

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

**Section 42A Hearing Report
Hearing Stream 3 - Climate Change**

**Topic: Climate Change - Transport
Process: Schedule 1, Part 1 Process
Prepared by: Louise Allwood
Report Date: 31st July 2023
Hearing Date: 28th August 2023**

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Executive Summary

1. This report considers submissions received by Greater Wellington Regional Council ('the Council') in relation to the relevant provisions of Proposed Change 1 to the Regional Policy Statement for the Wellington Region ('Change 1') as they apply to the Climate Change – Transport topic. There are nine policies and four methods within this topic.
2. This topic is following the Schedule 1, Part 1 Process of the Resource Management Act 1991 (RMA). None of the provisions that are categorised are part of the Freshwater Planning Instrument. This report should be read in conjunction with the Officer's report 'S42A Overview Report' which provides the background to Change 1, the statutory context, and administrative matters relating to Change 1.
3. A total of 245 original submission points and 135 further submission points were received on this topic. The following key matters were raised in submissions, apply to more than one provision and are covered by this report:
 - a) Requests for definitions to assist with policy application (e.g. transport infrastructure, low and zero carbon modes, optimising overall transport demand, maximising mode shift)
 - b) The use of verbs within policies and the tension created by them by creating two directions within a single policy e.g. 'consideration' and 'regard'
 - c) The strength of provisions i.e. the provisions are too directive or not directive enough
 - d) Requests for more tools other than Travel Demand Management Plans
 - e) Lack of legislative support for provisions in relation to greenhouse gas emissions
 - f) The potential for exacerbation of social inequalities as a result of the provisions
 - g) Concerns about implementation, including timeframes referenced in Policy CC.2 and Policy CC.3
 - h) The scale at which policies could be applied, practical implementation in rural areas, and information requirements
 - i) The types of activities that district plans and district councils have jurisdiction over and concern about the transfer of regional functions to territorial authorities e.g. greenhouse gas emissions and the operation of public transport
 - j) Exemptions from some policies for Wellington International Airport
4. There are a number of general further submissions which are in support or oppose the original submissions in their entirety. In the Summary of Decisions Requested this general support or opposition has been coded as an individual further submission to each original submission point, regardless of whether the further submission content is relevant for the specific relief sought.
5. This report groups the submissions by the relevant provision where this was clear in the submission. Submissions of a more general nature are grouped under sub-headings, as follows:
 - a) General Submissions - Coding of further submissions addressed in section 6.4

- b) General Submissions - Definitions addressed in section 6.5
 - c) General Submissions - Across all Change 1 Topics addressed in section 6.6
 - d) General Submissions - Regulatory policies addressed in section 6.7
 - e) General Submissions - Urban development in relation to transport addressed in section 6.8
6. Consequential amendments have also been addressed where these have arisen in responding to submission points within this topic.
7. As a result of analysing the relevant submission points and key matters, I have recommended a number of amendments to the Change 1 provisions to address the relief sought. These amendments can be summarised as follows:
- a) Amendments to Policy EIW.1 to provide grammatical correction and clarity.
 - b) Amendments to Method CC.10 to provide consistency of terminology across Change 1.
 - c) Amendments to Policy CC.1 and supporting definitions to clarify the purpose and intent of the policy for implementation by district councils, in relation to optimising transport demand and walkable catchment.
 - d) Amendments to Policy CC.2 and supporting definition include replacing travel demand management plans with travel choice plans, and other proposed amendments to reduce ambiguity with implementation.
 - e) Consequential amendments to Method CC.3 Travel Demand Management Plans and the definition of Travel Demand Management to align with the amendments proposed to Policy CC.2.
 - f) Amendments to Policy CC.3 focus on enabling infrastructure and expand the explanation for multi modal transport infrastructure to assist councils with policy implementation.
 - g) Amendments to Policy 9 to be more effective and efficient at achieving Objective CC.3, as there is currently a policy gap.
 - h) Amendments to Policy CC.9 to clarify the purpose, cross reference to Policy CC.1 in relation to optimising transport demand and expand the explanation.
 - i) Amendments to the heading of Policy CC.11 to clarify its application and a new supporting method.
 - j) Consequential amendments to Table 1A to reflect my recommended amendments to Policy and Method titles.
8. Appendix 1 of this report sets out the recommendations on the relief sought, and whether those submission points should be accepted, accepted in part, rejected, rejected in part or where there is no recommendation required. The reasons for these recommendations are set out in the body of this report.

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9. Having considered the relevant submission points and reviewed the relevant statutory and non-statutory documents, I recommend that Change 1 be amended as set out in **Appendix 2** of this report.
10. Where relevant, I have also undertaken a Section 32AA evaluation for the amendments I have recommended. This is included after the analysis of each section for the provision to which it relates.
11. For the reasons outlined in the Section 32AA evaluation and outlined in this report, I consider the proposed Policies and related provisions within the Climate Change – Transport topic, with the recommended amendments, will be the most appropriate means to:
 - a) Achieve the purpose of the RMA (in respect of the proposed objectives) and give effect to higher order planning documents, and
 - b) Achieve the relevant objectives of Change 1, in respect to the proposed provisions.

Interpretation

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

Table 1: Abbreviations of terms

Abbreviation	Means
the Act/RMA	Resource Management Act 1991
the Council	Greater Wellington Regional Council
FPP	Freshwater Planning Process
NPS	National Policy Statement
NPS-UD	National Policy Statement on Urban Development 2020
Change 1	Proposed Change 1 to the Regional Policy Statement for the Wellington Region
RPS	Operative Regional Policy Statement for the Wellington Region 2013
RMAA	Resource Management Amendment Act 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NERP	“Te hau mārohi ki anamata Towards a productive, sustainable and inclusive economy: Aotearoa New Zealand's first emissions reduction plan, 16 May 2022”.
NAP	“Adapt and thrive: Building a climate-resilient New Zealand – New Zealand’s first national adaptation plan, 3 August 2022”

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
Ātiawa	Ātiawa ki Whakarongotai Charitable Trust

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Abbreviation	Means
BLNZ	Beef + Lamb New Zealand Limited
Farm Collective	Best Farm Ltd/Hunters Hill Ltd/Lincolnshire Farm Ltd/ Stebbings Farmlands Ltd
CDC	Carterton District Council
CentrePort	CentrePort Limited
CCS	Combined Cycle Submitters (CCS)
DAST	Doctors for Active, Safe Transport (DAST)
Fuel Companies	BP Oil NZ Ltd Mobil Oil NZ Ltd and Z Energy Ltd
Generation Zero	Generation Zero Wellington
GWRC	Greater Wellington Regional Council
GBI	Guardians of the Bays
HCC	Hutt City Council
Kāinga Ora	Kāinga Ora Homes and Communities
KCDC	Kāpiti Coast District Council
KiwiRail	KiwiRail Holdings Limited
MDC	Masterton District Council
Meridian	Meridian Energy Limited
Muaūpoko	Muaūpoko Tribal Authority
NZCSC	NZ Centre for Sustainable Cities
PPFL	Peka Peka Farm Limited
PCC	Porirua City Council

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Abbreviation	Means
PowerCo	PowerCo Limited
Rangitāne	Rangitāne O Wairarapa Inc
Forest and Bird	Royal Forest and Bird Protection Society (Forest & Bird)
SWDC	South Wairarapa District Council
Sustainable Wairarapa	Sustainable Wairarapa Inc
UHCC	Te Kaunihera o Te Awa Kairangi ki Uta, Upper Hutt City Council
Ngāti Toa	Te Rūnanga o Toa Rangatira
Te Tumu Paeroa	Te Tumu Paeroa Office of the Māori Trustee
WFF	Wairarapa Federated Farmers
Waka Kotahi	Waka Kotahi New Zealand Transport Agency
WCC	Wellington City Council
WIAL	Wellington International Airport Ltd
Wellington Water	Wellington Water Limited

1.0 Introduction

1.1 Purpose

13. This report is prepared under section 42A of the RMA. The purpose of this report is to provide the Hearing Panels with a summary and evaluation of the submission points received on the Climate Change -Transport topic and to recommend possible amendments to Change 1 in response to those submission points.
14. The recommendations are informed by technical transport expertise provided by GHD Limited (attached as **Appendix 3**), and the analysis and evaluation I have undertaken in response to the relevant submission points. I have also had regard to other Section 42A reports including:
 - S42A report – General Submissions – Hearing Stream One
 - S42A report – Climate Change (General) – Hearing Stream Three
15. This report should be read in conjunction with the Officer's report 'S42A Overview Report' from Hearing Stream One, which provides the background to Change 1, the statutory context, and administrative matters relating to Change 1.

1.2 Scope of this report

16. Change 1 has been notified via two plan-making processes under Schedule 1 of the RMA:
 - The Freshwater Planning Process (FPP) under section 80A and Part 4, Schedule 1 for the provisions that form the Freshwater Planning Instrument. These provisions are marked in the Change 1 document with the freshwater icon.
 - The standard plan-making process in Part 1, Schedule 1.
17. The provisions relating to the Climate Change -Transport topic have been notified under the standard Part 1, Schedule 1 process. As such, this report addresses submission points and provisions under the Part 1, Schedule 1 process only.

1.3 Author

18. My name is Louise Ruth Allwood. I am a Planning Technical Lead at GHD Limited. I hold a Bachelor of Social Sciences majoring in Resource and Environmental Planning and Geography with Honours from the University of Waikato. I am a Full member of the New Zealand Planning Institute.
19. I have 18 years' experience in resource management and planning in local government and the private sector in New Zealand and the United Kingdom. I have worked for GHD Limited for 9 years. During this time I have undertaken a mixture of policy planning and resource consent planning work. I have worked on a wide variety of projects with a broad range of regional and district planning issues including three waters linear infrastructure, road infrastructure, cycleways, industrial sites, subdivision, retail and commercial developments and apartment complexes. I was seconded to Waikato District Council to support their district plan review process in 2019.

20. I have been engaged by the Council to respond to the submissions in relation to the Climate Change -Transport topic of Change 1, and to prepare and present this s42A report. I was not involved in the development of the provisions for Change 1; however I have familiarised myself with the process that was followed and with the Section 32 evaluation report.
21. I confirm that I have read the Code of Conduct for Expert Witnesses included in the Environment Court Practice Note 2023 and I agree to comply with it. I confirm I have considered all the material facts that I am aware of which might alter or detract from the opinions I express., This statement of evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. The scope of my evidence relates to Climate Change -Transport.
22. Any data, information, facts and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
23. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.4 Supporting Evidence

24. The key documents or expert evidence, I have used, or referred to, to inform my view while preparing this report are:
 - The notified Change 1
 - The Change 1 s32 report
 - Relevant submissions
 - National Policy Statement for Urban Development 2020 (updated 2022) (NPS-UD)
 - The Resource Management Act 1991 (RMA)
 - Resource Management Amendment Act 2020 (RMAA)
 - Regional Land Transport Strategy
 - Climate Change Response (Zero Carbon) Amendment Act 2019 and the Climate Change Response Act 2002.
 - Adapt and thrive: Building a climate – resilient New Zealand – New Zealand’s first national adaptation plan, 3 August 2022” (NAP)
 - “Te hau mārohi ki anamata Towards a productive, sustainable and inclusive economy: Aotearoa New Zealand's first emissions reduction plan, 16 May 2022”. (NERP)
 - “Understanding and implementing intensification provisions for the National Policy Statement on Urban Development” prepared by the Ministry for the Environment (September 2020)
 - Transport Technical Planning Report – prepared by GHD Limited and attached as **Appendix 3**.

1.5 Scope of evidence

25. The scope of my evidence relates to submission points on the Climate Change - Transport provisions of Change 1. A number of general submissions have also been received which apply across a number of topics. These submissions are addressed within sections 6.4 to 6.8 of this report insofar as they relate to the

Climate Change -Transport topic. The provisions which this topic covers are set out below:

- a) General submissions – Coding of further submissions
- b) General submissions – Definitions
- c) General submissions – Across all Change 1 topics
- d) General submissions – Regulatory policies
- e) General submissions – Urban development
- f) Policy EIW.1: Promoting affordable high quality active mode and public transport services – Regional Land Transport Plan
- g) Method CC.10: Establish incentives to shift to active and public transport –non regulatory method
- h) Policy CC.1: Reducing greenhouse gas emissions associated with transport infrastructure – district and regional plans
- i) Method CC.7: Advocating for the use of transport pricing tools – non regulatory method
- j) Policy CC.2: Travel demand management plans – district plans
- k) Method CC.3: Travel demand management plans and travel demand management definition
- l) Policy CC.3: Enabling a shift to low and zero-carbon emission transport - district plans
- m) 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~~
- n) Policy CC.9: Reducing greenhouse gas emissions associated with transport infrastructure – consideration
- o) Policy CC.10: Freight movement efficiency and minimising greenhouse gas emissions – consideration
- p) Policy CC.11: Encouraging whole of life carbon emissions assessment – consideration
- q) Policy 10: Promoting travel demand management – district plans and Regional Land Transport Plan Strategy (Deletion)
- r) Method 25: Information about the provision of walking, cycling and public transport for development (Deletion)

26. I have provided, as **Appendix 1**, a table setting out the submission points relevant to this s42A report. In that table I have identified whether I am recommending accept, accept in part, reject, or reject in part the submission point sought by the submitters, or making no recommendation. I have explained my reasons for recommending accepting or rejecting the relief sought, or making no recommendation, in submissions in the body of my evidence.

27. I have provided as **Appendix 2**, my proposed amendments to Change 1.

Key Issues/Matters addressed in this report

28. A number of submitters raised a range of issues with the provisions relating to Climate Change (Transport) within Change 1. A total of 245 original submissions

and 133 of further submissions were received on the provisions relating to this topic.

29. The following are considered to be the key issues/matters in contention:
- a) Requests for definitions to assist with policy application (e.g. transport infrastructure, low and zero carbon modes, optimising overall transport demand, maximising mode shift)
 - b) The use of verbs within policies and the tension created by them by creating two directions within a single policy e.g. 'consideration' and 'regard'
 - c) The strength of provisions i.e. the provisions are too directive or not directive enough
 - d) Requests for more tools other than Travel Demand Management Plans
 - e) Lack of legislative support for provisions in relation to greenhouse gas emissions
 - f) The potential for exacerbation of social inequalities as a result of the provisions
 - g) Concerns about implementation, including timeframes referenced in Policy CC.2 and Policy CC.3
 - h) The scale at which policies could be applied, practical implementation in rural areas, and information requirements
 - i) The types of activities that district plans and district councils have jurisdiction over and concern about the transfer of regional functions to territorial authorities e.g. greenhouse gas emissions and the operation of public transport
 - j) Exemptions from some policies for Wellington International Airport
30. This report addresses each of the provisions, as well as any other relevant or consequential issues raised by submissions.
31. At the time of writing this report there have not been any pre-hearing meetings, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic. Discussions have been held with submitters where necessary to clarify their submission points.

2.0 Statutory Considerations

2.1 Resource Management Act 1991

32. Change 1 has been prepared in accordance with the RMA and in particular, the requirements of:
- Section 61 Matters to be considered by regional council (policy statements)
 - Section 62 Contents of regional policy statements

2.2 National Direction

33. The following paragraphs summarise the relevant national direction in relation to the Climate Change -Transport topic. A more detailed description of relevant national direction is provided in Section 5 and Appendix B of the s32 report.

Resource Management Act 1991

34. Regional Policy Statements must be prepared in accordance with the provisions of Part 2 (section 5, section 6, section 7 and section 8 of the RMA) and the Council functions in section 30 of the RMA, as well as the section 32 evaluation and any national policy statement or regulations. Section 60 sets the requirement for a regional policy statement and that it must follow a Schedule 1 process and section 61 sets out the matters to be considered by the Council in a regional policy statement. Of particular relevance to this topic are:

- Section 7(i) of the RMA, which states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

...

(i) the effects of climate change.

- Section 61(2)(a) of the RMA, which states:

In addition to the requirements of section 62(3), when preparing or changing a regional policy statement, the regional council shall have regard to—

any—

management plans and strategies prepared under other Acts;
and

...

- Section 74(2)(b)(i) of the RMA, which states:

In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—

...

(b) any—

(i) management plans and strategies prepared under other Acts;
and

Resource Management Amendment Act 2020 (RMAA)

35. The RMAA received assent in June 2020 and the parts most relevant to this topic came into effect on 30 November 2022 and specifically included amendments directing regional and territorial authorities to consider the effects of greenhouse gas emissions. Schedule 12, clause 26, of the RMA sets out the transitional effect of the climate change amendments, which is that Change 1 is to be determined

as if those amendments had not been made. Of relevance to Change 1 is the addition to section 61 to have regard to any emissions reduction plan and national adaptation plan made in accordance with the Climate Change Response Act 2002 when preparing regional policy statements.

36. With the amendments, sections 61(2)(d) and (e) of the RMA state:

(2) In addition to the requirements of section 62(3), when preparing or changing a regional policy statement, the regional council shall have regard to—

...

(d) any emissions reduction plan made in accordance with section 5ZI of the Climate Change Response Act 2002; and

(e) any national adaptation plan made in accordance with section 5ZS of the Climate Change Response Act 2002.

37. However, while these additions to section 61 are not applied to Change 1 because of its notification date, I consider they are still relevant to any section 32AA evaluation and under section 61(2)(a)(i) quoted above, as they are plans prepared under other Acts, in this case being the Climate Change Response Act 2002.

The Climate Change Response Act 2002

38. The Climate Change Response Act is relevant to this topic in so far as it sets the national direction for climate change. Section 61(2)(a)(i) of the RMA requires regard to be had to management plans and strategies prepared under other Acts. In relation to this topic, this includes the Climate Change Response Act 2002 and “Adapt and thrive: Building a climate-resilient New Zealand – New Zealand’s first national adaptation plan, 3 August 2022 (NAP)” and emissions reduction plan “Te hau mārohi ki anamata Towards a productive, sustainable and inclusive economy: Aotearoa New Zealand's first emissions reduction plan, 16 May 2022” (NERP).

39. The Climate Change Response Act 2002 enabled the establishment of the New Zealand Emissions Trading Scheme (NZ ETS), which has been in place since 2008. The NZ ETS puts a price on emissions as high up the supply chain as possible (e.g., at the point of refinement or import).

40. While emissions pricing through the NZ ETS is a key policy mechanism to support New Zealand’s transition to a low emissions economy, it will not be sufficient alone to achieve the emissions reductions needed by 2050 or meet emission budgets¹.

41. In 2021, He Pou a Rangi, the Climate Change Commission, recognised that other actions are required to address barriers and enable innovation and system transformation as some sectors do not respond well to emissions pricing. For example, urban form and development and transport are more influenced by existing infrastructure and long-lived assets. Even for those sectors where decision-making could be influenced by emission pricing (e.g. industry and

¹ <https://www.climatecommission.govt.nz/news/insight-ets/>

agriculture), the Commission found that NZ ETS alone will not likely deliver the new technologies and processes required to achieve the required levels of emission reductions².

42. The NZ ETS seeks to drive behaviour change by influencing price. It doesn't factor in where or how submissions are best reduced. The resource management system by contrast provides a decision-making framework for land use planning, management of resources with consideration to social, environmental, cultural and economic values.
43. New Zealand has its first NAP and NERP. Chapter 7 of the NERP notes that NZ's planning system and investment in infrastructure can reduce emissions, build resilience and improve wellbeing. It notes that planning and investment in infrastructure needs to support emissions reduction across sectors.
44. Chapter 10 of the NERP notes that transport is one of New Zealand's largest sources of emissions. The Government is focusing on three areas to reduce transport emissions. These are:
 - Reduce reliance on cars and support people to walk, cycle and use public transport;
 - Rapidly adopt low-emissions vehicles;
 - Begin work now to decarbonise heavy transport and freight.
45. The Government has committed to four transport targets that will support the three focus areas set out above.
 - Target 1 – Reduce total kilometres travelled by the light fleet by 20 per cent by 2035 through improved urban form and providing better travel options, particularly in our largest cities.
 - Target 2 – Increase zero-emissions vehicles to 30 per cent of the light fleet by 2035.
 - Target 3 – Reduce emissions from freight transport by 35 per cent by 2035.
 - Target 4 – Reduce the emissions intensity of transport fuel by 10 per cent by 2035.

Land Transport Management Act 2003 and Government Policy Statement on Land Transport 2021

46. The Land Transport Management Act 2003 (LTMA) directs an effective, efficient and safe land transport system. It provides the legal framework for managing and funding land transport activities. The LTMA requires regional transport committees to prepare a regional land transport plan (Wellington Regional Land Transport Plan 2021(RLTP)) for the approval of the relevant regional council. It must set out the region's land transport objectives, policies and measures for at least 10 financial years from the start of the regional land transport plan.
47. The Government Policy Statement on Land Transport (GPSLT) sets out the Government's strategic direction for the land transport system over the next 10

² <https://ccc-production-media.s3.ap-southeast-2.amazonaws.com/public/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa/Inaia-tonu-nei-a-low-emissions-future-for-Aotearoa.pdf>

years. It provides guidance on investment and how activities are prioritised for the RLTPs.

48. The RLTP sets the direction for the Wellington Region's transport network for 10-30 years and describes GWRC's long-term vision, identifies regional priorities and sets out the transport projects the Council intends to invest in over the first six years of the RLTP implementation.
49. The LTMA is relevant to this topic insofar as it sets the regional direction for an efficient and effective land transport system and the creation of the RLTP. Some of the notified provisions direct the RLTP to promote greenhouse gas emissions and the uptake of low carbon fuels. The RLTP is a plan prepared under the LTMA (another Act) and therefore it is relevant under section 61(2)(i) of the RMA.

