **3.7 Objective CC.1**

#### **3.7.1 Matters raised by submitters**

132. Objective CC.1 in Change 1 is as follows:

By 2050, the Wellington Region is a low-emission and climate-resilient region, where climate change mitigation and adaptation are an integral part of:

- (a) sustainable air, land, freshwater, and coastal management,
- (b) well-functioning urban environments and rural areas, and
- (c) well-planned infrastructure.

133. There were approximately 25 original and 31 further submission points on Objective CC.1 seeking a wide range of different outcomes and amendments. A number of submitters support Objective CC.1 and request that it be retained as notified or with minor amendments, consistent with overall intent of the objective. This includes Muaūpoko [S133.027], HortNZ [S128.004], CDC [S25.001], and KCDC [S16.006]. Reasons that Objective CC.1 is supported by these submitters

include that Objective CC.1 identifies the key challenges and components necessary to achieve a low-emissions and climate resilient region.

134. Other submitters request that Objective CC.1 is strengthened. For example, Forest and Bird [S165.003] requests amendments to Objective CC.1 to refer to zero-emissions rather than low-emissions to be better aligned with targets in the CCRA to reach net-zero emissions by 2050. Ātiawa [S131.021] requests that reference to 2050 be removed, on the basis that climate change mitigation and adaptation should be integral part of resource management decision-making now, not by 2050. Rangitāne [S168.0105] supports Objective CC.1 in part, but requests amendments to the objective to also refer to enabling people and communities to provide for their social, economic and cultural well-being to better align with section 5 of the RMA.
135. Several submitters sought clarification on how Objective CC.1 will be achieved and how key terms such as 'low emission and 'climate resilient' are to be interpreted and applied. For example, PCC [S30.005] requests amendments to Objective CC.1 so that the outcomes sought are achievable within the scope of an RPS and to define both 'low emission' and 'climate resilient'. Waka Kotahi [S129,002, 129.003] supports Objective CC.1 in part, but requests similar clarification or definitions for the terms 'low emissions', 'climate resilient', 'climate mitigation' and 'adaptation', and also requests clarification on how the objective is to be implemented. HCC [S34.008] raised similar concerns as PCC about the achievement of Objective CC.1 within the scope of RPS and the RMA functions of local authorities. HCC requests that Objective CC.1 be retained, but requests amendments to the policies and methods that are intended to achieve it, noting the importance of non-regulatory funding and community buy-in to achieve the outcomes sought through Objective CC.1.
136. Some submitters request specific amendments to Objective CC.1(c) which refers to "well-planned infrastructure". For example, WIAL [S148.016] requests that clause (c) be amended to refer to 'well-planned and effectively operating infrastructure" on the basis infrastructure needs flexibility to adapt and change operations in response to climate change. Kāinga Ora [S158.004] requests amendments to clause (c) to just refer to 'planned infrastructure', on the basis it is unclear what 'well-planned' infrastructure means in practice. Meridian [S100.004] requests amendments to clause (c) to specifically reference regionally significant infrastructure, noting the importance of renewable electricity generation for the transition to a low-emission region.
137. Ngāti Toa [S170.008] supports Objective CC.1 in part, but is concerned that mana whenua is missing from the objective. Ngāti Toa requests amendments to specifically reference mana whenua in Objective CC.1 with the following wording provided as an example "*co-governed and co-designed with iwi and Māori and that iwi and Māori aspirations and values are not threatened by the immediate, rapid, and large-scale changes from climate change.*"
138. Other submitters raise more general concerns with Objective CC.1. For example, SWDC [S79.001] requests that Objective CC.1 be supported by a more

detailed assessment of benefits and costs. DairyNZ [S136.009] and BLNZ [FS30.015] request similar relief and also request further analysis is undertaken to ensure Objective CC.1 is consistent with the latest science and will achieve community objectives.

139. KCDC [S16.067/100], PCC [S30.0116] and UHCC [S34.005] have made general submission points on Change 1, raising general concerns with the objectives and provisions in terms of how these are drafted, the lack of support in the RMA and higher order documents to support the proposed provisions, and jurisdiction/implementation issues based on their respective RMA functions. For example, KCDC requests that all objectives are reviewed to ensure these are specific on the outcome sought, clearly relate to an issue, can be monitored and are achievable within the scope of a RPS. While these submission points are not specific to Objective CC.1, they are being considered through each section 42A report as relevant for each topic.

### 3.7.2 Analysis

140. In my opinion, the general intent of Objective CC.1 is sound and serves a clear resource management purpose – to achieve a low-emissions and resilient region where climate change mitigation and adaptation considerations are central to resource management decision-making.

141. The intent of Objective CC.1 and its appropriateness in achieving the purpose of the RMA is articulated and evaluated in the Section 32 Report. The key statements and conclusions in the Section 32 Report include<sup>18</sup>:

- The climate change objectives directly address a resource management issue by establishing “*a targeted and integrated objectives framework that will drive the integrated management of the region’s natural and physical resources to support the mitigation of, and adaptation to, climate change*”.
- *Objective CC.1 recognises that rapid and large-scale changes are required to the way in which we manage our natural and built environments to transform the Wellington Region into a low-emission and climate-resilient region.*

142. Objective CC.1 therefore forms a key part of the package of climate change objectives in Change 1 to address climate change mitigation and adaptation which are significant resource management issues for the Wellington region (and New Zealand) as discussed above. In my view, this proposed approach in Change 1 to address climate change through a targeted package of objectives is an appropriate way to achieve the purpose of the RMA.

143. However, I do agree with submitters that certain aspects and terms in Objective CC.1 can be improved to clarify the intent and assist with more effective implementation.

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<sup>18</sup> Section 32 Report, pg. 63-69.

144. In particular, I agree with Ātiawa that the reference to 2050 should be removed, on the basis that this outcome may be achieved sooner and because climate change mitigation and adaptation should be an integral part of resource management decision-making now not in 2050. I therefore recommend that the submission of Ātiawa is accepted in part and that Objective CC.1 is amended to remove the reference to 2050. For these reasons, I also recommend that the reference to 'low-emission' region is retained rather than 'zero-emissions' as requested by Forest and Bird. While I accept that both the CCRA and Objective CC.3 have a long-term target of net-zero emissions by 2050, Objective CC.1 is more focused on articulating the future state of the Wellington Region in relation to climate change mitigation and adaptation, rather than prescribing a specific net-zero emissions target (which is the role of Objective CC.3).
145. In relation to requests to define or clarify the terms 'low-emissions' and 'climate-resilient', I note that these terms are widely used and also defined in the ERP and the NAP. Low emissions, low carbon<sup>19</sup> is defined in the ERP and both the NAP and ERP define 'climate resilience', albeit in slightly different way. I understand that the author of the Climate Change – Nature-based Solutions Section 42A Report is recommending a definition of climate-resilience/climate resilient given the wide range of provisions in the RPS that use this term and I agree with that recommendation. Conversely, low-emissions is only used in Objective CC.1 and Method CC.8. In my view, it is also a term broadly understood in terms of the outcome sought and that does lend itself to a precise definition within a regulatory document. Accordingly, I do not recommend that low-emissions is defined in the RPS and recommend that submissions requesting these two terms are defined are accepted in part.
146. I agree with submitters that the term "well-planned" infrastructure in Objective CC.1(c) is unclear and subjective. I therefore recommend that the submissions of WIAL and Kāinga Ora are accepted in part and clause (c) of Objective CC.1 is amended to refer to the "planning and delivery of infrastructure". I do not recommend that this clause is amended to refer to regionally significant infrastructure as requested by Meridian. I acknowledge the significant role of renewable electricity generation in achieving a low-emission region, but this is addressed in a more specific way in the provisions addressed in the Climate Change – Energy, Waste and Industry topic and other RPS provisions.
147. I also recommend a minor amendment to refer to "well-functioning urban areas ~~environments~~ and rural areas" consistent with the recommended amendments in the Integrated Management Section 42A Report. This issue will also be discussed in more detail in the Urban Development Section 42A Report.
148. I do not recommend any changes in response to the submissions of Ātiawa and Ngāti Toa. While I agree with both submitters that the well-being of people and communities and partnership with mana whenua/tangata whenua are important outcomes, I consider that these outcomes are more appropriately and specifically

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<sup>19</sup> The ERP defines 'low emission, low carbon' as "An economic and social system that has moved away from the use of fossil fuels and adopted low-emissions energy sources and processes, and consequently produces minimal greenhouse gas emissions."

addressed in other RPS provisions. This includes Objective CC.8 discussed below, which seeks to empower mana whenua/tangata whenua to achieve climate resilient communities.

149. In relation to the submissions of CDC, DairyNZ and BLNZ requesting that Objective CC.1 is supported by more detailed assessment of benefits and costs, I discuss the rationale for the climate change provisions and supporting analysis above under general submissions on climate change (section 2.7) and below in relation to Objective CC.3 (section 2.11). My conclusion is that there is clear rationale to address climate change through Change 1 to address a significant resource management issue for the region and to help avoid steeper and more costly GHG emission reductions in the future. A more detailed assessment of benefits and costs will also need to be undertaken though the plan changes that give effect to Objective CC.1 and supporting policies (e.g. Policy CC.8) I therefore recommend these submissions are rejected.

150. In terms of the general submissions requesting that all Change 1 objectives are reviewed to ensure that these are specific to the outcome sought, within the scope of the RPS and measurable, I consider that the outcome sought is clear and addressing climate change as a regionally significant issue is within the scope of the RPS. In my opinion, Objective CC.1 is also measurable through the regional emissions inventory which provides a record of GHG emissions in the region from different sectors. Objective CC.1 can also be measured through the level of resilience planning and the implementation of climate-resilience actions (e.g. increasing green space) in the region which will provide a means to document and measure progress towards achieving a climate-resilient Wellington region. I therefore recommend these general submissions are accepted in part noting that other section 42A report authors may make different recommendations in relation to these submissions.

### **3.7.3 Section 32AA evaluation**

151. In accordance with section 32AA I consider that my recommended amendments to Objective CC.1 are the most appropriate way to achieve the purpose of the RMA as these are minor amendments that retain the intent of the objective while clarifying certain terms and the outcome sought.

### **3.7.4 Recommendations**

152. I recommend that Objective CC.1 is amended as follows:

#### **Objective CC.1**

~~By 2050, t~~The Wellington Region is a low-emission and climate-resilient region, where *climate change mitigation* and *climate change adaptation* are an integral part of:

(a) sustainable air, land, freshwater, and coastal management,

(b) well-functioning urban *areas environments* and rural areas, and



(c) the well-planned and delivery of infrastructure.

153. Accordingly, I recommend that original and further submissions points relating to Objective CC.1 are accepted, accepted in part or rejected as set out in **Appendix 2**.

### **3.8 Objective CC.2**

#### **3.8.1 Matters raised by submitters**

154. Objective CC.2 as notified in Change 1 is as follows:

The costs and benefits of transitioning to a low-emission and climate-resilient region are shared fairly to achieve social, cultural, and economic well-being across our communities.

155. There were approximately 18 original and 46 further submission points on Objective CC.2 seeking a range of different outcomes and amendments. A number of submitters support Objective CC.2 and request that it be retained as notified or request minor amendments consistent with the overall intent of the objective. This includes KCDC [S16.007], WCC [S140.007], Te Tumu Paeroa [S102.005], Forest and Bird [S165.004], Rangitāne [S168.01.06] and Taranaki Whānui [S167.019]. Reasons that Objective CC.2 is supported by these submitters include support for the overall intent to achieve an equitable transition to a low-emission and climate-resilient region and general support for measures to reduce GHG emissions through Change 1.

156. A number of territorial authorities raise concerns and request clarification on how Objective CC.2 will be implemented in practice, including CDC [S25.002] and PCC [S30.005]. PCC, for example, requests that Objective CC.2 be deleted or amended to clarify how it will be implemented, including how costs and benefits will be “shared fairly” between who and how. PCC also questions whether Objective CC.2 is measurable as a RPS objective and whether it is more appropriate to include such an objective in the Long-Term Plan. Waka Kotahi [S129.004] also requests further clarification on how costs and benefits will be “shared fairly” as directed by Objective CC.2. CDC similarly requests further guidance on how Objective CC.2 and related policies are to be implemented in practice.

157. SWDC [S79.002] supports the intent of Objective CC.2 but considers that the objective is not sufficiently robust to ensure that rural environments, communities, and economies are protected from inequitable allocation of the costs of climate change mitigation and adaptation. To mitigate this risk, SWDC requests amendments to Objective CC.2 to state that “(a) *reduction is preferred over mitigation and; (b) that mitigation occurs as close to the source as possible*”.

158. HCC [S115.007] requests that Objective CC.2 be deleted on the basis that it is unclear how it will be given effect to under the RMA. HCC also considers that the supporting climate change policies and methods have limited relevance to

Objective CC.2 compared to other proposed climate change objectives in Change 1 and therefore the objective is not needed.

