

**Before the Hearings Panel
At Greater Wellington Regional Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of Proposed Change 1 to the Regional Policy Statement for the Wellington Region

Hearing Stream 3 (Climate Change)

**Statement of evidence of Rory Smeaton on behalf of Porirua City Council
(S30)**

Planning

Topics: 'Energy, Waste and Industry' and 'Transport'

Date: 14 August 2023

INTRODUCTION

- 1 My full name is Rory McLaren Smeaton. I am employed as a Principal Policy Planner by Porirua City Council (**PCC**).
- 2 I have prepared this statement of evidence on behalf of PCC in support of its submission to Greater Wellington Regional Council's (the **Council**) Proposed Change 1 (**Change 1**) to the Regional Policy Statement for the Wellington Region (**RPS**).
- 3 This statement of evidence relates to the matters in 'Hearing Stream 3 – Climate Change', specifically the 'Energy, Waste and Industry' and 'Transport' topics.
- 4 I am authorised to provide this evidence on behalf of PCC. While I am an employee of PCC, I am giving this evidence as a planning expert, and the views I express in this evidence are my own.

QUALIFICATIONS AND EXPERIENCE

- 5 I hold the qualifications of Bachelor of Science (BSc) and Postgraduate Diploma in Science (PGDipSc) in Geography from the University of Canterbury, and a Master of Planning Practice (MPlanPrac) with First Class Honours from the University of Auckland. I am a Full Member of the New Zealand Planning Institute.
- 6 I have worked for PCC since April 2020. I was involved in the preparation of the Proposed Porirua District Plan 2020 (**PDP**) notified in August 2020 and Variation 1 to the PDP notified in 2022. Prior to PCC, I worked for a central government authority, a regional council, and a multi-disciplinary consultancy.
- 7 My evidence on the Integrated Management topic for Hearing Stream 2 provides a more detailed summary of my qualifications and experience.

Code of conduct

- 8 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence. My qualifications as an expert are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

SCOPE OF EVIDENCE

- 9 My statement of evidence addresses the following matters arising from PCC's submission on Change 1:

9.1 Energy, Waste and Industry provisions:

9.1.1 Policy 2;

9.1.2 Policy 7;

9.1.3 Policy 39;

9.1.4 Policy 65; and

9.1.5 Definitions.

9.2 Transport provisions:

9.2.1 Policy 9;

9.2.2 Policy CC.1;

9.2.3 Policy CC.2;

- 9.2.4 Policy CC.3;
- 9.2.5 Policy CC.9;
- 9.2.6 Policy CC.10;
- 9.2.7 Policy CC.11;
- 9.2.8 Policy EIW.1; and
- 9.2.9 Definitions.

10 In preparing my evidence, I have reviewed the following:

- 10.1 The Section 32 Evaluation of provisions for Change 1 (**Section 32 Evaluation report**);
- 10.2 The following section 42A hearing reports for Hearing Stream 3 (the **Section 42A Reports**):
 - 10.2.1 Section 42A Hearing Report Hearing Stream 3 – Climate Change – Energy, Waste and Industry; and
 - 10.2.2 Section 42A Hearing Report Hearing Stream 3 - Climate Change, Topic: Climate Change - Transport;
- 10.3 Statement Of Evidence of Duncan Barry Tindall on behalf of Greater Wellington Regional Council, Technical Transport Planning Evidence, Hearing Stream Three – Climate Change-Transport 28 August 2023; and
- 10.4 Statement Of Evidence of Gijsbertus Jacobus (Jake) Roos on behalf of Wellington Regional Council - Technical Evidence Hearing Stream 3 – Climate Change 7 August 2023.

OBJECTIVES

- 11 Mr Rachlin has provided planning evidence on behalf of PCC on the objectives allocated to Hearing Stream 3 in his evidence relating to the 'General' Climate Change topic. Those objectives are relevant to the 'Energy, waste and industry' and 'Transport' topics. I support Mr Rachlin's recommendations on the relevant objectives.

ENERGY, WASTE AND INDUSTRY

Policy 2

- 12 PCC's submission seeks that Policy 2 be amended to ensure it is clear and appropriate. The Section 42A Report recommends amendments to delete the wording in the notified version of Policy 2 relating to greenhouse gas emissions and coal use, and consequently recommends rejecting PCC's submission point.
- 13 I agree with and support those amendments and the recommendation of the Section 42A Report author, largely for the reasons stated in that report.

Policy 7

- 14 PCC's submission seeks that Policy 7 be amended so that it provides clear and appropriate direction to policy statement users in line with objectives, including specific amendments to the chapeau.
- 15 The Section 42A Report recommends a range of amendments to respond to various submitters, and recommends that PCC's submission be accepted in part. I generally agree with the recommendations in the Section 42A Report.
- 16 However, I consider that an additional clause is required relating to the protection of regionally significant infrastructure from incompatible

subdivision use and development. This would reflect the existing clause (b) in Policy 39. This is needed in Policy 7 because of my recommended amendments to Policy 39, as discussed below.

17 I also consider that three further areas of amendment are required:

17.1 Amending the chapeau so that it reads:

District and regional plans shall include objectives, policies, rules and/or other methods that recognise:

17.2 Amending clause (a)(i) so that it reads:

people and goods can travel to, from and around the region efficiently and safely including by using low- or zero-carbon transport modes

17.3 Amending clause (c) so that it reads:

recognise the potential benefits of regionally significant infrastructure to support reductions in greenhouse gas emissions.

18 In relation to the chapeau, while I acknowledge that this is existing wording in the RPS, it is not clear why it does not include reference to objectives and rules. This was specifically sought by PCC but does not appear to be addressed in the Section 42A Report.

19 I consider that these amendments would provide greater clarity and more appropriate direction for users of the RPS, as sought by PCC.

Policy 39

20 PCC's submission seeks that Policy 39 be amended so that it provides clear and appropriate direction to policy statement users in line with objectives, and so that it only apply to resource consents.

21 The Section 42A Report recommends a range of amendments to response to various submitters and recommends that PCC's submission be accepted in part. I generally agree with and support the

recommendations in the Section 42A Report. However, I consider that two further areas of amendment are required.

22 I support PCC's submission that the policy should be more restricted in its application so that it does not duplicate or conflict with regulatory policies, namely Policy 7; however, I consider that it should apply to both notices of requirement as well as resource consents. This requires a consequent amendment to the chapeau of the policy.

23 I also consider that the Section 42A Report author's recommended amendment to the clause relating to protecting regionally significant infrastructure (existing clause (b); clause (c) in the s 42A Report's recommended version) to include 'have particular regard to' may create issues with the requirements of RMA to variously 'have regard to' and 'have particular regard to' the RPS as discussed through Hearing Stream 2. More importantly, however, I consider that the direction in the policy clause needs to be stronger, and should simply state, "Protect regionally significant infrastructure...". As such, I consider that the clause relating to incompatible subdivision, use and development should read:

Protect regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to infrastructure

24 I consider that these amendments would provide greater clarity and more appropriate direction for users of the RPS.

Policy 65

25 PCC's submission seeks that Policy 65 be amended to clarify who is responsible for each of the initiatives listed in the policy. The Section 42A Report author recommends the submission be rejected.

26 As the policy is non-regulatory, I do not consider that the policy necessarily needs to be clarified through stating who is responsible for each of the initiatives. Additionally, Methods 10, 11, 17, 34 and 48 are

identified in Table 1A relating to the policy, and these include information on implementation.

27 However, I consider some minor amendments would improve the clarity of the policy, including by amending the chapeau so that it states, “Support the conservation and efficient use of resources by encouraging:”. Additionally, as the policy is non-regulatory, I consider that the clause relating to efficient municipal landfill gas systems should not use the term ‘require’ as that term implies that the policy must be implemented. I also consider that the clause relating to renewable sources should be simplified to reflect the wording of the other clauses.

28 My recommended revised wording is set out in **Appendix A**.

Definitions

29 While not identified in the Section 42A Report, I note that PCC’s submission included a general submission point [S30.099] relating to definitions.

30 The Section 42A Report author recommends amendments to the relevant definitions, including deletion of ‘large scale generators’ and amending the definition of ‘Small scale (in relation to electricity generation)’. I agree with and support those amendments, largely for the reasons stated in the Section 42A Report.

Section 32AA Evaluation

31 In my opinion, the amendments I have recommended to Policies 7, 39 and 65 are the most appropriate way to achieve the purpose of the RMA. In particular, I consider that:

31.1 My recommended amendments to Policies 7, 39 and 65 will be more effective in achieving the relevant objectives by

providing greater clarity in wording, thereby reducing the potential implementation issues.

31.2 My recommended amendments to Policies 7, 39 and 65 will not add any additional social, environmental, cultural or economic costs, but will have economic benefits through easier interpretation and implementation, and will therefore be more efficient.