National Policy Statement on Urban Development 2020

50. The NPS-UD sets a prescriptive framework for intensification and development, unless the territorial authorities identify that growth would conflict with specific matters. The NPS-UD identifies local authorities as 'Tier 1' or 'Tier 2' if the urban environments within those districts and regions are to experience or are likely to experience medium to high growth respectively. All other districts and regions by default are 'Tier 3' where there is an urban environment within the district.
51. A Future Development Strategy (FDS) for the Wellington region is required in accordance with subpart 4 of the NPS-UD. Amongst other things it will set out the high-level vision for growth over the long term, with strategic priorities and decisions. One of the priority areas will be in relation to regional land transport plans. A FDS for the Wellington Region is currently under development.
52. The NPS-UD is relevant to Climate Change – Transport provisions insofar as it provides direction for the development of the urban environment in association with public or active transport, reduction of greenhouse gas emissions and sets no minimum car parking requirements. This is provided for by Objective 8, Policy 1(c), (e) and (f), Policy 5(a), Policy 6 (e) and Policy 11 of the NPS-UD.

National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG)

53. The NPS-REG seeks to enable the development, operation, maintenance and upgrading of renewable electricity generation activities to meet New Zealand's national target for renewable electricity generation (now 100% by 2030). The provisions in Change 1 seek to further encourage and enable small-scale renewable electricity generation where appropriate and recognise the benefits of regionally significant infrastructure that contributes to reducing emissions. The proposed Change 1 provisions are intended to support increased energy resilience security by supporting local generation.
54. The NPS-REG is relevant to Climate Change – Transport insofar as it provides direction and consistency with New Zealand's emissions reduction targets to decarbonise the economy.

2.3 Section 32AA of the RMA

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

(1) A further evaluation required under this Act—

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

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

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

(d) must—

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

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

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

56. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is located before each recommendations section for each provision.

2.4 Trade Competition

57. Trade competition is not considered relevant to this topic within Change 1.

58. There are no known trade competition issues raised within the submissions.

3.0 Consideration of Submissions and Further Submissions

3.1 Overview

59. This topic consists of a number of issues, policies, methods, and anticipated environmental results.

60. The total number of submission and further submission points on this topic are broadly allocated across the provisions as follows:

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Provision	Original Submissions Points	Further Submission Points	Total
General Definitions –	8	6	14
General Submissions Overall –	17	4	21
General Regulatory Policies –	3	2	5
General – Urban Development	21	0	21
General Regulatory Policies -	15	8	23
Policy EIW.1	15	8	23
Method CC.10	12	5	17
Policy CC.1	21	14	35
Method CC.7	8	10	18
Policy CC.2	28	19	47
Method CC.3	9	3	12
Policy CC.3	20	11	31
Policy 9	16	10	26
Policy CC.9	21	18	39
Policy CC.10	15	8	23
Policy CC.11	18	11	29
Policy 10	9	3	12
Method 25	4	0	4

61. A number of further submission points from submitters support or oppose other submitter's entire submissions, and therefore occur in each provision in this report. For ease I have addressed these first in section 6.4 below as they have the same analysis and recommendation for each submission point. The further submission

points are often seeking matters that have been addressed within the General Submissions s42A report in Hearing Stream One.

3.2 Report Structure

62. Clause 10(3) of Schedule 1, Part 1 of the RMA specifies that the Council is not required to address each submission individually. On this basis, I have undertaken my analysis and evaluation on an issues and provisions-based approach, rather than a submission-by-submission approach.
63. Under each provision submission points have been grouped according to whether they Support, Support in Part, Oppose, or Oppose in Part the relevant provision. Where appropriate to do so where the relief sought is common the submission points have been analysed together. Some general submissions sit across other s42A topics. These have been addressed first in this report.
64. This report should be read in conjunction with the submissions and the summary of those submissions. **Appendix 1** sets out my recommendations on whether to accept, accept in part, reject in part, reject or make no recommendation on individual submission points based on the analysis contained within the body of the report.
65. Where I have recommended amendments to provisions as a result of relief sought by submitters, I have set this out in this report, with a further evaluation provided in each provision in accordance with Section 32AA of the Act. I have also provided a marked-up version of the provisions with recommended amendments in response to submissions in **Appendix 2**.

3.3 Format for Consideration of Submissions

66. For each provision, my analysis of submissions is set out in this report as follows:
 - A summary is provided on the number of original submissions and further submissions;
 - Submission points are then grouped into Support, Support in Part, Oppose and Oppose in Part and the matters raised;
 - Where relief sought is similar this has been grouped and assessed together;
 - A s32AA evaluation (where relevant);
 - Recommendations

3.4 General Submissions – Coding of further submissions

67. There are a number of general further submissions which support or oppose the original submission in its entirety. In the Summary of Decisions Requested, this general support or opposition has been coded as an individual further submission to each original submission point, regardless of whether the further submission content is relevant for the specific relief sought.
68. This situation applies to the following further submitters:
 - BLNZ – generally opposes Forest and Bird's original submission, on the grounds that changes should be restricted to those necessary to give effect to the NPSUD

and there is a risk that including matters relating to climate change and indigenous biodiversity before the legislation is gazetted or implemented is premature.

- Ātiawa and Ngāti Toa – generally oppose Muaūpoko's submission, on the basis they consider Muaūpoko's claims of a connection to Te Whanganui-a-Tara are inappropriate and incorrect.
- Ātiawa – generally opposes BLNZ's submission on the grounds that delaying Change 1 is not an appropriate course of action.
- Sustainable Wairarapa – generally supports Rangitāne's submission.
- PPFL – generally supports PCC's submission, on the basis that it provides a comprehensive analysis in relation to matters of scope of jurisdiction.

69. As a result, further submissions from these submitters are repeated and therefore addressed against each provision throughout the sections within this report.

3.5. General Submissions – Definitions

3.5.1 Matters raised by submitters and analysis

70. Eight original submission points and six further submission points were received in relation to definitions in Change 1 in general. For ease the submissions relating to the Travel Demand Management Plan definition are addressed within section 6.14 as these are directly related to Policy CC.2.

71. PCC [S30.099] (supported by PPFL [FS25.132]) opposes the definitions in general for Change 1. PCC seeks the inclusion of additional definitions for any items which are unclear and where a definition would assist in interpretation and implementation, including any relevant terms proposed to be introduced in response to submissions. I have reviewed the policies and methods covered by this s42A report and have recommended two new definitions to assist with interpretation. I have also recommended amendments to the definition of Travel Demand Management Plan (discussed at paragraphs 240 to 242 in section 6.14) to provide greater clarity in interpretation. I therefore recommend this submission and further submission are accepted in part.

New definition - Low and zero-carbon modes

72. HCC [S115.0122] (supported in part by Waka Kotahi [FS3.057]) seeks a new definition for "low and zero-carbon modes" to assist in the application of Policy CC.1. The submitter requests the new definition be aligned with the NERP, Waka Kotahi's Regional Mode Shift Plan Wellington and other relevant strategies for mode shift. Similarly, WCC [S140.0131] & [S140.0132] seeks a definition of "low carbon emissions transportation mode" and "zero carbon emissions transportation mode".

73. To my knowledge, the NERP does not define low and zero-carbon modes and nor does the regional mode shift plan. In my opinion, low and zero-carbon modes should remain undefined in Change 1 as defining them could potentially have unintended consequences for policy application and may restrict technology development in the future. For example, if public transport was included it would have to be low and zero-carbon, noting it may take some time for public transport systems to transition into a low and zero carbon mode, e.g., trains. Furthermore, I

consider it logical that low and zero-carbon transportation modes would, as a minimum, refer to walking and cycling, and low emission vehicles or modes of transport. In my opinion, providing a definition would also potentially complicate the future application of Policy CC.9, and possibly Policy CC.3, rather than providing assistance to policy application. On this basis therefore, I recommend rejecting the relief sought by HCC [S115.0122], Waka Kotahi [FS3.057] and WCC [S140.0131] & [S140.0132].

New definition - High Carbon Passenger transport mode

74. HCC [S115.0120] (supported in part by Waka Kotahi [FS3.056]) seeks the following new definition for “high carbon passenger transport modes” to implement their relief sought for Policy CC.1:

"Means passenger transport modes that are not low and zero-carbon modes."

75. I do not agree a definition for ‘high carbon passenger transport mode’ is necessary to support the implementation of Policy CC.1. In my view it is the opposite of low and zero-carbon modes. As stated above, the NERP does not define low and zero-carbon modes nor does it define high carbon transport modes. A definition of this in my view would not be helpful in implementing Policy CC.1. It may also have unintended consequences in the future as industries and the country adjusts to reducing greenhouse gas emissions. I have recommended amendments to Policy CC.1 which clarifies implementation and the outcomes sought. I therefore recommend HCC’s [S155.0120] and Waka Kotahi’s [FS3.056] submissions are rejected.

New definition - Transport Infrastructure

76. The Fuel Companies [S157.049] (supported in part by Waka Kotahi [FS3.053]) are seeking inclusion of a definition for ‘transport infrastructure’ or clarifying that policies CC.1, CC.9 and CC.11 do not apply to service stations, truck stops or bulk supply infrastructure. Waka Kotahi seeks that if a definition for transport infrastructure is developed, that it also aligns with regional and national roles and responsibilities. Waka Kotahi also seeks to be included in any redrafting.

77. The suggested definition is:

“Structures for transport on land by cycleways, rail, roads, walkways, or any other means”.

78. In Change 1 ‘transport infrastructure’ is referenced in Policy CC.11, Policy 58, Policy CC.1, the explanation text for Policy CC.3 and title of Policy CC.9.

79. Policy CC.11 is not intended to apply to bulk supply infrastructure, as in pipes in the ground, service stations or truck stops. As discussed in section 6.19 at paragraph 343 of this report, whole of life carbon assessments will be captured by the Building Act, which would then apply to the construction of service stations and truck stops.

80. Policies CC.1 and CC.9 may have a limited application to service stations or truck stops. The definition of infrastructure within the operative RPS and RMA includes pipelines to distribute petroleum, which would be associated with service stations and truck stops. In my view, however, the distribution pipelines are not considered to be transport infrastructure.
81. The Fuel Companies have suggested the same wording for land transport as used within the definition of 'infrastructure' within the RMA and Change 1 – effectively the proposed definition of 'transport infrastructure' is a subset of the existing definition of infrastructure. In my view a definition for transport infrastructure may have unintended consequences and unnecessarily complicate matters when viewed in light of other existing definitions like the Regionally Significant Infrastructure and Strategic Transport Network definitions because of the interconnectivity between definitions. If there is no definition it allows everything that is relevant to be considered now and also in the future i.e. if a definition is provided this could end up being too narrow and may not take into account changes in technology in the future.
82. In my opinion, if the suggested definition (set out in paragraph 65) is applied it would also not necessarily resolve the issue raised by The Fuel Companies as it could still be argued, albeit impractically in my view, that pipelines, truck stops and service stations are structures for transport on land, albeit pipelines are typically underground rather than on it.
83. For the reasons stated above I therefore recommend rejecting the Fuel Companies submission point and the further submission from Waka Kotahi.

3.5.2 Recommendations

84. For the reasons set out in my assessment above, I recommend the submissions and further submissions on 'definitions' be accepted in part or rejected as detailed in **Appendix 1**.

3.6 General Submissions – Across all Change 1 Topics

3.6.1 Matters raised by submitters and analysis

85. Seventeen original submission points and four further submission points were received which are of a general nature and apply across all topics in Change 1. This section addresses these submissions points insofar as they relate to the Climate Change -Transport topic.
86. Lachlan Patterson [S85.002] and River Wicks [S88.001] support Change 1 and seek that the provisions are retained as notified. I recommend accepting in part the relief sought in these submissions in so far as it relates to the two provisions (Method CC.7 and Policy CC.10) which are retained as notified within the Climate Change - Transport topic.
87. UHCC [S34.0111] made a general submission seeking any consequential amendments to Change 1 provisions that may be required to address their submission, as they have not identified all consequential amendments. I have

reviewed this submission considering the recommended amendments to the policies covered in this s42A report, and I have not made any consequential amendments. I therefore recommend rejecting UHCC's submission point insofar as it relates to the Climate Change -Transport provisions.

88. UHCC [S34.0118] oppose Change 1 as they consider the s32 assessment is inadequate. They are seeking that provisions without an adequate s32 assessment are deleted and considered at a later stage. The section 32 report has provided an assessment against the policy package as a whole which gives effect to Objective CC.3. Three options have been assessed and evaluated and I consider the s32 analysis to be sufficient. I therefore recommend rejecting UHCC's submission point.
89. UHCC [S34.0117] opposes Change 1 in general due to the lack of consideration of the scale in which the provisions apply. They are seeking the Council should consider the practicalities associated with the threshold-based provisions to determine if it is the most appropriate method to achieve an objective or policy or develop guidance jointly with the territorial authorities to support the development of provisions and decision-making processes.
90. In relation to the provisions in this topic the scale in which provisions apply has been individually considered and addressed. Policy CC.2 requires territorial authorities to develop their own thresholds, however regional wide thresholds have been provided in Table 1 of Policy CC.2 (as part of amendments in response to other submissions) as a starting point to assist with the development of their own thresholds, with assistance from the Council. As amendments are recommended to Policy CC.2 which relate to the scale it is applied , I therefore recommend accepting in part the relief sought by UHCC.

Drafting

91. Outdoor Bliss Heather Blissett [S11.023] supports Change 1 in part and seeks that Change 1 use stronger wording throughout. In my opinion, the provisions within this topic are generally strong enough, subject to any specific recommendations I make below. If the wording of provisions were generally strengthened this could be problematic during implementation. For example, in relation to the policies and methods addressed in this s42A report, not all situations and scenarios will allow for the provision of mode shift and a balance needs to be struck to allow a pathway forward for development. Often existing transport infrastructure is constrained within tight transport corridors along with other key infrastructure. In my experience, this can create a design barrier and so compliance with the framework may not always be achievable, particularly in brownfield situations. Accordingly, I recommend the submission point from Outdoor Bliss Heather Blissett [S11.023] is rejected in so far as it relates to this topic.
92. KCDC [S16.0100] opposes Change 1 on the basis of inappropriate verb use within objectives and policies, which don't align with the RMA. The relief sought is to review and replace all the verbs in Change 1 in accordance with the RMA and relevant higher-level statutory planning documents. In the context of the provisions addressed in this topic (in Change 1) I have reviewed the verbs used in the

relevant policies and methods, in particular having regard to the NERP, giving effect to the NPS-UD and consistency with the RMA. I do not recommend any verbs are replaced in relation to this specific submission point and therefore I recommend the relief sought by KCDC [S16.0100] is rejected insofar as it relates to this topic.

93. KCDC [S16.0102] opposes the use of 'and/or' through Change 1 on the basis that this language could create uncertainty about whether there should be a choice or not. In this topic, Policies CC.1 and CC.2 both use 'and/or'. I agree the use of 'and/or' creates a choice in Policy CC.1. In my view the choice provided in Policy CC.1 is necessary for the regional and district councils to choose whether they would like to use rules, other methods, or both. I am recommending amendments to Policy CC.2 as a result of the submissions received and this is discussed in section 6.13 of this report. The recommended amendments remove the "and/or" in relation to private vehicles and freight. Accordingly, I recommend the submission point from KCDC [S16.0102] is accepted in part in so far as it relates to this policy.
94. KCDC [S16.0104] opposes the inclusion of objective and policy explanations that contain unnecessary content or information that should be in the relevant objective or policy wording. I have reviewed the explanations associated with the policies within this topic and find them helpful to the reader. I have recommended amendments to the policy explanations in relation to other submissions for Policy CC.1, Policy CC.2, Policy CC.3, Policy CC.9 and Policy CC.11. I therefore recommend this submission point is accepted in part, insofar as it relates to the policies addressed in this s42A report.

District Plan functions and content

95. KCDC [S16.0103], PCC [S30.0117] (supported by PPFL [FS25.034]) and UHCC [S34.0115] oppose provisions in Change 1 that in their view are beyond the role of district plans or the functions of regional, district and city councils. KCDC [S16.0103] also considers there are many free-market factors that district plans cannot regulate, for which responsibility should sit with the regional council. This includes, for example, emission of greenhouse gases and transportation modes. PCC [S30.0117] is concerned that some provisions are ultra vires in terms of s30 and s31 of the Act and that many of the provisions would require a transfer of powers from the regional council to territorial authorities. The submitters variously seek that these requirements are reviewed and are amended or deleted from Change 1.
96. I do not agree with the submitters' points that the provisions in this topic are ultra vires. I also do not agree a transfer of functions is required:
- Climate change and the reduction of greenhouse gas emissions is legislated through the RMA by Sections 7(i) (Other Matters), 61(2)(a)(i) and 74(2)(b)(i).
 - The NPS UD via Objective 8, Policy 1(e) and (f), Policy 6 (e) requires the urban environment to support the reduction of greenhouse gas emissions and be resilient to climate change. Transportation mode is addressed by Policy 1(c) and

Policy 5 (a) of the NPS UD. Regional and territorial authorities must give effect to the NPS UD.

- The regional council must have regard to, in preparing its regional policy statement and hence Change 1, any emissions reduction plan or national adaptation plan made in accordance with the Climate Change Response Act (as per section 61(2)(a)(i) of the RMA). A similar obligation applies to district councils when preparing their district plans, Section 74(2)(b)(i) of the RMA. New Zealand has its first NERP prepared under the Climate Change Response Act, which means it is a relevant matter for Change 1.
- The first NERP sets out the national direction for how the country will reduce greenhouse emissions and a number of the actions relate to behaviour changes in society which are to be achieved through a number of methods. Chapter 10 of the NERP states the following key actions:

Reduce reliance on cars and support people to walk, cycle and use public transport including by:

- *improving the reach, frequency and quality of public transport and making it more affordable for low-income New Zealanders*
- *increasing support for walking and cycling, including initiatives to increase the use of e-bikes ...*

Rapidly adopt low-emissions vehicles including by:

- *continuing to incentivise the uptake of low- and zero-emissions vehicles through the Clean Vehicle Discount scheme and consider the future of the road user charge exemption for light electric vehicles beyond 2024*
- *increasing access to low- and zero-emissions vehicles for low-income households by supporting social leasing schemes and trialling an equity oriented vehicle scrap-and-replace scheme*
- *improving EV-charging infrastructure across Aotearoa to ensure that all New Zealanders can charge when they need to.*

97. I agree with the submitters that the operation and provision of public transport is not a territorial authority function, and the onus of providing and operating public transport sits with the Council and Metlink. I also agree there are other non-regulatory methods which would support a change in behaviour towards the use of public transport or active modes of transport e.g. ticket pricing. However, territorial authorities have an obligation to control land use, to achieve the integrated management of the effects of land use and development (section 31(1), which then able the influence of the provision of travel choice for people and enable a shift in transport mode. As climate change is a complex issue, every party needs to do their bit for change to occur. I therefore recommend the submission points from KCDC [S16.0103], PCC [S30.0117], UHCC [S34.0115], PPFL [FS25.034] are rejected in part insofar as they relate to this topic.

Provisions not supported by the RMA or statutory planning documents

98. KCDC [S16.0106] and UHCC [S34.0116 & S34.0120] oppose Change 1 on the basis that some of the provisions are not supported by the RMA and statutory planning documents or that there is a lack of evidentiary support for the provisions. These submitters seek the deletion of provisions that are not supported by the RMA or, in the case of UHCC, that a full legal and planning review be undertaken.

99. In the context of this topic, and as discussed above in paragraph 84 and set out in section 5.2 of this report the provisions proposed within Change 1 are supported by the RMA, NPS-UD and the NERP. I recommend submission points from KCDC [S16.0106] and UHCC [S34.0116] and [S34.0120] are rejected in part in so far as they relate to this topic Climate Change -Transport.

Greater alignment with national direction

100. PCC [S30.0116 & S30.0120] (supported by PPFL [FS25.033, FS25.159 and FS25.038]) considers that provisions in Change 1 duplicate or are inconsistent with existing national direction. PCC considers that the RPS should provide policy direction that either does not exist at a national level or exists at a national level but needs to be articulated at a regional level. Greater alignment is also sought with national direction. In addition to the above relief sought PCC requests Change 1 be withdrawn or that the Council works with territorial authorities on a variation to significantly amend its content.

101. In the context of this topic, and as discussed in paragraph 84 and section 5.2 above, the provisions within Change 1 give effect to the RMA, NPS-UD and the NERP. And section 5 of the s32 report sets out the regulatory context for Change 1. In my opinion, the provisions within this topic align with national direction. Accordingly, I recommend submission points from PCC [S30.0116] and (supported by PPFL [FS25.033] and [FS25.159]) and [S30.0120] (supported by PPFL [FS25.038]) are rejected in part in so far as they relate to this topic.

3.6.2 Recommendations

102. That the submission points relating to the issue of General Submissions – Across all Change 1 Topics are accepted, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.7 General Submissions - Regulatory policies

3.7.1 Matters raised by submitters and analysis

103. Three original submissions and two further submissions points were received in relation to this issue.

104. BLNZ [S78.005] (opposed by Ātiawa [FS20.313]) accepts amendments are required to the heading of Chapter 4.1: Regulatory policies (replacing 'Regional Land Transport Strategy' with Regional Land Transport Plan') and seeks these are retained as notified. As I am not proposing any changes to the chapter heading in response to other submissions and recommending that the heading is retained as notified, I recommend accepting BLNZ's submission point. The further submission from Ātiawa is in general opposition to BLNZ's overall submission (as noted in paragraph 56 of this report). Accordingly, Ātiawa's [FS20.313] further submission is rejected only to the extent it relates to not amending the chapter heading and introduction.

105. Jonathan Marwick [S82.004] supports all policies that enforce emissions reductions through mode shift and seeks they are retained as notified. I

recommend accepting in part this submission point as I am recommending amendments to the suite of provisions within this topic.