159. Ātiawa [S131.022] supports the intent of Objective CC.2 but considers the proposed wording could be open to interpretation. The submitter requests that the objective is amended to add the following words *“To avoid doubt, activities that contribute the largest amount to greenhouse gas emissions should carry the greatest cost, and activities that emit low or no greenhouse gas emissions should receive the greatest benefit”*.
160. Similar to Objective CC.1, there are other submitters that have raised more general concerns with Objective CC.2. For example, Dairy NZ [S136.010] oppose Objective CC.2 and request that it be deleted on the basis there has been inadequate analysis to demonstrate the objective is appropriate and consistent with the latest science and will achieve community objectives. WFF [S163.013] also request that Objective CC.2 be deleted, raising concerns with the process and timeframes to develop the proposed climate change objectives in Change 1. Peka Peka Farm requests that Objective CC.2 be deleted on the basis it is unclear what statutory basis it serves and how it can be achieved in an RMA planning context.
161. As noted above, there are a number of general submission points above from KCDC [S16.067/100], PCC [S30.0116] and UHCC [S34.005] that request the Change 1 objectives be reviewed to ensure that these are clear on the outcome sought, measurable and achievable within the scope of a RPS. While not specific to Objective CC.2, these general submissions points are being considered as relevant for all Change 1 hearing topics.

### **3.8.2 Analysis**

162. My understanding is that the intent of Objective CC.2 is to recognise that the impacts of climate change and the costs of reducing GHG emissions will not be equitable between business and communities in the region. This is articulated in Climate Change Issue 4 discussed above, which was highlighted as being a matter of particular concern for iwi submitters.
163. I therefore consider that the intent of Objective CC.2 is generally sound and serves a resource management purpose - ensuring that the transition to a low-emission and climate-resilient region is done in a way that provides for the social, economic and cultural well-being of communities in the region (including different sectors). I therefore recommend that submissions that request that Objective CC.2 is deleted because it serves no resource management purpose are rejected.
164. However, I agree with submitters that certain terms in Objective CC.2 can, and should, be clarified. I also agree with submitters that the outcome sought by Objective CC.2 can be expressed in a more specific and measurable way.
165. I acknowledge the concerns of some submitters that the RMA (and the RPS) plays a limited role in determining the full costs and benefits of transitioning to a low-emission and climate-resilient region and that this will be determined by a

range of factors (e.g. emissions pricing, central government policy initiatives, existing resources, changes in technology, financial support). However, in my opinion, it is also important that RPS provisions that seek to transition to a low-emission and climate-resilient region in an equitable and fair manner – and that is what Objective CC.2 seeks to achieve.

166. I do agree with submitters that the wording in Objective CC.2 for costs and benefits to be “shared fairly” can be clearer. In this respect, I note that an “equitable transition” and “equitable adaption journey” are central principles for the ERP and NAP respectively and that the Change 1 climate change objectives are intended to complement national policy direction on climate change. The ERP also includes five key objectives<sup>20</sup> to help achieve an equitable transition which are all sound and relevant to the Wellington Region in my opinion.

167. For these reasons, I recommend that the words “shared fairly” are replaced with the term “equitable” to be more aligned with this central government policy and with concepts more readily understood in a climate change context.

168. I also recommend changes to Objective CC.2 to make it clear that costs and benefits should be equitable between sectors (i.e. energy, agriculture, transport) and communities, to provide greater clarity as to the outcome sought as requested by a number of submitters. In my opinion, this is also better aligned with certain climate change policies and targets in Change 1 which are specific to different sectors. I also recommend removing the words “*to achieve social, cultural, and economic well-being*” from Objective CC.2 as I consider that this will make the outcome sought more specific and measurable.

169. I acknowledge the concerns of SWDC about rural communities facing an inequitable allocation of the costs of climate change mitigation and adaptation. However, I consider that this concern is best addressed through the more specific policies to implement the climate change objectives. In particular, I recommend amendments to Policy CC.8 (discussed below) to address the concerns raised by SWDC. Similarly, while I agree with Ātiawa that the largest GHG emitters should generally incur more costs in the transition than smaller GHG emitters, this specific wording is too detailed for Objective CC.2 in my view and better addressed through the implementing policies and methods. Accordingly, I do not recommend any amendments to Objective CC.2 in response to the submissions of SWDC and Ātiawa.

170. In terms of the general submissions requesting that all Change 1 objectives are reviewed to ensure that these are specific to the outcome sought, within the scope of RPS and measurable, I have addressed each of these points in the analysis above. I therefore recommend these submissions are accepted in part noting that other section 42A report authors may make different recommendations on these submissions.

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<sup>20</sup> These principles are: seize the opportunities of the transition, support proactive transition planning, enable an affordable and inclusive transition, build the evidence base and tools, encourage informed public participation (pg. 60 of the ERP).

### **3.8.3 Section 32AA evaluation**

171. In accordance with section 32AA I consider that my recommended amendments to Objective CC.2 are the most appropriate way to achieve the purpose of the RMA as these retain the intent of the objective while improving clarity on the outcome sought and replacing unclear terms.

### **3.8.4 Recommendations**

172. I recommend that Objective CC.2 is amended as follows:

The costs and benefits of transitioning to a low-emission and *climate-resilient* region are ~~shared fairly to achieve social, cultural, and economic well-being across our equitable between sectors and~~ communities.

173. Accordingly, I recommend that original and further submissions points relating to Objective CC.2 are accepted, accepted in part or rejected as set out in **Appendix 2**

## **3.9 Objective CC.3**

### **3.9.1 Matters raised by submitters**

174. Objective CC.3 in Change 1 is as follows:

To support the global goal of limiting warming to 1.5 degrees Celsius, net greenhouse gas emissions from transport, agriculture, stationary energy, waste, and industry in the Wellington Region are reduced:

(a) By 2030, to contribute to a 50 percent reduction in greenhouse gas emissions from 2019 levels, including a:

(i) 35 percent reduction from 2018 levels in land transport-generated greenhouse gas emissions,

(ii) 40 percent increase in active travel and public transport mode share from 2018 levels, and

(iii) 60 percent reduction in public transport emissions, from 2018 levels, and

(b) By 2050, to achieve net-zero emissions.

175. There were approximately 38 original and 20 further submission points on Objective CC.3 seeking a range of different outcomes and amendments. I have summarised the submissions on Objective CC.3 below under general submissions, transport targets, agriculture targets and renewable energy generation to assist in understanding the key issues in submissions and subsequent analysis.

### ***General submissions on Objective CC.3***

176. A number of submitters support Objective CC.3 and request that it be retained as notified, including Guardians of the Bays [S94.007], Te Tumu Paeroa [S102.006], Renters United [S130.003], Muaūpoko [S133.029], WCC [S140.008/S140.009], Generation Zero [S141.003], Combined Cycle Submitters [S142.001], Forest and Bird [S165.005] and Rangitāne [S168.0107].
177. One of the key issues raised by submitters in relation to Objective CC.3 is the extent to which the objective is achievable within the scope of an RMA document (either a RPS or through implementing regional and district plans) and the RMA functions of regional councils and territorial authorities. Submitters that raised these concerns include PCC [S30.006], UHCC [S34.024], HCC [S115.008], Peka Peka Farm [S118.002], WIAL [S148.017] and Kāinga Ora [S158.005].
178. Other submitters support the general intent of Objective CC.3, but request amendments to address identified issues and/or assist with interpretation and implementation. For example, MDC [S166.004] considers that it is unclear as to whether the targets included in Objective CC.3 are regional targets or whether they are to be applied on an activity basis. MDC is concerned that applying the targets for individual activities would have a significant impact on individual resource consent applications.
179. PCC [S30.006] and Meridian [S100.005] identified inconsistency issues with Objective CC.3, referencing both 2018 and 2019 as baseline dates for the GHG emission reduction targets and consider that this is confusing. PCC also requests clarification as to whether Council has data on GHG emissions in the region at these baseline years, as this will be necessary to understand and implement the targets in Objective CC.3.
180. Submissions on the net-zero target by 2050 in Objective CC.3 were largely split between submitters concerned about the target going beyond the Paris Agreement, including CDC [S25.005], and submitters wanting the target to be more stringent and ambitious, such as NZ Centre for Sustainable Cities [S151.019]. Other submitters questioned whether the net-zero target is achievable, such as SWDC [S79.003]
181. From a drafting perspective, GWRC [S137.007] requested an amendment to clause (b) of Objective CC.3 to be consistent with clause (a). The requested amendment from GWRC is “(b) By 2050, to contribute to achieving net-zero emissions”.
182. Other submitters in support of the general intent of Objective CC.3 request amendments and additions to address perceived issues and gaps. For example, KCDC [S16.008] is concerned that Objective CC.3 does not contain specific targets for reducing GHG emissions from the stationary energy and waste sector. PCC [S30.006] considers that Objective CC.3 should reference the need to phase out coal by 2030 to support the proposed amendments to Policy 2 of the RPS.
183. In terms of specific amendments requested by submitters, WIAL recommends the following alternative wording for Objective CC.3: “*To support New Zealand's*

*pathway to net zero emissions by 2050, align Wellington's regional responses to national legislation and expectations regarding emissions budgeting and outcomes".* WIAL considers that this alternative wording provides a way to better reference key other legislation and national responses, noting that RMA controls only cannot achieve the 2050 net-zero emissions target.

184. Kāinga Ora requests a similar amendment to reword Objective CC.3 so it is achievable within the RMA framework. The requested amendments from Kāinga Ora are to remove all reference to specific targets for various sectors and instead to state *"Net greenhouse gas emissions from transport, agriculture, stationary energy, waste and industry in the Wellington Region are reduced by 2030 and achieves net zero emissions by 2050"*. HCC [S115.008] requests the insertion of an advice note to clarify the scope of RMA controls achieving the emission reduction targets as follows *"Note: while policies and methods of this RPS contribute to achieving this objective, it is primarily achieved outside the resource management system, including through the New Zealand Emissions Trading Scheme"*.
185. HortNZ [S128.005] requests a change in focus in Objective CC.3 from just limiting increases in GHG emissions to enabling the transition to lower emissions. This request is made on the basis that punitive policies are already provided through the NZ ETS, so the RPS approach should focus on supporting the transition. In the content of Objective CC.3, SWDC [S79.003] makes a broader submission point about the contribution of Wairarapa to regional GHG emissions. In terms of estimated net GHG emissions by district, SWDC notes that the Wellington Region Greenhouse Gas Inventory estimates that Wairarapa accounts for 14%, Kapiti accounts for 11% and the urban whaitua (Wellington, Hutt, Porirua) account for the remaining 75% of net GHG emissions. SWDC also notes that there will be a need to estimate net GHG emissions per sector to support the targets in Objective CC.3, which the Wellington Region Greenhouse Gas Inventory currently does not do.
186. Other submitters express more general opposition for Objective CC.3, either in full or in part. Other reasons why Objective CC.3 is opposed include that the objective is not supported by an adequate section 32 evaluation, which was raised as an issue by SWDC [S79.003] and Dairy NZ [S136.001]. WFF [S163.014] also opposes Objective CC.3 and requests that the issue is deferred until the full 2024 RPS review, which is a common submission point from WFF across the climate change provisions in Change 1. WFF also made more specific comments in their submission on the Objective CC.3 targets applying to agriculture which I address below.

### ***Transport***

187. Several submitters support the transport related targets in Objective CC.3 and request that these be retained as notified, including KiwiRail [S124.001], Invenstore Property [S154.003] and Stride Investment Management [S155.003].
188. The NZ Centre for Sustainable Cities [S151.003, S151.018 and S151.020] supports Objective CC.3, but requests amendments to strengthen the transport

targets, including increasing the 2030 land transport emissions reduction target from 35% to 45%.

189. Other submitters support the 2030 targets for transport in Objective CC.3 in principle, but request either additional involvement in setting the targets or clarification as to how they will be applied. For example, Waka Kotahi [S129.006] requests to be further involved in the setting of GHG emission reduction targets for the transport sector to ensure they are feasible. HCC [S115.008] requests clarification as to how mode share figures are calculated, as clause (a)(ii) of Objective CC.3 refers to a percentage change in mode share. HCC contends that mode share is already a percentage, and that Objective CC.3 should clarify whether this goal is 40 percent of the current mode share, or 40 percentage points.
190. Wairarapa territorial authorities, including CDC [S25.003] and SWDC [S79.003], oppose the transport targets in Objective CC.3, on the basis that this is unfair for rural districts. The basis for this concern is that there are limited options for public transport in rural districts, the roads are already suitable for walking and cycling, and there is a heavy reliance on road transport options to support the tourism sector.

### ***Agriculture***

191. Some submitters indicated general support that agriculture GHG emissions are referenced in Objective CC.3, but raise concerns that there is not a specific GHG emission reduction target for agriculture. Submitters raising this concern include KCDC [S16.008], Ātiawa [S131.023] and Taranaki Whānui [S167.020].
192. Conversely, CDC [S25.004] is very concerned that agriculture is included in Objective CC.3 and requests that it be deleted. The basis of this request is that the CCRA excludes biogenic methane from the overall 2030 and 2050 targets and sets a separate target for these emissions.
193. As noted above, WFF opposes Objective CC.3 and requests that it be deleted. WFF made extensive commentary in its submission about the Objective CC.3 targets applying to agriculture. Key points and concerns from WFF in its submission include:
- Concerns that the Objective CC.3 targets are not supported by sufficient evidence and are contrary to national CCRA targets.
  - Agriculture is being unfairly targeted given that urban centres are by far the largest contribution to regional GHG emissions.
  - Objective CC.3 will require Council to estimate the sum of farm GHG emissions in the region plus the sum of farm sequestration in the region, to arrive at a net agriculture GHG emissions figure for the region.
  - The proposed targets are unrealistic, particularly the 2030 target to reduce GHG emissions by 50% for all sectors except transport, and/or they assume significant new carbon sequestration.
  - WFF is committed to the challenge of making progress on climate change targets while growing primary sector export earnings.