TRANSPORT

Policy 9

32 PCC's submission seeks that Policy 9 be retained as notified. The Section 42A Report author recommends amendments, including additional wording for the decarbonisation of the public transport vehicle fleet. I agree with and support those amendments.

Policy CC.1

33 PCC's submission seeks that this policy be deleted, or alternatively that it be amended to provide clear and appropriate direction to policy statement users in line with the objectives, and in a way that is within the scope of what can be achieved under the RMA. The submission also seeks that Change 1 provides definitions for 'Transport infrastructure' and 'altered' if those terms are to be retained.

34 I consider that the term 'altered' should be deleted and replaced with 'upgraded'. This is because the use of 'altered' would likely capture a broad range of activities that would be inappropriate for the policy to be applied to (e.g., potentially including maintenance and repair activities and other minor changes to the transport network regularly undertaken by local authorities). I consider that the policy should instead refer to 'upgraded' land transport infrastructure. This is because planned upgrades to infrastructure provide a more appropriate opportunity to

consider the matters addressed in the policy due to the likely scale of the works.

35 I also do not agree with the recommendations of the Section 42A Report author in relation to the recommended inclusion of a definition of 'optimised transport demand' along with the three additional clauses in Policy CC.1. In my opinion, the definition and the three clauses, while using different wording, essentially say the same thing. As such the inclusion of both within the same policy results in unnecessary repetition, complexity and confusion.

36 I also consider that the three additional clauses are superfluous as they include actions that are already required through the NPS-UD, such as enabling intensification within walkable catchments (referred to in the Section 42A Report recommended policy as 'concentrating development', which itself is not appropriate wording in my opinion as it does not reflect the NPS-UD which seeks to enable building heights and density of urban form). While I recognise the importance of integrating transport and land use provisions, policy direction for spatial land use regulation appears to be outside of the scope of this policy which is focused on transport infrastructure, and I consider that this would more appropriately be articulated through the urban development provisions.

37 As such, I consider that reference to 'optimise transport demand' along with the associated definition is more appropriate, and sufficiently addresses the relevant matters for this policy.

38 I therefore recommend that Policy CC.1 should be amended to read:

District and regional plans shall include objectives, policies, rules and/or other methods that assist to optimise transport demand by requiring all new or upgraded land transport infrastructure to be designed, constructed, and operated in a way that contributes to an efficient transport network, maximises mode shift from private vehicles to public transport and active modes, and supports reductions in greenhouse gas emissions.

39 I consider that the wording of my recommended policy provides clearer and more appropriate direction to policy statement users.

Policy CC.2

40 PCC's submission seeks deletion of Policy CC.2, or alternatively amendments so that it provides appropriate direction to policy statement users in line with objectives. The submission proposes amendments that would simplify the policy so that it provides better direction for subdivision, use and development to maximise public transport and active modes and minimises reliance on private vehicles.

41 The Section 42A Report author recommends significant amendments to the policy and accepts PCC's submission in part. While acknowledging that the recommendations go some way to addressing PCC's concerns, I consider that further amendments are required.

42 In my opinion, the policy wording recommended in the Section 42A Report acts more as a method. It also appears to require that the policy be given effect to through resource consent processes, as the policy states that the 'regional thresholds ... will cease to apply when Policy CC.2 is given effect through a district plan'. These thresholds would appear to effectively trigger additional consent requirements. That is, prior to the policy being given effect to in a district plan, consent applicants would need to consider the policy through their application, and if the 'regional thresholds' are exceeded, applicants would need to provide a 'travel choice assessment'. I consider that this is inappropriate, particularly for a 'regulatory' policy within the existing framework of the RPS.

43 In my opinion, the Section 42A Report author, through the recommended amendments in that report, is essentially attempting to replicate existing district plan methods relating to 'high trip generating' activities. While I consider there is merit in the RPS setting, at a high level, policy direction for assessments of high trip generating activities

including consideration of minimising private vehicle use and minimising public and active transport modes, I consider that the prescriptiveness of the Section 42A Report recommendations would result in regulatory duplication with territorial authorities.

44 The technical transport planning evidence prepared by Mr Duncan Tindall, and provided on behalf of the regional council,¹ identifies only two districts within the Wellington region that have provisions in district plans requiring transport assessments.² In fact, in addition to the plans Mr Tindall refers to, the Proposed Porirua District Plan, City of Lower Hutt District Plan, and Operative Kāpiti Coast District Plan also already include provisions relating to high trip generating activities and require transport assessments to be provided when resource consents are triggered by those provisions.³

45 While Mr Tindall's evidence states that a 'Travel Choices Assessment' could "sit alongside any further detailed transport assessment where required"⁴, I consider that this would result in inefficient plan provisions and associated resource consent processes.

46 The territorial authorities within the Wellington region have taken various approaches to transport assessments required by district plan provisions. Specifically in relation to the PDP, the relevant rule (TR-R5) requires an 'integrated transport assessment' (**ITA**) to be provided with

¹ Statement Of Evidence of Duncan Barry Tindall on behalf of Greater Wellington Regional Council, Technical Transport Planning Evidence, Hearing Stream Three – Climate Change-Transport 28 August 2023, para. 102.

² I note that the draft Wairarapa Combined District Plan, referred to by Mr Tindall, covers the three Wairarapa districts, and so the number that Mr Tindall should have stated was four. Also, that document is in draft, and is yet to be notified. Given the criteria stated in paragraph 102 of his evidence, Mr Tindall should have excluded this draft plan from consideration.

³ In the Operative Kāpiti Coast District Plan these are referred to as a 'major traffic activity', see TR-R2 and TR-R10. The relevant rule in the City of Lower Hutt District Plan is Rule 14A 5.1(c). I discuss the relevant PDP rule (TR-R5) in my evidence.

⁴ See para 143.

a resource consent application for activities that exceed specified trip generation thresholds set out in an associated standard. The Waka Kotahi NZ Transport Agency guidelines 'Research Report 422: Integrated Transport Assessment Guidelines, November 2010' are referred to as to be used to inform the ITA. The definition of an ITA in the PDP includes reference to all modes of transport as being required to be assessed. The relevant objectives in the TR-Transport chapter include TR-O1-2, which seeks that high trip generating activities are located where they are accessible by a range of transport modes. The matters in the relevant policy for high trip generating use and development (TR-P1) acts as matters of discretion for restricted discretionary activities which require consent under TR-R5, and includes a comprehensive list of relevant matters, including provision for pedestrians, cyclists, and public transport users.

- 47 The City of Lower Hutt District Plan and Wellington City Proposed District Plan take similar approaches to the PDP, with reference to ITAs and the Waka Kotahi guidance. The Draft Wairarapa Combined District Plan also requires ITAs and sets out the requirements for 'basic' and 'full' ITAs in an appendix. The Operative Kāpiti Coast District Plan 2021 requires both a 'transport assessment' and a 'travel plan' be provided with resource consent applications for major traffic activities.
- 48 The Section 42A Report author's recommended wording for 'regional thresholds' only addresses residential and commercial activities and so does not cover the breadth of activities that the existing or proposed district plan provisions do. The explanation for the policy includes reference to education, industrial, community, entertainment and 'other land use activities that could generate private vehicle trips and freight travel' to which 'local travel choice thresholds' should apply. In relation to the PDP, the trip generation thresholds already apply to those activities.

49 The Section 32 Report does not specifically assess the costs and benefits of Policy CC.2, but rather assesses it as part of a package with the other climate change provisions. No specific reference is made to the economic costs to councils or consent applicants of the policy in relation to plan changes and ongoing administration costs. Neither the evidence of Mr Tindall nor the assessment in the Section 42A Report appear to provide sufficient assessment of the existing district plans and the resulting implications of the recommended policy. These implications would include a requirement for councils, including PCC, to review and likely prepare plan changes to include separate requirements for ‘travel choice assessments’. In my opinion, this is a significant gap in section 32 evaluation and the 32AA evaluation for the recommended amendments as set out in the Section 42A Report.

50 Conversely, I consider that it would be more efficient and effective for the RPS policy direction to build on existing resource consent processes and district plan provisions, and require that these incorporate more specific consideration of matters to support reductions in greenhouse gas emissions.

51 I also consider that the requirement for the policy to be given effect to by a certain date also needs to be deleted. For the reasons given in PCC’s submission⁵

52 Therefore, I consider that the policy should be amended to read as follows:

Policy CC.2: Travel demand management – district plans

District plans shall include objectives, policies and rules that require subdivision, use and development to support reductions in greenhouse gas emissions by requiring consent applications for high trip generating activities to:

(a) demonstrate how the subdivision, use and development will maximise use of public transport and active modes;

⁵ Scope of this amendment is provided in PCC’s general submission point [S30.0119].

(b) demonstrate how the subdivision, use and development will minimise use of private vehicles.