106. PCC [S30.0123] (supported by PPFL [FS25.041]) opposes all the consideration policies within Change 1. They submit the consideration policies often duplicate or conflict with regulatory policies, there is a lack of s32 evaluation and in some cases they represent a transfer of s31 functions to territorial authorities.
107. I have reviewed the consideration policies that are relevant to this topic in considering these submissions. Policies CC.10 (freight movement), CC.11 (whole of life assessment) and CC.9 (reduce greenhouse gas emissions) are drafted with the term 'consideration' within them. Policies CC.9 and CC.10 both include 'consideration and 'regard'. Policies CC.9, CC.11 and CC.10 all sit within *Chapter 4.2: Regulatory policies – matters to be considered*. A number of policies in Chapter 4.2 of the operative RPS are drafted in this way for example, Policies 35, 37, 38 etc. I have also discussed this issue with the Council officers and I understand they have found these types of policies useful to address policy gaps that can occur in the time between the RPS becoming Operative and Regional and District Plans being updated.
108. I have also reviewed Policies EIW.1, CC.1, CC.2, CC.3, and 9 which sit within Chapter 4.1, in light of PCC's concern that the consideration policies in Chapter 4.2 duplicated those policies. In my opinion, I don't consider there to be a conflict or duplication between the policies which sit in Chapter 4.1 and those that sit in Chapter 4.2 of Change 1 or any gaps as they relate to this topic.
109. In terms of the concern raised about a transfer of functions, I do not agree there is a transfer. The NPS UD requires the consideration of climate change and greenhouse gas reduction through Objective 8, Policy 1(c), (e) and (f), Policy 5(a), Policy 6 (e). In addition, section 74(2)(b)(i) requires that when preparing or changing a district plan a territorial authority shall have regard to any emissions reduction plan. The section 32 report has provided an assessment against the policy package as a whole which gives effect to Objective CC.2³ and Objective CC.3⁴. Three options have been assessed and evaluated and I consider the s32 analysis to be sufficient. I recommend rejecting the submission point from PCC [S30.0123] in so far as it relates to this topic Climate Change -Transport. As explained in section 6.4 of this report PPFL has supported PCC's entire submission. As I recommend rejecting PCC's submission, I recommend rejecting PPFL's [FS25.041] further submission point in so far as it relates to this topic.

3.7.2 Recommendations

110. That the general submissions and further submissions be accepted in part, accepted, or rejected as detailed in **Appendix 1**.

³ Section 32 report – pages 134 to 146

⁴ Section 32 report – pages 122 to 133

3.8 General Submissions – Urban Development

3.8.1 Matters raised by submitters and analysis

Travel Demand Management Plans, consideration of other tools and request to strengthen provisions

111. Fifteen general submission and eight further submission points were received in relation to the use of Travel Demand Management Plans and other similar tools. Five are in support and ten support in part. Travel Demand Management Plans are referred to in Policy CC.2, Method CC.3 and Travel Demand Management Plan definition. Noting amendments are recommended to replace the term Travel Demand Management with Travel Choice Assessment.
112. Helen Payn [S24.001], Philippa Yasbek [S28.001], Ruby Miller-Kopelov [S92.001], Isabella Cawthorn [S93.001], Megan Lane [S164.003], Bronwyn Bell [S90.003], Chelsea Kershaw [S17.005], Peter Ramage [S27.004], Oliver Bruce [S35.003], Jennifer Van Beynen [S37.003], Khoi Phan [S51.004], Ellen Legg [S53.003], Grant Buchan [S60.004], Patrick Morgan [S61.004], Megan Gallagher [S143.001] and Michelle Ducat [S152.005] support or support in part the use of Travel Demand Management Plans noting there may be other tools which the Council can use which ensures developments are not car centric. The relief sought is to retain the provisions as notified, consider other tools other than Travel Demand Management Plans and/or strengthen existing provisions to ensure developments are not designed in a car centric way. I address the relief sought in the following paragraphs.
113. In my view the provisions relating to mode shift are strong enough. Policies EIW.1, CC.9, CC.3, CC.1, CC.2, and 9 along with supporting methods CC.10, and CC.3 work together to increase and provide options for transport mode shift to reduce the use of private vehicles. The suite of provisions targets both the provision of mode shift from an infrastructure provider perspective, and developer and land use perspectives.
114. Provisions are both directive (Policies CC.1 and CC.2) and enabling (Policies EIW.1, CC.3 and 9). In my view amending the provisions so they are more directive could be problematic during implementation. Not all situations and scenarios will allow for the provision of mode shift and a balance needs to be struck to allow a pathway forward for development. In my experience, existing transport infrastructure is often constrained within tight transport corridors along with other key infrastructure. This often creates a design barrier and so compliance with the framework may not always be achievable, particularly in brownfield situations. Providing mode shift will be gradual as the networks are incrementally established.
115. I acknowledge the view of several submitters that there may be other tools, besides Travel Demand Management Plans, to achieve mode shift. In the absence of suggestions by submitters of alternative tools, and taking into account the technical transport advice in Appendix 3. Amendments are recommended to Policy CC.2 to support mode shift. Taking the above into account, I disagree with

submitters that additional policy tools are required within Change 1 or that provisions addressing mode shift require strengthening.

116. I therefore recommend the relief sought is rejected, with the exception of Philippa Yasbek, who seeks that the policies are retained as notified. I recommend that this relief is accepted in part because I have recommended amendments to the Travel Demand Management provisions within in sections 6.13 and 6.14 of this report in response to other submitters.

Active Transport

117. Teresa Homan [S98.003] supports the provision of improved cycle tracks and connected public transport such as buses to trains and inner-city shuttle services etc. In the absence of identifying specific provisions, I assume Ms Homan is referring to policies CC.1, CC.2 and CC.9 as these provisions focus on mode shift. Ms Homan does not state the relief sought in relation to these provisions, however the summary of submissions states the relief sought is retain as notified. As amendments are recommended to these provisions as a result of other submissions, I recommend accepting in part submission point [S98.003].
118. DAST [S116.004] support in part Policies CC.9. EIW.1 and 57 and seeks that the policies require health assessments for transport. While I agree that to reduce greenhouse gas emissions, transport planning has a significant role in facilitating and promoting rapid modal shift, requiring health assessments as part of policy application is out of scope of the RMA. As such, I recommend that the relief sought by DAST [S116.004] is rejected.
119. Khoi Phan [S51.003] seeks strengthened provisions relating to public and active transport. In my view, the provisions relating to mode shift and active transport are already strong enough. Collectively the provisions will facilitate change toward mode shift both by enabling and promoting the infrastructure to support it and by requiring developments to consider mode shift at the outset during design. As such I recommend that the relief sought by Khoi Phan [S51.003] is rejected.

Regional Form and Function

120. GBI [S94.014] and [S94.013] support in part the proposed amendments to Chapter 3.9: Regional Form and Function and consider the need for inter-regional transport framework by sea and rail and more homes should not mean more greenhouse gases. A new policy is requested to support inter-regional, national and internal transport connections that are less reliant on high greenhouse gas emissions (rail and sea). GBI do not propose specific policy wording within their submission to address this.
121. To my knowledge, there is limited national direction regarding the points raised by GBI. Action 10.1 within the NAP is to deliver the New Zealand Freight Supply Chain strategy within a timeframe of 1 to 6 years. This is supported by action 8.5

which seeks to progress the Rail Network Investment Programme. The relief sought requires direction set a national level and it is beyond the reach of the RPS. For the reasons stated above I recommend rejecting GBI's submission points [S94.014] and [S94.013].

3.8.2 Recommendations

122. That the general submissions and further submissions for urban development be accepted in part or rejected as detailed in **Appendix 1**.

3.9 Policy EIW.1 promoting affordable high quality active mode and public transport services – Regional Land Transport Plan

3.9.1 Matters raised by submitters and analysis

123. There are 15 original submission points and 8 further submission points on Policy EIW.1.
124. KCDC [S16.045], PCC [S30.037] (supported by PPFL [FS.25.070]), HCC [S115.036], Ātiawa [S131.060] (supported by Ngā Hapū o Ōtaki [FS29.330]), Muaūpoko [S133.054] (opposed by Ātiawa [FS20.401]) WCC [S140.038], Kāinga Ora [S158.018], Taranaki Whānui [S167.074] and Rangitāne [S168.0135] (supported by Sustainable Wairarapa [FS31.063]) support Policy EIW1. Ātiawa seeks that the Council works with a range of people to develop the Regional Land Transport Plan to ensure the transport needs reflect all parts of communities including the most vulnerable, whilst the remaining submissions seek that the policy is retained as notified.
125. UHCC [S34.019], WIAL [S148.034] (opposed by GBI [FS8.009]), Forest and Bird [S165.046] (opposed by BLNZ [FS30.319]), MDC [S166.056], Ngāti Toa [S170.023] (supported by Ngā Hapū o Ōtaki [FS29.137]) and GWRC [S137.017] (with a neutral further submission from WCC [FS13.018]) support Policy EIW.1 in part. These submitters are seeking various minor amendments to the policy wording, which I analyse in the following paragraphs.
126. There are no submission points opposing Policy EIW.1.
127. UHCC [S34.019] is seeking that 'promote' is replaced by 'prioritise' in the title and policy wording. In my opinion changing the policy wording as sought is not appropriate. Prioritising will not always be possible in all situations all the time and it does not recognise that strategic direction is set by the Government along with transport priorities and the associated funding. I therefore recommend the relief sought by UHCC is rejected.
128. WIAL [S148.034] is seeking the following amendments to Policy EIW.1:

<p>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</p>

~~people to live in urban areas without the need to have access to a private vehicle, by contributing to reducing greenhouse emissions."~~

129. WIAL seek the reference to “without the need to have access to a private vehicle” is deleted from the policy. I do not agree that this is required. The purpose of Policy EIW.1 is to promote alternative modes of transport so people don't have to rely on private vehicles; it does not however require that people give up their private vehicles. It is included in the policy to clarify the outcome. If people have more options for mode share and travel they will be encouraged to reduce the use of their private vehicles. On this basis I recommend the relief sought by WIAL is rejected and GBI's [FS8.009] further submission is accepted.
130. I acknowledge Ngāti Toa's [S170.023] submission that high quality active mode and car share infrastructure and public transport services are not currently always available. The purpose of Policy EIW.1 is to promote equitable and accessible transport options, which should include in areas where they don't currently exist. In my opinion, the relief sought by Ngāti Toa in relation to Policy EIW.1 would more appropriately be achieved with a broader partnership approach between the Council and its iwi partners, as discussed in paragraph 112 of the General Submissions s42A report for Hearing Stream One. As a result, I recommend rejecting the relief sought by Ngāti Toa. Ngā Hapū o Ōtaki [FS29.137] is in general support of Ngāti Toa's overall submission to Change 1. The content of the further submission is not related to Policy EIW.1 and so a recommendation is not required on this submission point.
131. I agree with the GWRC [S137.017] (WCC submit neutral [FS13.018]) and Forest and Bird [S165.046] (opposed by BLNZ [FS30.319]) that “by contributing to reducing greenhouse emissions” is an odd inclusion in the policy wording and it doesn't make grammatical sense. I recommend this wording is deleted. However, I disagree with Forest and Bird that a reference to Objective CC.3 should be included in the policy wording. Table 1A in Change 1 sets out which policies give effect to which objectives. Policy EIW.1 gives effect to Objective CC.2, which refers to costs and benefits of transitioning to a low emission and climate-resilient region. Accordingly, I recommend accepting GWRC's submission and accepting in part Forest and Bird's relief insofar as it relates to the deletion of “by contributing ... “. I recommend accepting WCC's further submission [FS13.018] and rejecting BLNZ [FS30.319] in so far as it relates to this topic. As a result of amending Policy EIW.1 in response to the Council and Forest and Bird submissions I then recommend accepting in part the submissions seeking the policy is retain as notified (KCDC [S16.045], PCC [S30.037], HCC [S115.036], WCC [S140.038], Muaūpoko [S133.054], Kāinga Ora [S158.018], Taranaki Whānui [S167.074], and Rangitāne [S168.0135]).
132. Sustainable Wairarapa made a further submission [FS31.063] in support of Rangitāne's submission in its entirety. As such, this submission point is not directly related to [S168.0135]. The content of the further submission is not related to

Policy EIW.1, as described in section 6.4 and so a recommendation is not required on this submission point.

133. BLNZ [FS30.319] is in general opposition to Forest and Bird's overall submission to Change 1; it is not directly related to [S165.046]. The content of the further submission is not related to Policy EIW.1 and so a recommendation is not required on this submission point. PPFL [FS25.070] is in general support of PCC's overall submission to Change 1; it is not directly related to [S30.037]. The content of the further submission is not related to Policy EIW.1 and so a recommendation is not required on this submission point.
134. Ātiawa [FS20.401] are in general opposition to Muaūpoko's [S133.054] overall submission that they are recognised as mana whenua in the RPS. This matter was addressed as Issue 2 in the General Submissions s42 Report in Hearing Stream One. As a result, I consider a recommendation is not required on this submission point.
135. MDC [S166.056] seeks clarity about how Policy EIW.1 will impact Tier 3 Councils. I acknowledge that each territorial authority will have slightly different characteristics which will flow into the provision of public transport options and transport modes. Policy EIW.1 promotes the choices and options for transport and it is not restricted in its application to Tier 1 and 2 councils. It would apply to Tier 3 councils as is practicable to do so in the context of their environments. I therefore recommend accepting in part MDC's submission.
136. With regard to Ātiawa's [S131.060] request that the Council actively works with a range of people to develop the RLTP, preparation of this plan falls outside the RPS process as it is managed under the Land Transport Act. The content and funding for the RLTP is set by the national direction of the Government. The Regional Transport Committee set the regional objectives and priorities and activities proposed by councils and public engagement occurs in the development of the RLTP. On this basis, therefore, I acknowledge the submitter's request but it is outside the scope of what Change 1 can achieve and hence I recommend the relief sought is rejected. I acknowledge that whilst the preparation of the RLTP falls outside the RPS process, Change 1 must take into account the RLTP and this is reflected in Policy EIW.1, Policy 9, Policy 33 and Policy 57.
137. Ngā Hapū o Ōtaki [FS29.330] is in general support of Ātiawa's [S131.060] overall submission to Change 1, Ngā Hapū o Ōtaki support in principle among others, the provisions in relation to regional form and function. The content of the further submission is not related to Policy EIW.1 and so a recommendation is not required on this submission point.

3.9.2 Recommendations

138. That Policy EIW.1 is amended as follows. The recommended amendment to Policy EIW.1 is to provide a grammatical correction and clarity. Accordingly, no s32AA evaluation is required for this recommended change.

Policy EIW.1: Promoting affordable high quality active mode and public transport services – Regional Land Transport Plan

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.~~

Explanation

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.

139. That the submission points relating to Policy EIW.1 are accepted, accepted in part, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.10 Method CC.10: Establish incentives to shift to active and public transport

3.10.1 Matters raised by submitters and analysis

140. Twelve original submission points and 5 further submission points were received in relation to Method CC.10.

141. Meridian [S100.023], Te Tumu Paeroa [S102.039], Waka Kotahi [S129.045], NZCSC [S151.008], Ātiawa [S131.0146] (supported by Ngā Hapū o Ōtaki [FS29.265]), Forest and Bird [S165.0120] (opposed by BLNZ [FS30.319]) and Taranaki Whānui [S167.0178] support the policy and seek to retain Method CC.10 as notified.

142. Outdoor Bliss Heather Blissett [S11.004], UHC [S34.021], Waka Kotahi [S129.013] (supported by MDC [FS14.047] and a further submission from Waka Kotahi [FS3.049] clarifying they seek to retain Method 10 as notified), GWRC [S137.016] (supported by WCC [FS13.042]) and MDC [S166.079] support Method CC.10 in part. The relief sought seeks to retain Method CC.10 as notified, requests clarification of particular matters, alignment with Central Government direction or amendments to Method CC.10, which I address in the following paragraphs.

143. No submissions were received in opposition to Method CC.10.

144. Outdoor Bliss Heather Blissett's [S11.004] submission point is out of scope as the relief sought (reducing the working day and increasing the hourly wage) is outside the roles and responsibilities of the Council under Section 30 of the RMA. I recommend the submission point is rejected.

145. UHCC [S34.021] supports the method's intent but seeks clarification about what is meant by "equitable and inclusive transition", how this will be determined, measured and enforced in an RMA context and who is eligible for funding. The meaning of "equitable transition" is generally outlined in Chapter 3 (Equitable transition) of the NERP. Chapter 3 describes what an equitable transition looks like, including actions and objectives to provide for it. In my opinion, it's too complex to define and a further definition is not required. The remaining relief sought by UHCC, including questions of funding eligibility, are matters for implementation, as the Council develops the incentives identified in the method. The Council will need to work with a number of parties, including the territorial authorities, to achieve this method. While I acknowledge UHCC's support for the method, the relief sought relates to implementation. Accordingly, I recommend UHCC's submission point [S34.021] is rejected.
146. Waka Kotahi [S129.013 & S129.045] seeks clarity about who would be responsible for implementing Method CC.10 and acknowledges in their further submission that they have similar mode shift behaviour change incentives. In my opinion, the responsible party for implementing the method is clearly identified as Wellington Regional Council. When developing or reviewing the Wellington RLTP responsibility for incentive development and associated funding and prioritisation can be worked through at that time. I therefore recommend Waka Kotahi's submission points, and the further submissions from MDC [FS14.047] and Waka Kotahi [FS3.049], are rejected.
147. GWRC [S137.016] (supported by WCC [FS13.042]) seeks amendments so that 'low' and 'zero-carbon' is referred to consistently within Change 1. Amendments are also sought so the method wording aligns with Policy 9 in relation to decarbonising the public transport fleet. Amendments sought to Method CC.10 are:

Method CC.10: Establish incentives to shift to low and zero-carbon multi modal transport ~~active and public transport~~

Establish, support and promote a range of incentives for uptake of low and zero-carbon ~~zero and low carbon~~ multi modal transport, including public transport, to reduce greenhouse gas emissions, and to support an equitable and inclusive transition.

148. I note that Method CC.10 supports a number of policies in Change 1 (Policies EIW.1, CC.1, CC.3, CC.9) and that 'Low emission or zero carbon' and 'zero and low-carbon'⁵ and slight variations of this terminology are referred across the provisions in Change 1. I agree the proposed wording amendments within the body of the method would assist with consistency across the Change 1 provisions. I also agree amendments are necessary to the title to achieve consistent use of

⁵ Policy CC.3

'low' and 'zero-carbon' as this is largely what is referred to in Method CC.10. However, I disagree the reference to public transport should be removed. The inclusion of public transport and low and zero-carbon multi modal transport in the title better supports the intent of other policies. I therefore recommend the submission points from GWRC [S137.016] and WCC [FS13.042] are accepted in part.

149. MDC [S166.079] seeks to retain Method CC.10 as notified but would like clarity about how incentives will work in rural areas. As discussed in paragraph 133, equitable transition and how the finer details of incentives and funding allocation will work will be clarified at a later stage through development of the RLTP. As MDC is seeking retention of the method as notified, and as I am recommending amendments to it, I recommend accepting in part their submission point.
150. As I have recommended amendments to Method CC.10 I recommend accepting in part the following submission points as they sought to retain Method CC.10 as notified; Te Tumu Paeroa [S102.039], Waka Kotahi [S129.045], Ātiawa [S131.0146] and Taranaki Whānui [S167.0178].
151. Meridian [S100.023] and Forest and Bird [S165.0120] seek to retain Method CC.10 and NZCSC [S151.008] supports Method CC.10 with no relief requested, I therefore recommend accepting these submission points.
152. Ngā Hapū o Ōtaki [FS29.265] is in general support of Ātiawa's overall submission to Change 1, Ngā Hapū o Ōtaki support in principle among others, the provisions in relation to regional form and function. The content of the further submission is not related to Method CC.10 and so a recommendation is not required on this submission point.
153. BLNZ [FS30.319] is in general opposition to Forest and Bird's overall submission to Change 1; it is not directly related to [S165.00120]. The content of the further submission is not related to Method CC.10 and so a recommendation is not required on this submission point.

3.10.2 Recommendations

154. I recommend Method CC.10 is amended as follows. The recommended amendment to Method CC.10 is to provide consistency in terminology across Change 1. Accordingly, a s32AA evaluation is not required.

Method CC.10: Establish incentives to shift to active low and zero-carbon multi modal transport and public transport

Establish, support and promote a range of incentives for uptake of low and zero-carbon ~~zero and low-carbon~~ multi modal transport, including public transport, to reduce greenhouse gas emissions, and to support an equitable and inclusive transition.

Implementation: Wellington Regional Council

155. That the submission points relating to Method CC.10 are accepted, accept in part, rejected, or noted as no recommendation as detailed in **Appendix 1**.

3.11 Policy CC.1: Reducing greenhouse gas emissions associated with transport infrastructure – district and regional plans

3.11.1 Matters raised by submitters and analysis

156. There are 21 original submission points and 14 further submission points in relation to Policy CC.1.

157. NZCSC [S151.004], Te Tumu Paeroa [S102.012], CCS [S142.003], NZCSC [S151.001] support Policy CC.1 and seek that it be retained as notified. KiwiRail [S124.003] (supported by Waka Kotahi [FS3.016]) also seeks to retain Policy CC.1 as notified.

158. CDC [S25.015], SWDC [S79.018] (supported in part by MDC [FS14.022], HCC [S115.027] (opposed in part by WIAL [FS17.005]), DAST [S116.001] and [S116.002], Ātiawa [S131.047] (supported by Rangitāne [FS2.66] and Ngā Hapū o Ōtaki [FS29.317]), WCC [S140.029], Sustainable Wairarapa [S144.004], WIAL [S148.021] (opposed by GBI [FS8.006]), Forest and Bird [S165.034] (supported in part by Ātiawa [FS20.068] and opposed by BLNZ [FS30.319]), MDC [S166.042], and Taranaki Whānui [S167.061] (supported by Rangitāne [FS2.84]) support Policy CC.1 in part. The relief sought is to retain as notified or to amend the policy, which I assess below.