194. There are also a number of submission points relating to targets for agricultural emissions that are discussed in in relation to Policy CC.5 in the Climate Change – Agricultural Emissions Section 42A Report. A number of these submissions noted the importance of Policy CC.5 being amended to reduce agricultural GHG emissions (rather than avoid an increase) to be consistent with, and support, the targets in Objective CC.3 which I have accepted in full or in part.

### ***Renewable energy generation***

195. Two renewable energy generators request amendments to Objective CC.3 to provide specific recognition of renewable energy generation activities in the objective and supporting policies. More specifically, Harmony [S70.001] considers that the achievement of Objective CC.3 requires a better package of implementing policies to promote new renewable energy generation activities in the region. Meridian [S100.005] requests that renewable energy generation is explicitly referenced in Objective CC.3. Meridian's suggested alternative wording is *"To support the global goal of limiting warming to 1.5 degrees Celsius, net greenhouse gas emissions from transport, agriculture, stationary energy, waste, and industry in the Wellington Region are reduced and additional renewable energy resources are developed to:"*

### **3.9.2 Analysis**

196. To inform my analysis of the issues raised in submissions in relation to the GHG emission targets in Objective CC.3, I have relied on the technical evidence of Mr Roos as outlined above and also as referred to in the Section 32 Report. In my view, the key points in Mr Roos's evidence in terms of analysing submissions on Objective CC.3 are:

- While GHG emission reduction targets should be informed by science and relevant climate change projections, they are ultimately a political judgement. This has been emphasised in statements by the Climate Change Commission in relation to national GHG emission reduction targets and is equally relevant in the context of regional GHG emission reduction targets. In this respect, I note that Council deliberately took an ambitious approach to setting GHG emission reduction targets to have the most confidence that this target would help restrict warming to 1.5°C, to avoid catastrophic impacts on the environment, communities and the economy. The rationale for this approach is set out in the Section 32 Report and the supporting technical memo which assesses three main options for the GHG emission reduction targets in the region<sup>21</sup>.
- There are two main approaches to setting GHG emissions targets – a 'top-down' method and 'bottom-up' method. The top-down method involves determining what would be a reasonable contribution to limiting global warming via GHG emissions reduction, informed by science,

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<sup>21</sup> Section 32 Report, pg. 69. Internal Greater Wellington Technical Memo prepared by Jake Roos, July 2022. The two other options considered (CCRA targets and no targets) were considered to be not sufficient to limit global warming and/or respond to climate change with the urgency and scale required.



climate change projections, and a range of other factors. The bottom-up method involves setting targets according to the amount of GHG reduction estimated to result from implementation of a specific set of actions, and typically results in weaker targets as these tend to be conservative based on the degree of action that is likely to be undertaken. For example, common assumptions used for modelling include that the future will be similar to the past and that rates of change are incremental or linear. Neither is necessarily true in Mr Roos's opinion. Council deliberately chose to take a 'top-down' approach, drawing on modelled scenarios in the IPCC reports.

- To contribute to the global goal of limiting warming to 1.5 degrees Celsius in an equitable manner, developed countries need to make steeper reductions. This is widely recognised, internationally and domestically, including through clear statements to this effect from the Climate Change Commission, stating "*In general, applying equity approaches implied that New Zealand should make "significantly deeper reductions than the global average". Emissions trajectories based on New Zealand's relative wealth would lead to deeper reductions by 2030 than the IPCC 1.5°C pathway*"<sup>22</sup>.
- The costs to achieve GHG emission reductions targets is inherently challenging to estimate with a reasonable degree of confidence. However, at a broad level, there is sufficient evidence in macro-economic studies to demonstrate that the costs of reducing GHG emissions are far less than not acting, and that acting now will help to avoid more costly and steeper reductions for future generations.

197. Additionally, Mr Roos has made references to reports and statements on the adverse effects of climate change and the potential for widespread environmental damage, if global temperatures reach 'tipping points'<sup>23</sup>.

198. With these key points in mind, I consider that the general intent of Objective CC.3, to set clear, ambitious GHG emission reduction targets for the region, is appropriate. This also serves a clear resource management purpose – reducing GHG emissions in the region to contribute to national and global efforts to mitigate climate change and the adverse effects this is having on the environment, the economy, and the well-being of people and communities. Objective CC.3 is therefore clearly central to the package of climate change provisions in Change 1, and I recommend that it be retained.

199. Notwithstanding this, submitters have raised a number of key issues and concerns with Objective CC.3 that need to be responded to. In my view, the key issues in submissions on Objective CC.3 are as follows:

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<sup>22</sup> As referenced in the evidence of Mr Roos.

<sup>23</sup> For example, the statement from the IPCC AR6 working group that "...Global warming of 1.5degC and 2degC will be exceeded during the 21st Century unless deep reductions in CO2 and other greenhouse gases occur in the coming decades" in IPCC (2021) Climate Change 2021 - The Physical Science Basis Working Group I Contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change.

- Issue 1 - Achievability of emission reduction targets
- Issue 2 - Rationale for different targets to the CCRA
- Issue 3 - Sector specific targets and reference to renewable energy generation.

### ***Issue 1 – Achievability of Objective CC.3 emission reduction targets***

200. One of the key issues raised in submissions is the extent to which Objective CC.3 is achievable under the RMA and the statutory functions of regional and district councils. Several submitters raise concerns that local authorities have limited levers to achieve GHG emission reduction targets and that climate change is best addressed at a national level through the range of national policy initiatives. In this respect, I consider that some submitters have misinterpreted the intent of Objective CC.3 and how the targets are intended to be achieved. More specifically, the terms in Objective CC.3 to “support” the global goal of limiting warming and reducing emissions to “contribute to” the regional GHG emission targets are deliberate and important.

201. The reference to “contribute to” in clause (a) of Objective CC.3 was made in response to feedback on the draft version of Change 1. The intent of this change is to make it clear that the Change 1 provisions can only contribute to the Objective CC.3 targets, as achieving the targets will require a range of national, regional and local interventions and initiatives, including the pricing of GHG emissions under the NZ ETS. This was clearly noted in the Section 32 Report which stated “*Objective CC.3 is framed in a way to make it clear that the RPS can only contribute to achieving these emission reduction targets, recognising that local government holds only some of the levers required to drive emissions reductions*”<sup>24</sup>. In this respect, I recommend that the submission of GWRC to amend clause (b) of Objective CC.3 to refer to ‘contribute’ to the 2050 net-zero target is accepted so that this is consistent with clause (a).

202. Also, as noted above in section 2.7, central government has recognised that local government and the planning system have important roles to manage activities under the RMA to contribute to achieving GHG emission reduction targets<sup>25</sup>. For these reasons, I consider that Objective CC.3 is achievable, in the sense that the outcome sought is for RMA provisions, developed and implemented by local authorities in the region, to contribute to achieving the 2030 and 2050 GHG emission reduction targets.

### ***Issue 2 - Rationale for different targets to the CCRA***

203. The rationale for the differences between the GHG emission reduction targets in Objective CC.3 and the CCRA targets is set out in detail in the evidence of Mr Roos and is not repeated here. However, in my opinion, the key points in Mr Roos’s evidence are as follows:

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<sup>24</sup> Section 32 Report, pg. 70.

<sup>25</sup> In particular, Chapter 6 of the ERP sets out a range of priority actions to reduce GHG emissions through the planning system and the ERP includes a range of actions targeted at local government.

- Aotearoa NZ's national level emissions targets do not represent a fair share of the global effort to limit warming to 1.5°C. This is the internationally accepted threshold to avoid catastrophic impacts on the natural environment, the health and well-being of our communities, and our economy.
- The CCRA does not explicitly require the government to follow a GHG emissions pathway consistent with limiting global warming to 1.5°C, only that the government adopt a pathway that 'contributes to' limiting warming to 1.5°C. Therefore, while the CCRA targets are clearly endorsed by central government, they do not determine what regions within New Zealand could or should do to mitigate climate change and contribute to national and global targets.
- The 2030 target that was adopted for Objective CC.3 is within the range of the global GHG emissions scenarios used for the IPCC AR6 report to give a better than 50% chance of limiting warming to 1.5°C: a 34 to 60% reduction by 2030.
- The 2030 targets are consistent with those adopted by Auckland Council in their climate plan<sup>26</sup> and less than the 2030 targets adopted by Wellington City Council in their climate strategy<sup>27</sup>. The 2050 net-zero 'all emissions' target in Objective CC.3 is consistent with that adopted by Wellington City Council and Auckland Council.

204. Based on this advice, I am satisfied that there is sufficient technical rationale for the targets in Objective CC.3 to differ from those in the CCRA, while noting that these were driven by a political decision by Council to take an ambitious approach to addressing climate change.

### ***Issue 3 – Sector specific targets and renewable energy generation***

#### ***Transport targets and different baselines***

205. A number of submissions raised questions and concerns about the different baseline dates for the 2030 targets in clause a) being 2018 for transport and 2019 for other sectors. In terms of the specific transport targets in Objective CC.3, these are directly taken from the Wellington Regional Land Transport Plan 2021, with the intent to give "these targets statutory weight in decision-making". This is the reason for the 2018 base year for the transport specific target in Objective CC.3 as this is what is specified in the Regional Land Transport Plan it is drawn from.

206. The evidence of Mr Roos considers the different baseline dates in Objective CC.3 and explains that the 2019 baseline year is that specified for current IPCC scenarios. He also explains that base years are not important with respect to the 2050 net zero target as this not relative to a base year and that the different baseline years in Objective CC.3 presents no issues from a climate change

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<sup>26</sup> [Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan \(aucklandcouncil.govt.nz\)](https://www.aucklandcouncil.govt.nz/Te-Tāruke-ā-Tāwhiri/Auckland's-Climate-Plan)

<sup>27</sup> [Climate change - What we're doing about climate change - Wellington City Council](#). This plan sets a GHG emission reduction target of 57% by 2030.

perspective. Based on this advice, I am satisfied the baseline years in Objective CC.3 should be retained.

207. In terms of the requests to strengthen the transport targets in Objective CC.3, this was not supported by any clear evidence to depart from the transport targets in the Wellington Regional Land Transport Plan 2021. However, I understand these targets will be constantly reviewed and updated with each Regional Land Transport Plan as required under the Land Transport Management Act 2023.

208. I also do not recommend any amendments to the transport targets in Objective CC.3 in response to concerns from territorial authorities on the basis that this is unfair for rural districts. The transport targets are intended to apply at a regional level, and I understand that the setting of these targets includes consideration of the practicability and timeframes to shift to active and public transport modes across the region.

### Agriculture targets

209. The primary sector raised significant concerns with the GHG emission targets in Objective CC.3 in terms of how these apply to agricultural GHG emissions. I have relied on the evidence of Mr Roos to respond to these submissions noting that Objective CC.3 does not propose a specific target for agricultural GHG emissions. Key points in his evidence in relation to this issue include:

- Change 1 adopts an 'all gases' target which is consistent with Auckland City, Wellington City and most other nations, municipalities and businesses that have adopted emissions reduction targets.
- When developing GHG targets, GHGs are typically converted into the common unit of CO<sub>2e</sub> using GWP<sub>100</sub><sup>28</sup> conversion factors. This differs from the CCRA targets which has 'split-gas' targets for long-lived gases and biogenic methane. Mr Roos notes the use of GWP<sub>100</sub> for managing short-lived GHGs has shortcomings in that it can overestimate the impact of these GHG emissions. However, in his opinion, this does not present any issues for managing GHG emissions as it is widely accepted that on warming, cutting emissions of both GHGs is the wisest course of action to stay below the threshold.

210. Mr Roos also notes that further work needs to be undertaken to develop a regional emissions plan to assess the best approach to achieve GHG emission reduction for each sector, including agriculture, and this work may result in changes to the targets in Objective CC.3 overtime. This is an important point from my perspective, as it recognises that the achievement of Objective CC.3 will be an ongoing process, informed by a range of factors (central government policy,

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<sup>28</sup> GWP<sub>100</sub> is the 'global warming potential' which is used to average the warming effects from different types of GHG emissions. Mr Roos advises in his evidence that the GWP<sub>100</sub> is internationally accepted method formalised by the UNFCCC in their 'Paris Rulebook' and that all countries are required to report their emissions using GWP<sub>100</sub>. Reference cited in Mr Roos's evidence is Lynch et al (2020) 'Demonstrating GWP\*: a means of reporting warming-equivalent emissions that captures the contrasting impacts of short- and long-lived climate pollutants'.

technology advances, behaviour change etc.) but, in my opinion, it is important to set the direction of travel for this work for the reasons outlined throughout this report. This applies to all GHG emitting sectors in my view, including agriculture as the second largest emitting sector in the region.