53 I consider that this should be supported by a definition for 'high trip generating activity', being:

Any activity that exceeds a specified threshold set in a district plan for trip generation or vehicle movements and which requires a transport assessment to be provided with a resource consent application for the activity.

54 In my opinion, my recommended wording better reflects the intent of the policy, acknowledges existing district plan provisions and provides more targeted policy direction so that they better give effect to higher order policy documents, and provides the necessary flexibility for territorial authorities. It also avoids inappropriately duplicating district plan provisions within the RPS framework.

55 Additionally, I consider that Policy CC.9 sufficiently addresses the relevant matters until such time as district plans give effect to Policy CC.2.

56 I note that the RPS includes an existing method relating to travel demand management guidance (Method 9). I have not been able to locate any information relating to travel demand management on the GWRC website that would indicate that the Wellington Regional Council (identified in the RPS as the lead authority responsible for implementation of the method) has taken steps to give effect to that method. The Section 42A Report states that Method 9 is proposed to be replaced by Method CC.3.⁶ However, while reference to this method is proposed to be deleted from Table 3 and the policy it gives effects to (Policy 10) is also proposed to be deleted, Method 9 is not itself proposed to be deleted from the RPS through Change 1.

⁶ Para. 244 of the Section 42A Report.

Policy CC.3

- 57 PCCs submission seeks that this policy be amended so that it provides clear and appropriate direction to policy statement users in line with objectives. The submission point also sought a definition of 'zero and low-carbon multi-modal transport'. The Section 42A Report author accepted the submission in part, and recommended a minor amendment to the policy wording; however, the Section 42A Report author did not recommend any definition for 'zero and low-carbon multi modal transport'.
- 58 While the Section 42A Report author states that they do not consider that a definition for 'zero and low-carbon multi modal transport' should be provided "as outlined at paragraphs 60 to 61 of this report", I note that paragraphs 60 and 61 of the Section 42A Report relate to the number of submissions and further submissions received on Change 1, rather than definition of that term. I have not been able to identify the discussion referred to in the Section 42A Report elsewhere. The most detailed response I have identified is in paragraph 268, but the author may also be referring to the discussion in paragraphs 81 and 82 in relation to the term 'transport infrastructure'.
- 59 In any case, I consider that the policy should be reworded, including by referring to the 'uptake of zero- and low-carbon transport modes and development of multi-modal transport networks'. I consider that this provides greater clarity on what is sought, and that with this wording no definition would be required. I also consider that the requirement for the policy to be given effect to by a certain date also needs to be deleted for the reasons stated in PCC's submission.⁷
- 60 Additionally, I note that the policy needs to be carefully worded in relation to the term 'enabling'. That word has a clear meaning in RMA

⁷ Scope of this amendment is provided in PCC's general submission point [S30.0119].

plans, and I consider that it would not be appropriate for all infrastructure that would support zero- and low-carbon transport modes to always be enabled in all locations. However, I consider that this form of infrastructure should be at least always 'provided for' through district plans.

61 As such, I consider that the policy should read as follows:

District plans shall include objectives, policies, rules and/or other methods that support reductions in greenhouse gas emissions by providing for, and enabling where appropriate, infrastructure that supports zero- and low-carbon transport modes and development of multi-modal transport networks.

62 I consider that this wording provides clearer and more appropriate direction to policy statement users.

Policy CC.9

63 PCC's submission seeks that this policy be deleted, or alternatively amended so that it provides clear and appropriate direction to policy statement users in line with objectives and ensures the requirements are within the scope of what a district plan can achieve. The Section 42A Report author recommends PCC's submission be accepted in part and that significant amendments be made to the policy.

64 I agree with PCC's submission that the policy should be more restricted in its application; however, I consider that it should apply to notices of requirement as well as resource consents.

65 As discussed above, I disagree with the Section 42A Report author in relation to the recommended amendments to Policy CC.1 and recommend deletion of the hierarchical approach set out in the Section 42A Report on that policy. That has implications for the wording of Policy CC.9 as recommended by the Section 42A Report author, and so I also recommend that the cross-reference to CC.1 be removed.

66 As such, I consider that the policy should read as follows:

When considering an application for a resource consent or notice of requirement ensure that the subdivision, use or development contributes to a well-functioning urban environment by being planned in a way that supports reductions in greenhouse gas emissions from transport, including by optimising overall transport demand, maximising transport mode shift from private vehicles to public transport or active modes, and supporting low and zero-carbon transport modes.

67 I consider that this provides clearer and more appropriate direction to policy statement users.

Policy CC.10

68 PCC's submission seeks that the policy be amended so that it provides clear and appropriate direction to policy statement users in line with objectives, along with definitions of the terms used in the policy. I agree with the decision sought and reasons in PCC's submission. The reasons set out a detailed list of concerns, including addressing transport effects at the time of zoning, distinguishing between 'in' and 'out' of zone and the scale and purpose of freight distribution centres. The need for definition of terms was also noted. The Section 42A Report author did not recommend any amendments to the policy.

69 I consider that the 'proximity' of efficient transport networks to freight distribution centres and other activities referred to in the policy, while being an important aspect, is not the critical matter to be addressed. Rather, the activities addressed by the policy need efficient and effective connections to those networks. For example, a rail line may be located close to an industrial area, but that area may not necessarily have, or have the ability to be provided with, a connection to that line. In other words, it is one thing to be close to something; it is quite another to be able to use it.

70 I consider that 'similar activities with significant freight servicing requirements' will be captured by Policy CC.2 as discussed above and

therefore reference to these activities in CC.10 does not add any substantial policy direction and should be deleted.

71 Additionally, I consider that the policy does not need to be applied through plan reviews, changes or variations, as other policies sufficiently capture the relevant aspects for those processes.

72 As such, I recommend the policy is amended so that it reads:

When considering an application for a resource consent or notice of requirement only allow for a new freight depot or industrial area where the resulting freight movements will be efficient and support reductions in greenhouse gas emissions, including through the availability of appropriate existing or planned transport network connections.

73 In relation to the necessary definitions, I consider that the only definition required in relation to my recommended policy wording above is for the term 'freight depot'. I note that this term replaces 'freight distribution centre' as used in the notified policy. This is because 'freight depot' is defined in the Porirua Proposed District Plan and captures the intended meaning of 'freight distribution centre'. As such, I consider the same definition of 'freight depot' should be included in Change 1, which is:

A facility used for receiving, despatching or consolidating goods in transit by road, rail, air or sea. It includes carriers' depots.

74 I consider that my recommended policy and definition more clearly and appropriately articulates the intent of the policy, and better gives effect to higher order policies.

Policy CC.11

75 PCC's submission seeks that Policy CC.11 be deleted, or amended to be a non-regulatory method, along with a definition of 'whole-of-life carbon emissions assessment'. The Section 42A Report author recommends that PCC's submission be rejected.

- 76 I agree with the Section 42A Report author that the policy should not be deleted in its entirety. Assessments of carbon emissions could assist consent authorities to understand the effects on the environment of large transport projects and how these have been avoided, remedied or mitigated.
- 77 However, I support PCC's alternative response in its submission that the policy should be non-regulatory. This is because the policy only seeks to 'encourage' the provision of whole-of-life carbon emissions assessments, rather than direct their requirement. In my opinion, this policy wording is more appropriate for non-regulatory policies.
- 78 The only other policy proposed, or proposed to be amended, through Change 1 that uses the term 'encourage' in its chapeau is Policy 65 which is a non-regulatory policy.⁸ Other non-regulatory policies use similar verbs such as 'promote' and 'support'.⁹
- 79 I also consider that the reference to a change, variation or review of a regional or district plan should be deleted, as it is not clear how such an assessment would relate to, or be undertaken for, those processes. The requirements of section 74(2)(d) ensure that an emissions reduction plan is given regard through those processes.
- 80 Additionally, I note that the control of discharges of contaminants into air is a regional council function under section 30(f) of the RMA. Territorial authorities have no functions for discharges to air, and no expertise in those matters. As such, I consider that the policy should be restricted to resource consent applications to the regional council. I also consider that the wording of the policy should be significantly amended

⁸ Clause (d) of Policy 57 also uses the verb 'encourage'.

⁹ For example Policy CC.18 and Policy FW.7

to make it clearer, including reference to assessment guidance to be developed by the Wellington Regional Council.

81 As such I recommend the policy be amended so that it reads:

Policy CC.11: Encouraging whole-of-life carbon emissions assessment for land transport infrastructure – non-regulatory
Encourage whole-of-life carbon emissions assessments to be provided with resource consent applications to the Wellington Regional Council for new or upgraded land transport infrastructure, in accordance with regional carbon emission assessment guidance developed by Wellington Regional Council.