159. KCDC [S16.014] (opposed by a further submission from Ātiawa [FS20.040]), PCC [S30.025] (supported by a further submission from PPFL [FS25.058]), UHCC [S34.025], WFF [S163.044] (opposed by further submissions from Forest and Bird [FS7.088], Ātiawa [FS20.210] and Ngā Hapū o Ōtaki [FS29.061] and supported by a further submission from BLNZ [FS30.117]) oppose Policy CC.1. Submitters seek to delete Policy CC.1 in its entirety or to amend it.

160. With regard to the submissions from WFF [S163.044], PCC [S30.025] and KCDC [S16.014] seeking the deletion of Policy CC.1, I acknowledge that each territorial authority will have slightly different characteristics, particularly in relation to rural and urban areas, which will flow into the use and provision of public transport or active transport modes. All councils will apply Policy CC.1 as far as practicable to do so - they are not exempt from the policy but must take steps to implement it within the context of their individual environments.

161. I disagree with KCDC's request that the policy be amended to apply only to the regional council. The s32 report (on pages 295 and 296) includes the Council's response to feedback from KCDC on the draft wording of Policy CC.1, including describing the role that district councils, and district plans, have in reducing

greenhouse gas emissions from the integration of land use planning and transport. Examples are also provided of the different types of provisions a district plan may include. In my opinion, this also applies to PCC's [S30.025] submission point.

162. I do not agree with PCC that a definition is required for 'transport infrastructure', as discussed in paragraphs 64 to 71 of this report. I do agree that the policy wording in relation to 'optimising transport demand' and 'maximising mode shift' is unclear. As a result, I have recommended amendments to Policy CC.1, with new supporting definitions ('optimising transport demand' and 'walkable catchment'), drawing on the recommendations from the technical transport report within **Appendix 3**.

163. The concept of 'walkable catchment' was introduced by the NPS-UD and the recommended new definition is consistent with guidance "Understanding and implementing intensification provisions for the National Policy Statement on Urban Development" prepared by the Ministry for the Environment in September 2020. As outlined in Appendix 3, a metric of 20 minutes is recommended to assist in defining a walkable catchment, as it would more appropriately apply in rural and urban settings and reflects their differences. A metric of minutes rather than metres was also recommended as time allows for factors such as gradient etc. Based on the above analysis, I recommend accepting in part the relief sought by PCC [S30.025] (and the further submission from PPFL [FS25.058]), insofar as it relates to providing clarity around what optimising transport demand and maximising mode shift means.

164. I disagree with WFF's request to defer the matter to "the full RPS review in 2024". Paragraphs 129-137 of the Hearing Stream One s42A report for General Submissions addressed the overall WFF request to defer all aspects of Change 1 other than those related to the NPS-UD and the recommendation was to reject the relief sought by WFF. I agree with that recommendation and the reasons upon which it was based in so far as it relates to this topic. Accordingly, I recommend rejecting the relief sought by WFF [S163.044] and KCDC [S16.014] and accepting the further submissions from Ātiawa [FS20.210] and [FS20.040], Forest and Bird [FS7.088] and Ngā Hapū o Ōtaki [FS29.061] insofar as they relate to Policy CC.1. As I am recommending rejecting WFF's submission point I recommend BLNZ's [FS30.117] further submission is also rejected.

165. There are a number of submitters seeking clarification of the wording of Policy CC.1 (PCC [S30.025], CDC [S25.015], UHCC [S34.025], SWDC [S79.018], HCC [S115.027], WIAL [S148.021], DAST [S116.001 and [S116.002], WCC [S140.029] and Forest and Bird [S165.034]). This primarily relates to two matters:

- In the absence of a definition, what is meant by 'transport infrastructure'?
- Where/when the policy applies – submitters raise concerns that the policy could unintentionally apply too broadly, including to a roundabout upgrade, for example or that it should only apply to land transport (WIAL) or include a reference to mode prioritisation (WCC).

166. UHCC is seeking the following specific amendments:

District and regional plans shall include objectives, policies, rules and/or methods to consider how ~~require that~~ all new and altered transport infrastructure is designed, constructed, and operated in a way that contributes to reducing greenhouse gas emissions by: ...

167. HCC is seeking an entirely new policy:

District and regional plans shall include objectives, policies, and methods that only enable new transport infrastructure or significant alterations to transport infrastructure where it:
(a) does not provide added transport network capacity for high-carbon passenger transport modes; and
(b) to the extent possible for a project of its scale, maximises local and regional mode shift from high-carbon passenger transport modes to low and zero-carbon modes; and
(c) is designed and constructed to minimise greenhouse gas emissions; and
(d) can be and is intended to be operated to minimise greenhouse gas emissions.

168. DAST seeks the following specific amendments:

District and regional plans shall include objectives, policies, rules and/or methods to require that all new and altered transport infrastructure is designed, constructed, and operated in a way that contribute to reducing greenhouse gas emissions and improved health outcomes by: ...

169. The amendments sought by SWDC [S79.018] (supported by MDC [FS14.022]) are the same as the policy wording as notified. I have confirmed with this submitter the amendments sought in the submission are correct; Policy CC.1 as notified. The intention was not to provide specific amendments to Policy CC.1 in their submission. As noted in paragraphs 64 to 71 of this report, I do not agree that a definition of transport infrastructure is required. However, I agree that amendments are required to the policy wording with supporting definitions to assist with interpretation and implementation.

170. In my opinion, Policy CC.1 is ambiguous with regards to the use of “optimising overall transport demand”. Amendments and a definition are therefore recommended to clarify what this means, which is more akin to a process or tiered

decision-making approach included within the policy. The proposed amendments are set out in **Appendix 2** of my report and they are informed by the recommendations contained within **Appendix 3**. On this basis, I recommend accepting in part SWDC's submission and MDC's further submission.

171. With regards to UHCC's [S34.025] submission point I disagree the policy wording should be amended to "consider how" new and altered transport infrastructure is designed. I also disagree that there isn't legislative support for this policy, for the following reasons:

- The functions of territorial authorities include the establishment, implementation and review of objectives, policies and methods (including rules) to achieve the integrated management of the effects of land use and development (section 31(1)).
- Objective 8 of the NPS-UD requires New Zealand's urban environments to support reductions in greenhouse gas emissions, whilst Policy 1 requires that planning decisions contribute to well-functioning urban environments, which, at a minimum, support reductions in greenhouse gas emissions. A district council must prepare its district plan in accordance with a national policy statement, amongst other things⁶. Policy CC.1 is the mechanism, via the district plan, to achieve this. I would also note that UHCC is the road controlling authority for the local road network within its district.
- Sections 61, 66 and 74 of the RMA require regard to be given to the NERP. Chapter 10 – Transport of the NERP sets out a number of targets and actions to reduce greenhouse gas emissions from transport. Within the NERP the government has committed to four targets⁷, these are:
 - *Target 1 – Reduce total kilometres travelled by the light fleet by 20 per cent by 2035 through improved urban form and providing better travel options, particularly in our largest cities.*
 - *Target 2 – Increase zero-emissions vehicles to 30 per cent of the light fleet by 2035.*
 - *Target 3 – Reduce emissions from freight transport by 35 per cent by 2035.*
 - *Target 4 – Reduce the emissions intensity of transport fuel by 10 per cent by 2035.*

172. I note the concern from several submitters about an issue of scale, i.e. to what level of transport infrastructure is the policy applied. In my opinion, cumulative incremental changes to transport infrastructure will collectively make significant and meaningful change. Policy CC.1 requires district and regional plans to include a suite of provisions into their plans. I would anticipate that smaller scale activities will likely be a permitted activity and therefore not require a resource consent, therefore this policy wouldn't apply during the consent process. However, if a heavy vehicle bypass, a common transport project in rural areas, required a resource consent then the project would need to consider and choose solutions

⁶ Section 74(1)(ea) of the RMA

⁷ At Page 172

which contribute to reducing greenhouse gas emissions. Alternatively, if alterations are occurring at a roundabout in my view walking and cycling crossings should be considered and provided to facilitate active transportation modes. A definition of transport infrastructure is not necessary. For the reasons stated above, I recommend rejecting the relief sought by CDC [S25.015].

173. I note UHCC and HCC's concern about projects named within the RLTP and the potential that this policy would be at odds with it. Policy 9 has also been amended as part of Change 1 to align with the general requirement to reduce greenhouse gas emissions from transport discussed in section 6.16 of this report. The implementation of Policy CC.1 will happen over time, as district plans are reviewed and resource consent applications are decided. Even if the projects are funded by government they still need to adhere to this policy and I note KiwiRail's (and Waka Kotahi's via further submission) support for Policy CC.1 as notified. For the reasons stated above I recommend rejecting the relief sought by UHCC [S34.025].

174. I acknowledge WIAL's [S148.021] submission that the aviation industry will take some time to develop strategies to address emissions from the aviation and airport sector. With regard to WIAL's relief that Policy CC.1 shouldn't apply to air transport, I agree greenhouse gas emissions from aeroplanes flying, landing and taking off should not be considered, as this would be inconsistent with Section 5R of the Climate Change Response Act 2002, which provides a deadline of 31 December 2024 for a decision on whether the 2050 target should be amended to include emissions from international shipping and aviation and if it is to be amended and how.

175. However, in my view this policy should apply to airports where a resource consent or Notice of Requirement is being applied for in relation to land development. Consideration needs to be given to how land development at the airport supports a choice of transport to and from this location. In my opinion, the implementation of this policy would be applied to the extent practicable in this context and I don't agree the wording of the policy needs to be amended to reflect this. I do consider that amendments to the policy explanation would be useful to clarify that Policy CC.1 does not apply to aircraft. I therefore recommend accepting WIAL's [S148.021] in part and rejecting in part GBI's [FS8.006] further submission.

176. I do not agree with HCC's [S115.027] proposed new policy wording. The introductory text of the policy conflicts with part (a) by "enabling" to "does not provide", part (b) also doesn't make sense when read with the introduction text. I agree district plans have limited ability to regulate how transport infrastructure is operated, however they do have control over local roads. I do not agree that most of the decisions would be made at detailed design stage in a project. In my experience, decisions are made early within the design phase of infrastructure projects, for example the inclusion (or not) of walking and cycling connections to public transport. As I have stated in paragraph 162, I do agree with WIAL that Policy CC.1 should not apply to aeroplanes flying, landing and taking off. Accordingly, I recommend rejecting the relief sought by HCC [S115.027] and accepting WIAL's [FS17.005] further submission point.

177. With regard to the amendments sought by DAST, in my opinion the proposed inclusion of “health outcomes’ within Policy CC.1 is not necessary. Policy CC.1 requires transport infrastructure to contribute to the reduction in greenhouse gases and supporting active transport modes would assist with health outcomes. I therefore recommend rejecting the relief sought by DAST [S116.001] and [S116.002].
178. Ātiawa [S131.047] and Taranaki Whānui [S167.061] seek to ensure Policy CC.1 does not exacerbate existing inequalities from shifting transport modes from private vehicles to public transport and active modes. The relief sought by Ātiawa seeks partnership with the Council to ensure those that face the biggest barriers are provided for. Taranaki Whānui requests the insertion of a new sub-part into Policy CC.1 which focusses on equity of access. I note Ātiawa’s and Taranaki Whānui’s concern, however I do not recommend the wording of Policy CC.1 is amended to reflect the relief sought as proposed Policies EIW.1, IM.2 and Method CC.10 address equitable access to active mode and public transport. I therefore recommend rejecting Ātiawa’s [S131.047], Taranaki Whānui’s [S167.061] and Rangitāne’s [FS2.66] and [FS2.84] further submissions and Ngā Hapū o Ōtaki [FS29.317] further submission insofar as it relates to Policy CC.1.
179. WCC requests that Policy CC.1 is strengthened by the inclusion of a reference to the sustainable transport hierarchy. The amendments recommended to Policy CC.1 give effect to the transport hierarchal approach by priority. I have recommended amendments to Policy CC.1 that are supported by definitions and are based on the recommendations and advice within the technical transport planning report included in **Appendix 3**. As the amendments proposed differ to the relief sought by WCC, I therefore recommend accepting in part WCC’s [S140.029] submission point.
180. Sustainable Wairarapa [S144.004] seeks to retain Policy CC.1 as notified, however, also submits that Method CC.2 (Develop carbon emission offsetting guidance), Method CC.7 (Advocating for the use of transport pricing tool) and Method CC.10 (Establish incentives to shift to active and public transport) aren’t strong enough to achieve Objective CC.3. In my view the methods proposed, in conjunction with the wording of Policy CC.1, are strong enough as a suite of provisions to give effect to Objective CC.3. As I am recommending amendments to Policy CC.1 with supporting definitions to clarify optimising overall transport demand which are based on the hierarchical approach by priority, I recommend Sustainable Wairarapa’s [S144.004] submission point is accepted in part.
181. Forest and Bird [S165.034] submits that the phrase “contribute to reducing” is redundant and the key focus is to reduce greenhouse gas emissions. The submitter proposes amendments to Policy CC.1 to this effect. In their further submission, Ātiawa is concerned that Policy CC.1 may exacerbate existing inequalities. Policy CC.1 has been amended to clarify the meaning of optimise transport demand and to incorporate a hierarchal approach. I do not agree the policy should be amended to state “reduce” greenhouse gas emissions. The words “contribute to” or “contributes to” have been carefully chosen as not all proposed projects in all locations at all times may be able to physically reduce greenhouse

gas emissions. For example in the context of Policy CC.1 active mode shift and the use of public transport is a choice that people may choose to make. With regard to Ātiawa, and as addressed in paragraph 166, I do not agree the relief sought should be included in the wording of Policy CC.1. For the reasons stated above, I recommend rejecting the relief sought by Forest and Bird [S165.034] and Ātiawa [FS20.068]. BLNZ [FS30.319] generally oppose Forest and Bird's entire submission as set out in 6.4 of this report. As the further submission is unrelated to the relief sought by Forest and Bird on Policy CC.1, I recommend that no recommendation is required.

182. MDC [S166.042] agrees in principle to Policy CC.1 and notes the extent that each council can contribute to a reduction in greenhouse gas emissions will differ. As I am recommending changes to the policy in response to relief sought by other submitters, I recommend accepting MDC's submission in part. I understand from Council officers that the Council will work with territorial authorities in implementing Change 1, including by providing guidance and assistance.

183. Te Tumu Paeroa [S102.012], CCS [S142.003] and KiwiRail [S124.003] (supported by Waka Kotahi [FS3.016]) seek to retain Policy CC.1 as notified. As amendments are recommended to Policy CC.1, I recommend accepting these submission points in part. Waka Kotahi [FS3.016] seeks to be included in any redrafting to ensure clarity on the policies implementation. Changes have been made to the policy in addition to new definitions to provide clarity and support implementation. However, given the number of submitters on this issue and the timeframe for responding to submissions, the amendments have not had the input of submitters. I therefore recommend accepting in part this further submission.

184. NZCSC [S151.004] submits in support and doesn't seek any relief, I therefore recommend accepting NZCSC [S151.004] submission point.

3.11.2 Recommendations

185. I recommend amending Policy CC.1 and including two new definitions as follows:

Policy CC.1: Reducing greenhouse gas emissions associated with transport demand and infrastructure – district and regional plans

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:**

(a) Optimising overall transport demand;

(b) Maximising mode shift from private vehicles to public transport or active modes; and

~~(c) Supporting the move towards low and zero carbon modes.~~

- (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
- (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
- (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.

Explanation

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.

Insert New Definition – Optimise transport demand

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.

Insert New Definition - Walkable Catchment

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.

3.11.3 Section 32AA Evaluation

186. In accordance with s32AA of the RMA I consider my recommended amendments to Policy CC.1 and the new supporting definitions are the most appropriate way to achieve the Change 1 objectives for the following reasons:

- The amendments to Policy CC.1 and the new definitions will improve its efficiency in achieving the objectives by providing greater clarity in implementation by removing subjective and debatable terms, thereby reducing the potential implementation issues.
- The amendments to Policy CC.1 and the new definitions will improve its effectiveness to achieve the relevant Change 1 objectives. This has been done by elaborating on the transport hierarchy and prioritising it, and in doing so has clarified what optimising overall transport demand means within the context of reducing carbon emissions. Policy CC.1 is therefore more specific with the actions and outcomes sought to achieve Objective CC.3.
- Amendments to Policy CC.1 add clarification in the implementation to the policy and the outcomes sought remain the same. The amendments to Policy CC.1 and the new definitions will not add additional environmental or economic cost to the community. The social benefits will remain the same.

187. That the submission points relating to Policy CC.1 are accepted in part, accepted, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.12 Method CC.7: Advocating for the use of transport pricing tools

3.12.1 Matters raised by submitters and analysis

188. Eight original submission points and 10 further submission points were received in relation to Method CC.7.

189. Te Tumu Paeroa [S102.036] and Forest and Bird [S165.0114] (opposed by BLNZ [FS30.319]) support the method and seek that it is retained. MDC [S166.076] is neutral and seeks regional guidance on the use of transport pricing tools and whether it applies only to city councils.

190. Waka Kotahi [S129.043] (supported in part by MDC [FS14.034] and [FS14.044]), Taranaki Whānui [S167.0171] and Rangitāne [S168.0153] (supported by Sustainable Wairarapa [FS31.082]) support in part. Waka Kotahi agrees in principle with the purpose of the method but considers that further direction is required from central government before it is able to fully support the method, whilst Taranaki Whānui [S167.0171] and Rangitāne [S168.0153] support the principle but note care needs to be taken to ensure stronger protection for lower decile areas (including Māori) and equitable and fair distribution of costs.

191. Ātiawa [S131.0138] (supported in part by Rangitāne [FS2.108] and supported by Ngā Hapū o Ōtaki [FS29.256]) seeks that the method is deleted. Ātiawa recognises the significant emissions generated from the transport industry. However, they are concerned that any pricing tool/taxes will be passed onto citizens and exacerbation of existing inequalities will occur.

192. WFF [S163.098] (opposed by Forest and Bird [FS7.141], Ātiawa [FS20.263] and Ngā Hapū o Ōtaki [FS29.114] and supported by BLNZ [FS30.170]) seeks the

deletion of the method on the grounds that transport taxes should not be imposed on sectors without realistic alternatives and a method is not required as a pre-condition for Council action, i.e. existing advocacy to Central Government.

193. As drafted, Method CC.7 is not imposing transport taxes. I agree with WFF that a method is not required for the Council to advocate for an action. However, the inclusion of Method CC.7 in RPS sends a clear signal about transport pricing tools as a potential means of supporting management of congestion and greenhouse gas emissions. Any implementation of this would occur within a wider national context.

194. I agree with Waka Kotahi that further direction is required from Central Government on the use and content of transport pricing tools and how these might apply to various councils and their communities. However, I don't agree that this detail should sit in Change 1 as amendments to Method CC.7. The detail of how it applies and to whom, in my opinion will take some time to work through with the relevant stakeholders.

195. I also acknowledge submitter concerns about the potential for pricing tools/taxes to exacerbate existing inequalities. These issues are acknowledged and addressed broadly within the ERP (which the Council must have regard to when developing a change to the RPS⁸. Actions 7.3 and 10.1.3 of the ERP state that:

- Transport pricing tools need to be developed;
- Congestion charges could encourage better use of the transport system and progressive legislation changes are being considered to enable this;
- Government will work with Wellington and other councils to investigate ways to mitigate possible congestion charging on low-income households;
- Investigation is needed of other pricing tools such as parking pricing, VKT (vehicle kilometres travelled) pricing and low emission zones.

196. In my opinion, amendments are not required to Method CC.7 and it should be retained as notified. On that basis, I recommend rejecting the relief sought by WFF [S163.098], Ātiawa [S131.0138] and further submissions by Rangitāne [FS2.108], Waka Kotahi [S129.043], MDC [FS14.034], [FS.14.044], [S166.076], and Rangitāne [S168.0153] is rejected. I recommend accepting the relief sought by Te Tumu Paeroa [S102.036], Forest and Bird [S165.0114] and Taranaki Whanui [S167.0171].

197. I consider a recommendation is not required in relation to the further submission points from Forest and Bird [FS7.141], Ātiawa [FS20.263], Ngā Hapū o Ōtaki [FS29.114] and [FS29.256], Sustainable Wairarapa [FS31.082] and BLNZ [FS30.170] and [FS30.319]. These further submissions are unrelated to the relief sought by the original submission points, as described in section 6.4 of this report.