211. In response to the other concerns raised by WFF:

- I do not agree that the agricultural sector is being unfairly targeted by Objective CC.3 as it does not set a specific target for this sector. I discuss this concern in more detail in relation to Policy CC.5 in the Climate Change – Agricultural Emission Section 42A Report.
- I acknowledge that there will need to be improved monitoring and understanding of gross and net GHG emissions from different sectors to achieve Objective CC.3. I understand there are a number of initiatives to achieve this underway, including the work of the Wellington Regional Leadership Committee to develop an emission reduction plan for the region. This work and improved understanding is necessary in my view to effectively respond to the challenges of climate change.
- Objective CC.3 does not require a 50 percent reduction in agricultural GHG emissions by 2030 – this is a regional target. I acknowledge that the 2030 target is a very ambitious target, but this was deliberately adopted by Council to give a better than 50% chance of limiting warming to 1.5°C as outlined above.

### Renewable energy generation

212. I recognise the importance of significantly increasing renewable energy generation capacity to meet regional and national GHG emission reduction targets. However, I do not recommend that Objective CC.3 is amended to specifically reference renewable energy generation, as requested by Meridian, as I consider that the objective should retain its focus on GHG emission reduction targets. I also make specific recommendations to better recognise and provide for renewable energy generation in the Climate Change – Energy, Waste and Industry Section 42A Report. That Section 42A Report also responds to the submission of Harmony requesting a better package of implementing policies to promote renewable electricity generation.

### **3.9.3 Section 32AA evaluation**

213. In accordance with section 32AA I consider that my recommended amendments to Objective CC.3 are the most appropriate way to achieve the purpose of the RMA as these are minor amendments to clarify intent to make it clear that the intent Objective CC.3 is to contribute to achieve new-zero emissions by 2050 and to consistently refer to greenhouse gas emissions<sup>29</sup>.

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<sup>29</sup> I recommend that the two definitions “emissions” and “greenhouse gases” notified in Change 1 are combined into a single “greenhouse gas emissions” definition below.

### **3.9.4 Recommendations**

214. I recommend that Objective CC.3 is amended as follows:

To support the global goal of limiting warming to 1.5 degrees Celsius, net greenhouse gas emissions from transport, agriculture, stationary energy, waste, and industry in the Wellington Region are reduced:

(a) By 2030, to contribute to a 50 percent reduction in greenhouse gas emissions from 2019 levels, including a:

(i) 35 percent reduction from 2018 levels in land transport-generated greenhouse gas emissions,

(ii) 40 percent increase in active travel and public transport mode share from 2018 levels, and

(iii) 60 percent reduction in public transport emissions, from 2018 levels, and

(b) By 2050, to contribute to achieving net-zero greenhouse gas emissions.

215. Accordingly, I recommend that original and further submissions points relating to Objective CC.3 are accepted, accepted in part or rejected as set out in **Appendix 2**.

## **3.10 Objective CC.7**

### **3.10.1 Matters raised by submitters**

216. Objective CC.7 in Change 1 is as follows:

People and businesses understand what climate change means for their future and are actively involved in planning and implementing appropriate mitigation and adaptation responses.

217. There are approximately 24 original and 18 further submission points on Objective CC.7 that seek a range of different outcomes and amendments. A number of submitters support Objective CC.7 and request that it be retained as notified. This includes three territorial authorities (MDC [S166.009], KCDC [S16.012], WCC [S140.013]), Forest and Bird [S165.009] and HortNZ [S128.008].

218. Other submitters seek minor amendments to Objective CC.7 consistent with the overall intent. Meridian [S100.007]. supports Objective CC.7 in part, but requests that it be expanded so that people and business also understand “*the changes that need to be made to respond to the challenges of climate change*”. WIAL [S148.020] requests a similar amendment to Objective CC.7 to refer to changes that need to be made to adapt to the challenges and opportunities of climate change. WIAL [S148.023] also requests an additional qualifier to state “*where it is practicable and appropriate to do so*” or an alternative qualifier targeted at regionally significant infrastructure. This submission point was allocated to

Objective CC.7 but appears to be related to Policy CC.7. I understand this submission is being considered in the Climate Change – Nature-based Solutions Section 42A Report.

219. There was broad support for Objective CC.7 from iwi submitters, with most iwi requesting that Objective CC.7 be retained as notified, including Muaūpoko [S133.033], Taranaki Whānui [S167.024] and Ātiawa [S131.0164]. Rangitāne [S168.0111] supports Objective CC.7 in part, qualifying their support by saying that measures to reduce GHG emissions need to be equitable and enable people and communities to provide for their social, economic and cultural wellbeing.
220. Some territorial authority submitters request clarification as to how Objective CC.7 will be achieved in practice, particularly in terms of how it will be funded, and highlight the need for more targeted policies and methods focused on implementation. For example, CDC [S25.008] and SWDC [S79.007] both support Objective CC.7, but question whether there is enough support within the Change 1 provisions and adequate funding sources to achieve the objective. UHCC [S34.0121] supports Objective CC.7 in part, but requests that it is reframed to focus on removing the barriers to communities being able to engage (e.g. funding, resourcing) and achieve the 'understanding' referred to in the objective.
221. Two submitters indicate support for the intent of Objective CC.7, but consider that this outcome is better achieved by other objectives. For example, Peka Peka Farm [S118.003] considers that the outcomes sought by Objective CC.7 are already sufficiently addressed by Objective CC.6. WFF [S163.018] requests that Objective CC.7 is deleted on the basis that their proposed overarching Objectives A and B provide more "concrete objectives and pathways" to achieve a similar result. These overarching objectives from WFF are discussed in relation to the Change 1 overarching Objective A in Hearing Stream 2 – Integrated Management, where I recommend that the relevant submission point is rejected. DairyNZ [S136.014] opposes Objective CC.7 on the basis that the analysis in the Section 32 Report is inadequate, which is a common issue raised by Dairy NZ for numerous climate change provisions in Change 1.
222. Other submitters oppose Objective CC.7 and request it be deleted, including PCC [S30.010] and HCC [S115.01]. Reasons include, for example, questions as to whether the objective can be achieved under the RMA and that it is inappropriate to include objectives that rely on non-RMA implementation methods in an RPS. For example, PCC considers that Objective CC.7 is not "*specific, measurable, achievable, realistic or time-bound*", consistent with their general feedback on other Change 1 objectives as discussed above.

### **3.10.2 Analysis**

223. In my opinion, the general intent of Objective CC.7 is sound and serves a clear resource management purpose – supporting people and communities to understand the climate change issues they are facing and to support their active involvement in appropriate mitigation and adaptation responses. This recognises that effectively addressing and responding to climate change is reliant on the

behaviour change of people and communities and cannot be achieved by regulatory responses and emission pricing alone.

224. The intent of Objective CC.7 is articulated and evaluated in the Section 32 Report as part of the package of climate change objectives<sup>30</sup>. The Section 32 Report explains that Objective CC.7 *“recognises the critical importance of knowledge and information to support people and businesses to both prepare for the changes to come and to work to reduce the impact of their lifestyles on greenhouse gas emissions”*<sup>31</sup>.

225. In terms of the submitters raising questions and concerns about the implementation of Objective CC.7, I note that this objective is intended to be achieved through a range of non-regulatory policies and methods. In particular, Policy CC.15 (improving rural resilience), Policy CC.16 (climate change adaptation implementation programmes), Policy CC.17 (iwi adaptation plans), Method CC.1 (education and behaviour change) and Method CC.8 (low-emissions and climate-resilient agriculture). The effectiveness of these non-regulatory policies and methods in achieving Objective CC.7 (and other RPS objective) are discussed in relation to the analysis of submissions on each provision. However, at a broad level, I consider that the proposed non-regulatory policies and methods are sufficient and will be effective to achieve Objective CC.7 if implemented as intended.

226. I do not agree with submitters that the intent and outcomes sought by Objective CC.7 are better achieved by other climate change objectives. In particular, I note that Objective CC.6 is focused on increasing the resilience of communities to the current and future effects of climate change. It does not specifically seek to achieve an outcome where people and communities better understand the effects of climate change and then choose to be actively involved in appropriate adaptation and mitigation responses. In this respect, I consider that Objective CC.6 and Objective CC.7 are complementary to achieve the climate change outcomes sought for the region (low emissions and climate-resilient). I therefore recommend that the submission from Peka Peka Farms is rejected.

227. While I support the general intent of the amendments sought by WIAL and Meridian I consider that this wording is unnecessary within Objective CC.7 and risk making the outcome sought less clear and specific. In my view, the wording *‘appropriate mitigation and adaption responses’* captures the intent of their requested amendments as these are the responses that need to be made to respond to the challenges of climate change, I also do not consider that the qualifier requested by WIAL is appropriate as part of Objective CC.7. I therefore recommend these submissions are accepted in part.

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<sup>30</sup> Section 32 Greater Wellington Proposed RPS Change 1 2022, pg. 68.

<sup>31</sup> The IPCC finds that having the right policies, infrastructure, and technology in place to enable changes to our lifestyles and behaviour can result in a 40-70% reduction in greenhouse gas emissions by 2050. The evidence also shows that these lifestyle changes can result in significant improvements in our health and wellbeing. Source: Section 32 Greater Wellington Proposed RPS Change 1 2022, pg. 73.



228. I agree with the submission of Rangitāne that measures to reduce GHG emissions need to be equitable and enable people and communities to provide for their social, economic, cultural, wellbeing. I note that this outcome relating to an equitable transition is specifically addressed in Objective CC.2 discussed above and, in view, this detail does not need to be repeated in Objective CC.7. I therefore recommend this submission point from Rangitāne is accepted in part.
229. However, I do agree with submitters that Objective CC.7 can be more clearly and concisely expressed and recommend minor amendments to achieve this, without changing the underlying intent. This includes amending the wording to refer to '*current and future effects of climate change and how this may impact them*', which is consistent with section 7(i) of the RMA. In my opinion, it is also less subjective than the current wording of Objective CC.7, as it focuses on the effects and impacts of climate change, rather the future of people and businesses. I also recommend removing the words "planning and implementing" appropriate mitigation and adaptation responses as these words are superfluous in my opinion.
230. As noted above, there are a number of general submission points requesting that all Change 1 objectives are reviewed to ensure they are specific as to the outcome sought, within the scope of RPS and measurable. In my view, the outcome sought from Objective CC.7 is clear – people better understand the effects of climate change and are actively involved in mitigation and adaptation responses. This serves a resource management purpose and is within the scope of a RPS, which can include non-regulatory methods to achieve the objectives. I also consider that Objective CC.7 is measurable as this can be achieved through public surveys on climate change awareness and actions and through measuring community involvement in non-regulatory methods to achieve Objective CC.7. I therefore recommend that these submission points are accepted in part.

### **3.10.3 Section 32AA evaluation**

231. In accordance with section 32AA I consider that my recommended amendments to Objective CC.7 are the most appropriate way to achieve the purpose of the RMA as these are minor amendments to clarify terms and interpretation without change the underlying intent and focus of the objective.

### **3.10.4 Recommendations**

232. I recommend Objective CC.7 is amended as follows:

People and businesses understand ~~what the current and future effects of climate change~~ ~~and how this may impact them means for their future~~ and are actively involved in ~~planning and implementing~~ appropriate *climate change mitigation* and *climate change adaptation* responses.

233. Accordingly, I recommend that original and further submissions points relating to Objective CC.7 are accepted, accepted in part or rejected as set out in **Appendix 2**.

### 3.11 Objective CC.8

#### 3.11.1 Matters raised by submitters

234. Objective CC.8 in Change 1 is as follows:

Iwi and hapū are empowered to make decisions to achieve climate-resilience in their communities.

235. There were approximately 18 original and 15 further submission points on Objective CC.8 requesting a range of different outcomes and amendments. A number of submitters support Objective CC.8 and request that it be retained as notified, including Sustainable Wairarapa Inc [S144.032], Forest and Bird [S165.010], MDC [S166.01] and Ātiawa [S131.027]. Taranaki Whānui [S167.025] also requests that Objective CC.8 be retained as notified and notes that they are particularly supportive of the use of the term “empowered” in the objective.

236. Some territorial authorities, including KCDC [S16.013] and WCC [S140.014], support Objective CC.8 in part but request minor amendments relating to the use of the word ‘hapū’ on the basis that it complicates existing participation arrangements and agreements they have with iwi. The requested relief from KCDC is to either remove reference from Objective CC.8 to hapū or include a policy to outline how the relationship between hapū and iwi authorities will work in a practical sense. WCC simply requests that the reference to hapū be removed from Objective CC.8.

237. Some iwi submitters request that Objective CC.8 be strengthened by expanding its scope. For example, Muaūpoko [S133.034] and Rangitāne [S168.0114] request that the scope of Objective CC.8 be expanded to specifically refer to increasing the resilience of taonga, wāhi tapu and significant cultural sites to climate change. Ngāti Toa [S170.090] indicates some concern in their submission that Objective CC.8 does not recognise the lack of resources, funding, and capability of iwi and hapū to achieve climate resilient communities. Ngāti Toa also raises concerns that Objective CC.8 is expressed as an outcome that iwi and hapū will do anyway (i.e. make decisions to achieve climate-resilience in their communities), and therefore the objective should more simply focus on increasing the resilience of iwi and hapū to climate change.

238. A number of submitters request clarification as to how Objective CC.8 will be achieved in practice and how key terms such as “climate-resilience”<sup>32</sup> are to be interpreted and applied. This includes PCC [S30.011] who also raises questions as to whether Objective CC.8 is achievable within the scope of an RPS. PCC requests that Objective CC.8 be amended to address these concerns and be clearer on the outcome sought from the objective, consistent with PCC’s general submission points on other Change 1 provisions.