82 My recommended wording of the policy includes amendments so that it applies to land transport infrastructure. This would avoid the need to include clarification that the policy does not apply to aircraft as recommended by the Section 42A Report author, as well as making it more clearly directed at infrastructure covered by clause (g) of the definition of 'infrastructure'. Additionally, I recommended the term 'upgraded' be used instead of 'altered' for the same reasons as noted at paragraph 34 above, and that the policy only relate to resource consent applications and notices of requirement as this appears to be the clear intention.

83 In relation to defining the term 'whole of life carbon emissions assessment' I agree with the Section 42A Report author that Change 1 already includes a relevant definition and this, in conjunction with regional guidance produced in accordance with the method recommended by the Section 42A Report author, will provide sufficient clarity. However, I consider that the definition requires improvement. I note that the definition of 'carbon emissions assessment' is addressed in the Section 42A Report for the 'Climate Change General' topic; however, given that the term is only used in Policy CC.11, I have addressed the definition below.

Policy EIW.1

84 PCC's submission seeks that Policy EIW.1 be retained as notified. The Section 42A Report recommends a minor amendment to delete superfluous wording. I agree with and support that amendment and the recommendation of the Section 42A Report author.

Definitions

Carbon emissions assessment

85 PCC's submission on Policy CC.11 seeks a definition of 'whole-of-life carbon emissions assessment'. PCC's submission on the definition itself [S30.0100] seeks the definition be deleted or amended so that it provides clear and appropriate direction to plan users. The Section 42A Hearing Report Hearing Stream 3 – Climate Change – General addresses the definition at section 3.17, and recommends no changes.

86 I note that the definition of 'Carbon emissions assessment' proposed in Change 1 is:

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.

87 I consider that the definition is not sufficiently clear or robust.

88 Firstly, the definition appears to ignore basic scientific principles. Gases expand to fill their containers. As such, the measurement of greenhouse gas emissions is by mass, rather than volume.

89 Additionally, as discussed in Mr Roos' evidence, greenhouse gases are measured in reference to a carbon dioxide equivalent so that all greenhouse gases are captured in the measurement and can be

compared in terms of global warming potential.¹⁰ I also consider that, while in general usage, the term ‘carbon footprint’ is somewhat ambiguous and if used would itself need to be defined.

90 As such, I recommend the definition is amended so that it reads:

Whole-of-life carbon emissions assessment

An evaluation of the total greenhouse gas emissions of a proposal measured in carbon dioxide equivalent units, derived from assessing the emissions associated with all stages and components of the project’s life.

91 I consider that my recommended definition will provide significantly more clarity for RPS readers.

Travel demand management plan

92 PCC’s submission seeks that the definition be deleted or alternatively be amended so that it provides clear and appropriate direction to policy statement users.

93 Consistent with my recommendations in relation to Policy CC.2 above, I consider that the definition should be deleted as it would no longer be required.

Transport infrastructure

94 PCC’s submission on Policy CC.1 seeks that a definition of ‘transport infrastructure’ be included if that term is retained.

95 Consistent with my recommendations on Policy CC.11 above, I consider that no additional definition is required where the relevant policies refer

¹⁰ Statement of Evidence of Gijsbertus Jacobus (Jake) Roos on behalf of Wellington Regional Council - Technical Evidence Hearing Stream 3 – Climate Change 7 August 2023, page 7.

to 'land transport infrastructure', as this would more clearly link with clause (g) of the definition of 'infrastructure'.

Optimise transport demand

96 The Section 42A Report recommends a definition of 'optimise transport demand' based on the technical transport planning evidence provided by Mr Tindall, as below:

Optimise transport demand means:

- (a) Influencing demand spatially and reducing trip length; then*
- (b) Creating choices to travel via sustainable modes and reduce emissions; then*
- (c) Design and deliver development in a way that supports sustainable modes and an efficient transport network.*

97 I generally agree with the recommended definition, but consider that it could be improved through minor amendments so that it reads:

Optimise transport demand means undertaking actions that, in order of priority:

- (a) Influence transport demand spatially and reduce trip length; then*
- (b) Create choices to travel via sustainable modes and support reductions in emissions; then*
- (c) Design and deliver subdivision, use and development in a way that supports use of sustainable transport modes and an efficient transport network.*

Walkable catchment

98 The Section 42A Report recommends a definition of 'walkable catchment' based on the technical transport planning evidence provided by Mr Tindall.

99 PCC's submission seeks a definition of 'walkable catchment' through its submission point on Policy 31. That policy will be addressed through Hearing Stream 4. As such, I provide no comment on that definition at this stage, except to point out that the definition recommended in the Section 42A Report may create issues where a district plan has already been varied by an Intensification Planning Instrument and does not already define the term, including for Porirua City Council.

100 The risk would be that the PDP, which has given effect to the NPS-UD already, may require review in light of the updated version of the definition. That could undermine the approach to intensification within walkable catchments taken through Variation 1 to the PDP.

Section 32AA Evaluation

101 In my opinion, the amendments I have recommended to Policies CC.1, CC.2, CC.3, CC.9, CC.10 and CC.11 and associated definitions are the most appropriate way to achieve the purpose of the RMA. In particular, I consider that:

101.1 My recommended amendments to Policies CC.1, CC.2, CC.3, CC.9, CC.10 and CC.11 and associated definitions will be more effective in achieving the relevant objectives by providing greater clarity in wording, thereby reducing the potential implementation issues.

101.2 My recommended amendments to Policies CC.1, CC.2, CC.3, CC.9, CC.10 and CC.11 and associated definitions will not add any additional social, environmental, cultural or economic costs, but will have economic benefits through easier interpretation and implementation and will therefore be more efficient.

CONCLUSION

- 102 PCC's submission raises a number of concerns relating to the provisions proposed through Change 1 to the RPS, including in relation to those being considered in Hearing Stream 3 within the 'Energy, Waste and Industry' and 'Transport' topics. I agree with those concerns.
- 103 Having read and considered the Section 42A Reports and associated evidence, I have recommended amendments to the 'Energy, Waste and Industry' and 'Transport' provisions in Change 1. I consider those amendments more appropriately respond to the concerns of PCC than the recommendations contained in the Section 42A Reports.
- 104 I consider that without these amendments, Change 1 may result in unacceptable costs for the territorial authorities that must give effect to the RPS through their district plans, including Porirua City Council.

Rory Smeaton

Date: 14 August 2023

Appendix A. Summary of PCC submission points and s42A report recommendations

PCC Submission Point Ref.	Provision	Relief Sought by PCC (green text where relevant)	S42A report Recommendation		Recommended Amendments to provisions as amended by the Section 42A Report (blue text)
			Response	Recommended Changes (red text)	
Energy, Waste and Industry					
S30.099	Definitions	<p>General</p> <p>Amend</p> <p>Add any further definitions for any terms that are unclear and where a definition would assist in interpretation and implementation, including any relevant terms proposed to be introduced in response to submissions.</p>	Accept in part	<p>Large scale generators</p> <p>Any boiler, furnace, engine or other device designed to burn for the primary purpose of energy production having a net heat or energy output of more than 40Kw, but excluding motor vehicles, trucks, boats and aircraft. This definition excludes domestic fires.</p> <p>Organic waste</p> <p>Wastes containing carbon compounds that are capable of being readily biologically degraded, including by natural processes, such as paper, food residuals, wood wastes, garden and plant wastes, but not inorganic materials such as metals and glass or plastic. Organic wastes can be decomposed by microorganisms into methane, carbon dioxide, nitrous oxide, and simple organic molecules (plastic contains carbon compounds and is theoretically organic in nature, but generally is not readily biodegradable).</p> <p>Small scale and community scale renewable energy (in relation to electricity generation)</p> <p>Has the same meaning as in the National Policy Statement for Renewable Energy Generation 2011: small and community scale distributed electricity generation</p> <p>Means renewable energy electricity generation for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network.</p>	Support the section 42A report recommendations.
S30.024	Policy 2	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p><i>Regional plans shall include policies, and/or rules <u>and/or other methods</u> that:</i></p> <p><i>(a) protect or enhance the amenity values of neighbouring areas from discharges of odour, smoke and dust; and</i></p> <p><i>(b) protect people’s health from discharges of dust, smoke and fine particulate matter; and</i></p> <p><i>(c) support industry to reduce greenhouse gas emissions from industrial processes, and</i></p> <p><i>(d) phase-out by 2030, avoid the ongoing use of coal as a fuel source for domestic fires and large-scale generators by 2030.</i></p>	Reject	<p>Policy 2: Reducing adverse effects of the discharge of odour, smoke, dust and fine particulate matter, and reducing greenhouse gas emissions – regional plans</p> <p>Regional plans shall include policies, and/or rules and/or methods that:</p> <p>(a) protect or enhance the amenity values of neighbouring areas from discharges of odour, smoke and dust; and</p> <p>(b) protect people’s health from discharges of dust, smoke and fine particulate matter; and</p> <p>(c) support industry to reduce greenhouse gas emissions from industrial processes, and</p> <p>(d) phase-out coal as a fuel source for domestic fires and large-scale generators by 2030.</p> <p>Explanation: Policy 2 seeks to protect neighbouring areas and people’s health from discharges of contaminants into the air. In addition, it seeks to support industry to reduce discharges of greenhouse gas emissions from industrial</p>	Support the section 42A report recommendations.