⁸ Section 61(2)(a)(i)

3.12.2 Recommendations

198. I recommend Method CC.7 is confirmed as notified. As no amendments are recommended to Method CC.7 no s32AA evaluation is required.
199. I recommend the submission points relating to Method CC.7 are accepted, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.13 Policy CC.2: Travel demand management plans – district plans

3.13.1 Matters raised by submitters

200. There are 28 original submission points and 19 further submission points on Policy CC.2.
201. James Burgess [S77.003], GBI [S94.008], Te Tumu Paeroa [S102.013], Waka Kotahi [S129.007], Ātiawa [S131.048] (supported by Ngā Hapū o Ōtaki [FS29.318]), Muaūpoko Tribal Authority [S133.035] (opposed by Ngāti Toa [FS6.063] and Ātiawa [FS20.382]), Generation Zero [S141.005], NZCSC [S151.006], MDC [S166.043], Taranaki Whānui [S167.062] and Rangitāne [S168.0115] (supported by Sustainable Wairarapa [FS31.041] support Policy CC.2 and seek that it is retained as notified. Muaūpoko Tribal Authority also seeks alternative relief that is necessary or appropriate to ensure Muaūpoko's connection to Te- Whanganui-a-Tara is recognised.
202. Rachel Bolstad [S77.003], SWDC [S79.019], WCC [S140.030] (supported by MDC [FS14.037]) and Forest and Bird [S165.035] submit support in part and seek various amendments to Policy CC.2 which I analyse in the following paragraphs.
203. KCDC [S16.015] (opposed by Ātiawa [FS20.042]), PCC [S30.026] (supported by PPFL [FS25.059] and WCC [FS13.012]), HCC [S115.028] (supported by Kāinga Ora [FS12.008]), PPFL [S118.005], Summerset Group Holdings Limited [S119.001], The Retirement Villages Association of New Zealand [S120.001], Farm Collective [S135.003], Kāinga Ora [S158.013] (supported by Stride Investment Limited [FS16.003], Investore Property Limited [FS1.003] and opposed by Ātiawa [FS20.303]), WFF [S163.045] (opposed by Forest and Bird [FS7.089], Ātiawa [FS20.211] and Ngā Hapū o Ōtaki [FS29.062] and supported by BLNZ [FS30.118]) oppose Policy CC.2 and seek it is deleted or amended.
204. WIAL [S148.022] opposed Policy CC.2 in part and seeks amendments to the policy to clarify it doesn't apply to development within the Wellington International Airport.
205. Winstone Aggregates [S162.036] and Ngāti Toa [S170.041] make neutral submissions. Winstone Aggregates seek the exclusion of quarrying activities and Ngāti Toa seeks amendments to clarify who has the responsibility for preparing the travel demand management plans.
206. With regard to those submitters seeking that Policy CC.2 is deleted, I would note that the requirement to include travel demand management policies in district plans is not new. Policy 10 in the operative RPS requires that district plans and the Wellington Regional Land Transport Strategy include policies to promote travel

demand management mechanisms. As district plans are required to give effect to a regional policy statement⁹, all Wellington region district plans should already include these policies. To the best of my knowledge this has been achieved for the Wellington City operative and proposed district plans, and the Draft Wairarapa Combined District Plan¹⁰. Whilst Policy 10 is proposed for deletion in Change 1, it would be replaced by Policy CC.2 - if Policy CC.2 was deleted there would be a gap in the RPS. At a national level, the NERP has a strong focus (amongst other things) on reducing the reliance on cars as one of the ways to support the reduction in greenhouse gas emissions and the NPS-UD (which district councils are also required to give effect to under Section 75 of the RMA) requires urban environments to support reductions in greenhouse gas emissions.

207. In my view Policy CC.2 is one of the tools necessary to support the change directed by higher order documents and that, combined with the fact that the requirement already exists in the operative RPS (albeit using less directive wording), means that I recommend rejecting the relief sought by HCC [S115.028], PPFL [S118.005], Summerset Group Holdings Limited [S119.001], the Retirement Villages Association of New Zealand [S120.001], Farm Collective [S135.003], Kāinga Ora [S158.013] and WFF [S163.045] and I do not recommend Policy CC.2 be deleted from Change 1. I also recommend rejecting the further submissions from Kāinga Ora [FS12.008], Stride Investment Limited [FS16.003], Investore Property Limited [FS1.003] and BLNZ [FS30.118]. I recommend accepting the further submission points from Forest and Bird [FS7.089], Ātiawa [FS20.211] and Ngā Hapū o Ōtaki [FS29.062] in so far as they relate to deletion of Policy CC.2.
208. KCDC [S16.015] considers a non-regulatory method would be more appropriate, that it is inappropriate that city and district councils to develop threshold targets and that KCDC has no legal authority under the RMA to manage discharges to air.
209. For the reasons stated above in paragraph 194 I do not agree Policy CC.2 should be deleted. I agree that KCDC is not responsible for managing discharges to air. However, it is responsible for managing the integrated management of the use of land, and that includes the integrated management of land and transport¹¹. Section 74(2)(b)(i) of the RMA requires territorial authorities when preparing or changing a district plan to have regard to any emissions reduction plan made in accordance with the Climate Change Response Act 2002. In addition, Objective 8, and Policy 1(e), (f) and Policy 6(e) of the NPS UD require decision makers to have regard to climate change and reductions in greenhouse gas emissions and, insofar as the NPS is applicable, district plans are required to give effect to an NPS (section 74 of the RMA), and decision-makers are required to have regard to them (section 104 of the RMA). I acknowledge a district plan cannot control

⁹ Section 75 (3)(c) of the RMA

¹⁰ Wellington District Plan (Operative): Policies 4.2.12.4, 6.2.1.2, 6.2.2.2, 33.2.1.2, 33.2.2.4; Rules 7.3.1, 7.3.4, 7.3.10, 34.3.1, 34.3.12

Proposed Wellington District Plan: Policy MUZ-P3; Rules NCZ-R11, LCZ-R11, MCZ-R13

Draft Wairarapa Combined District Plan: Rule TR-R3 and Appendix TR-1.

¹¹ Section 31(1)(a) of the RMA

people's decision on how they wish to travel, but it can support providing people with a choice of how they'd like to travel around the district.

210. I do not agree non-regulatory methods alone will be sufficient to create a shift in transport mode, nor would they give effect to the actions and targets set out in the NERP.
211. Amendments are proposed to Policy CC.2 to provide minimum regional thresholds for territorial authorities to use as a starting point when developing their individual thresholds. I acknowledge that the requirement to include objectives, policies and rules by 30 June 2025 is somewhat arbitrary but the inclusion of a timeframe is necessary. It is clear from the lack of implementation of operative RPS Policy 10, which didn't include a timeframe, that an alternative approach is required.
212. For the reasons stated above I therefore recommend rejecting the relief sought by KCDC [S16.015]. I therefore recommend accepting Ātiawa's [FS20.042] further submission.
213. PCC [S30.026] also seeks the deletion of Policy CC.2 or proposes amendments so it focuses on an increased reliance on public transport and active transport modes and is reframed to provide direction on increasing the use of public transport and active modes. If amended, PCC seeks:

Policy CC.2: ~~Travel demand management plans~~ **Increased reliance on public transport and active transport modes** - district plans

By 30 June 2025, district plans shall include objectives, policies and rules that:

(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~~

(b) minimise reliance on private vehicles.

214. For the reasons stated above in paragraph 194 I do not agree Policy CC.2 should be deleted. I agree with PCC that the policy needs reframing to focus on the provision of transport options. I acknowledge PCC's point that part of the transport mode shift outcomes which are sought work in conjunction with the location of activities relative to the existing urban areas. This matter will be addressed as part of the s42A report for Urban Development in Hearing Stream Four. To some extent this matter is also addressed by the proposed amendments

to Policy CC.1. I also agree the policy cannot address operational issues of public transport use, such as ticketing costs and the level and frequency of service. However, that is not the intention of Policy CC.2. The intention is for developers and applicants to think in the early stages of a development about how the design would respond to the matters in Policy CC.2. In my view it is not necessary for the policy to state travel demand management plans must be implemented. In my opinion it is inferred these must be implemented and this matter would form a condition of the resource consent.

215. I have recommended amendments to Policy CC.2 including a new definition (walkable catchment), based on the advice provided in sections 3, 4.3, 4.4 and 5 of the Technical Transport Planning Report in **Appendix 3**, which would provide clearer direction to plan users when implementing this policy. The recommended amendments change the policy name from Travel Demand Management Plans to Travel Choice Assessments as well as include regional thresholds. A new definition of 'walkable catchment' is recommended. The recommended policy name change would more accurately reflect the intent of the policy – to support travel choice. The regional thresholds would apply as a minimum for territorial authorities to use as guidance or the basis for developing their district-level threshold. These have been developed using the Waka Kotahi Planning Policy Manual to provide consistency, in the initial application, with existing guidance. The explanation has also been amended to provide further clarity.
216. Consequential amendments have also been made to Method CC.3 and the definition of Travel Demand Management Plans which are discussed in section 6.14 below.
217. For the reasons stated above I recommend accepting in part the submission point from PCC [S30.026] and the further submissions from WCC [FS13.012] and PPFL [FS25.059].
218. UHCC [S34.026] also seeks the deletion of policy CC.2 or seeks amendments to it to be less directive with a focus on known capacity issues.

~~By 30 June 2025, dDistrict plans shall include objectives, policies and rules that require subdivision, use and development consent applicants to consider 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 **where there are known capacity issues** 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.~~

219. As stated in response to PCC's submission I do not agree Policy CC.2 should be deleted. I acknowledge the policy as currently drafted does not respond to different development location or typologies. In my view, Policy 57 and other urban

development provisions will address the location of development and this will work together with Policies CC.1 and CC.2.

220. I do not agree with the amendments proposed to Policy CC.2 by UHCC as in my view they would weaken the policy application. The purpose of Policy CC.2, amended as recommended in in paragraph 203, is to provide people with travel choices from developments and to require the developers or applicants to think about this when designing and planning them. On this basis, I recommend rejecting the relief sought by UHCC [S34.026].
221. WIAL [S148.022] seeks to clarify that Policy CC.2 does not apply to the Wellington International Airport. In my opinion, transport mode choice and enabling a choice in travel to and from the airport are covered by Policies CC.1, CC.3 and CC.9. As Policy CC.2 is directing district plans and relates to resource consents it would not be applicable to the Wellington International Airport as I understand majority of the site is designated (both land and air space above it) with the exception of the special zoning for the golf course. Therefore I do not agree any amendments are required to Policy CC.2 and recommend rejecting WIAL's [S148.022] submission and accept GBI's [FS8.007] further submission.
222. Rachel Bolstad [S64.001] supports councils ensuring more homes where this doesn't mean more emissions and requests a new policy which requires new subdivisions/developments to have a Travel Demand Management Plan and/or additional policy tools that ensure developments are not car-centric. A number of submitters raised this matter generally which I have addressed in section 6.8 of this report. In summary, I consider that the provisions relating to mode shift are strong enough. Policies EIW.1, CC.9, CC.3, CC.1, CC.2, and 9 along with supporting methods CC.10, and CC.3 work together to increase and provide options for transport mode shift to reduce the use of private vehicles. The suite of provisions targets both the provision of mode shift from an infrastructure provider perspective, and developer and land use perspectives. In addition, I have recommended amendments to Policy CC.1 supported by a definition to clarify what is meant by optimising overall transport demand. The recommended amendments to Policy CC.2 further emphasis mode shift and require the subdivision, use and development to demonstrate how this is being achieved within their resource consent application by providing a travel choice assessment. On this basis I therefore recommend rejecting Rachel Bolstad's [S64.001] submission point.
223. SWDC [S79.019] seeks amendments to Policy CC.2 to clarify the policy intent and outcomes. SWDC submits that they are unclear how a large rural transport infrastructure network in the rural environment can be amended to achieve the outcomes sought by Policy CC.2. The amendments sought by SWDC are:

~~By 30 June 2025, district plans shall include objectives, policies and rules that 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,~~ **regional and subregional transport strategies are developed and adopted that set out network wide, mode and location specific strategic development actions and requirements for all new subdivision, use and development to:**

(a) Identify appropriate thresholds for require travel demand management plan to give effect to this policy; and

(b) minimise reliance on private vehicles, and

(c) maximise use of public transport and active modes, and

(d) avoid more than minor increases in greenhouse gas emissions, and

(e) require district plans are amended to include objectives, policies and rules that require subdivision, use and development consent applicants to implement the requirements in (a) to (d) above.

224. I agree Policy CC.2 as notified is unclear how it would apply in rural areas and I also agree the use of 'more than minor' in a policy context is also unclear. I have recommended amendments to Policy CC.2 to clarify the outcomes sought and this includes removing the phrase "more than minor".

225. In my opinion, it is important territorial authorities develop their own thresholds as each district is different. I acknowledge the extent to which this policy can be applied will be dictated to a certain extent by the area its applied in, for example the rural area versus an urban area. The extent to which this policy applies in a rural context will also be determined by the development of the individual thresholds for each district. However, the intention is also to apply Policy CC.2 as far as practical to do so within a context of a rural area.

226. A starting point for district-level thresholds has been provided in the recommended amended policy wording, by including a set of region-wide thresholds. In light of the proposed amendments I do not agree that detailed regional and sub-regional transport network strategies are required. I therefore recommend accepting in part SWDC's [S79.019] submission point insofar as amendments are recommended to the policy which will achieve aspects of the relief sought by this submitter.

227. WCC [S140.030] supports the policy at a high level however they have concerns over the lack of specificity leading to inconsistencies in the approach taken across the region. They are seeking that the policy is deleted and integrated into the RLTP. For the reasons stated above in paragraph 194 I do not agree Policy CC.2 should be deleted. I also do not agree the outcomes sought should be integrated into the RLTP as the outcomes sought by Policy CC.2 are quite different in that they seek the provision of transport choice to reduce reliance on private vehicles. The policy intent is to make developers and applicants think about how their development responds to assisting in reducing the reliance on private

vehicles for example, by including walking and cycling connections to public transport.

228. I do agree the outcomes sought and how this policy is applied consistently across the region is unclear and I have recommended amendments to assist with this. Region wide thresholds have been included within Policy CC.2 to provide a starting point for territorial authorities to develop their own district-level thresholds. This is supported by Method CC.3 which requires Council to work with territorial authorities to develop their thresholds and assist in preparation of guidelines. I therefore recommend accepting in part WCC's submission point [S140.030] and MDC's [FS14.037] further submission.

229. Forest and Bird [S165.035] supports the requirement for travel demand management plans. Forest and Bird do not support the use of a threshold trigger and they are unclear how 'more than minor' will be determined in the context of greenhouse gas emissions and seek amendments to Policy CC.2 to that effect and to delete the inclusion of a specified development threshold.

By 30 June 2025, district plans shall include objectives, policies and rules that 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."~~

230. I agree it is unclear how 'more than minor' would be determined in a policy context and therefore recommend deleting this phrase. I do not agree the reference for thresholds should be deleted. Region wide thresholds are recommended for inclusion in Policy CC.2, which provides a starting point for territorial authorities to develop their individual thresholds. I therefore recommend the submission from Forest and Bird [S165.035] is rejected. The BLNZ further submission is unrelated to the relief sought by Forest and Bird, as described in Section 6.4 of this report. Accordingly, I recommend no recommendation is required.

231. Winstone Aggregates [S162.036] requests that quarrying activities be excluded from the requirement to provide travel demand management plans. I do not agree quarrying activities should be specifically excluded from Policy CC.2. It is unlikely Policy CC.2 would practically apply to quarrying activities. Quarries are typically located in a rural area rather than urban. It is also unlikely that public transport would service quarries and it is unlikely employees would walk or cycle to a quarry. Policy CC.2 would apply to quarry activities to the extent that it is practicable to do so.

232. Whilst the relief sought by Winstone Aggregates is similar to that sought by WIAL, greenhouse gas emissions from aeroplanes flying, landing and taking off

are excluded from the provisions within this topic. This is consistent with the NERP and Section 5R of the Climate Change Response Act 2002, which provides until no later than 31 December 2024 to decide whether the 2050 target should be amended to include emissions from international shipping and aviation and if it is to be amended and how.

233. I therefore recommend rejecting Winstone Aggregates [S162.036] and accepting Ātiawa's [FS20.304] further submission point in so far as it relates to this topic.

234. Ngāti Toa [S170.041] seeks amendments to Policy CC.2 to clarify that the resource consent applicants are responsible for the preparation of travel demand management plans, and their content and purpose. The policy wording as notified is explicit that it is consent applicants who must provide the travel demand management plans. I have addressed the matter of content and purpose of Policy CC.2 with recommended amendments, which clarify the outcomes and intent of the policy by clearly stating what the travel demand management plan (recommended amendments rename it to a travel choice assessment) must demonstrate, including updates to the explanation. Because I have made amendments to Policy CC.2 to clarify the intent, purpose and outcomes, I recommend accepting in part Ngāti Toa's [S170.041] submission point and the further submission from Ngā Hapū o Ōtaki's [FS29.155] insofar as it relates to Policy CC.2

235. With regard to those submitters seeking that Policy CC.2 is retained as notified, as amendments have been recommended to Policy CC.2 to address other submitters concerns, I recommend they are accepted in part. I recommend accepting in part the Muaūpoko submission [S133.035] only insofar as it relates to retaining Policy CC.2 as notified. Matters of mana whenua status were addressed in Hearing Stream One. Accordingly, I recommend rejecting the further submissions from Ngāti Toa [FS6.063] and Ātiawa [FS20.383] only insofar as they relate to the retention of Policy CC.2.

236. Sustainable Wairarapa's further submission [FS31.041] is not directly related to [S168.0115]; it generally supports Rangitāne's original submission in its entirety. As the content of the further submission is not related to Policy CC.2, I recommend that a recommendation is not required.

3.13.2 Recommendations

237. Policy CC.2 is amended as follows. The recommended amendment to Policy CC.2 is to provide clarity on the outcomes sought and implementation.

Policy CC.2: ~~Travel choice assessment demand management plans~~ – district plans

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:

- (a) demonstrates how the use of public transport and active modes will be maximised;
- (b) demonstrates how the use of private vehicles will be minimised; and
- (c) includes measures within the design of subdivision, use and development to achieve parts (a) and (b) above.

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.**

Table 1: Regional Thresholds

<u>Activity and Threshold per application</u>
<u>100 residential units located within a <i>walkable catchment</i>.</u>
<u>Commercial development of 2,500m² gross floor area</u>
<u>Greenfield subdivision over 100 residential units</u>

Explanation

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. Development thresholds should specify the trigger level (for example, number of

dwelling, number of people accommodated or gross floor area) where the **requirement for a travel choice assessment demand management plan requirement** applies.

3.13.3 Section 32AA Evaluation

238. In accordance with s32AA, I consider that my recommended amendments to Policy CC.2 are the most appropriate way to achieve the Change 1 objectives for the following reasons:

- The amendments to Policy CC.2 will improve its efficiency in achieving the objectives by providing greater clarity in implementation by including more explanation, clarifying the outcomes and intent, in addition to providing a starting point for territorial authorities, thereby reducing potential implementation and consistency issues.
- The amendments to Policy CC.2 will improve its effectiveness to achieve the relevant Change 1 objectives by clarifying what a travel choices assessment would do and why it's needed. The amendments also give greater effect to Policy CC.9 and therefore more specificity for the actions and outcomes sought to achieve Objective CC.3.
- The amendments to Policy CC.2 will not add additional environmental or economic cost to the community. The amendments still require an assessment which has not changed from the notified version of Policy CC.2. The social benefits will remain the same. Amendments to Policy CC.2 add clarification to implementation and the outcomes sought remain the same.

239. That the submission points relating to Policy CC.2 are accepted, accept in part, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.14 Method CC.3: Travel demand management plans and travel demand management plan definition

3.14.1 Matters raised by submitters and analysis

Method CC.3 Travel demand management plans

240. Nine original submission points and three further submission points were received on Method CC.3.

241. As outlined in paragraph 225, I have recommended amendments to Policy CC.2 to clarify the outcomes and intent of the policy, including changing the policy to require a Travel Choice Assessment rather than a Travel Demand Management plan. These recommended amendments have consequential effects on the wording of Method CC.3 and the associated definition of travel demand management plan. Accordingly, submissions points seeking to retain Method CC.3 as notified are recommended to be accepted in part.

242. James Burgess [S77.002], Waka Kotahi [S129.012] (supported by MDC [FS14.033]), Generation Zero [S141.006], MDC [S166.073], Taranaki Whānui [S167.0144] and Rangitāne [S168.0116] (supported by Sustainable Wairarapa [FS31.042]) seek that the method is retained as notified. Waka Kotahi seeks

clarification about how the method will be implemented whilst MDC wishes to be involved in implementation.

243. WCC [S140.095] and Forest and Bird [S165.0100] support in part and request amendments to Method CC.3. Kāinga Ora [S158.033] opposes Method CC.3 and seeks that it's deleted.
244. In my opinion it is important Method CC.3 remains in Change 1, as it provides clear direction that the Council will support territorial authorities with the development of their individual land use thresholds for travel demand management plans (noting amendments recommend this is renamed to travel choice assessment) during their district plan reviews/plan change processes. This method supports the implementation of Policy CC.2 (which is a replacement for operative RPS Policy 10). It replaces operative Method 9, which supported implementation of Policy 10. Method CC.3 ensures there is some continuity, where appropriate, across the territorial authorities. Because of this I recommend Kāinga Ora's [S158.033] submission point is rejected.
245. WCC [S140.095] seek amendments to Method CC.3 to ensure guidance is provided in collaboration with the territorial authorities prior to the implementation. The amendments sought remove the onus on the territorial authorities to develop the land use thresholds.

~~Where requested, the Wellington Regional Council will develop in partnership with TAs assist city and district councils with determining land use thresholds for triggering a Travel Demand Management Plan requirement, as well as~~ guidelines for a Travel Demand Management Plan that city and district councils can provide to developers to assist them with mitigating the travel movements and associated greenhouse gas emissions arising from new subdivision, use and development.

246. I acknowledge WCC's support for the method. In my opinion it is still important that the individual territorial authorities develop their own thresholds based on the individual characteristics of each of the districts, noting that the recommended amendments to Policy CC.2 (as outlined in paragraph 203 of this report) include regional thresholds as a starting point. However, I agree the Council should provide guidance and assistance to a territorial authority without them needing to request it. I therefore recommend accepting in part the relief sought from WCC [S140.095].
247. Forest and Bird [S165.0100] seeks similar amendments to WCC:

Where requested, the Wellington Regional Council will assist city and district councils with determining ~~land use thresholds for triggering a Travel Demand Management Plan requirement, as well as~~ guidelines for a Travel Demand

Management Plan that city and district councils can provide to developers to assist them with mitigating the travel movements and associated greenhouse gas emissions arising from new subdivision, use and development.