239. Similarly, Kāinga Ora [S158.009] supports the general intent of Objective CC.8, but suggests refocusing the objective so it is less ‘emotive’ and more achievable within a RPS framework. The requested alternative wording from Kāinga Ora is

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<sup>32</sup> This term is discussed in relation to Objective CC.1.

*“Land use, development and subdivision on Māori land is resilient to the likely current and future effects of climate change”*. Irrigation NZ [S86.003] requests that Objective CC.8 is amended to define the instructional words that relate to tangata whenua and Te Ao Māori. This relates to general concern from Irrigation NZ about how Objective CC.8 will be implemented.

240. Peka Peka Farm [S118.004] indicates support for the intent of Objective CC.8 but considers that the matter is already sufficiently addressed by Objective CC.6. WFF [S163.019] opposes Objective CC.8 and requests that it is deferred until the full review of the RPS scheduled in 2024. This is a common submission point from WFF on the climate change provisions in Change 1.

### **3.11.2 Analysis**

241. The intent of Objective CC.8 is articulated in the Section 32 Report which states *“Objective CC.8 responds to the particular vulnerability of Māori to the impacts of climate change and the importance of mana whenua/tangata whenua as resource management partners, being empowered to make decisions that will help to develop climate-resilience in their communities”*<sup>33</sup>.

242. In my opinion, the general intent of Objective CC.8 is appropriate and it serves a resource management purpose – to empower iwi and hapū to make decisions to achieve climate-resilience in their communities. This outcome is relevant in terms of achieving Part 2 of the RMA, and in particular sections 7(a), 7(j) and 8. The general support from submitters for the intent of this objective (notwithstanding the requested amendments) further demonstrates the appropriateness of including Objective CC.8 in Change 1. I therefore recommend that Objective CC.8 is retained and submissions requesting it is deleted are rejected.

243. However, I acknowledge the concerns of KCDC and WCC that the reference to hapū within Objective CC.8 is not consistent with their existing arrangements and agreements with iwi authorities and may lead to implementation issues. It is also not consistent with other Change 1 provisions which are generally directed at mana whenua/tangata whenua, which I understand is the terminology that has been agreed with each mana whenua/tangata whenua in the region. I therefore recommend that these submissions are accepted and the reference to iwi and hapū in Objective CC.8 is replaced with mana whenua/tangata whenua.

244. In terms of the submitters raising questions and concerns about how Objective CC.8 will be practically implemented, I note that the objective is to be achieved primarily through non-regulatory Policy 16 (climate change adaptation strategies) and Policy 17 (iwi climate change adaptation plans) which are addressed in the Climate Change – Natural Hazards topic. Objective CC.8 will also be implemented through Policy IM.1, which directs that the integrated management of natural and built environments in the region involves partnering with mana whenua/tangata whenua. There are also a range of provisions in Chapter 3.10 of the RPS which

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<sup>33</sup> Section 32 Greater Wellington Proposed RPS Change 1 2022, pg. 73.

seek to involve mana whenua/tangata whenua in decision-making, which may assist in achieving Objective CC.8. I am therefore satisfied that Objective CC.8 can be effectively implemented through the relevant regulatory and non-regulatory policies and methods in the RPS.

245. I agree with the general intent of the amendments sought by Muaūpoko and Rangitāne to specifically refer to increasing the resilience of taonga, wahi tapu and significant cultural sites to climate change within Objective CC.8. However, in my view, these words are too specific for Objective CC.8 and my preference is for the objective to be worded in a more flexible way to enable mana whenua/tangata whenua to determine how climate-resilience is best achieved in their communities. Accordingly, I do not recommend any amendments to Objective CC.8 in response to these submission points from Muaūpoko and Rangitāne.

246. I do not agree with Peka Peka Farms that the intent and outcomes sought by Objective CC.8 are better, or sufficiently, achieved through Objective CC.6. While Objective CC.6 also relates to climate resilient communities, it is not specific to the outcome sought from Objective CC.8 to empower iwi to achieve climate-resilience in their communities. I therefore recommend that this submission of Peka Peka Farms is rejected. I also recommend that the submission from Kāinga Ora is rejected, as the suggested wording would significantly limit the scope of Objective CC.8 to development on Māori land, which is not the intent.

247. I acknowledge the concerns of Ngāti Toa that Objective CC.8 is expressed as an outcome that iwi will do anyway, and I agree that the objective should more simply focus on empowering mana whenua/tangata whenua to achieve climate-resilience in their communities. In my view, achieving climate-resilience in Māori communities is also broader than decision-making, as I expect this will also involve non-regulatory planning and funding, including that anticipated by Policy CC.17. I therefore recommend that the submission of Ngāti Toa is accepted in part and that Objective CC.8 is simplified, to focus on empowering mana whenua/tangata whenua to achieve climate-resilient communities.

248. I recommend that the submission from WFF on Objective CC.8 is rejected for the same reasons as stated elsewhere in this report.

### **3.11.3S Section 32AA evaluation**

249. In accordance with section 32AA I consider that my recommended amendments to Objective CC.8 are the most appropriate way to achieve the purpose of the RMA as these are minor amendments to ensure consistency with other Change 1 and clarify intent.

### **3.11.4 Recommendations**

250. I recommend that Objective CC.8 is amended as follows:

~~Iwi and hapu~~ Mana whenua/tangata whenua are empowered to ~~make decisions~~ to achieve *climate-resilience* in their communities.

251. Accordingly, I recommend that original and further submissions points relating to Objective CC.1 are accepted, accepted in part or rejected as set out in **Appendix 2**.

### 3.12 Policy CC.8

#### 3.12.1 Matters raised by submitters

252. Notified Policy CC.8 in Change 1 is as follows:

**Policy CC.8: Prioritising greenhouse gas emissions reduction over offsetting – district and regional plans**

District and regional plans shall include objectives, policies, rules and/or methods to prioritise reducing greenhouse gas emissions in the first instance rather than applying offsetting, and to identify the type and scale of the activities to which this policy should apply.

**Explanation:** This policy recognises the importance of reducing gross greenhouse gas emissions as the first priority, and only using carbon removals to offset emissions from hard-to-abate sectors. Relying heavily on offsetting will delay people taking actions that reduce gross emissions, lead to higher cumulative emissions and push the burden of addressing gross emissions onto future generations.

253. There were approximately 17 original and 14 further submission points on Policy CC.8, requesting a range of different outcomes and amendments. A number of submitters support Policy CC.8 and request that it be retained as notified. This includes MDC [S166.048], WCC [S140.033], SWDC [S79.025], CDC [S25.020] and HortNZ [S128.024]. Reasons that Policy CC.8 is supported by these submitters include general support for the focus on prioritising reducing gross GHG emissions over offsetting.

254. CDC, in particular, notes the importance of the direction in Policy CC.8 to prioritise reducing gross GHG emissions over offsetting to help address their concerns about the Wairarapa becoming a 'carbon sink' for the region due to the Change 1 climate change provisions. To avoid this outcome, CDC requests that any offsetting should be applied equitably across the region and should occur in the local area in which the GHG emissions are generated.

255. Other submitters request that Policy CC.8 be strengthened. For example, Forest and Bird [S165.041] requests that Policy CC.8 apply to all activities, without any exemptions for offsetting emissions based on the type or scale of the activity. The amendments requested by Forest and Bird to achieve this involves deletion of the last part of the policy: '*and to identify the type and scale of activities to which this policy should apply*'. Forest and Bird also request that Policy CC.8 be amended to provide additional policy direction as follows "*require that, where there is no possible alternative to reducing greenhouse gas emissions, offsets must be achieved by the planting of indigenous vegetation over plantation forestry*".

256. There is broad support for the intent of Policy CC.8 from iwi submitters, with most seeking that the policy be retained as notified, including Muaūpoko [S133.041], Te Tumu Paeroa [S102.019] and Taranaki Whānui [S167.068]. Other iwi submitters support the general intent of Policy CC.8, but request amendments to clarify how the policy will be implemented in practice. For example, Ātiawa [S131.054] is concerned that there is no clear direction in Policy CC.8 as to how activities will be included or exempt from the offsetting requirements based on type or scale. Ātiawa is also concerned that some activities may be exempt from prioritising reducing GHG emissions over offsetting emissions, particularly hard to abate sectors. The suggested amendment from Ātiawa to address this concern is to remove the words *'and only using carbon removals to offset emissions from hard to abate sectors'* from the explanation of Policy CC.8.
257. A key theme in submissions on Policy CC.8, particularly territorial authority submitters, relates to the scope of the policy and whether it applies to territorial authorities. A number of submitters emphasised that the control of the discharge of GHG emissions into air is a regional council function, not a territorial authority function, including KCDC [S16.021], UHCC [S34.035], PCC [S30.032], HCC [S34.035] and Kāinga Ora [S158.016].
258. PCC raises concerns that territorial authorities do not currently require the offsetting of GHG emissions, so it is unclear why a policy is needed to discourage it. PCC also raises concerns that territorial authorities do not have the capability and capacity to implement an offset regime for GHG emissions. To address these concerns, PCC requests that Policy CC.8 be amended to make it clear when offsetting would be appropriate (including guidance on 'hard to abate sectors'), direction on how the policy interacts with the NZ ETS, and how territorial authorities are expected to give effect to this policy and/or include a new method containing more guidance on how the policy will be implemented, particularly by territorial authorities.
259. KCDC also raises more specific concerns about the legality of applying Policy CC.8 to district plans and that Council has not sufficiently considered the range of regulatory methods to control GHG emissions under section 30 of the RMA. HCC is concerned that proposed non-regulatory guidance (Method CC.2 discussed below) is inadequate to implement Policy CC.8 and that this will place undue obligations on applicants and territorial authorities to identify suitable thresholds for offset requirements and then implement, monitor and enforce the policy. Requested relief from these submitters to address these concerns range from deleting Policy CC.8 (KCDC and HCC) to removing the reference to district plans (UHCC, HCC and Kāinga Ora).
260. The remaining submitters oppose Policy CC.8 and request that it is deleted, including Peka Peka Farm [S118.007], WIAL [S148.024] and WFF [S163.049]. Reasons for deleting Policy CC.8 cited by these submissions include that this matter is better suited to national direction, the policy should not be applied to the aviation industry at this time, and that the matter should be deferred to the full RPS review scheduled for 2024. The latter is a common relief sought by WFF across the Change 1 climate change provisions, as discussed elsewhere in this report.

### 3.12.2 Analysis

261. Policy CC.8 is a key policy in the climate change provisions in Change 1 to achieve the proposed objectives. The general intent of Policy CC.8 as notified is to ensure that regional and district plans include provisions that prioritise reducing gross GHG emissions in the first instance, before considering measures to offset GHG emissions. Notified Policy CC.8 also directs that regional and district plans identify the type and scale of activities that offsetting would apply to, recognising that this should be focused on higher-emitting and 'harder to abate' sectors and activities. Offsetting GHG emissions is generally through planting (exotic or native) to achieve carbon sequestration, but there are also other means, such as other forms of natural sequestration (e.g. by wetlands, soils and mangroves) and industrial capture and storage methods.
262. The rationale for Policy CC.8 is to align with national policy and guidance<sup>34</sup> and best practice in terms of offsetting GHG emissions. Best practice is articulated in the Section 32 report as follows "*Best practice in relation to carbon sinks is to undertake as much practical action to avoid or reduce emissions before offsetting (residual) emissions*"<sup>35</sup>. Therefore, a number of climate change provisions in Change 1 are aimed at reducing gross GHG emissions in the first instance to be most effective in supporting Objectives CC.1 and CC.3.
263. The evidence of Mr Roos also highlights the importance of prioritising reducing gross GHG emissions over offsetting/net-emissions and the risks and limitations of focusing on net-emissions<sup>36</sup> stating "*while achieving net-zero emissions may be necessary, it is critically important to minimise the reliance on removals/sequestration and maximise the reduction of gross emissions*".
264. I therefore consider that the underlying intent of Policy CC.8 is sound and that this general approach will be the most effective to help achieve Objectives CC.1, CC.3 and CC.5 in Change 1.
265. However, I do acknowledge the significant complexities and challenges of successfully implementing Policy CC.8 through regional and district plans, as highlighted by submitters. As discussed above, while reducing GHG emissions is relatively undeveloped and unprecedented in an RMA context, it is now recognised as being increasingly important and, indeed necessary, to address the climate change emergency. I also share the concerns of some submitters that notified Policy CC.8 is overly focused on regional and district plans creating an offsetting regime for certain activities, with a lack of clear guidance on how this will

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<sup>34</sup> Ministry for the Environment. 2020. Guidance for voluntary carbon offsetting – updated and extended until 31 December 2021. Wellington:

<sup>35</sup> Section 32 Report, pg. 72-73.