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				processes, and to phase out coal as a fuel source for domestic fires and large-scale industrial boilers by 2030.	
S30.034	Policy 7	Define low and zero carbon regionally significant infrastructure.	Accept in part	Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure – district and regional plans	Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure – district and regional plans
S30.035		Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and/or reword as follows: <i>District and regional plans shall include objectives, policies, rules and/or other methods that recognise:</i>	Accept in part	<p>District and regional plans shall include policies and/or methods that recognise:</p> <p>(a) recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure, and in particular low and zero carbon regionally significant infrastructure including:</p> <ul style="list-style-type: none"> (i) people and goods can travel to, from and around the region efficiently and safely and in ways that support the transitioning to low or zero carbon multi modal transport travel modes; (ii) public health and safety is maintained through the provision of essential services: - supply of potable water, the collection and transfer of sewage and stormwater, and the provision of emergency services; (iii) people have access to energy, and preferably low or zero carbon renewable energy, so as to meet their needs; (iv) the provision of an efficient, effective and resilient electricity transmission network; and (iv) people have access to telecommunication services. <p>(b) recognise and provide for the social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:</p> <ul style="list-style-type: none"> (i) avoiding, reducing and displacing greenhouse gas emissions; (ii) contributing to the security of supply, resilience, independence and diversification of our energy sources; (iii) reducing dependency on imported energy resources; and (iiv) reducing greenhouse gas emissions using renewable resources rather than finite resources; and (v) the reversibility of the adverse effects on the environment of some renewable electricity generation technologies. <p>(c) recognise the benefits of regionally significant infrastructure to reduce greenhouse gas emissions.</p> <p>Explanation: Notwithstanding that renewable energy generation and regionally significant infrastructure can have adverse effects on the surrounding environment and community, Policy 7 recognises that renewable energy generation and regionally significant infrastructure these activities can provide a range of local, regional and national benefits both within and outside the region, including helping to reduce greenhouse gas emissions and provide essential</p>	<p>District and regional plans shall include objectives, policies, rules and/or other methods that recognise:</p> <p>(a) recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure, and in particular low and zero carbon regionally significant infrastructure including:</p> <ul style="list-style-type: none"> (i) people and goods can travel to, from and around the region efficiently and safely and in ways that support the transitioning to low or zero carbon multi modal transport travel modes; <u>including by using low- or zero-carbon multi-modal transport travel modes;</u> (ii) public health and safety is maintained through the provision of essential services: - supply of potable water, the collection and transfer of sewage and stormwater, and the provision of emergency services; (iii) people have access to energy, and preferably low or zero carbon renewable energy, so as to meet their needs; (iv) the provision of an efficient, effective and resilient electricity transmission network; and (iv) people have access to telecommunication services. <p>(b) recognise and provide for the social, economic, cultural and environmental benefits of energy generated from renewable energy resources including:</p> <ul style="list-style-type: none"> (i) avoiding, reducing and displacing greenhouse gas emissions; (ii) contributing to the security of supply, resilience, independence and diversification of our energy sources; (iii) reducing dependency on imported energy resources; and (iiv) reducing greenhouse gas emissions using renewable resources rather than finite resources; and (v) the reversibility of the adverse effects on the environment of some renewable electricity generation technologies. <p>(c) recognise the benefits of regionally significant infrastructure to reduce greenhouse gas emissions. <u>(c) recognise the potential benefits of regionally significant infrastructure to support reductions in e-greenhouse gas emissions; and</u></p> <p>(d) protect regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure. <u>(d) protect regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure.</u></p> <p>Explanation: Notwithstanding that renewable energy generation and regionally significant infrastructure can have adverse effects on the surrounding environment and community, Policy 7 recognises that renewable energy</p>

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			Response	Recommended Changes (red text)	
				services for the well-being of people and communities particular if regionally significant infrastructure is a low or zero carbon development.	generation and regionally significant infrastructure these activities can provide a range of local, regional and national benefits both within and outside the region, including helping to reduce greenhouse gas emissions and provide essential services for the well-being of people and communities particular if regionally significant infrastructure is a low or zero carbon development.
S30.063	Policy 39	Amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and amend policy to only apply to resource consents.	Accept in part	<p>Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure – consideration</p> <p>When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan: particular regard shall be given to:</p> <p>a) recognise and provide for the social, economic, cultural, and environmental benefits of energy generated from renewable energy resources; and</p> <p>b) recognise the social, economic, cultural, and environmental benefits of other and/or regionally significant infrastructure, in particular including where it contributes to reducing greenhouse gas emissions; and</p> <p>(bc) have particular regard to protecting regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and</p> <p>(ed) I recognise and provide for the operational need and functional the need for of renewable electricity generation activities to be in particular locations, including the need to facilities to locate where the renewable energy resources exist; and</p> <p>(de) recognise the benefits of utilising the significant wind, <u>solar</u> and marine renewable energy resources within the region.</p> <p><u>Explanation</u></p> <p>Notwithstanding that renewable energy generation and regionally significant infrastructure can have adverse effects on the surrounding environment and community, Policy 39 recognises that renewable energy generation and regionally significant infrastructure these activities can provide a range of <u>environmental, economic, social and cultural</u> benefits locally, regionally and nationally, particularly to contribute to reducing greenhouse gas emissions <u>as sought by Objective CC.3. These benefits are outlined in Policy 7.</u></p>	<p>Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure – consideration</p> <p>When considering an application for a resource consent, or notice of requirement: or a change, variation or review of a district or regional plan, particular regard shall be given to:</p> <p>a) recognise and provide for the social, economic, cultural, and environmental benefits of energy generated from renewable energy resources; and</p> <p>b) recognise the social, economic, cultural, and environmental benefits of other and/or regionally significant infrastructure, in particular including where it contributes to reducing greenhouse gas emissions; and</p> <p>(bc) have particular regard to protecting <u>Protect</u> regionally significant infrastructure from incompatible subdivision, use and development occurring under, over, or adjacent to the infrastructure; and</p> <p>(ed) I recognise and provide for the operational needs and functional the needs for of renewable electricity generation activities to be in particular locations, including the need to facilities to locate where the renewable energy resources exist; and</p> <p>(de) recognise the benefits of utilising the significant wind, <u>solar</u> and marine renewable energy resources within the region.</p> <p><u>Explanation</u></p> <p>Notwithstanding that renewable energy generation and regionally significant infrastructure can have adverse effects on the surrounding environment and community, Policy 39 recognises that renewable energy generation and regionally significant infrastructure these activities can provide a range of <u>environmental, economic, social and cultural</u> benefits locally, regionally and nationally, particularly to contribute to reducing greenhouse gas emissions <u>as sought by Objective CC.3. These benefits are outlined in Policy 7.</u></p>
S30.083	Policy 65	Amend policy to clarify who is responsible for each of these initiatives.	Reject	<p>Policy 65: Supporting and encouraging Promoting efficient use and conservation of resources – non-regulatory</p> <p>To promote <u>Support and encourage</u> the conservation and efficient use of resources by:</p> <p>(a) applying the 5 Rs (3<u>Reducing</u>, Reuseing, Recycleing, Recover, recycling and Residual waste management);</p> <p>(b) reducing organic waste at source from households and commercial premises;</p>	<p>Policy 65: Supporting and encouraging Promoting efficient use and conservation of resources – non-regulatory</p> <p>To promote <u>Support and encourage</u> the conservation and efficient use of resources by <u>encouraging</u>:</p> <p>(a) applying the 5 Rs (3<u>Reducing</u>, Reuseing, Recycleing, Recover, recycling and Residual waste management);</p> <p>(b) reducing organic waste at source from households and commercial premises;</p>