248. For the reasons set out in paragraph 234 I recommend rejecting Forest and Bird's [S165.0100] submission. The BLNZ [FS30.319] further submission is unrelated to the relief sought by Forest and Bird, as described in Section 6.4 of this report. Accordingly, I recommend no recommendation is required.
249. Waka Kotahi [S129.012] (further supported by MDC [FS14.033]) supports Method CC.3 but requests clarity about how the method will be implemented. I acknowledge Waka Kotahi's support and note this request is perhaps more broadly about the travel demand management plans themselves and how they will work in practice. In my view, the implementation of Method CC.3 is straight forward; it requires the Council to provide guidance and assistance to the territorial authorities to develop their individual land use thresholds and applicant/developer guidelines. I have recommended an amendment to Method CC.3, to remove the need for the territorial authorities to request assistance. Beyond that I do not agree Method CC.3 needs amending to clarify how it will be implemented. On this basis I recommend rejecting the submission from Waka Kotahi [S129.012] and further submission from MDC [FS14.033].
250. MDC [S166.073] is supportive of Method CC.3 in principle but seeks more clarity about how the plans would work in rural areas. I have recommended amendments to Policy CC.2 in terms of its implementation within the rural area, as discussed in section 6.13. I have been advised by Council officers that they will work with Tier 3 councils to assist them in the application of policies where there is a mixture of rural and urban areas. Method CC.3 as notified provides for MDCs involvement in the land use thresholds and guidelines. I therefore don't agree any amendments are required to Method CC.3 to confirm MDC's involvement, as the notified wording already provides for it. I therefore recommend MDC's submission point is rejected in part [S166.073].
251. As set out in section 6.4, Sustainable Wairarapa [FS31.042] generally submit in support of Rangitāne. As I recommend Rangitāne's submission point is accepted in part, I recommend Sustainable Wairarapa's [FS31.042] submission point is accepted in part.

Definition - Travel Demand Management Plan

252. WCC [S140.0126] (supported by MDC [FS14.050]) requests amendments to the definition of Travel Demand Management Plan because they consider it reads as policy and should be incorporated into the policy/method or removed.

A travel demand management plan 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.~~

253. I agree the definition as notified reads as policy or an explanation of implementation rather than a definition. I also agree some of the text should be moved into the wording of Policy CC.2. A requirement for measures to be incorporated into the design has been incorporated into recommended amendments to Policy CC.2. Based on the recommended amendments to Policy CC.2 as described at paragraph 203 in section 6.13, I do not agree that all of the text should be moved into Policy CC.2 and so I recommend accepting in part WCC's [S140.0126] submission point and the further submission from MDC.

254. PCC [S30.0112] (supported by PPFL [FS25.029]) opposes the definition of Travel Demand Management plan because it is drafted as policy, including actions and thresholds that should be the subject of policy direction. I agree the definition as drafted does not read as a definition. I do not agree the definition should be deleted but agree amendments are necessary to it in order to provide clear direction to plan users in line with other recommended amendments to Policy CC.2 (refer to paragraph 203 in section 6.13). A large portion of the text from the definition is recommended for deletion. I have incorporated the reference to measures to be included within design into Policy CC.2. I therefore recommend accepting in part PCC's [S30.0112] submission point. As outlined in section 6.4 PPFL has supported PCC's entire submission. Therefore as I am accepting in part PPC's submission point I therefore recommend accepting in part PPFL's [FS25.029] further submission point in so far as it relates to this topic.

3.14.2 Recommendations

That Method CC.3 is amended to be consistent with the recommended amendments to Policy CC.2 and the 'Travel Demand Management Plan' definition is renamed 'Travel Choice Assessment' and amended to support Policy CC.2 and Method CC.3. The recommended amendments to Method CC.3 and the Travel Demand Management Plan definition provide clarity about the outcomes sought and implementation associated with Policy CC.2.

Method CC.3: Travel ~~choice assessment demand management plans~~

~~Where requested, t~~The Wellington Regional Council will assist city and district councils with determining land use thresholds for triggering a **requirement for a travel choice assessment** ~~Travel Demand Management Plan~~ requirement, as well as guidelines for ~~travel~~ **choice assessments** ~~Demand Management Plan~~ that city and district councils can provide to developers to assist them with mitigating the travel movements and associated greenhouse gas emissions arising from new subdivision, use and development.

Definition - Travel **Choice Assessment** ~~demand management plan~~

~~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.~~

3.14.3 Section 32AA Evaluation

255. In accordance with s32AA, I consider that my recommended amendments to Method CC.3 and the definition of Travel Demand Management Plan are the most appropriate way to achieve the Change 1 objectives for the following reasons:

- The amendments to Method CC.3 and definition of Travel Demand Management will improve its efficiency by making the method and definition wording consistent with the proposed amendments to Policy CC.2.
- The amendments to Method CC.3 and definition of Travel Demand Management will improve its effectiveness in giving effect to the Policy CC.2 and therefore more specificity for the actions and outcomes sought to achieve Objective CC.3.

256. That the submission points relating to Method CC.3 and the definition of Travel Demand Management Plan are accepted, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.15 Policy CC.3: Enabling a shift to low and zero-carbon emission transport – district plans

3.15.1 Matters raised by submitters and analysis

257. There are 20 submission points and 11 further submission points on Policy CC.3.
258. CDC [S25.016], Te Tumu Paeroa [S102.014], KiwiRail [S124.004], Waka Kotahi [S129.008], Ātiawa [S131.049] (supported by Ngā Hapū o Ōtaki [FS29.319]), opposed by WCC [S140.031], NZCSC [S151.007] and Taranaki Whānui [S167.063], Rangitāne [S168.0117] (supported by Sustainable Wairarapa [FS31.043]) submit in support and seek to retain Policy CC.3 or retain as notified. WCC seeks to amend Policy CC.3 to focus on “zero-carbon’ emission transport and expand the description of the types of active transport modes. Muaūpoko [S133.036] (opposed by Ngāti Toa [FS6.064] and Ātiawa [FS20.383]) seeks that the policy is retained as notified or alternative relief as appropriate to ensure that its connection to Te- Whanganui-a-Tara is recognised.
259. SWDC [S79.020], Wellington Water [S113.012], HCC [S115.029] (supported by the Fuel Companies [FS10.016]), Kāinga Ora [S158.014], Forest and Bird [S165.036] (supported by Ātiawa [FS20.069], opposed by Meridian [FS26.024] and BLNZ [FS30.319]) , Ngāti Toa [S170.042] (supported by Ngā Hapū o Ōtaki [FS29.156]) support in part. KCDC [S16.016] (opposed by Ātiawa [FS20.043]), PCC [S30.027] (supported by PPFL [FS25.060]) and UHCC [S34.027] oppose the policy. All submitters seek amendments to Policy CC.3 which I address in the below paragraphs. PCC also seeks a definition for ‘zero and low-carbon multi modal transport’.
260. The Farm Collective [S135.004] opposes the policy and seeks that it is deleted as they consider that a specific policy in the RPS is not required to support the uptake of zero and low-carbon multi modal transport infrastructure, such as cycle ways and EV charging. In my opinion, enabling objectives, policies and rules are essential to support change in a specific direction. For example, if EV charging points require a resource consent every time one needs to be established this causes time delays and also additional cost making it harder rather than easier. Therefore, I recommend rejecting the relief sought by the Farm Collectives [S135.004].
261. KCDC [S16.016] requests deletion of Policy CC.3 or amendments to clearly specify how district plans could enable the desired shift to low and zero-carbon emission transport. I disagree Policy CC.3 should be deleted for the reasons set out in paragraph 248 above.
262. KCDC notes district plans do not contain provisions that specify what transportation or infrastructure types must be adopted and considers non-district plan methods would be more efficient. I acknowledge KCDC's point that non-district plan methods may be an efficient and effective way to achieve the outcomes sought, such as the plans prepared under the Local Government Act Long Term Plan and Annual Plan processes. However, in my experience

developers often submit large scale development for multiple dwellings and subdivision applications which territorial authorities would assess through the resource consent decision-making process. This policy would assist in the provision of infrastructure which supports low and zero carbon modes such as EV charging points for E vehicles (Buses, Cars, Bikes and Scooters), walking and cycling connections within future developments, and future and existing public spaces. Accordingly I recommend KCDC's [S16.016] submission point is rejected and Ātiawa's [FS20.043] further submission point is accepted.

263. UHCC [S34.027] is also seeking that Policy CC.3 is deleted or amended to remove the implementation timeframe (by 30 June 2025) and provide clarity on how this policy can be achieved. I disagree Policy CC.3 should be deleted for the reasons set out in paragraph 248 above. I acknowledge the timeframe which territorial authorities need to implement Policy CC.3 is not (to my knowledge) based on a legislated timeframe, and the pressure including a timeframe puts on territorial authorities to implement the proposed changes. However, as noted in paragraph 199 of this report, a timeframe is still required otherwise the risk is that the policy requirements are not implemented.
264. I also acknowledge UHCC's point regarding the potential environmental effects of significant public infrastructure, in particular rail infrastructure. I have recommended amending the policy explanation to provide greater clarity with regards to this point. In my view it is acceptable to enable ancillary transport infrastructure which supports public transport such as EV charging point for E-bikes, E-buses, E-scooters, in addition to other modes of transport which may arise in the future as technology develops. Ancillary environmental effects would be addressed where relevant and set at appropriate scales by other provisions, such as earthworks, impervious surfaces, vegetation clearance and construction noise. This policy requirement gives effect to Objective 8 and Policy 1(e) of the NPS-UD, which require urban environments to support the reduction in greenhouse gas emissions. In addition, section 74(2)(b)(i) of the RMA requires territorial authorities to have regard to the Emissions Reduction Plan made in accordance with the Climate Change Response Act 2002. I note markets will dictate to a certain extent if car parking is provided or not regardless of whether the district plans require them or not. I recommend rejecting UHCC's [S34.027] submission point.
265. SWDC [S79.020] requests that Policy CC.3 also applies to regional plans. I recommend rejecting SWDC's [S79.020] submission point. The focus of Policy CC.3 is on land use and transport infrastructure integration, which is part of the function of a district council. It is unlikely the scale of works anticipated by Policy CC.3 would trigger a regional resource consent for example earthworks, vegetation clearance or impervious surface areas and the associated stormwater discharge. Activities associated with Policy CC.3 are EV charging points for electric vehicles and walking and cycling infrastructure and in my experience these activities are more than likely to occur within the existing road corridors.
266. Wellington Water [S113.012] requests a clause in district plans which enables infrastructure to give effect to Te Mana o Te Wai. I recommend rejecting

Wellington Water's [S113.012] submission point in so far as it relates to the provisions within this topic. I do not agree Policy CC.3 should be amended to refer to Te Mana o Te Wai. A separate suite of provisions within Change 1 will give effect to Te Mana o Te Wai and the NPS for Freshwater Management and these are addressed by other s42a report topic-specific authors.

267. HCC [S115.029] (supported by the Fuel Companies [FS10.016]) supports Policy CC.3 but requests that a definition for "zero and low-carbon multi-modal transport" is provided. I have outlined the reasons why a definition should not be provided within this report at paragraphs 60 and 61 and hence I recommend rejecting HCC's [S115.029] submission point and Fuel Companies [FS10.016] further submission point.
268. WCC [S140.031] supports Policy CC.3 but requests the policy is amended to have a focus on "zero-carbon" emission transport and expand the types of active transport modes. I do not agree the wording of the policy itself should be amended. In my view the amendment to the explanation is useful and helpful to reference the other types of transport modes this policy would enable, such as footpaths, walkways and EV modes of transport. As addressed in paragraphs 60 and 61 of this report, in my opinion low and zero-carbon modes should remain undefined in Change 1 as defining them could potentially have unintended consequences for policy application and may restrict technology development in the future. Furthermore, I consider it logical that low and zero-carbon transportation modes would, as a minimum, refer to walking and cycling, and other low emission vehicles or modes of transport. Noting WCC's support for the policy, as I have recommended amendments in response to other submission points, I recommend accepting in part WCC's submission point [S140.031].
269. With regard to Kāinga Ora's [S158.014] submission, in my view Policy CC.3 will set the framework to enable the provision of infrastructure which supports a shift in mode of transport. I agree there may be other reasons which may trigger resource consent such as earthworks or vegetation clearance, however in my view the purpose of Policy CC.3 is to reduce the requirement for resource consents associated with this type of infrastructure therefore making it as easy as possible to establish. I therefore recommend rejecting the submission point from Kāinga Ora [S158.014].
270. Forest and Bird [S165.036] seeks amendments to clarify the focus to reducing greenhouse gas emissions and to ensure adverse effects are not created on indigenous biodiversity. I agree with Meridian [FS26.024] that other provisions within Change 1 address indigenous biodiversity and that the operative RPS and Change 1 are to be read as a whole. I therefore recommend rejecting the submission points from Forest and Bird [S165.036] and Ātiawa' [FS20.069] and accepting Meridian's [FS26.024] further submission. BLNZ's [FS30.319] further submission is in general opposition of Forest and Bird's submission, as described in section 6.4 of this report. On this basis I consider a recommendation is not required.

271. I note Ngāti Toa's [S170.042] submission in support - the reference to Policy CC.3 appears to be an error. Ngāti Toa's submission point and relief sought relates to Policy 55 which will be addressed in Hearing Stream Four. I recommend rejecting Ngāti Toa's [S170.042] submission point and Ngā Hapū o Ōtaki's [FS29.156] further submission, in so far as it relates to this topic. The other matters raised in their submission points have been addressed in Hearing Stream One or will be addressed in Hearing Stream Four.
272. With regard to PCC's [S30.027] submission point, I acknowledge PCC's attempt to enable multi-modal transport through the infrastructure chapter in the proposed district plan. However, I do not agree 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 do agree it is helpful to amend the policy wording to refer to 'enabling infrastructure' and to amend the explanation to include a reference to footpaths and walkways that support zero and low carbon multi modal transport to assist with the policy implementation. Accordingly, I recommend accepting in part the relief sought by PCC and in doing so also accept in part PPFL's further submission.
273. CDC [S25.016] seeks to retain policy CC.3 and NZCSC [S151.007] submits in support with no relief requested. I recommend these submission points are accepted in part as I have recommended changes to the policy wording.
274. Te Tumu Paeroa [S102.014], KiwiRail [S124.004], Waka Kotahi [S129.008], Ātiawa [S131.049], Muaūpoko's [S133.036], Taranaki Whānui [S167.063] and Rangitāne [S168.0117] seek to retain Policy CC.3 as notified, as changes are recommended to the policy I recommend accepting these submission points in part.
275. Ngā Hapū o Ōtaki [FS29.319] generally submits in further support of Ātiawa [S131.049]. Ngā Hapū o Ōtaki's submission points will be addressed in Hearing stream One as they relate to co-governance, co-management, co-leadership and co-collaborative operational processes. Other matters raised such as freshwater, indigenous biodiversity and regional form, design and function will be addressed in other specific topic s42A reports. I recommend accepting in part Ngā Hapū o Ōtaki's [FS29.319] submission point in so far as it relates to this topic as I accept in part Ātiawa's submission point.
276. Ngāti Toa [FS6.064] and Ātiawa [FS20.383] further submits in opposition to Muaūpoko in relation to which iwi are Tangata Whenua in Te Whanganui-a-Tara rohe. This matter will be addressed during Hearing stream One. As I recommend accepting in part Muaūpoko's submission point insofar as it relates to retaining Policy CC.3 as notified, and I have recommended policy wording amendments, I recommend these further submissions are rejected in so far as they relate to this topic.
277. As set out in section 6.4, Sustainable Wairarapa [FS31.043] generally submit in support of Rangitāne. As I recommend Rangitāne's submission point is accepted in part, I recommend Sustainable Wairarapa's [FS31.043] submission point is accepted in part.

3.15.2 Recommendations

278. That Policy CC.3 is amended as follows. The recommended amendment to Policy CC.3 is to provide greater clarity and to assist with the understanding of the purpose and intent of the policy. How it is applied has not altered. Accordingly, no s32AA evaluation has been undertaken.

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**.

279. That the submission points relating to Policy CC.3 are accepted, accept in part, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.16 Policy 9: Promoting gas emissions reduction and uptake of low emission fuels – Regional Land Transport Plan

3.16.1 Matters raised by submitters and analysis

280. Sixteen original submission points and 10 further submission points were received on Policy 9.

281. KCDC [S16.034], PCC [S30.036] (supported by PPFL [FS25.069]), UHCC [S34.031], HCC [S115.034], Ātiawa [S131.057] (supported by Ngā Hapū o Ōtaki [FS29.327]), Muaūpoko [S133.057], WCC [S140.036], WIAL [S148.032], Taranaki Whānui [S167.071] and Rangitāne [S168.0140] (supported by Sustainable Wairarapa [FS31.069]) support the policy being retained as notified. WCC is seeking that Policy 9 is amended as needed in relation to their submission points to Policy CC.2, whilst WIAL wants to ensure the policy retains its focus on land transportation.

282. Waka Kotahi [S129.018] (supported by the Fuel Companies [FS10.038] and PowerCo [FS24.034]), GWRC [S137.014] (supported by MDC [FS14.008]), GWRC [S137.015] (neutral further submission from WCC [FS13.017]), Forest and Bird [S165.044] (opposed by BLNZ [FS30.319]), MDC [S166.023] support Policy

9 in part. Waka Kotahi supports the shift to low emission fuels and seeks clarification about how the RPS will direct the shift to greenhouse gas reduction and low emission fuels. I have interpreted Waka Kotahi's reference to the RPS to mean Change 1. GWRC and Forest and Bird seek amendments to address reducing emissions from the public transport vehicles fleet by 20% from 2018 levels and a stronger link to Objective CC.3. MDC seeks to retain as notified but also clarity about how this policy will apply to Tier 3 Councils. Ngāti Toa [S170.022] (supported by Ngā Hapū o Ōtaki [FS29.136]) opposes Policy 9 in part and seeks amendments to Policy 9 to make it more directive by replacing 'promote' with 'reduce' as the Regional Land Transport Plan must give effect to the RPS. I address these matters in the following paragraphs.

283. With regard to the relief sought by Ngāti Toa, Section 14 of the Land Transport Management Act 2003 requires that preparation of a regional land transport plan must take into account the regional policy statement. The meaning of 'take into account' has been established by case law – the decision-maker is required to consider the matter, weigh it up with other relevant factors and give it the weight that is appropriate in the circumstances¹². The amendments to Policy 9 provide the direction to the RLTP to meet this requirement. As the RLTP has to interact and align with a number of strategic documents (e.g. Government Policy Statement on Land Transport, RMA related plans and policies, regional and sub-regional growth plans, regional public transport plans) and national influences (e.g. Ministry of Transport Outcomes Framework and Waka Kotahi) including central government and Council investment programmes, it's more appropriate to keep the existing wording to provide for flexibility in its application rather than be more directive. The use of 'promote' still requires movement in a specific direction and 'reduce' wouldn't make sense in regard to part (c) of the policy. Accordingly, I recommend rejecting the relief sought by Ngāti Toa [S170.022]. As I recommend rejecting the Ngāti Toa relief I recommend rejecting the further submission from Ngā Hapū o Ōtaki [FS29.136] (I note this is a general submission in support, as discussed in section 6.4 of this report as it is unrelated to the relief sought by Ngāti Toa on Policy 9).

284. WCC supports Policy 9 as proposed but also notes the RLTP is a useful tool to create a Transport Demand Management Plan for the region or guidance on how to create one. I do not agree Travel Demand Management Plans (addressed by Policy CC.2) should sit within the RLTP or within Policy 9. Amendments recommended to Policy CC.2 (as discussed in section 6.13) clarify its intent, which is to provide a travel choice. I recommend rejecting WCC's [S140.036] relief.

285. GWRC is seeking the following amendments to Policy 9:

The Wellington Regional Land Transport <u>Plan</u> Strategy shall include objectives and policies that promote a reduction in: ...

¹² Including in *Bleakley v Environmental Risk Management Authority* [2001] 3 NZLR 213 (HC)

(c) increasing the uptake of low emission or zero carbon fuels, biofuels and new technologies; and

(d) the decarbonisation of the public transport vehicle fleet.

286. I recommend the submission point from GWRC [S137.014] and further submission from MDC [FS14.008] are accepted in part, and GWRC [S137.015] and Forest and Bird [S165.044] are accepted, alongside the related further submission from WCC [FS13.017]. I agree Change 1 as notified doesn't specifically address the reduction of emissions from the public transport fleet and that this is a gap. Objective CC.3(a)(iii) sets a goal of a "60% reduction in public transport emissions, from 2018 levels, and..." The amendments proposed by GWRC would also address the relief sought by Forest and Bird, and I therefore recommend that Policy 9 is amended in this way with the exception of the word "increasing". I recommend "increasing" is replaced with "an increase in" for readability with the remainder of the policy. The proposed amendments are more effective and efficient at achieving the Objective and the scale, purpose and intent of Policy 9 has not changed.
287. I recommend 'no recommendation' on the further submission from BLNZ as this is a general submission in opposition, as discussed in section 6.4 of this report, and it is unrelated to the relief sought by Forest and Bird on Policy 9.
288. I acknowledge the support from Waka Kotahi [S129.018] in relation to Policy 9. Waka Kotahi seeks further clarification on how the RPS will direct a shift to greenhouse gas reduction and low emission fuels as they consider the current wording of Policy 9 can be interpreted to suggest the onus falls on infrastructure providers. In my opinion, amendments to Policy 9 are not required to clarify where the onus sits with regard to the implementation of the policy and the methods to achieve the outcomes sought; the policy is directed at future content of the Wellington RLTP. The detail of where the onus falls will be worked through in the RLTP by the Regional Transport Committee and general direction from Central Government, particularly in relation to the NERP actions. Accordingly, I reject the relief sought by Waka Kotahi. As I am rejecting the relief sought by Waka Kotahi, I recommend rejecting the relief sought by The Fuel Companies [FS10.038] and Powerco Co [FS24.034].
289. MDC [S166.023] seeks to retain Policy 9 as notified and requests further clarity on the application of Policy 9 for Tier 3 Councils. I have been advised by Council officers that they will work with Tier 3 councils to assist them in the application of policies where there is a mixture of rural and urban areas. The expectation is that policies are to be applied within the context of their districts as far as practicable and they are not exempt from them. As the relief sought by MDC relates to implementation rather than the wording of Policy 9, I recommend that no recommendation is required on this submission point.

