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**Committee** Policy, Finance and Strategy Committee  
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## **Resource Management (Energy and Climate Change) Amendment Bill**

### **1. Purpose**

To inform the Committee of the content of the Resource Management (Energy and Climate Change) Amendment Bill; and

To seek the Committee's approval for a submission to be made to the Local Government and Environment Select Committee.

### **2. Background**

At the meeting of the Environment Committee on 4<sup>th</sup> September 2003, Councillor Barr asked if a submission was to be made on the Resource Management (Energy and Climate Change) Amendment Bill. This report recommends that a submission be made.

The amendments to the Resource Management Act 1991 (RMA) flow from the Government's energy and climate change policies, notably the National Energy Efficiency and Conservation Strategy (2001) and obligations arising from signing the Kyoto Protocol.

The amendments were introduced to the House on 29 July 2003, and the First Reading took place on 5 August, when the Bill was referred to the Local Government and Environment Select Committee. A copy of the speech made in introducing the Bill by the Minister for Energy, Hon Pete Hodgson, is attached as Attachment 1 to this report.

Submissions to the Select Committee close on 29 September 2003.

The Bill has 3 objectives:

- To give greater weight in the RMA to the value of renewable energy, and clarify that energy efficiency should be a consideration, regardless of the energy source;

- To give greater weight to considering the effects of climate change (e.g. addressing potential increase in flood risk, a rise in average sea level, and changes in typical rainfall patterns); and
- Despite the second objective, to remove climate change as a consideration when considering industrial discharges of greenhouse gases, as these emissions are best addressed using a national mechanism (most likely a national environmental standard).

Attachment 2 is a copy of an extract from the Ministry for the Environment's website that poses two questions about the Bill – “What Does the Bill Do?”, and “Why Do We Need It?”. The extract covers the sorts of questions that councillors may have about the Bill.

### **3. Discussion**

The Bill's proposals for energy efficiency and renewable energy are entirely consistent with provisions that this Council has promoted by way of the Regional Policy Statement for the last 10 years. The proposals in the Bill also reinforce Greater Wellington's targets for energy management in its 10-Year Plan.

Energy management is a fundamental part of sustainable development, and thus far, initiatives and actions that authorities may have chosen to take have been very sporadic and of a voluntary nature. The major potential effect of introducing energy efficiency and the benefits of using renewable forms of energy to Part II of the RMA will be to give these matters a mandate for more formal statutory and consistent consideration, both for resource consent applicants and local authorities. However, authorities would still need to develop rules in plans if they wished to make these matters “bite” through statutory processes.

In relation to the Bill's proposals for managing greenhouse gas emissions, the idea that consistency and clarity be provided through national standards is a sensible one. The timetable for the preparation of the standards, and their contents, are not yet known.

Also, it is not certain that removing the air discharge assessment function from regional councils with one hand, then bringing in a national environmental standard with another will result in "reductions in compliance costs". If the standard results in a need for a Plan Change (to implement the standards) then there will be an increased cost to Councils. To minimise this cost, when developing the standard, the government should be seeking to prescribe enough details to carry out effective consent assessments, while having minimal prescriptive impacts on Plans.

While the Amendment Bill marks an important stage in addressing energy management by way of RMA legislation, there should also be consistency with other legislation (such as the Land Transport Act, Transit NZ Act and especially, the Building Act) so that energy efficiency and climate change

issues are dealt with in a broad, consistent and holistic way. Appropriate amendment of the Land Transport Act, Transit NZ Act and other relevant legislation needs also to occur.

#### **4. Conclusion**

While the implications of the Amendment Bill appear to be of significance to many authorities, Greater Wellington has already embraced some of its intent and content in relevant policy documents.

Nonetheless, it is recommended that a submission be made to the Select Committee to reinforce or support the Bill's objectives, and to highlight the points made in this report.

#### **5. Recommendations**

*It is recommended that the Council:*

- 1. receive the report and note its contents; and*
- 2. give approval for officers to prepare a submission to the Local Government and Environment Select Committee on the Resource Management (Energy and Climate Change) Amendment Bill, and for the Chairperson to have authority to sign the submission on behalf of the Council.*

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