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				<p>(c) increasing the diversion of wastewater sludge from wastewater treatment plants before deposition to municipal landfills;</p> <p>(d) requiring efficient municipal landfill gas systems;</p> <p>(e) increasing the portion of energy used from renewable sources;</p> <p>(ef) using water and energy efficiently; and</p> <p>(fg) conserving water and energy.</p> <p>Explanation: Policy 65 supports and encourages promotes the efficient use of resources to waste and to reduce greenhouse gas emissions. The policy endorses the waste hierarchy and also promotes similar principles for efficient water and energy use.</p>	<p>(c) increasing the diversion of wastewater sludge from wastewater treatment plants before deposition to municipal landfills;</p> <p>(d) requiring efficient municipal landfill gas systems;</p> <p>(e) increasing the portion of using energy used from renewable sources;</p> <p>(ef) using water and energy efficiently; and</p> <p>(fg) conserving water and energy.</p> <p>Explanation: Policy 65 supports and encourages promotes the efficient use of resources to waste and to reduce greenhouse gas emissions. The policy endorses the waste hierarchy and also promotes similar principles for efficient water and energy use.</p>
S30.0116	General comments - overall	Greater alignment with National Direction	Accept in part	No specific recommended amendments.	See recommended amendments to polices Policy 7, Policy 39, and Policy 65.
S30.0117	General comments - overall	Query in relation to s30 and s31 functions, RMA, 1991	Accept in part	No specific recommended amendments.	See recommended amendments to polices Policy 7, Policy 39, and Policy 65.
S30.0120	General comments - overall	In addition to the relief sought as set out in our submission, as outlined above Council considers that the best course of action would be to withdraw much of Proposed Change 1, or otherwise work with councils on a variation to significantly amend most of its contents.	Accept in part	No specific recommended amendments.	See recommended amendments to polices Policy 7, Policy 39 (specifically clause (c)), and Policy 65.
S30.0123	General comments – consideration policies	<p>Not stated.</p> <p>Reasons stated:</p> <p><i>Council opposes all "consideration" policies since they often duplicate or conflict with "regulatory" policies, and represent regulatory overreach without sufficient s32 evaluation or other evidence. We consider that they will create unnecessary regulatory costs due to the way they are drafted. They assume a level of knowledge and expertise on a range of matters generally not available to consent authorities, and in some cases represent a transfer of s31 functions to territorial authorities.</i></p>	Accept in part	No specific recommended amendments.	See recommended amendments to polices Policy 7, Policy 39, and Policy 65.
Transport					

PCC Submission Point Ref.	Provision	Relief Sought by PCC (green text where relevant)	S42A report Recommendation		Recommended Amendments to provisions as amended by the Section 42A Report (blue text)
			Response	Recommended Changes (red text)	
S30.0112	Definition: Travel demand management plan	Delete definition, or amend so that it provides clear and appropriate direction to plan users.	Accept in part	<p>Definition - Travel Choice Assessment demand-management plan</p> <p>A travel choice assessment demand-management plan demonstrates how the subdivision, use and development has considered and incorporated accessibility and connectivity to active transport, sustainable transport modes and supports redistribution of demand from private car use to active and sustainable transport modes. sets out interventions and actions to influence travel behaviour, with the aim of minimising travel demand or redistributing demand from traditional car usage to more sustainable transport modes for new subdivision, use and development. A travel demand management plan should include mitigation measures that so that planned subdivision, use and development is designed and implemented to maximise quality of life for people without access to a private vehicle, reducing the demand for vehicle trips and associated externalities like greenhouse gas emissions. For example, a travel demand management plan for a new retail development might promote cycle parking facilities and a delivery service, as an intervention to promote travel with low carbon emissions.</p>	<p>Delete definition</p> <p>Definition – Travel Choice Assessment demand management plan</p> <p>A travel choice assessment demand management plan demonstrates how the subdivision, use and development has considered and incorporated accessibility and connectivity to active transport, sustainable transport modes and supports redistribution of demand from private car use to active and sustainable transport modes. sets out interventions and actions to influence travel behaviour, with the aim of minimising travel demand or redistributing demand from traditional car usage to more sustainable transport modes for new subdivision, use and development. A travel demand management plan should include mitigation measures that so that planned subdivision, use and development is designed and implemented to maximise quality of life for people without access to a private vehicle, reducing the demand for vehicle trips and associated externalities like greenhouse gas emissions. For example, a travel demand management plan for a new retail development might promote cycle parking facilities and a delivery service, as an intervention to promote travel with low carbon emissions.</p>
S30.036	Policy 9	Retain as notified.	Accept in part	<p>Policy 9: Promoting greenhouse gas emission reduction and uptake of low emission fuels – Regional Land Transport Plan Strategy Reducing the use and consumption of non-renewable transport fuels, and carbon dioxide emissions from transportation</p> <p>The Wellington Regional Land Transport Plan Strategy shall include objectives and policies that promote a reduction in:</p> <p>(a) a reduction of the consumption of non-renewable transport fuels; and</p> <p>(b) the emission of carbon dioxide from transportation</p> <p>(b) a reduction of the emission of greenhouse gases, and other transport-generated harmful emissions such as nitrogen dioxide; and</p> <p>(c) an increase in the uptake of low emission or zero carbon fuels, biofuels and new technologies.; and</p> <p>(d) the decarbonisation of the public transport vehicle fleet.</p> <p>including through prioritising public and active transport investment to serve future urban areas, to enable development in a sequential manner which minimises the risk of increasing car journeys in the region</p> <p><u>Explanation</u></p> <p>This policy provides direction to the Regional Land Transport Plan, acknowledging the role of the objectives and policies in that plan, in promoting a reduction in greenhouse gas emissions to decarbonise the transport system, promotes the uptake of low-emission or zero carbon fuels and new technologies. Regionally, in 2019, transport was the biggest source of greenhouse gas emissions. Transport emissions accounted for 39 percent of total gross emissions.</p>	Support the section 42A recommendations.

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				Transportation is a significant and growing contributor to the consumption of nonrenewable fuels and the emission of carbon dioxide. In 2004, 86 per cent of the oil consumed in New Zealand was used by the transport sector. The transport sector also accounts for around 45 per cent of the country's carbon dioxide emissions. Carbon dioxide is a greenhouse gas that contributes to climate change.	
S30.025	Policy CC.1	Delete policy. Alternatively, amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and is within the scope of what can be achieved under RMA. Provide definitions for 'Transport infrastructure' and 'altered' if these terms are retained.	Accept in part	<p>Policy CC.1: Reducing greenhouse gas emissions associated with transport demand and infrastructure – district and regional plans</p> <p>District and regional plans shall include objectives, policies, rules and/or methods that optimise transport demand by requiring all new and altered transport infrastructure to be is designed, constructed, and operated in a way that contributes to an efficient transport network, maximises mode shift, and reduces greenhouse gas emissions by giving effect to a hierarchical approach (in order of priority), by:</p> <p>(a) Optimising overall transport demand;</p> <p>(b) Maximising mode shift from private vehicles to public transport or active modes; and</p> <p>(c) Supporting the move towards low and zero carbon modes.</p> <p>(a) Providing for, and concentrating, development in locations to minimise travel distances between residential, employment and the location of other essential services in combination with the delivery of multi-modal transport networks and infrastructure to serve developments; then</p> <p>(b) Providing for and concentrating development within walkable catchments of public transport routes where practicable, and utilising existing space to remove barriers for access to walking, cycling and public transport; then</p> <p>(c) Providing new infrastructure or capacity upgrades on the transport network to prioritise walking, cycling and public transport, such as improved or new bus and cycle lanes and measures to prioritise the need of pedestrians, cyclists and public transport above the car.</p> <p><u>Explanation</u></p> <p>This policy requires transport infrastructure planning (including design, construction and operation) to consider and choose solutions that will contribute to reducing greenhouse gas emissions by applying a hierarchy to all new or altered transport infrastructure that supports an efficient transport network, influences travel demand through ensuring development occurs in locations that can be best served by public transport and other low and zero-carbon transport modes. The hierarchy supports behaviour change through mode shift from private vehicles to public transport or active modes. This policy does not apply to aircraft.</p>	<p>Policy CC.1: Reducing greenhouse gas emissions associated with transport demand and infrastructure – district and regional plans</p> <p>District and regional plans shall include objectives, policies, rules and/or other methods that assist to optimise transport demand by requiring all new or upgraded and altered land transport infrastructure to be is designed, constructed, and operated in a way that contributes to an efficient transport network, maximises mode shift from private vehicles to public transport and active modes, and supports reductions in greenhouse gas emissions. by giving effect to a hierarchical approach (in order of priority), by:</p> <p>(a) Optimising overall transport demand;</p> <p>(b) Maximising mode shift from private vehicles to public transport or active modes; and</p> <p>(c) Supporting the move towards low and zero carbon modes.</p> <p>(a) Providing for, and concentrating, development in locations to minimise travel distances between residential, employment and the location of other essential services in combination with the delivery of multi-modal transport networks and infrastructure to serve developments; then</p> <p>(b) Providing for and concentrating development within walkable catchments of public transport routes where practicable, and utilising existing space to remove barriers for access to walking, cycling and public transport; then</p> <p>(c) Providing new infrastructure or capacity upgrades on the transport network to prioritise walking, cycling and public transport, such as improved or new bus and cycle lanes and measures to prioritise the need of pedestrians, cyclists and public transport above the car.</p> <p><u>Explanation</u></p> <p>This policy requires transport infrastructure planning (including design, construction and operation) to consider and choose solutions that will contribute to reducing greenhouse gas emissions by applying a hierarchy to all new or altered transport infrastructure that supports an efficient transport network, influences travel demand through ensuring development occurs in locations that can be best served by public transport and other low and zero-carbon transport modes. The hierarchy supports behaviour change through mode shift from private vehicles to public transport or active modes. This policy does not apply to aircraft.</p>