290. I recommend accepting the submission point from WIAL [S148.032]. Policy 9 is focussed on the RLTP which relates to land-based transport and therefore excludes aviation. I agree the aviation industry will take some time to transition to sustainable aviation fuel.
291. I recommend accepting the relief sought by KCDC [S16.034] as they seek to retain Policy 9. I accept in part submission points from PCC [S30.036], UHCC [S34.031], HCC [S115.034], Ātiawa [S131.057], Muaūpoko [S133.057], Taranaki Whānui [S167.071], Rangitāne [S168.0140] as they submit to retain Policy 9 as notified and amendments are recommended below. As I recommend accepting in part the relief sought by Rangitāne, I recommend accepting in part the further submission from Sustainable Wairarapa [FS31.069]. (I note this is a general submission in support, as discussed earlier in my report as it is unrelated to the relief sought by Rangitāne on Policy 9. Ngā Hapū o Ōtaki [FS29.327] generally submits in support of Ātiawa. As I am accepting in part Ātiawa's relief I recommend Ngā Hapū o Ōtaki's further submission is accepted in part, as discussed earlier in my report it is unrelated to the relief sought by Ātiawa on Policy 9.
292. Ātiawa [FS20.404] generally submits in opposition to Muaūpoko (as discussed earlier in my report). As the relief sought is unrelated to Policy 9, I therefore make no recommendation.
293. PPFL [FS25.069] generally submits in support of PCC. As I am recommending accepting in part the relief sought by PPC, I recommend PPFL's further submissions is accepted in part noting the relief sought is unrelated to Policy 9.

3.16.2 Recommendations

294. That Policy 9 is amended as follows. The recommended amendments to Policy 9 are to provide a stronger link to Objective CC.3 as there is a policy gap. The proposed amendments are more effective and efficient at achieving Objective CC.3.

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

The Wellington Regional Land Transport Plan Strategy shall include objectives and policies that promote a reduction in:

- (a) a reduction of the consumption of non-renewable transport fuels; and
- ~~(b) the emission of carbon dioxide from transportation~~
- (b) a reduction of the emission of *greenhouse gases*, and other transport-generated harmful *emissions* such as nitrogen dioxide; and
- (c) an increase in the uptake of low emission or zero carbon fuels, biofuels and new technologies.; **and**

(d) the decarbonisation of the public transport vehicle fleet.

~~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~~

Explanation

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.

~~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.~~

3.16.3 Section 32AA Evaluation

295. In accordance with s32AA and section 30(1)(b), I consider that my recommended amendments to Policy 9 are the most appropriate way to achieve the Change 1 objectives for the following reasons:

- The amendments to Policy 9 will improve its efficiency in achieving Objective CC.3 by plugging a gap in the policy to give effect to Objective CC.3(a)(iii).
- The amendments to Policy 9 will improve its effectiveness to achieve the relevant RPS objectives by plugging a gap and giving effect to Objective CC.3(a)(iii).

296. That the submission points relating to Policy 9 are accepted, accept in part, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.17 Policy CC.9: Reducing greenhouse gas emissions associated with transport infrastructure – consideration

3.17.1 Matters raised by submitters and analysis

297. Twenty-one submission points and 18 further submission points were received on Policy CC.9.

298. Jonathan Marwick [S82.006], Te Tumu Paeroa [S102.020], Ātiawa [S131.082] (supported by Ngā Hapū o Ōtaki [FS29.352]), Muaūpoko [S133.042] (opposed by Ātiawa [FS20.389]), CCS [S142.004], Rangitāne [S168.0170] and [S168.0118] (supported by Sustainable Wairarapa [FS31.100] and [FS31.044]) submit in

support of Policy CC.9 and seek to retain as notified with the exception of Muaūpoko who also seek alternative relief appropriate to ensure their connection to Te Whanganui-a-Tara is recognised.

299. UHCC [S34.032], SWDC [S79.039], HCC [S115.058], Waka Kotahi [S129.010], GWRC [S137.009] (supported by WCC [FS13.026], opposed by WIAL [FS17.008] and opposed in part by Fuel Companies [FS10.006]), Forest and Bird [S165.063] (opposed by WIAL [FS17.009] and BLNZ [FS30.319]), MDC [S166.049] and Taranaki Whānui [S167.098] support the policy in part. WIAL [S148.025] (opposed by Forest and Bird [FS7.012], and GBI [FS8.013]) oppose the policy in part. Submitters seek amendments to Policy CC.9, including to make it clear it doesn't apply to the airport or the aviation industry), alignment with the direction of Central Government and more clarity about implementation. I analyse these matters in the paragraphs below.
300. KCDC [S16.022] (opposed by Ātiawa [FS20.047]), PCC [S30.058] (supported by PPFL [FS25.091]), PPFL [S118.008], WCC [S140.059] (supported by Waka Kotahi [FS3.034]), WFF [S163.065] (opposed by Forest and Bird [FS7.108], Ātiawa [FS20.230] and Ngā Hapū o Ōtaki [FS29.081] and supported by BLNZ [FS30.137]) oppose the policy. These submitters request the deletion of Policy CC.9 or amendments, which I discuss in the following paragraphs.
301. I disagree with those submitters seeking that Policy CC.9 should be deleted, and I recommend the relief sought is rejected. The functions of territorial authorities include the establishment, implementation and review of objectives, policies and methods (including rules) to achieve the integrated management of the effects of land use and development (section 31(1) of the RMA). Objective 8 of the NPS-UD requires urban environments to support reductions in greenhouse gas emissions, whilst Policy 1(e) requires that planning decisions contribute to well-functioning urban environments, which, at a minimum, support reductions in greenhouse gas emissions. Policy CC.9 is one of the mechanisms, via the district plan, to achieve this.
302. I consider it entirely appropriate that district plans, and developers and applicants via notices of requirement or resource consents, consider how their developments connect with the wider transport network for example by providing walking and cycling connections, EV charging points, and consider their locations with regards to public transport. It is important there is statutory alignment with the district plans and regional plan in these issues for effective change to occur. Accordingly, I also disagree with any relief seeking to restrict the application of the policy whether just to resource consents, or just to plan changes, variations and review, or just to regional level decision-making.
303. UHCC [S34.032] is seeking the following amendments:

<p>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</p>

development have been planned to ~~optimise overall transport demand,~~
maximising mode shift ~~from private vehicles~~ to public transport or active
modes, in a way that contributes to reducing greenhouse gas emissions.

304. I agree with UHCC that they cannot control the way people travel, and nor can they control the provision of public transport – this is a regional council matter. However, in my opinion, UHCC can, through the district plan review process and through the resource consent process in particular, consider how developments are designed to contribute to providing travel choice as I have discussed in paragraphs 289 and 290. This could include, for example the extent to which walking and cycling connections are provided to public transport, or by requiring EV charging stations where on-site parking is proposed. I note the NPS UD requirement to remove parking standards from the district plans. In my view market demand, to a certain extent, will drive the parking requirements and electric vehicle use and territorial authorities can make planning decisions which support and enable the shift. Because I am recommending amendments to Policy CC.9 with regard to the requirement to optimise overall transport demand, I recommend accepting in part the relief sought by UHCC.
305. I agree with PCC's [S30.058] submission that the policy would apply to all resource consents etc regardless of scale and type of activity. In noting this, Policy CC.9 would be applied to the scale that is appropriate and where its practicable to do so in relation to subdivision, use and development. Policy CC.9 prompts developers and applicants to think about how travel choice may be provided within their designs for land use, development and subdivision. In my opinion this should also apply to works under a Notice of Requirement. It is relevant that a requiring authority, where relevant, should be considering opportunities to maximise mode shift and reduce greenhouse gas emissions.
306. I have reviewed the regulatory policies applying to the development of regional and district plans (specifically Policy CC.1, Policy CC.3, Policy CC.2, Policy CC.11 and Policy CC.10) and in my opinion there is no duplication. I do agree with PCC that the Policy CC.9 title could be amended and in response to PCC's submission I have recommended consequential amendments to the title to clarify what it applies to. I recommend accepting in part the relief sought by PCC, and PPFL in its further submission, in relation to Policy CC.9.
307. SWDC [S79.039] supports the principle of Policy CC.9 but notes it is more achievable within a Tier 1 Council where they receive more investment in public transport. They are also seeking the inclusion of "where practicable" into the policy or similar relief to give the same effect and any consequential amendments.

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 development have been

planned to optimise overall transport demand, maximising mode shift from private vehicles to public transport or active modes, in a way that contributes to reducing greenhouse gas emissions where practicable.

308. I agree with and support SWDC's approach with regards to implementing Policy CC.9 to the extent practicable within its district. I also agree that each territorial authority has slightly different environments and characteristics which influence the extent to which they can implement each policy. For example, Tier 3 councils will likely have a mixture of rural and urban areas and rural areas may have limitations relevant for implementing Policy CC.9. As noted in paragraph 292 of this report, I am recommending amendments to Policy CC.9 to refer to Policy CC.1, which has been amended to clarify the phrase optimising overall transport demand (including a supporting definition) which will in turn clarify the implementation of Policy CC.9 in the rural and urban areas. Because of this I don't agree the wording "where practicable" is needed in the policy wording. Accordingly, I recommend rejecting the relief sought by SWDC.
309. HCC [S115.058] supports the intent of the policy but considers the scale of it is not feasible in relation to individual resource consent applications. HCC seeks to remove the resource consent requirement and include a definition of 'optimise' within Change 1. I note HCC's concern regarding the scale of application of this policy which I have addressed in paragraph 293 above. I agree it is unclear what is meant by "optimise overall transport demand" and I have recommended amendments to Policy CC.9 and a definition to clarify this, based on the advice in the Transport Technical Planning Report included as **Appendix 3**. I therefore recommend accepting in part HCC's [S115.058] submission point.
310. Waka Kotahi [S129.010] supports the focus on reduction of greenhouse gases, which aligns with Central Government direction as it becomes available. I am unclear on the relief sought by Waka Kotahi. In my opinion Policy CC.9 is already aligned with central government direction. For example, the NPS UD (Objective 8 and Policy 1(e) and (f), Policy 6 (e)).
311. Policy 1(e) and (f) and Policy 6 (e) of the NPS UD already require a reduction in greenhouse gas emissions and consideration of climate change from urban development and in urban environments. As there is no specific relief sought I recommend rejecting Waka Kotahi's [S129.010] submission point.
312. GWRC [S137.009] requests amendments to Policy CC.9 to improve readability and consistency with Policy CC.1 as follows:

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, 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.

313. I agree the proposed amendments provide for consistency in relation to Policy CC.1 and improved readability and therefore recommend the amendments are accepted. The Fuel Companies [FS10.006] oppose in part the relief sought by GWRC as it might constrain maintenance, repair and upgrade of underground infrastructure. I acknowledge the Fuel Companies concerns about the applicability of the policy. However, Policy CC.9 would not, in my view, practically apply to underground infrastructure or the bulk supply of petrol as discussed in paragraphs 64 to 70 of this report. It would have limited applicability to service stations or truck stops and I do not agree the explanation or policy needs to be updated to reflect this. Accordingly, I recommend accepting GWRC's submission and WCC's further submission and rejecting WIAL and the Fuel Companies further submissions.
314. I acknowledge WIAL's [S148.025] submission that the aviation industry will take some time to develop strategies to address emissions from the aviation and airport sector. With regard to WIAL's relief that Policy CC.9 shouldn't apply to air transport, I agree greenhouse gas emissions from aeroplanes flying, landing and taking off should not be considered as this would be inconsistent with Section 5R of the Climate Change Response Act 2002, which provides until no later than 31 December 2024 to decide whether the 2050 target should be amended to include emissions from international shipping and aviation and if it is to be amended and how.
315. However, in my view this policy should apply to airports where a resource consent or Notice of Requirement is being applied for in relation to land development. Consideration needs to be given how land development at the airport supports a choice of transport to and from this location. In my opinion, the implementation of this policy would be applied to the extent practicable in this context and I don't agree the wording of the policy needs to be amended to reflect this. Clarity has been provided by reframing the policy title. For the reasons stated above I therefore recommend rejecting WIAL's [S148.025] submission point and accepting the further submissions from Forest and Bird [FS7.012] and GBI [FS8.013].
316. Forest and Bird [S165.063] is seeking the following amendments to Policy CC.9:

317. 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 ensure the subdivision, use and development have been planned to optimise overall transport demand, maximising mode shift from private vehicles to public transport or active

modes, in a way that achieves the greenhouse gas emission targets in Objective CC.3. ~~contributes to reducing greenhouse gas emissions~~

318. I do not agree the wording of Policy CC.9 needs to be amended to reference Objective CC.3. If this approach was taken for all the policies, they'd all refer to the objectives they give effect to. In addition, Table 1A in Change 1 clearly sets out which policies and methods give effect to which objective. I recommend Forest and Bird's [S165.063] submission point is rejected. I therefore accept the further submission from WIAL [FS17.009] and BLNZ [FS30.319]. I would note that BLNZ's further submission is generic and not related to the relief sought by Forest and Bird, as described in section 6.4 of this report.
319. With regard to the request for implementation clarification from MDC [S166.049], I acknowledge there will be limitations on applying Policy CC.9 within rural areas and in particular for Tier 3 councils. This policy should be applied as far as reasonably practicable to do so. Council has advised they will be working with territorial authorities on the implementation of Change 1. As the relief sought relates to implementation rather than any amendment to the Change 1 provision, I recommend that no recommendation is required on this submission point.
320. As I am recommending amendments proposed by GWRC [S137.009] to Policy CC.9 and as the following submitters have all sought relief to retain Policy CC.9 as notified, I therefore recommend the following submissions are accepted in part; Jonathan Marwick [S82.006], Te Tumu Paeroa [S102.020], Ātiawa [S131.082] Muaūpoko [S133.042], CCS [S142.004], Taranaki Whānui [S167.098], Rangitāne [S168.0170] and [S168.0118].
321. As set out in section 6.4 of this report there has been a coding issue with some further submissions. As it relates to submissions and further submissions on Policy CC.9, as I recommend accepting in part Rangitāne submissions I also recommend accepting in part the further submissions from Sustainable Wairarapa [FS31.100] and [FS31.044]. As Ngā Hapū o Ōtaki [FS29.352] generally supports Ātiawa's submission, I recommend accepting in part this further submission point in so far as it relates to Policy CC.9. Ātiawa [FS20.389] generally oppose Muaūpoko's submission as it relates to the request to recognise a relationship with Te Whanganui-a-Tara. The matter of mana whenua status is not within the scope of this report – it was considered in Hearing Stream One. I therefore recommend accepting in part Ātiawa's [FS20.389] further submission in so far as it relates to Policy CC.9.

3.17.2 Recommendations

That Policy CC.9 is amended as follows. The recommended amendment to Policy CC.9 is to provide greater consistency, clarity with regard to optimising overall transport demand and to assist with the understanding of the purpose and intent of the policy. The policy application has not altered.

322. Amend Policy CC.9 as follows:

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.~~

3.17.3 Section 32AA Evaluation

323. In accordance with s32AA, I consider that my recommended amendments to Policy CC.9 are the most appropriate way to achieve the Change 1 objectives for the following reasons:

- The amendments to Policy CC.9 will improve its efficiency in achieving objectives by providing greater clarity in implementation by referring to the hierarchical approach set out in Policy CC.1.
- The amendments to Policy CC.9 will improve its effectiveness to achieve the relevant Change 1 objectives by clarifying what it would do with more specific actions and outcomes sought to achieve Objective CC.3.

324. That the submission points relating to Policy CC.9 are accepted, accept in part, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.18 Policy CC.10: Freight movement efficiency and minimising greenhouse gas emissions – consideration

3.18.1 Matters raised by submitters

325. There are 15 original submission points and eight further submission points relating to Policy CC.10.

326. Te Tumu Paeroa [S102.021], Ātiawa [S131.083] (supported by Ngā Hapū o Ōtaki [FS29.353]), Muaūpoko [S133.043] (opposed by Ātiawa [FS20.390]),

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Rangitāne [S168.0124] (supported by Sustainable Wairarapa [FS31.051]) support Policy CC.10 and seek that it is retained as notified.

327. WCC [S140.060] and PCC [S30.0124] (supported by PPFL [FS25.042]) oppose Policy CC.10. WCC [S140.060] seeks Policy CC.10 is deleted and PCC [S30.0124] seeks amendments to the policy so it provides clear direction to plan users. I address these points in the paragraphs below.
328. KCDC [S16.023], UCC [S34.033], CentrePort [S83.003], HCC [S115.059], Waka Kotahi [S129.014], Forest and Bird [S165.064] (supported by GBI [FS8.015] and opposed by BLNZ [FS30.319]), MDC [S166.050] and Taranaki Whānui [S167.099] support Policy CC.10 in part. WIAL [S148.026] (opposed by Forest and Bird [FS7.013] and GBI [FS8.014]) opposes Policy CC.10 in part. These submitters all seek amendments to Policy CC.10, which I consider in the following paragraphs.
329. KCDC [S16.023] seeks that “particular regard” in the policy wording is replaced with “consideration” as set out below.

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~~ **consideration** 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.

330. Policies CC.10 (freight movement), CC.11 (whole of life assessment) and CC.9 (reduce greenhouse gas emissions) are all drafted with the term ‘consideration’ within them. Policies CC.9 and CC.10 both include ‘consideration and ‘regard’. These policies are located within RPS Chapter 4.2: Regulatory policies – matters to be considered. A number of operative policies in Chapter 4.2 of the RPS are drafted in this way for example, Policies 35, 37, 38 etc. After discussions with GWRC officers, I have been advised that they have found these types of policies useful in the past because they plug a gap until the plans are updated. The format follows that of the operative RPS and on this basis I recommend KCDC’s [S16.023] submission point is rejected.
331. UHCC [S34.033] and HCC [S115.059] consider Policy CC.10 shouldn’t apply to resource consents (HCC) or resource consents and Notices of Requirement (UHCC). UHCC seeks the following amendment to the policy, whilst HCC didn’t specify particular wording:

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...~~

332. I consider it is appropriate that Policy CC.10 applies to a resource consent or Notice of Requirement as well as plan changes, as anyone (or a requiring authority issuing a Notice of Requirement) can apply, for example, for a freight depot at any location if they wish to and so the plan must account for this eventuality. There may also be other drivers impacting location choice, for example cost of land and availability, therefore this shouldn't be left solely up to the zone to address. On this basis I recommend rejecting the relief sought by UHCC [SS34.033] and HCC [S115.059].
333. CentrePort [S83.003] is seeking to retain Policy CC.10 as notified and would like further emphasis for identifying and protecting strategic locations for freight movement. CentrePort did not provide any suggested wording. In my opinion, this could be done during the development of the regional and district plan stages and changes are not required to the policy. I therefore recommend rejecting CentrePort's [S83.003] submission point.
334. I note Waka Kotahi's request to be involved in drafting and further discussions on the wording of Policy CC.10. I recommend no amendments are made to Policy CC.10 and therefore further discussions are not required. Accordingly, I recommend rejecting Waka Kotahi's [S129.014] submission point.
335. WIAL [S148.026] is seeking clarification about how Policy CC.10 would apply to the airport. In my view Policy CC.10 would have little impact on the operations of WIAL. The policy applies to the establishment of new freight distribution centres (or similar activities) and new industrial areas. Policy CC.10 encourages new freight distribution centres to locate near existing and transport connections for ease of freight movement around the region. WIAL is an existing freight hub and is well serviced by the existing transport and roading network e.g. State highway 1. On this basis I recommend that the relief sought is rejected. I recommend that the further submissions from Forest and Bird [FS7.013] and GBI [FS8.014] are accepted.
336. Forest and Bird [S165.064] is seeking an explicit reference in the policy to Objective CC.3, to provide a stronger link between the objective and the policy.

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~~ **ensure** the proximity of efficient transport networks and locations that will

contribute to efficient freight movements in a way that achieves the greenhouse gas emission targets in Objective CC.3 and ~~minimising associated greenhouse gas emissions.~~

337. I do not agree that including this reference would provide any further clarity or further substance. If this argument was applied to all policies they would all need to reference the objective in which they give effect to. In my view this is unnecessary. Table 1A of Change 1 clearly sets out which policies and methods give effect to which objective and this is sufficient in my opinion. On this basis I recommend rejecting the relief sought by Forest and Bird [S165.064] and the further submission from GBI [FS8.015]. I consider that no recommendation is required on the further submission from BLNZ [FS30.319]. This is a further submission as described in Section 6.4 of this report and it is unrelated to the relief sought by Forest and Bird.
338. The relief sought by MDC [S166.050] relates to implementation of the policy, rather than the wording or scope. The direction from GWRC is that all policies should be applied to the extent practicable within the rural and urban environments, particularly in relation to Tier 3 Councils. My understanding is that GWRC will work with Tier 3 Councils to provide support with implementation. As MDC is seeking that the policy is retained as notified, I recommend accepting the relief sought. Implementation is a matter for the Council.
339. Although Taranaki Whānui [S167.099] seeks that Policy CC.10 is retained as notified, they are also seeking that protections are put in place for mana whenua values. Objective A and supporting Policy IM.1 addresses this matter. No additional reasons are provided within the submission in relation to mana whenua values specially in relation to Policy CC.10. In the absence of reasons, I recommend accepting in part the submission point from Taranaki Whānui [S167.099] insofar as it relates to retaining the policy.
340. Ātiawa [S131.083] seeks to retain Policy CC10 as notified but is concerned that there could be adverse affects on mana whenua values from proposed development within their rohe. Ātiawa also seeks active involvement in decision-making to avoid adverse outcomes for mana whenua and their relationship with their culture, traditions, ancestral lands, water, sites, wāhi tapu and other taonga in the development of new freight distribution centres and new industrial areas. Whilst I cannot comment on the relationship between Ātiawa and the district councils, I am aware that the Council is focused on its relationships and partnerships with mana whenua / tangata whenua in the region and this includes in relation to decision-making. As this is an implementation matter, I do not recommend amendments to the policy wording. Accordingly, I recommend accepting in part Ātiawa's [S131.083] submission point (and the further submission from Ngā Hapū o Ōtaki [FS29.353]) in so far as they seek to retain Policy CC.10 as notified.