<sup>36</sup> Mr Roos notes in his evidence that these limitations include: 1) Developing science says that there is asymmetry between the effects of emissions versus the effect of removals on global temperatures. On a tonne-for-tonne basis, emissions appear 4% more effective at causing warming than cooling by removals.<sup>36</sup>; 2) The high risk, which has been seen in practice already, that in a warming world more forest fires, powerful storms and invasive pests driven by climate change will destroy forests, causing the carbon they store to be released<sup>36</sup>; 3) The fact there is a finite amount of land that can be devoted to forestry, and that once those forests reach maturity, the net amount of additional carbon they sequester each year drops away to zero.

be achieved in practice. There is also limited national policy and guidance on how to best reduce and offset GHG emissions in a resource management context, making this task very complex for local authorities in the region.

266. To address these concerns and challenges, I recommend both:

- Substantial amendments to Policy CC.8; and
- Consequential amendments to Method CC.2 to better support implementation of Policy CC.8.

267. In terms of the specific amendments to Policy CC.8, the first issue to consider in my opinion relates to the scope of the policy in terms of whether it applies to territorial authorities, as this was raised as a key concern by territorial authority submitters. I do not agree with these submitters that Policy CC.8 should be limited to regional plans. Territorial authorities have clear functions under the RMA to manage the adverse effects of land-use activities and activities in the region are clearly contributing to climate change which is having adverse effects on the environment. Objective CC.3 also extends to the GHG emissions from the transport, agriculture, stationary energy, waste and industry sectors which are activities with effects that fall within the RMA functions of regional council and territorial authorities in the region.

268. I therefore consider that district plans play an important and complementary role to regional plan provisions to manage the discharges of GHG emissions into air by managing the GHG emissions arising from land-use activities. Accordingly, I recommend that submissions seeking to limit Policy CC.8 to regional plans with no alternative relief sought are rejected.

269. In terms of the more specific amendments to Policy CC.8, I recommend that this retain its focus on reducing gross GHG emissions as the priority. However, I recommend that Policy CC.8 have less focus on developing an offsetting regime for certain activities, given the complexities, challenges and potential implementation issues noted above. Instead, I recommend that this is achieved through amendments to Policy CC.8 to require regional and district plans to manage GHG emissions by applying the following hierarchy:

- a) in the first instance, gross greenhouse gas emissions are avoided or reduced where practicable; and
- b) where gross greenhouse gas emissions cannot be avoided or reduced, a net reduction in greenhouse gas emissions is achieved where practicable, with any offsetting undertaken as close to the source of the greenhouse gas emissions as possible; and
- c) increases in net greenhouse gas emissions are avoided to the extent practicable.

270. I consider that there is scope within submissions to make these recommendations through the broad range of relief sought in submissions to clarify how the policy is to be implemented in practice and to provide more direction on when offsetting GHG emissions is appropriate.



271. I also note that this recommended approach is broadly aligned with proposed Policy CC.13, noting that I recommend that this policy is deleted as a 'consideration' policy at this point of time (discussed in the Climate Change – Agriculture Emissions Section 42A report). These amendments also respond to the submission points raising concerns about how an offsetting regime will be practically implemented (e.g. CDC, PCC) and requesting further clarification as to the practical implementation of notified Policy CC.8. More specifically:

- The direction to avoid or reduce gross GHG emissions in clause a) means that the policy can be directed at new activities (avoid) and existing activities (reduce) respectively.
- The direction in clause b) for any offsetting to be as close to the source of GHG emissions as possible responds to concerns that the notified direction could lead to a reliance on forestry to offset GHG emissions, with disproportionate adverse effects on rural communities where this forestry is likely to occur.
- The use of the words 'where practicable' is intended ensure that there is some flexibility as to how the hierarchy is implemented. While use of these qualifiers is often criticised as making policy direction weak, in my view it is important to allow cost-considerations and other factors to be taken into account, to recognise that GHG emissions from some activities are unavoidable, and to ensure that the policy is not overly onerous for different sectors in the region.

272. To recognise the significant work that needs to be undertaken to successfully implement Policy CC.8, I recommend that Method CC.2 (Develop carbon emissions offsetting guidance) is amended to focus on developing the guidance necessary to implement Policy CC.8. The intent of this guidance is to ensure that regional and district plan changes are coordinated, cost-effective, and do not unnecessarily duplicate or conflict with national climate change policy and initiatives. This work will need to specifically consider how to best apply regional and district plan controls to different sectors where there are overlapping functions and when and how offsetting might be appropriate for certain activities.

273. I note that my recommended amendments to Method CC.2 respond to a number of submission points requesting further clarification on the implementation of Policy CC.8, including CDC, Forest and Bird, Ātiawa and PCC, and I recommend that these submissions are accepted in part.

274. I do not recommend any additional direction on offsetting, as requested by Forest and Bird, as I consider these matters are best considered through the development of guidance and future plan change processes discussed above.

### **3.12.3 Section 32AA evaluation**

275. In accordance with section 32AA, I consider that my recommended amendments to Policy CC.8 are the most appropriate way to achieve the relevant RPS objectives, and in particular Objectives CC.1, CC.3 and CC.5 for the following reasons:

- The amendments are more specific on the approach that needs to be taken to reduce GHG emissions in the region through regional and district plans by following a general hierarchy based on best practice where the priority is reducing or avoiding gross GHG emissions. This hierarchy is to be applied in a sequential way 'where practicable' which will allow cost-implications to be taken into account. This will help avoid any unjustified implementation and compliance costs for different sectors, businesses and landowners in the region through future regional and district plan changes.
- The amendments remove the focus on developing an offsetting regime for GHG emissions which will help to remove unnecessary compliance costs. I am also recommending Method CC.2 to be more focused on undertaking the necessary policy work to enable Policy CC.8 to be implemented in the most cost-effective manner.
- On that basis, it is my opinion that my proposed amendments to Policy CC.8 are more effective and efficient in achieving the relevant RPS objectives than notified Policy CC.8 in Change 1.

### 3.12.4 Recommendations

276. I recommend that Policy CC.8 is amended as follows:

**Policy CC.8: Prioritising the reduction of greenhouse gas emissions ~~reduction over offsetting~~ – district and regional plans**

District and regional plans shall ~~include objectives, policies, rules and/or methods to prioritise reducing greenhouse gas emissions in the first instance rather than applying offsetting, and to identify the type and scale of the activities to which this policy should apply.~~ prioritise reducing greenhouse gas emissions by applying the following hierarchy in order:

- in the first instance, gross greenhouse gas emissions are avoided or reduced where practicable; and
- where gross greenhouse gas emissions cannot be avoided or reduced, a net reduction in greenhouse gas emissions is achieved where practicable, with any offsetting undertaken as close to the source of the greenhouse gas emissions as possible; and
- increases in net greenhouse gas emissions are avoided to the extent practicable.

**Explanation:** This policy recognises the importance of reducing gross greenhouse gas emissions as the first priority, then reducing net greenhouse gas emissions, then avoiding increases in net greenhouse gas emissions to the extent practicable. ~~and only using carbon removals to offset emissions from hard-to-abate sectors.~~ Relying heavily on net-emissions through offsetting will delay people taking actions that reduce gross emissions, lead to

higher cumulative emissions and push the burden of addressing gross emissions onto future generations.

The intent is that Wellington Regional Council will work with city and district councils to provide coordination and guidance as to how to implement this policy, to ensure regional and district plan provisions to reduce greenhouse gas emissions from key emitting sectors in the region are co-ordinated and also complement national policy and initiatives. This work will consider issues such as scale, equity, and the type of activities to which offsetting should apply.

277. Accordingly, I recommend that original and further submissions points relating to Policy CC.8 are accepted, accepted in part or rejected as set out in **Appendix 2**.

### **3.13 Method CC.1**

#### ***3.13.1 Matters raised by submitters***

278. Notified Method CC.1 in Change 1 is as follows:

#### **Climate change education and behaviour change programme**

Support and enable climate education and behaviour change programmes, that include Te Ao Māori and Mātauranga Māori perspectives, to support a fair transition to low-emission and climate resilient region.

**Implementation:** Wellington Regional Council.

279. There were approximately seven original and three further submission points on Method CC.1. The majority of submitters support Method CC.1 and request that it is retained as notified or request minor amendments consistent with the overall intent. This includes UHCC [S34.020], Te Tumu Paeroa [S102.030], Forest and Bird [S165.098] and MDC [S166.071].

280. Three iwi submitters request that Method CC.1 be strengthened. For example, Rangitāne [S168.0149] supports Method CC.1, but requests that the word 'enable' is replaced with 'implement' to ensure that the programmes are achieved. Ātiawa [S131.0118] requests that additional wording be added to Method CC.1 so that mana whenua can actively partner with Council in the development and implementation of any climate change programmes that use Ātiawa values and mātauranga. The recommended additional wording from Ātiawa at the end of the Method CC.1 is *"The Regional Council will work in partnership with mana whenua to develop and implement climate change education and behaviour change programmes that include te ao Māori and mātauranga Māori. Mana whenua are enabled to partner with the Regional Council through adequate funding and resourcing."*

281. Taranaki Whānui [S167.0142] requests amendments to Method CC.1 to include clear statements on the resourcing, funding and capability building of mana whenua partners in the description of this method to improve its effectiveness.
282. No original submissions were received in opposition, requesting Method CC.1 be deleted. However, a further submission point from BLNZ [FS30.319] on the submission of Forest and Bird [S165.098] requests that Method CC.1 is deleted. The reason that BLNZ requests deletion of Method CC.1 is that the submitter considers that this matter is best considered as part of a full RPS review scheduled for 2024 and that there are risks introducing provisions ahead of national legislation on climate change. This is a general further submission point made by BLNZ on a range of Change 1 climate change provisions.

### **3.13.2 Analysis**

283. There was general support for Method CC.1 from submitters and it is a key method to help achieve a number of climate change objectives, including Objective CC.2, Objective CC.3 and Objective CC.7. The inclusion of this method in Change 1 recognises that education and behaviour change are key to support the transition to a low-emissions and climate-resilient region, alongside other regulatory and non-regulatory methods. I therefore support Method CC.2 and recommend it is retained.
284. I also recommend that the submission of Rangitāne is accepted, and the start of Method CC.1 is amended to refer to “Support, enable and implement...”. I recommend that the submissions of Ātiawa and Taranaki Whānui are accepted in part and that Method CC.1 is amended to refer to including “Te Ao Māori and Mātauranga Māori perspectives in partnership with mana whenua/tangata whenua”. In terms of the requests for references to resourcing, funding and capability building of mana whenua partners, I understand that Greater Wellington acknowledges its role as a partner to the mana whenua and tangata whenua of the Wellington Region. I also understand that since the notification of Change 1, funding for work programmes where Council and mana whenua/tangata whenua are working as partners is supplied through Kaupapa Funding Agreements. These Agreements provide resourcing for mana whenua/tangata whenua, enabling them to work with Council as requested by these submitters. As such, I do not recommend that Method CC.1 includes a specific commitment to funding and resourcing, although this does not preclude Method CC.1 being funded through future funding decisions by Council.
285. I also recommend replacing ‘fair’ with ‘equitable’ as a consequential amendment to my recommended amendments to Objective CC. 2.

### **3.13.3 Section 32AA evaluation**

286. In accordance with section 32AA of the RMA, I consider that my recommended amendments to Method CC.1 are an appropriate way to achieve the relevant RPS objectives as these are largely focused on clarifying the method, using consistent

terms with other Change 1 provisions, and reinforcing the partnership approach with mana whenua/tangata whenua. On this basis, it is my opinion that my recommended amendments Method CC.1 will make the method more effective and efficient in achieving the relevant RPS objectives.

### **3.13.4 Recommendations**

287. I recommend that Method CC.1 is amended as follows:

#### **Climate change education and behaviour change programme**

Support, ~~and enable, and implement~~ climate education and behaviour change programmes, that include Te Ao Māori and Mātauranga Māori perspectives in partnership with mana whenua/tangata whenua, to support an equitable fair transition to a low-emission and climate-resilient region.

Implementation: Wellington Regional Council.

288. Accordingly, I recommend that original and further submissions points relating to Method CC.1 are accepted, accepted in part, or rejected as set out in **Appendix 2**.

### **3.14 Method CC.2**

#### **3.14.1 Matters raised by submitters**

289. Notified Method CC.2 'in Change 1 is as follows:

#### **Develop carbon emissions offsetting guidance**

Develop offset guidelines to assist with achieving the regional target for greenhouse emissions where reduction cannot be achieved at the source.

Implementation: Greater Wellington Regional Council.

290. There were approximately nine original and eight further submission points on Method CC.2. Two submitters support Method CC.2 and request that it is retained as notified, being MDC [S166.072] and Te Tumu Paeroa [S102.031]. Waka Kotahi [S129.033] also support Method CC.2 in principle but would like confirmation that the method will align with central government direction on offsetting emissions before committing full support for the method.

291. Several submitters support Method CC.2 but wish to see it strengthened or clarified in various ways. For example, Forest and Bird [S165.099] requests that Method CC.2 is strengthened through an additional requirement for offsets to be achieved by the planting of indigenous vegetation over plantation forestry. Ātiawa [S131.0119] also requests that Method CC.2 is amended to be more directive and specific, by making it clear in the method that emission reductions at source should always be prioritised over offsets. Taranaki Whānui [S167.0143] supports Method CC.2 but would like assurance that the offsetting guidance will be developed in

partnership with mana whenua. Finally, Rangitāne [S168.0150] support Method CC.2 but wish to see a timeframe attached to its implementation – and recommend that the offset guidelines are completed by no later than 2024.