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			Response	Recommended Changes (red text)									
S30.026	Policy CC.2	<p>Delete policy.</p> <p>Alternatively, amend policy so that it provides appropriate direction to plan users in line with objectives, and/or reword policy as follows:</p> <p><i>Policy CC.2: Travel demand management plans-Increased reliance on public transport and active transport modes – district plans</i></p> <p><i>By 30 June 2025, district plans shall include objectives, policies and rules that:</i></p> <p><i>(a) require subdivision, use and development consent applicants to provide travel demand management plans to minimise reliance on private vehicles and maximise use of public transport and active modes for all new subdivision, use and development over a specified development threshold where there is a potential for a more than minor increase in private vehicles and/or freight travel movements and associated increase in greenhouse gas emissions; and</i></p> <p><i>(b) minimise reliance on private vehicles.</i></p>	Accept in part	<p>Policy CC.2: Travel choice assessment demand-management plans– district plans</p> <p>By 30 June 2025, district plans shall include objectives, policies and rules that require subdivision, use and development to contribute to the reduction of greenhouse gas emissions by requiring consent applicants to provide a travel demand management plans to minimise reliance on private vehicles and maximise use of public transport and active modes for choice assessment that:</p> <p>(a) demonstrates how the use of public transport and active modes will be maximised;</p> <p>(b) demonstrates how the use of private vehicles will be minimised; and</p> <p>(c) includes measures within the design of subdivision, use and development which achieves parts (a) and (b) above.</p> <p>The requirement for a travel choice assessment must apply to all new subdivision, use and development over a specified travel choice development threshold where there is a potential for a more than minor increase in private vehicles and/or freight travel movements and associated increase in greenhouse gas emissions. As a minimum, city and district councils must use the regional thresholds set out in Table 1 as the basis for developing their own local thresholds. The regional thresholds in Table 1 will cease to apply when Policy CC.2 is given effect through a district plan. To contribute to reducing greenhouse gas emissions city and district councils must develop their own travel choice thresholds that are locally specific.</p> <p>Table 1: Regional Thresholds</p> <table border="1"> <tr> <td>Activity and Threshold per application</td> </tr> <tr> <td>100 residential units located within a walkable catchment.</td> </tr> <tr> <td>Commercial development of 2,500m² gross floor area</td> </tr> <tr> <td>Greenfield subdivision over 100 residential units</td> </tr> </table> <p>Explanation</p> <p>The regional travel choice thresholds have been developed as a minimum and as guidance to assist city and district councils in developing their local travel choice thresholds. Local travel choice thresholds are important to reflect the differences in connectivity and accessibility between rural and urban areas. In addition, local travel choice thresholds should reflect local issues, challenges and opportunities. Local travel choice thresholds Location suitable development thresholds triggering a consent requirement for a travel demand management plan are to be developed by territorial authorities and should apply to residential, education, office, industrial, community, entertainment and other land use activities that could generate private vehicle trips and freight travel.</p>	Activity and Threshold per application	100 residential units located within a walkable catchment.	Commercial development of 2,500m ² gross floor area	Greenfield subdivision over 100 residential units	<p>Policy CC.2: Travel demand management choice-assessment demand management plans– district plans</p> <p>By 30 June 2025, district plans shall include objectives, policies and rules that require subdivision, use and development to contribute to the support reductions of in greenhouse gas emissions by requiring consent applicants applications for high trip generating activities to provide a travel demand management plans to minimise reliance on private vehicles and maximise use of public transport and active modes for choice assessment that:</p> <p>(a) demonstrates how the subdivision, use and development will maximise use of public transport and active modes will be maximised; and</p> <p>(b) demonstrates how the subdivision, use and development will minimise use of private vehicles. will be minimised; and</p> <p>(c) includes measures within the design of to be implemented through the subdivision, use and development which achieves parts (a) and (b) above.</p> <p>The requirement for a travel choice assessment must apply to all new subdivision, use and development over a specified travel choice development threshold where there is a potential for a more than minor increase in private vehicles and/or freight travel movements and associated increase in greenhouse gas emissions. As a minimum, city and district councils must use the regional thresholds set out in Table 1 as the basis for developing their own local thresholds. The regional thresholds in Table 1 will cease to apply when Policy CC.2 is given effect through a district plan. To contribute to reducing greenhouse gas emissions city and district councils must develop their own travel choice thresholds that are locally specific.</p> <p>Table 1: Regional Thresholds</p> <table border="1"> <tr> <td>Activity and Threshold per application</td> </tr> <tr> <td>100 residential units located within a walkable catchment.</td> </tr> <tr> <td>Commercial development of 2,500m² gross floor area</td> </tr> <tr> <td>Greenfield subdivision over 100 residential units</td> </tr> </table> <p>Explanation</p> <p>The regional travel choice thresholds have been developed as a minimum and as guidance to assist city and district councils in developing their local travel choice thresholds. Local travel choice thresholds are important to reflect the differences in connectivity and accessibility between rural and urban areas. In addition, local travel choice thresholds should reflect local issues, challenges and opportunities. Local travel choice thresholds Location suitable development thresholds triggering a consent requirement for a travel demand management plan are to be developed by territorial authorities and should apply to Significant residential, education, office, industrial, community, entertainment and other land use activities that</p>	Activity and Threshold per application	100 residential units located within a walkable catchment.	Commercial development of 2,500m ² gross floor area	Greenfield subdivision over 100 residential units
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			Response	Recommended Changes (red text)	
				Development thresholds should specify the trigger level (for example, number of dwellings, number of people accommodated or gross floor area) where the requirement for a travel choice assessment demand management plan requirement applies.	could generate significant private vehicle trips and freight travel. <u>Inclusion of appropriate measures within the design and operation of the activities can assist in maximising sustainable transport modes and minimising greenhouse gas emissions. Development thresholds should specify the trigger level (for example, number of dwellings, number of people accommodated or gross floor area) where the requirement for a travel choice assessment demand management plan requirement applies.</u>
S30.027	Policy CC.3	Amend policy so that it provides clear and appropriate direction to plan users in line with objectives. Define 'zero and low-carbon multi-modal transport', with inclusions.	Accept in part	Policy CC.3: Enabling a shift to low and zero-carbon emission transport – district plans By 30 June 2025, district plans shall include objectives, policies, rules and methods for enabling infrastructure that enable infrastructure that supports the uptake of zero and low-carbon multi modal transport that contribute to reducing greenhouse gas emissions. Explanation District plans must provide a supportive planning framework (for example, permitted activity status) for zero and low-carbon multi modal transport infrastructure, such as public transport infrastructure, cycleways, footpaths, walkways and public EV charging network for EV modes of transport .	Policy CC.3: Enabling a shift to low and zero-carbon emission transport – district plans By 30 June 2025, d District plans shall include objectives, policies, rules and/or other methods that support reductions in greenhouse gas emissions by providing for, and where appropriate enabling, infrastructure that enable infrastructure that supports the uptake of zero- and low-carbon transport modes and development of multi-modal transport networks that contribute to reducing greenhouse gas emissions. Explanation District plans must provide a supportive planning framework (for example, permitted activity status) for zero and low-carbon multi modal transport infrastructure, such as public transport infrastructure, cycleways, footpaths, walkways and public EV charging network for EV modes of transport .
S30.058	Policy CC.9	Delete policy. Alternatively, amend policy so that it provides clear and appropriate direction to plan users in line with objectives, and ensures the requirements are within the scope of what a district plan can achieve. Amend policy to only apply to resource consents.	Accept in part	Policy CC.9: Reducing greenhouse gas emissions associated with transport infrastructure subdivision, use or development – consideration When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to whether the subdivision, use and or development have has been planned in a way that contributes to reducing greenhouse gas emissions by to optimise optimising overall transport demand by giving effect to the hierarchical approach in order of priority within Policy CC.1 (a)-(c), maximising mode shift from private vehicles to public transport or active modes, and supporting the move towards low and zero-carbon modes in a way that contributes to reducing greenhouse gas emissions. Explanation This policy requires regional and district councils to consider whether subdivision, use and development proposals have fully considered all options to reduce greenhouse gas emissions as far as practicable. For example, EV charging infrastructure, car share infrastructure, provision for bus stops and a transport network designed to support public transport or active modes.	Policy CC.9: Reducing greenhouse gas emissions associated with transport infrastructure subdivision, use or development – consideration When considering an application for a resource consent, or notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to whether ensure that the subdivision, use and or development have has been contributes to a well-functioning urban environment by being planned in a way that contributes to supports reductions in greenhouse gas emissions from transport, including by to optimise optimising overall transport demand by giving effect to the hierarchical approach in order of priority within Policy CC.1 (a)-(c), maximising transport mode shift from private vehicles to public transport or active modes, and supporting the move towards low and zero-carbon transport modes in a way that contributes to reducing greenhouse gas emissions. Explanation This policy requires regional and district councils to consider whether subdivision, use and development proposals have fully considered all options to reduce greenhouse gas emissions from transport, including maximising transport mode shift as far as practicable. For example, EV charging infrastructure, car share infrastructure, provision for bus stops and a transport network designed to support public transport or active modes.