341. Whilst Muaūpoko [S133.043] supports inclusion of Policy CC.10, they are also seeking alternative relief which recognises their connection to Te Whanganui-a-Tara. As I am recommending that Policy CC.10 is retained as notified, I recommend accepting Muaūpoko's submission insofar as it relates to retention of Policy CC.10. The matter of recognising a connection to Te Whanganui-a-Tara was addressed in Hearing Stream One. Ātiawa [FS20.390] oppose Muaūpoko's entire submission. As the relief sought is unrelated to Policy CC.10, I therefore reject Ātiawa's [FS20.390] further submission.
342. The relief sought by PCC [S30.0124] (supported by PPFL [FS25.042]) relates to amending the policy so it provides clear and appropriate direction to plan users in line with objectives. PCC also seek definitions for 'freight distribution centre', 'significant freight servicing requirements' and 'efficient transport network'. In my opinion, making Policy CC.10 more prescriptive removes its flexibility in application and has a risk of unnecessarily hamstringing or have an unintended consequence to the territorial authorities and their individual character and requirements. The current policy wording provides flexibility in application to suit the individual territorial authorities. In my view there is little difference between national carriers and specialist freight providers, on the face of it they are transporting goods from one destination to another. In my view the policy doesn't require clarifying in this regard as it is setting the region-wide direction for both industries. As such I consider that adding definitions for freight distribution centres, efficient transport network and significant freight servicing requirements is not necessary and would unnecessarily complicate the policy application.
343. With regards to the policy having a clear direction in line with objectives, to my knowledge Objective CC.3 is informed by the greenhouse gas emission target set by section 5Q of the Climate Change Response Act, which the NERP gives effect to. Section 61(2) of the RMA sets out the matters when changing or preparing a regional policy statement shall have regard to, including plans made under other Acts, which includes the emissions reduction plan made in accordance with the Climate Change Response Act 2002. In my opinion Policy CC.10 gives effect to Objective CC.3 as it addresses greenhouse gas emissions from freight. If freight distribution hubs are more efficiently located near transport networks this contributes to reducing greenhouse gas emissions. I therefore recommend the submission from PCC [S30.0124] is rejected and therefore also recommend rejecting PPFL [FS25.042].
344. WCC [S140.060] seeks the deletion of Policy CC.10 and considers that applying Policy CC.10 to resource consents and Notice of Requirements would result in unnecessary bureaucracy. Policy CC.10 seeks to provide the overarching regional direction around the effective and efficient location of future freight distribution centres or similar activities. In my view this is not unnecessary process or bureaucracy. Managing activities via land zoning is one way of directing a suitable activity to a location. Resource consents and Notice of Requirements are the other way of managing land use locations. Anybody can apply anywhere to undertake a certain activity and so this eventuality needs to be managed where applicants are seeking resource consent for an activity in unanticipated locations.

On this basis I do not recommend Policy CC.10 is deleted and I recommend the submission point from WCC [S140.060] is rejected.

345. As I recommend Policy CC.10 is retained as notified I therefore accept the submission points from Te Tumu Paeroa [S102.021] and Rangitāne [S168.0124]. I recommend accepting the further submission by Sustainable Wairarapa [FS31.051] and note the relief sought is unrelated to Policy CC.10.

3.18.2 Recommendations

346. That Policy CC.10 is retained as notified. As no changes are recommended to Policy CC.10 a s32AA evaluation is not required.

347. That the submission points relating to Policy CC.10 are accepted, accept in part, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.19 Policy CC.11: Encouraging whole of life carbon emissions assessment – consideration

3.19.1 Matters raised by submitters and analysis

348. There are 18 original submission points and 11 further submission points relating to CC.11

349. Taranaki Whānui [S167.0100], Forest and Bird [S165.065] (opposed by BLNZ [FS30.319]), Te Tumu Paeroa [S102.022], Muaūpoko [S133.044] and [S133.045] (opposed by Ātiawa [FS20.391] and [FS20.392]) support Policy CC.11 and request that it is retained as notified or retained. Muaūpoko also seeks whatever alternative relief maybe necessary to ensure Muaūpoko's connection to Te Whanganui-a-Tara is recognised.

350. MDC [S166.051] do not state a position on the policy. They request they are part of developing the assessment (assumed to mean the whole of life carbon emissions assessment) and that more clarity is required to the policy.

351. Phillip Clegg [S62.023], Dr Sarah Kerkin [S96.019], Ātiawa [S131.084] (supported by Ngā Hapū o Ōtaki [FS29.354]), WCC [S140.061] (supported by Waka Kotahi [FS3.035]) and GWRC [S137.057] (WCC further submits neutral [FS13.038]) submit support in part. The relief sought relates to providing examples of whole of life carbon assessment, minor amendments to Policy CC.11 wording and a new method to support the implementation of Policy CC.11.

352. KCDC [S16.024] (opposed by Ātiawa), PCC [S30.059] (supported by the Fuel Companies [FS10.035] and PPFL [FS25.092]), UHCC [S34.034], HCC [S115.060], PPFL [S118.009] opposed Policy CC.11. The relief sought requests the deletion of Policy CC.11, or amendments so it only applies to regional plans, is a non-regulatory method, or that clear direction is provided to plan users. I address these submission points in the paragraphs below.

353. Robert Anker [S31.024] and WIAL [S148.027] (opposed by Forest and Bird [FS7.014] and GBI [FS8.016]) oppose Policy CC.11 in part. Robert Anker seeks examples of whole of life carbon assessments, particularly GWRC's for the EV bus fleet. WIAL seeks to delete Policy CC.11 or clarify it does not apply to the

Wellington International Airport and the aviation Industry. I address these submission points in the paragraphs below.

354. HCC [S115.060] and PPFL [S118.009] both seek to delete Policy CC.11. UHCC [S34.034] and PCC [S30.059] (supported by Fuel Companies [FS10.035] and PPFL [FS25.092]) seek as an alternative to deletion that Policy CC.11 be amended to provide non regulatory guidance and request a definition for 'whole of life carbon emissions assessment' respectively. In response to these submissions, I disagree that Policy CC.11 should be deleted or amended to be a non-regulatory method or guidance for the following reasons.

355. Section 74 of the RMA requires plan changes and territorial authorities to have regard to any plan approved under other Acts, which includes the NERP prepared in accordance with s5ZI of the Climate Change Response Act 2002. Embodied carbon has been proposed to be included within the Building Act by Minister Megan Woods (December 2022)¹³ but this is yet to be developed into a bill, with planned incorporation by 2024. The proposed amendments to the Building Act are supported by the NERP in chapter 12 (Building and construction) in:

- Actions: 12.1.1 (Progress regulatory change to reduce embodied emissions of new buildings),
- 12.1.3 (Realise cross-sector opportunities to reduce whole-of -life embodied emissions),
- 12.3.1 (Amend the Building Code to improve new buildings' operational efficiency),
- 12.3.2 (Encourage and enable emissions reduction from existing buildings),
- 12.5.2 (Develop a strong data and evidence base),
- 12.5.5 (Establish an enabling legislative framework).

356. With regard to the request for a definition for 'whole of life carbon emissions assessment', Change 1 includes a proposed new definition for 'carbon emissions assessment', defined as "an evaluation of the carbon footprint which measures the total volume of greenhouse gases emitted at different stages of a project lifecycle". In my opinion, the reference to 'project lifecycle' in the proposed definition is the reference to 'whole of life'. Whole of life carbon assessments are becoming more common as climate change and New Zealand's response to it becomes more urgent and legislated. Published guidance is already available in the form of Waka Kotahi Sustainability rating tools for high value projects and a Project emissions estimation tool. And whole of life carbon assessments are being applied in the building industry already. I do consider it may be beneficial if some region-wide guidance or examples of whole of life carbon assessments were developed by GWRC for the region, so plan users can understand their content and how they are intended applied to projects to meet the requirements of Policy

¹³ Beehive announcement: [Building Act changes put the environment at the heart of how we build | Beehive.govt.nz](https://www.beehive.govt.nz/building-act-changes-put-the-environment-at-the-heart-of-how-we-build)

Cabinet paper (up to page 19 is the summary, full report attached): [Proposed Building for Climate Change Amendments to the Building Act 2004 \(mbie.govt.nz\)](https://www.mbie.govt.nz/proposed-building-for-climate-change-amendments-to-the-building-act-2004)

- CC.11. Examples could also be provided on Council's website. On this basis I recommend accepting in part the relief sought by UHCC [S34.034].
357. PCC [S30.059] opposes the policy as it is encouraging more information to be included in an Assessment of Environmental Effects for resource consents and supporting information for RMA plans. I disagree Policy CC.11 should be deleted or that a definition for whole of life carbon emissions assessment should be provided as discussed at paragraphs 343 to 344. I disagree there is a scale issue with the application of Policy CC.11. Policy CC.11 would apply to the extent that it is relevant. In my opinion Policy CC.11 already provides clear direction.
358. With regards to UHCC [S34.034]'s point regarding 'encourage' within a policy being non regulatory, in my view, all policies are regulatory. In my view, 'encourage' and 'consider' policies are regulatory policies and direct the reader to think about something in a particular way or stimulate a movement in a certain way or direction. I note there are several 'encourage' policies within the operative Upper Hutt City District Plan. Councils do have control over transport infrastructure to the extent they are the road controlling authority for local roads.
359. In light of the above, I therefore recommend the submission points from HCC [S115.060], PPFL [S118.009] and PCC [S30.059] are rejected.
360. The relief requested by KCDC [S16.024] is that Policy CC.11 is amended so it only applies in a regional capacity. KCDC also considers that Policy CC.11 will add unnecessary cost to infrastructure providers. Paragraphs 73 – 88 of the Section 32 Report set out the region's issues with regard to climate change and this includes transport-related emissions. I am not a climate change expert, however as I understand it, there are two ways to reduce transport-related emissions – through reducing embodied emissions and reducing operational emissions. On this basis I disagree with KCDC that an application or notice of requirement for a new road is "unlikely to present any practicable options to reduce transport-related greenhouse gas emissions" and that greenhouse gas emissions don't come from the infrastructure itself. Published guidance is already available in the form of Waka Kotahi Sustainability rating tools for high value projects and a Project emissions estimation tool. Territorial authorities process Notice of Requirements and resource consent applications and as a result they have the ability to influence land use and development.
361. I also disagree that Policy CC.11 will add unnecessary cost to infrastructure providers. Policy CC.11 'encourages' rather than 'requires' a whole of life carbon emission assessment and is therefore less directive. It is a consideration policy and prompts the reader to think about it. For the reasons stated above I recommend rejecting the relief sought by KCDC [S16.024] and accept the further submission from Ātiawa.
362. I acknowledge it is largely unknown how the aviation industry will respond to climate change. However, whole of life carbon assessments will be legislated through the Building Act and are addressed in NERP, as discussed in paragraph 343 of this report. In my view it is appropriate this policy applies to airport infrastructure which is land based, for example runways and other structures

which may not be captured by the Building Act. This policy may apply to airports where a resource consent or Notice of Requirement is being applied for altered infrastructure or new infrastructure such as a new or larger runway and terminals. This policy would cover the items excluded from the Building Act. Territorial authorities would also give this policy consideration during a plan change, variation or review process in relation to airports.

363. I agree carbon emissions from aeroplanes flying, landing and taking off should not be considered. Section 5R of the Climate Change Response Act 2002 directs a date of no later than 31 December 2024 to decide whether the 2050 target should be amended to include emissions from international shipping and aviation and if it is to be amended and how. Action 10.3.3 of the NERP directs the development and setting of a specific target for decarbonizing domestic aviation in line with the 2050 targets. It also directs the implementation of a sustainable aviation fuel mandate. I therefore recommend amending the explanation of Policy CC.11 to exclude emissions from operating aircraft but I consider it should apply to the infrastructure at the airport. Accordingly, I recommend accepting in part the submission point [S148.027] from WIAL and rejecting the further submissions from Forest and Bird and GBI.
364. GWRC [S137.057] requests a new non-regulatory method to support the implementation of Policy CC.11.

Method CC.3A – Whole of life carbon emissions assessments

Develop information to support the development of whole of life carbon emission assessments, in accordance with Policy CC.11.

Implementation: Wellington Regional Council

365. As discussed at paragraph 344 of this report, I agree guidance on the implementation of Policy CC.11 would be beneficial. Inserting a new method ensures appropriate guidance is developed. However in my view, the new method as proposed by GWRC should refer to 'guidance' rather than 'information'. I therefore recommend accepting in part the following submission points [S137.057] GWRC and [FS13.038] WCC. With regard to the submission points from Phillip Clegg [S62.023], Dr Sarah Kerkin [S96.019] and Robert Anker [S31.024], as noted in paragraph 344 of this report, guidance on the implementation of this policy would be beneficial. Examples of whole of life carbon emission assessments to support the implementation of this policy would also be beneficial and the Council may wish to consider providing these as part of policy implementation. I do not agree that this should be incorporated into the wording of the policy as it would set an unnecessary benchmark/standard at a point in time of the whole of life carbon assessments and will unnecessarily complicate the policy wording. As I am recommending a new method to provide guidance in response to the GWRC submission point, I therefore recommend accepting in part submission points

[S62.023] from Phillip Clegg, Dr Sarah Kerkin [S96.019] and Robert Anker [S31.024].

366. Ātiawa's [S131.084] requests that Policy CC.11 is amended so it is more directive by replacing 'encourage' with 'required', as greenhouse gases from transport represent the largest contributor in the region.

Policy CC.11: ~~Encouraging~~ Whole of life carbon emissions assessment - consideration.

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 required ~~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.

367. I recommend rejecting the relief sought Ātiawa's [S131.084] (and hence the further submission by Ngā Hapū o Ōtaki [FS29.354]) as I consider Policy CC.11 shouldn't be more directive because it would be required with every application and in this instance would be an unnecessary burden on territorial authorities and applicants. There will be a period of transition as industries adjust and do things differently and the notified wording of Policy CC.11 allows for this.

368. WCC [S140.061] requests amendments to the policy title and amendments to the policy wording to provide clarity about how it would be implemented.

Policy CC.11: Encouraging shole of life carbon emissions assessment for transport infrastructure - consideration.

369. MDC [S166.051] also seeks more clarity on the policy. WCC submits more consideration is needed with regards to the implementation of this policy. In its further submission, Waka Kotahi seeks to understand how this policy will align with Central Government direction. I agree the policy heading should be amended to refer to transport infrastructure as it provides further clarity. However, I do not agree the policy wording needs to be refined to provide greater clarity. I have already discussed that I consider non-regulatory region-wide guidance or some examples of whole of life carbon assessments would be beneficial from an

implementation perspective. I therefore recommend accepting in part WCC's submission point [S140.061] and rejecting MDC's [S166.051] submission point. I recommend rejecting the further submission point [FS3.035] from Waka Kotahi. The policy requirements align with central government direction as outlined in paragraph 343 above.

370. I recommend accepting in part the submissions points Te Tumu Paeroa [S102.022], Muaūpoko [S133.044] and [S133.045], Taranaki Whānui [S167.0100] as amendments are recommended to the policy title and explanation. I recommend accepting the submission point from Forest and Bird [S165.065] as they request to retain Policy CC.11.

371. Ātiawa [FS20.391] and [FS20.392] generally oppose Muaūpoko's entire submission. The relief sought by Ātiawa is unrelated to Policy CC.11. I recommend that no recommendation is required.

372. BLNZ [FS30.319] generally opposes Forest and Bird's entire submission. The relief sought by BLNZ is unrelated to Policy CC.11. As I am accepting the submission point from Forest and Bird I recommend rejecting BLNZ's further submission point.

3.19.2 Recommendations

That Policy CC.11 is amended and a new method is included as follows:

Policy CC.11: Encouraging whole of life carbon emissions assessment for transport infrastructure – consideration

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.

Explanation

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.**

Insert a new method - Method CC.3A – Whole of life carbon emissions assessment

Develop guidance to support the development of whole of life carbon emission assessments, in accordance with Policy CC.11.

Implementation: Wellington Regional Council

3.19.3 Section 32AA Evaluation

373. In accordance with s32AA of the RMA I consider my recommended amendments to Policy CC.11 and a new supporting method are the most appropriate way to achieve the Change 1 objectives for the following reasons:

- The amendments to Policy CC.11 and new method will improve its efficiency in achieving the objectives by providing greater clarity in implementation and consistency as a result of region-wide guidance.
- The amendments to Policy CC.11 and new method will improve its effectiveness to achieve the relevant Change 1 objectives. This has been done by amending the policy title and explanation to add clarity. This is further supported by a new method requiring the development of region-wide guidance for whole of life carbon emission assessments providing for a consistent approach across the region.
- Amendments to Policy CC.11 and new method add clarification in policy implementation. The outcomes sought remain the same. The amendments to Policy CC.11 and new method will not add additional environmental or economic cost to the community. The social benefits will remain the same.

374. That the submission points relating to Policy CC.11 are accepted, accept in part, rejected or noted as no recommendation as detailed in **Appendix 1**.

3.20 Policy 10: Promoting travel demand management plans and the Regional Land Transport Strategy (deleted)

3.20.1 Matters raised by submitters and analysis

375. Nine submission points and three further submission points were received in relation to the deletion of Policy 10. Change 1 as notified deletes this policy.

376. KCDC [S16.035], BLNZ [S78.009] (opposed by Ātiawa [FS20.317]), HCC [S115.035], WCC [S140.037], Kāinga Ora [S158.017], MDC [S166.024], Taranaki Whānui [S167.072], Ātiawa [S131.058] (supported by Ngā Hapū o Ōtaki [FS29.328]) support deletion of Policy 10. MDC also further clarity about how the policy would work for Tier 3 councils.

377. Ngāti Toa [S170.024] (supported by Ngā Hapū o Ōtaki [FS29.138]) supports the deletion of Policy 10 in part but seeks that it is retained.

378. I have clarified MDC's submission in relation to deleting Policy 10. They support its deletion from the RPS and acknowledge it is being replaced by Policy CC.2. In relation to MDC's request for further clarity on how Policy CC.2 would work for Tier 3 councils, submissions in relation to Policy CC.2 are addressed within section 6.13 of this report. I therefore recommend the submission from MDC [S166.024] in relation to Policy 10 is accepted.

379. Ngāti Toa [S170.024] seeks to retain Policy 10, because it relates to travel demand management plans. Policy CC.2 is the proposed replacement for Policy

10, providing similar direction regarding travel demand management plans. Because of this, I recommend rejecting the relief sought by Ngāti Toa.

380. Ātiawa [FS20.317] oppose BLNZ's entire submission, the relief sought by Ātiawa is not related to the deletion of Policy 10. As I accept BLNZ's submission, I reject Ātiawa's further submission.

381. Ngā Hapu o Otaki support Ātiawa's entire submission. The relief sought by Ngā Hapū o Ōtaki [FS29.328] is not relevant to the deletion of Policy 10. As I recommend accepting Ātiawa's submission, I recommend accepting Ngā Hapū o Ōtaki's further submission point. Similarly Ngā Hapū o Ōtaki support Ngāti Toa. The relief sought by Ngā Hapū o Ōtaki [FS29.138] is unrelated to Policy 10. As I recommend the rejection of Ngāti Toa's submission point I recommend Ngā Hapū o Ōtaki's [FS29.138] further submission point is also rejected.

382. I recommend accepting the submissions seeking to retain Policy 10 as notified. I have interpreted Taranaki Whānui and WCC's submissions as support for the deletion of Policy 10.

3.20.2 Recommendations

383. That Policy 10 is deleted as notified, therefore no s32AA evaluation is necessary.

384. That the submission points relating to the deletion of Policy 10 are accepted or rejected as recorded in **Appendix 1**.

3.21 Method 25: Information about the provision of walking, cycling and public transport for development prepare and disseminate information about how to provide for walking, cycling and public transport (deleted)

3.21.1 Matters raised by submitters and analysis

385. Four submission points were received in support of deleting Method 25 (HCC [S115.096], WCC [S140.098], Kāinga Ora [S158.035] and Taranaki Whānui [S167.0148]). As other provisions within Change 1 now replace this method, I recommend the submission points are accepted.

3.21.2 Recommendations

386. That Method 10 is deleted as notified, therefore no s32AA evaluation is necessary.

387. That the submission points relating to Method 25 are accepted as detailed in **Appendix 1**.

4.0 Conclusions

388. A range of submissions have been received in support of, and in opposition to the provisions relating to Climate Change - Transport of Change 1.

389. After considering all the submissions and reviewing all relevant statutory and non-statutory documents, I recommend that Change 1 should be amended as set out in **Appendix 2** of this report.

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

Recommendations:

I recommend that:

391. Change 1 is amended in accordance with the changes recommended in **Appendix 2** of this report; and

392. The Independent Hearing Panels accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix 1** of this report.