292. Two submitters seek that Method CC.2 is deleted. WFF [S163.090] requests the method is deleted, on the basis that it is considered as part of the full review of RPS in 2024 when there will also be further central government guidance on the matter. This is common submission point made by WFF across the Change 1 climate change provisions. GWRC [S137.012] requests that Method CC.2 is deleted on the basis that it is no longer required, as it related to an earlier, more complex draft version of Policy CC.8.

### **3.14.2 Analysis**

293. As discussed above, I have recommended amendments to Policy CC.8 to have less focus on offsetting, and also consider that consequential amendments are required to Method CC.2 to ensure the effective implementation of Policy CC.5. The intent of this guidance would be to ensure the regional and district plan changes necessary to give effect to Policy CC.8 are coordinated, cost-effective, and do not unnecessarily duplicate or conflict with national climate change policy and initiatives. When to allow for offsetting GHG emissions and how, would also form part of the guidelines. I consider that there is scope within submissions to make these recommended amendments to Method CC.2 though submissions requesting that the method is more directive and specific (Ātiawa and Forest and Bird).

294. In my opinion, Method CC.2 should also direct Council to work with city and district councils and mana whenua/tangata whenua to understand how best to implement Policy CC.5 and also provide a set timeframe to develop the guidelines. This responds to the submissions of Taranaki Whānui and Rangitāne and I recommend that these submissions are accepted.

295. I recommend that the submission of Waka Kotahi is accepted in part, noting the intent of the guidelines under Method CC.2 to align with national policy and guidance on offsetting. I do not recommend any amendments in response to the submission of Forest and Bird as I consider that the best type of planting for offsetting is more appropriately addressed through the guidelines.

296. I recommend the submissions of GWRC and WFF to delete Method CC.2 are rejected.

### **3.14.3 Section 32AA evaluation**

297. In accordance with section 32AA, I consider that my recommended amendments to Method CC.2 are the most appropriate way to achieve the relevant RPS objectives as these seek to refocus Method CC.2 developing guidelines to support the effective implementation of Policy CC.5 rather than developing offsetting guidance. The intent of this guidance would be to ensure the regional and district plan changes that give effect to Policy CC.8 are coordinated, cost-effective, and do not unnecessarily duplicate or conflict with national climate

change policy and initiatives. In my opinion, this will be a more effective and efficient way to implement Policy CC.5 with greater environmental benefits and less compliance costs for all parties over time.

### **3.14.4 Recommendations**

298. I recommend that Method CC.2 is amended as follows:

**Method CC.2: Develop ~~carbon emissions offsetting~~ guidance on reducing and offsetting greenhouse gas emissions**

Wellington Regional Council will work with city and district councils and mana whenua/tangata whenua to develop guidelines to implement Policy CC.8 by the end of 2024, including how to prioritise reducing gross greenhouse gas emissions and when and how to allow for greenhouse gas emissions to be offset ~~Develop offset guidelines to assist with achieving the regional target for greenhouse emissions~~ where reduction cannot be achieved at the source.

Implementation: Wellington Regional Council.

299. Accordingly, I recommend that original and further submissions points relating to Method CC.1 are accepted, accepted in part or rejected as set out in **Appendix 2**.

## **3.15 General comments on methods**

### **3.15.1 Matters raised by submitters**

300. There were approximately three original submission points and five further submission points making general comments on the climate change regulatory methods. Carterton District Council [S25.047] supports Method CC.4 and requests that it be retained as notified.

301. Taranaki Whānui [S167.0135] supports the regulatory methods in part, but requests clearer understanding of how these will be implemented and how they will be resourced to partner in the implementation of the methods.

302. WWF [S163.087] opposes the climate change regulatory methods on the basis these should be deferred to the 2024 RPS review.

303. Five further submissions opposed the submission of WWF [S163.087] and sought that the submission be disallowed, being Wellington Water [FS19.054], Forest & Bird [FS7.130], Ātiawa [FS20.252] and Ngā Hapū o Ōtaki [FS29.103]. Reasons for opposing the original submission of WWF by these further submitters, include:

- The provisions provide useful guidance for regional implementation of the RMA.
- It is appropriate to include climate change provisions in Change 1.
- It is not appropriate to delay response to national direction.

- The submission lacks awareness of the value of mana whenua engagement.

304. There were five original and two further general submission points on the non-regulatory climate change methods. MDC [S166.062, S166.063, S166.064] supports Methods 10-12 and requests that these be retained as notified. The reasons for their support, include that the Methods support MDC's Climate Action Plan and provide useful information for their communities.

305. There were no general submission points opposing the non-regulatory climate change methods.

### **3.15.2 Analysis**

306. The general submission on the regulatory and non-regulatory climate change methods have been considered in the analysis of specific climate change methods above. These general submissions on the climate change methods do not raise new issues that have not been considered in that analysis and I recommend no changes to the climate change methods in response to these general submissions.

### **3.15.3 Recommendations**

307. I recommend that general original and further submissions points relating to climate change methods are accepted, accepted in part, or rejected as set out in **Appendix 2**.

## **3.16 Climate Change Anticipated Environmental Results**

### **3.16.1 Matters raised by submitters**

308. Change 1 proposes to amend Table 14 to include the following AER for the climate change objectives:

Carbon emissions are reduced by 50 percent from 2019 levels by 2030 across the Wellington Region.

309. There are three original submission and three further submission points on the Climate Change AER. Ātiawa [S131.0151] supports the intent of the AER, but considers it is too narrow and should be expanded to better cover the scope of Objective CC.3 and other climate change objectives. Ātiawa requests substantial amendments to the AER to provide specific reference to partnering with mana whenua and protecting mana whenua values. Ātiawa also seeks more specific, measurable and time-bound AER. Taranaki Whānui [S167.0185] requests that the AER are amended in partnership with mana whenua.

310. PCC [S30.098] opposes the Climate Change AER provisions for the reason that not all of the AERs are specific or measurable by using terms like "improving"



and “reduced”. PCC request that the AER are amended so that they are specific, measurable and timebound.

### **3.16.2 Analysis**

311. It is unclear why the climate change AER is limited to the 2019 GHG emission reduction targets in Objective CC.3 and I agree with Ātiawa that this should be expanded to better over the scope of Objective CC.3. However, I do not agree that the AER should be expanded to focus on partnering with mana whenua/tangata whenua as requested by Ātiawa and Taranaki Whānui. This would change the focus of the AER and it is not appropriate in my opinion for the AER to focus on specific climate change targets.

312. I consider that my recommended amendments to the climate change AER are specific, measurable and timebound and do not recommend any further changes in this respect to address the concerns of PCC.

### **3.16.3 Recommendations**

313. I recommend that the climate change AER is amended as follows:

*Net greenhouse gas Carbon emissions are reduced by 50 percent from 2019 levels by 2030 across the Wellington Region and to achieve net-zero greenhouse gas emissions by 2050.*

314. I recommend that submissions on the climate change AER are accepted, accepted in part and rejected as shown in **Appendix 2**.

## **3.17 Climate Change definitions**

315. Change 1 includes the following definitions which have been allocated to the Climate Change – General topic:

### **Carbon emissions assessment**

An evaluation of the carbon footprint which measures the total volume of greenhouse gases emitted at different stages of a project lifecycle.

### **Climate change adaptation**

In human systems, the process of adjusting to actual or expected climate and its effects, in order to moderate harm or take advantage of beneficial opportunities. In natural systems, the process of adjusting to actual climate and its effects. Human intervention may help these systems to adjust to expected climate and its effects.

### **Climate change mitigation**

Human actions to reduce emissions by sources or enhance removals by sinks of greenhouse gases. Examples of reducing emissions by sources include walking instead of driving, or replacing a coal boiler with a renewable electric-powered one. Examples of enhancing removals by sinks include growing new

trees to absorb carbon, promoting and providing for active transport, and increasing public transport services and affordability.

### **Emissions**

Greenhouse gases released into the atmosphere, where they trap heat or radiation.

### **Greenhouse gases**

Atmospheric gases that trap or absorb heat and contribute to climate change. The gases covered by the Climate Change Response Act 2002 are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulphur hexafluoride (SF<sub>6</sub>).

## ***3.17.1 Matters raised in submissions***

### **Carbon emission assessment**

316. There are three original and five further submission points on the definition of 'carbon emission assessment', with one original submission in support of the definition and two submissions opposing the definition. Forest and Bird [S165.0127] supports the definition of 'carbon emission assessment' and request that it be retained as notified.
317. Kāinga Ora [S158.039] and PCC [S30.0100] oppose the definition of 'carbon emissions assessment' and request that it be deleted. PCC opposes the definition on the basis that the definition lacks specificity that is necessary for the definition to be implemented effectively and efficiently. This position is supported by two further submitters, being Waka Kotahi [FS3.058] and Peka Peka Farm Limited [FS25.016]. Rangitāne [FS2.72] oppose the original submission of Kāinga Ora particularly in the absence of a reason or suggested alternative.

### **Climate change adaptation**

318. There are three original submissions and three further submissions on the definition of 'climate change adaptation'. WCC [S140.0119] and Forest and Bird [S165.0128] support the definition in part and request minor amendments for clarity the definition. Forest and Bird requests that “moderate” is replaced with “reduced” while WCC requests that the definition is clarified without providing any suggested amendments.
319. PCC [S30.0101] oppose the definition of 'climate change adaptation' on the basis it lacks specificity to be effectively implemented and is unclear what is meant by the words such as “human systems” and “moderate harm”. PCC requests that the definition is deleted or amended to provide appropriate direction to plan users.

### **Climate change mitigation**

320. There are four original submissions and five further submissions on the definition of 'climate change mitigation'. Three submissions support the definition in part, being Meridian [S100.024], WCC [S140.0120], and Forest and Bird [S165.0129]. These submissions raise the following issues:

- WCC considers that the definition and examples are confusing and requests substantial amendments, including removing the examples in the definition.
- Forest and Bird also consider that the examples are confusing and requests that these are deleted.
- Meridian notes that reducing GHG emissions is just one side of the equation and there should be more focus on increasing use of renewable energy. Meridian requests the definition is amended to include positive actions, such as using and developing renewable energy.

321. PCC [S30.0102] opposes the definition of 'climate change mitigation' on the basis it describes actions which are more appropriately included in a policy rather than a definition and uses examples to provide clarity that PCC considers is missing from the definition. PCC requests that the definition be deleted or amended to provide clearer, more specific direction. Further submitters such as Waka Kotahi [FS3.059] and Peka Peka Farm Limited [FS25.018] support this submission point and agree that further clarity is needed as to how the definition of climate change mitigation will be implemented in practice.

#### Emissions

322. GWRC [S137.63] oppose the definition and request that it be deleted as emissions is a generic term and it would be more appropriate to rely on an amended definition of 'greenhouse gas emissions'.

#### Greenhouse gases

323. GWRC [S137.064] requests that the definition of 'greenhouse gases' be amended to specifically refer to 'greenhouse gas emissions' to support the requested deletion of the 'emissions' definition outlined above. GWRC also seek specific amendments to simplify and clarify the definition.

#### General submissions on definitions

324. There are four original submissions and five further submissions that request the insertion of new climate change definitions in Change 1. GWRC [S137.008] support the general climate change definitions in part but considers that the text in the explanation for Policy CC.4 is more appropriately located in the definitions section as a new 'Climate Resilient Urban Areas' definition.

325. HortNZ [S128.064] request a new definition for 'Agricultural Greenhouse Emissions' to provide additional clarity on the agricultural GHG emissions policy. Winstone Aggregates [S162.019] request that, if their proposed relief for Policy 39 is accepted, then a new definition for 'Quarrying Activities' should be inserted into Change 1. Forest and Bird [S165.0144] request a definition for 'stationary energy' on the basis this is not a commonly used term, but is a significant source of GHG emissions in the region that warrants explanation.

### **3.17.2 Analysis**

#### Carbon emission assessment

326. The term carbon emission assessment is used in Policy CC.11 which is discussed in the Climate Change – Transport Section 42A Report. Both Kāinga Ora and PCC raise concerns with the definition but do not offer an alternative definition to provide the level of certainty and clarity the submitters are seeking.

327. In my opinion, the definition of carbon emission assessment provides some useful guidance to assist with the interpretation of Policy CC.11. Accordingly, I recommend that the submission of Forest and Bird is accepted and the submissions of Kāinga Ora and PCC on the definition of carbon emission assessment are rejected.

#### Climate change adaptation

328. The definition of climate change adaptation is used in a number of Change 1 provision, including Policy CC.16, Policy CC.17 and Method 22. I understand that the definition of climate change adaptation is drawn from the IPCC and is repeated in the NAF.

329. I agree with Forest and Bird that 'moderate' should be replaced with 'reduce' and this appears to be a typo within the definition. Again, PCC raises concerns that the definition of climate change mitigation lacks the necessary certainty to be effectively implemented but does not provide any suggested improvements to achieve this certainty. I do not share the same concerns that the definition of climate change adaptation is unclear and in my opinion this definition will assist with interpreting the relevant Change 1 provisions. I therefore recommend that the submission of PCC to delete the definition of climate change adaptation is rejected.