PCC Submission Point Ref.	Provision	Relief Sought by PCC (green text where relevant)	S42A report Recommendation		Recommended Amendments to provisions as amended by the Section 42A Report (blue text)
			Response	Recommended Changes (red text)	
S30.0124	Policy CC.10	<p>Amend policy so that it provides clear and appropriate direction to plan users in line with objectives.</p> <p>Provide definitions for:</p> <ul style="list-style-type: none"> • ‘Freight-distribution centre’ • ‘Significant freight servicing requirements’ • ‘Efficient transport network’ 	Reject	No amendments recommended.	<p>Policy CC.10: Freight movement efficiency and minimising greenhouse gas emissions – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan for freight distribution centres and new industrial areas or similar activities with significant freight servicing requirements, particular regard shall be given to the proximity of efficient transport networks and locations that will contribute to efficient freight movements and minimising associated greenhouse gas emissions.</p> <p>When considering an application for a resource consent or notice of requirement only allow for a new freight depot or industrial area where the resulting freight movements will be efficient and support reductions in greenhouse gas emissions, including through the availability of appropriate existing or planned transport network connections.</p> <p><u>Explanation</u></p> <p><u>This policy requires decisions for freight land use or servicing to consider transport efficiency to contribute to minimising greenhouse gas emissions.</u></p>
S30.059	Policy CC.11	<p>Delete policy.</p> <p>Alternatively, amend policy to be a non-regulatory method, and ensure that it provides clear and appropriate direction to plan users in line with objectives.</p> <p>If the term “whole-of-life carbon emissions assessment” is to be retained, it needs to be defined.</p>	Reject	<p>Policy CC.11: Encouraging whole of life carbon emissions assessment for transport infrastructure – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, a whole of life carbon emissions assessment is encouraged for all new or altered transport infrastructure as part of the information submitted with the application. This information will assist with evaluating the potential greenhouse gas emissions, options for reducing direct and indirect greenhouse gas emissions and whether the infrastructure has been designed and will operate in a manner that contributes to the regional target for a reduction to transport-related greenhouse gas emissions.</p> <p><u>Explanation</u></p> <p><u>This policy encourages a whole of life carbon emissions assessment for new or altered transport infrastructure. This assessment will provide information and evidence on predicted emissions to enable assessment of impacts and options in the context of regional targets to reduce greenhouse gas emissions. Waka Kotahi has a tool providing accepted assessment methodology. This policy does not apply to aircraft.</u></p> <p><u>Insert a new method - Method CC.3A – Whole of life carbon emissions assessment</u></p> <p><u>Develop guidance to support the development of whole of life carbon emission assessments, in accordance with Policy CC.11.</u></p> <p><u>Implementation: Wellington Regional Council</u></p>	<p>Policy CC.11: Encouraging whole-of-life carbon emissions assessment for land transport infrastructure – non-regulatory consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, a whole of life carbon emissions assessment is encouraged for all new or altered upgraded land transport infrastructure, in accordance with regional carbon emission assessment guidance developed by Wellington Regional Council as part of the information submitted with the application. This information will assist with evaluating the potential greenhouse gas emissions, options for reducing direct and indirect greenhouse gas emissions and whether the infrastructure has been designed and will operate in a manner that contributes to the regional target for a reduction to transport-related greenhouse gas emissions.</p> <p><u>Explanation</u></p> <p><u>This policy encourages a whole of life carbon emissions assessment for new or altered upgraded transport infrastructure. This assessment will provide information and evidence on predicted emissions to enable assessment of impacts and options in the context of regional targets to reduce greenhouse gas emissions. Waka Kotahi has a tool providing accepted assessment methodology. This policy does not apply to aircraft.</u></p> <p><u>Insert a new method - Method CC.3A – Whole-of-life carbon emissions assessment</u></p>

PCC Submission Point Ref.	Provision	Relief Sought by PCC (green text where relevant)	S42A report Recommendation		Recommended Amendments to provisions as amended by the Section 42A Report (blue text)
			Response	Recommended Changes (red text)	
					<p>Develop guidance to support the development of whole-of-life carbon emission assessments, in accordance with Policy CC.11.</p> <p>Implementation: Wellington Regional Council</p>
S30.037	Policy EIW.1	Retain as notified.	Accept in part	<p><u>Policy EIW.1: Promoting affordable high quality active mode and public transport services – Regional Land Transport Plan</u></p> <p><u>The Wellington Regional Land Transport Plan shall include objectives, policies and methods that promote equitable and accessible high quality active mode infrastructure, and affordable public transport services with sufficient frequency and connectedness, including between modes, for people to live in urban areas without the need to have access to a private vehicle., by contributing to reducing greenhouse emissions.</u></p> <p><u>Explanation</u></p> <p><u>This policy provides direction to the Regional Land Transport Plan, acknowledging the role of the objectives and policies in that plan, to promote mode shift from private vehicles to public transport and active modes by providing connected, accessible, affordable and extensive multi modal infrastructure and services.</u></p>	Support section 42A recommendations.
S30.099	General comments - definitions	Add any further definitions for any terms that are unclear and where a definition would assist in interpretation and implementation, including any relevant terms proposed to be introduced in response to submissions.	Accept in part	<p><u>Optimise transport demand means:</u></p> <p><u>(a) Influencing demand spatially and reducing trip length; then</u></p> <p><u>(b) Creating choices to travel via sustainable modes and reduce emissions; then</u></p> <p><u>(c) Design and deliver development in a way that supports sustainable modes and an efficient transport network.</u></p> <p><u>Walkable Catchment</u></p> <p><u>A walkable catchment is an area that an average person could walk from a specific point to get to multiple destinations. A walkable catchment consists of a maximum 20 minute average walk, or as otherwise defined in district plans.</u></p>	<p><u>Optimise transport demand means undertaking actions that, in order of priority:</u></p> <p><u>(a) Influenceing transport demand spatially and reduceing trip length; then</u></p> <p><u>(b) Createing choices to travel via sustainable modes and support reductions in reduce emissions; then</u></p> <p><u>(c) Design and deliver subdivision, use and development in a way that supports use of sustainable transport modes and an efficient transport network.</u></p> <p><u>Walkable Catchment</u></p> <p>To be addressed through Hearing Stream 4</p> <p><u>High trip generating activity</u></p> <p><u>Any activity that exceeds a specified threshold set in a district plan for trip generation or vehicle movements and which requires a transport assessment to be provided with a resource consent application for the activity.</u></p> <p><u>Whole-of-life carbon emissions assessment</u></p> <p><u>An evaluation of the total greenhouse gas emissions of a proposal measured in carbon dioxide equivalent units, derived from assessing the emissions associated with all stages of the project's life.</u></p>

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			Response	Recommended Changes (red text)	
					<p>Freight depot</p> <p>A facility used for receiving, despatching or consolidating goods in transit by road, rail, air or sea. It includes carriers' depots.</p>
S30.0116	General comments - overall	Greater alignment with National Direction	Reject in part	No specific recommended amendments.	See recommended amendments to polices Policy CC.1, Policy CC.2, Policy CC.3, Policy CC.9, Policy CC.10 and Policy CC.11.
S30.0117	General comments - overall	Query in relation to s30 and s31 functions, RMA, 1991	Reject in part	No specific recommended amendments.	See recommended amendments to polices Policy CC.1, Policy CC.2, Policy CC.3, Policy CC.9, Policy CC.10 and Policy CC.11.
S30.0120	General comments - overall	In addition to the relief sought as set out in our submission, as outlined above Council considers that the best course of action would be to withdraw much of Proposed Change 1, or otherwise work with councils on a variation to significantly amend most of its contents.	Reject in part	No specific recommended amendments.	See recommended amendments to polices Policy CC.1, Policy CC.2, Policy CC.3, Policy CC.9, Policy CC.10 and Policy CC.11.
S30.0123	General comments - Regulatory policies	Reasons state: Council opposes all "consideration" policies since they often duplicate or conflict with "regulatory" policies, and represent regulatory overreach without sufficient s32 evaluation or other evidence. We consider that they will create unnecessary regulatory costs due to the way they are drafted. They assume a level of knowledge and expertise on a range of matters generally not available to consent authorities, and in some cases represent a transfer of s31 functions to territorial authorities.	Reject	No specific recommended amendments.	See recommended amendments to polices Policy CC.1, Policy CC.2, Policy CC.3, Policy CC.9, Policy CC.10 and Policy CC.11.