#### Climate change mitigation

330. The definition of climate change mitigation is used in a number of Change 1 provisions including Objective CC.1, Objective CC.4, Policy CC.12 and Policy CC.18, the latter of which are discussed in the Climate Change – Nature-based Solutions Section 42A Report. I understand that the definition of climate change mitigation is drawn from the ERP.

331. The main issue raised in submissions on the definition of climate change mitigation relates to the use of examples in the definition, with submitters generally of the view these are confusing rather than helpful to interpret the definition.

332. I agree with submitters that the examples are confusing and consider that this could be addressed by either deleting the examples or separating out the examples as a note rather than form part of the definition. I understand that the latter approach is recommended for the definition of nature-based solutions in the Climate Change – Nature-based Solutions Section 42A Report on the basis the concept is relatively new. In my opinion, climate change mitigation is a more widely understood concept and I recommend the examples are removed as these do not assist in interpretation and confuse actions to reduce GHG emissions and carbon

sequestration. I recommend the definition is amended accordingly as shown below in the recommendations section.

333. In relation to the submission of Meridian, I agree that renewable energy generation is critical to reducing GHG emissions. However, I do not consider that a specific reference to renewable energy generation is necessary or appropriate in my recommended concise definition of climate change mitigation.

#### Emissions and greenhouse gas emissions

334. I agree with GWRC that the two definitions of emissions and greenhouse gases are confusing, and that these two definitions should be combined. I therefore recommend these submissions are accepted and my recommended definition for 'greenhouse gas emissions' is shown below in the recommendation section.

#### General submissions on definitions

335. In terms of the request from GWRC, I note that the Climate Change – Nature Based Solution Section 42A Report addresses submissions on Policy CC.4. I understand that the author recommends that a definition of 'Climate Resilience' be inserted into Change 1. Accordingly, I consider the submission point from GWRC is appropriately addressed in that section 42A report and no further recommendations are required here.

336. In response to the request from HortNZ, a specific of agricultural GHG emissions is unnecessary in my opinion. As above, I recommend a new definition for 'greenhouse gases emissions' to clarify this term as it applies to each sector. However, in my opinion, there is no need for each GHG emissions from each sector to be defined as these sectors are generally well understood from the ERP and Wellington Regional GHG Emission Inventory. As such, I do not recommend any changes in response to this submission from HortNZ. For the same reason, I also do not recommend a definition of 'stationary energy' as requested by Forest and Bird. I also note this term is only used in relation to regionally significant climate change issue 1 and Objective CC.3 so it is unlikely to cause interpretation issues without a supporting definition in my view.

337. In relation to the Winstone Aggregates submission, I note that I have not recommended any amendments to Policy 39 in the Climate Change – Energy, Waste and Industry Section 42A Report to refer to aggregates as requested by the submitter (as Policy 39 relates to regionally significant infrastructure). Accordingly, this means there is no need for a definition here and I recommend that this submission be accepted.

### **3.17.3 Recommendations**

338. I recommend that the definition of carbon emission assessment is retained is notified and submissions on this definition are accepted and rejected as shown in **Appendix 2**.

339. I recommend that the definition of climate change adaptation is amended as follows and that submissions on this definition are accepted and rejected as shown in **Appendix 2**:

### Climate change adaptation

In human systems, the process of adjusting to actual or expected climate and its effects, in order to moderate reduce harm or take advantage of beneficial opportunities. In natural systems, the process of adjusting to actual climate and its effects. Human intervention may help these systems to adjust to expected climate and its effects.

340. I recommend that the definition of climate change mitigation is amended as follows and that submissions on this definition are accepted, accepted in part and rejected as shown in **Appendix 2**:

341.

### Climate change mitigation

Human actions to reduce *greenhouse gas emissions* by sources or enhance removals by sinks of greenhouse gases. ~~Examples of reducing emissions by sources include walking instead of driving, or replacing a coal boiler with a renewable electric powered one. Examples of enhancing removals by sinks include growing new trees to absorb carbon, promoting and providing for active transport, and increasing public transport services and affordability.~~

342. I recommend that the definition of emissions and greenhouse gases are combined as follows and that submissions on these definitions are accepted, as shown in **Appendix 2**:

#### ~~Emissions~~

~~Greenhouse gases released into the atmosphere, where they trap heat or radiation.~~

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#### Greenhouse gases emissions

Atmospheric gases ~~released into the atmosphere~~ that ~~trap or absorb heat and~~ contribute to climate change. These gases ~~covered by the Climate Change Response Act 2002~~ are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulphur hexafluoride (SF<sub>6</sub>) ~~which are all covered by the Climate Change Response Act 2002.~~

343. I recommend that the general submissions on the climate change definitions are accepted, accepted in part or rejected as shown in **Appendix 2**.

### **3.18 Remaining general submissions**

344. There are a number of general submissions on Change 1 that relate to the Climate Change – General topic at a broad level. These general submissions on

Change 1 are being addressed as appropriate within each section 42A report. Many of these general submissions are broad in nature with wide-ranging relief, including opposing Change 1 in its entirety and requests to review all the Change 1 provisions from legal and plan drafting perspective. Where appropriate, these general have been analysed alongside individual provisions in the earlier sections of this report (e.g. submissions relating to tge drafting of the Change 1 objectives). This section of the report addresses issues raised in these remaining general submissions as relevant to this topic.

### **3.18.1 Matters raised by submitters**

345. KCDC [S16.0104] made a general submission point requesting deletion of all unnecessary explanatory text, stating that these explanations have no legal status and therefore should be used sparingly and only when appropriate. KCDC also consider that some Change 1 explanations contain content that should be included in the relevant policies.

346. Territorial authority submitters made a number of other general submissions raising scope issues with Change 1. For example:

- KCDC [S16.097] consider that many of the Change 1 objectives are not drafted clearly with regard to what outcome is sought, and some do not appear to be achievable within the scope of a RPS.
- KCDC [S16.0103] consider that some Change 1 provisions set requirements for district plans to regulate 'free-market activities' (e.g. transportation mode choice, restoration and enhancement activities). KCDC is concerned that certain Change 1 provisions require actions or changes in behaviour that district plans cannot regulate, and this are more appropriately pursued by Council through non-regulatory methods.
- PCC [S30.116] raise concerns that Change 1 is not fulfilling the role of the RPS with respect to national direction. PCC consider that the role of a RPS is to provide policy direction that either does not exist at a national level or exists at a national level but needs to be articulated further at a regional level. The concern is that Change 1 contains provisions that are either inconsistent with, or duplicate, matters that are now comprehensively addressed by national direction.
- PCC [S30.0117] and UHCC [S34.0115] raise concerns that Change 1 includes requirements for territorial authorities that are beyond their section 31 RMA functions and that more consideration needs to be given as to how Change 1 provisions are allocated in the context of the respective functions of regional councils and territorial authorities under sections 30 and 31 of the RMA.

347. There are a number of general submission points relating to the drafting of Change 1 provisions and the language used – some of which has been considered in relation to specific provisions above. These general submission points relating to the drafting of Change 1 provisions include:

- Outdoor Bliss Heather Blissett [S110.023] requests that stronger language is used throughout Change 1, including replacing words such as “encourage” and “non-regulatory” with “implement”.
- KCDC [S16.0100] requests that verbs in the objectives and policies should be replaced with verbs used within the RMA and other higher order planning documents.
- KCDC [S16.0102] requests that the use of “and” or “or” between clauses in Change 1 provision are reviewed to ensure these are used appropriately.

348. UHCC [S34.0111/0116/0117/0120] made general submission that there are fundamental issues with the Change 1 provisions that require significant revision or deletion to ensure the Change 1 is legally robust and practical to implement. To address these concerns, UHCC requests that Council undertake a full legal and planning review of the Change 1 provisions to ensure these give effect to higher order documents and are supported by sufficient evidence. UHCC also requests that Council should further consider the practicalities associated with threshold-based provisions, to determine if these are the most appropriate method to achieve a policy.

349. PCC [S30.099] notes that clear and concise definitions are critical to assist in interpretation and implementation of the RPS. PCC requests that further definitions are provided where terms are unclear and where a definition would assist in interpretation and implementation. No specific examples were provided by PCC.

350. Another general issue raised in submissions relates to the Section 32 Report for Change 1. In particular, KCDC [S16.0106] and UHCC [S34.0118] have raised concerns regarding the sufficiency of the Section 32 Report. A key issue raised by these submitters is that the Section 32 Report it is not sufficiently evidenced and does not evaluate whether many of the regulatory provisions are the most appropriate method of achieving the RPS objectives.

351. PCC [S30.0123], WCC [S140.002] and Kāinga Ora [S158.001/044] all made general submissions opposing the use of the ‘consideration policies’ in Chapter 4.2 of the RPS. PCC opposes consideration policies on the basis that they often duplicate or conflict with ‘regulatory’ policies and represent overreach without sufficient section 32 analysis or evidence. PCC are concerned the ‘consideration policies’ will result in unnecessary regulatory costs due to their drafting. WCC raise concerns about the inconsistent weighting afforded to the consideration policies (i.e. ‘consider’ v ‘have particular regard’). Kāinga Ora question the role of the consideration policies in a RPS given that they read like assessment criteria and are not associated with any rules.

### **3.18.2 Analysis**

352. In relation to the request by KCDC to delete unnecessary explanations, I note that section 62(1)(d) of the RMA requires that RPS includes explanations of



policies. In the context of this topic, there is only an explanation for Policy CC.8. and I make a number of recommendations to the policy and supporting explanation. I consider the length of the explanation to be appropriate for Policy CC.8 given that this is a new and complex policy to explain the policy intent and intended implementation approach.

353. I have considered the issues of scope of the provisions in this topic in terms of the purpose of the RMA and the RMA functions of regional councils and territorial authorities in the analysis of submissions throughout this report. In particular, in section 2.7 where I conclude that addressing the adverse effects of climate change is directly relevant to achieving the purpose of the RMA<sup>37</sup> and the role of a RPS to address resource management issues of significance to the region. I therefore recommend that these general submissions from KCDC, UHCC and PCC are accepted in part, noting that other section 42A authors may make different recommendations in relation to these general submission points.
354. In relation to the general submission points relating to the drafting of Change 1 provisions, I consider that the wording of climate change objectives, Policy CC.8 and methods in this topic is appropriate. I have also recommended a number of amendments to these provisions to help clarify intent and assist with effective interpretation and implementation. In terms of the submission from PCC about alignment with national direction, this is discussed in section 2.4 of this report where I note that there is an absence of specific RMA national direction on climate change other than the recently gazetted national direction on industrial process heat which is more relevant to the Climate Change – Energy, Waste and Industry topic. However, I have sought to align the wording of provisions in this topic with relevant national direction or other higher order documents where appropriate. Each of the provisions in this topic also use “and” between clauses where appropriate to make it clear all relevant matters are to be considered. To this extent, I recommend that these general submissions from Outdoor Bliss, KCDC and PCC are accepted in part.
355. In relation to the sufficiency of the Section 32 Report and evidence for the Change 1 provisions, I consider that there is sufficient analysis in the Section 32 Report and the Section 32AA analysis within this report to justify the provisions and recommended amendments. I discuss this issue in section 2.7 of this report where I emphasise that the climate change provisions in Change 1 are primarily aimed at setting the direction on the outcomes to be achieved and policies that are to be given effect to through regional and district plans. It is not practicable, nor efficient or particularly useful in my opinion, to undertake a detailed cost-benefit assessment of objectives aimed at long-term climate change outcomes and policies that will be given effect to through future plan changes. However, I fully acknowledge and agree with submitters that these future plan changes to give

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<sup>37</sup> This was a key conclusion in Section 32 Report for Change 1 and the recently published section 32 report for National Direction for Industrial Process Heat which concluded that the objective of the NPS to mitigate climate change is directly relevant to the purpose of the RMA and a number of Part 2 matters. Refer: Ministry for the Environment. 2023. National Direction for Greenhouse Gas Emissions from Industrial Process Heat: Section 32 report.

effect to key climate change policies (e.g. Policy CC.8) need to be supported by a robust analysis and section 32 evaluation. I therefore recommend the submissions of KCDC, WCC and PCC are accepted in part, noting that these general submission points will also be addressed in other Section 42A reports.

356. In terms of the submission from PCC requesting definitions where appropriate, this is addressed in the section above where I recommend some refinements to the proposed definitions and no additional definitions.

357. I have considered the general submission points from Kāinga Ora, PCC and WCC on the 'consideration policies' in Chapter 4.2 of the RPS in some detail in paragraph 145 to 150 of my section 42A report for Hearing Stream 2. and will not repeat that analysis and recommendations here. In relation to this topic, there are no relevant 'consideration policies' so I recommend these general submissions points are accepted in part, noting that these will be considered in other section 42A reports.

### **3.18.3 Recommendations**

358. I recommend that general submissions are accepted, accepted in part or rejected as set out in **Appendix 2**.

## **4.0 Conclusions**

359. A range of submissions have been received in support of, and in opposition to the provisions relating to Climate Change – General topic in Change 1.

360. After considering all the submissions and reviewing relevant statutory and non-statutory documents, I recommend that Change 1 should be amended as set out in **Appendix 1** of this report.

361. I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of Change 1 and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken.

### **Recommendations:**

I recommend that:

1. Change 1 is amended in accordance with the changes recommended in **Appendix 1** of this report; and
2. The Independent Hearings Panel accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix 2** of this report.