

**Proposed Change 1 to the Wellington Regional Policy Statement
Hearing Stream 3 – Climate Change**

Speaking Notes – Michael Rachlin on behalf of Porirua City Council

2pm, Wednesday 30th August 2023

1. Thank you Chair and members of the two hearing panels.
2. My name is Michael Rachlin. I am a Principal Policy Planner employed by Porirua City Council (PCC). I produced two statements of planning evidence in support of a number of submission points from PCC on the provisions in Change 1 being addressed in Hearing Stream 3 – Climate Change. These statements relate to the Climate Change – General topic and the Climate resilience and Nature Based solutions topic.
3. I have carefully considered the rebuttal statements from Mr Wyeth and Ms Guest. Having done so, I remain of the opinion that the changes I have recommended to Change 1 more appropriately respond to the concerns of PCC and are the most appropriate means of achieving the purpose of the Act. The purpose of my speaking notes is to highlight some key points of my evidence and to also respond to comments made in the rebuttal statements.
4. **Integrated Approach:** I identified that responding to the effects of climate change requires an integrated approach, one which involves actions across a range of policy areas, regulations, and funding processes. The resource management system is an important **part** of this response. I do not consider the provisions of Change 1 have adequately recognised the role of district and regional plans, alongside other legislative and regulatory actions as identified in the national adaptation and emissions reduction plans, and as such risks unnecessary duplication and regulatory costs. I have recommended changes that are intended to remove these duplications and/or areas of implementation uncertainty and by so doing more clearly achieve the direction of travel sought by Change 1 in terms of increasing resilience to the effects of climate change and decreased emissions.
5. **Urban Development:** As part of recognising the role of the resource management system in responding to the effects of climate change, I addressed the negative framing of Change 1 to urban development. It has generally been framed as a “problem” rather than part of the solution; unlike the national adaptation and emissions reduction plans which recognise its positive role. Accordingly, I have recommended that *Table 1A: Climate Change Objectives and titles of policies and methods to achieve the objectives*, be amended to include Policies 30 (commercial centres hierarchy) and 31 (urban intensification). The S42A report for Climate Change – General has not addressed this matter.
6. I consider that the failure to address the positive role of urban development results in an unbalanced approach to achieving the emissions reductions and increased climate-resilience outcomes of Change 1. The urban intensification requirements of the NPS-UD, as already implemented by PCC in its Intensification Planning Instrument, puts into place a spatial pattern of zoning and development that supports a reduction in greenhouse gases. Change 1 policies such as Policy CC.8 (as amended by the S42A report author) and CC.1 (as amended by the S42A report author) do not appropriately recognise this. My colleague Mr Smeaton has addressed Policy CC.1 in his statement of evidence.
7. **Climate Change Objectives:** I have recommended that these be reduced in number and simplified in a way that:

- Better identify the outcomes by removing unnecessary wording;
 - Better recognises that resource management plans can contribute to the outcomes, alongside other regulatory and legislative tools;
 - Removes the actions to achieve the outcomes from the objective; and
 - Removes objectives, such as Objective CC.4 (nature-based solutions), Objective CC.5 (increasing area of permanent forest) and Objective CC.7 (public awareness) which are akin to policy directions since they simply set out actions to achieve reduced greenhouse gas emissions and/or to increase climate resilience.
8. In relation to Objective CC.2, Mr Wyeth in his rebuttal statement references the section 32 evaluation guidance from the Ministry for the Environment in support of having this objective. With respect, I consider there is a significant difference between guidance on section 32 evaluations and having an objective that district plans must give effect to. Mr Wyeth's response does not fully address the points I raised in my statement of evidence. In simple terms, district plans must give effect to the objectives and policies of the RPS (including the example in my statement of evidence) plus other higher order documents such as national policy statements. Consequently, equity needs to be hard baked into these higher order documents if lower order district plans are to achieve the equity outcome in objective CC.2. If they do not, then it places Councils implementing district plans in an invidious position. For example, district plans must protect regionally significant infrastructure, or require the avoidance of development in areas of high coastal hazard risk under the direction of the RPS, while somehow doing this in way that is equitable in terms of cost and benefits between sectors and communities.
9. **Policy CC.8.** Mr Wyeth has confirmed in his rebuttal statement that this policy was not the subject of the s32 evaluation for Change 1.
10. I agree with Mr Wyeth that district plans have an important role in supporting reductions in greenhouse gases and have earlier mentioned PCC's Intensification Planning Instrument which creates a spatial blueprint to achieve this by promoting urban intensification and managing the distribution of land uses across the urban environment. Other actions included in Porirua's Proposed District Plan, include enabling walkways, cycleways and shared pathways as a permitted activity¹. This being the case I am unclear how Policy CC.8 is meant to be implemented by territorial authorities in their district plans over and above the types of actions I have already discussed. Mr Wyeth places much emphasis on Method CC.2 to spell out how the policy is to be implemented. Relying on a future Method to provide the clarity missing from a policy is not, in my opinion, sound policy making. I continue to recommend that the policy is deleted or amended to apply only to regional plans.
11. **Anticipated Environmental Results (AER):** In his rebuttal statement, Mr Wyeth has agreed with me that there are gaps in the anticipated environment results for the proposed climate change objective in Change 1. He has recommended two additional AERs. The gap I identified was in fact for Objective CC.1 which requires that Wellington becomes a climate-resilient region as opposed to a region with increased resilience to the effects of climate change as I have recommended. He has not addressed this nor my recommended interim solution of using the AERs for the Natural Hazards chapter. His recommended Objective CC.1

¹ INF-R9

continues to require that the region becomes *climate-resilient* and no AER is proposed for this key outcome. It therefore remains unclear what will be required to achieve this objective, and when it will have been achieved.

12. **Definition for nature-based solutions:** In my statement of evidence, I identified that the definition needed to be amended in line with the mandatory requirements of the National Planning Standards given the clear overlap with the mandated definition for Green Infrastructure. This remains my position and would observe that the “nature-based solutions” identified in Ms Guest’s rebuttal statement, these being green-blue infrastructure and water sensitive urban design, are in fact examples of Green Infrastructure.
13. **Policies CC.4 and CC.14:** I have considered Ms Guest’s rebuttal statement and still consider my recommended amendments are the most efficient and effective way to achieve the objectives of Change 1 for the reasons set out in my statement of evidence. In response to points made in Ms Guest’s rebuttal statement I would note the following:
 - The 10% and 30% coverage stated in Policy CC.4 is to tree canopy cover and not green space as stated in the rebuttal statement.
 - The evidence base referenced in paragraph 170 of Ms Guest’s s42A report is to a case study summary for Melbourne’s project to double public realm canopy cover by using Council land for tree planting and Seattle’s Urban Forest Stewardship Plan. I could not find these studies listed in the s32 evaluation report nor any other assessment which identify the appropriateness of requiring these levels of tree canopy coverage (as opposed to green space) in every “suburb” (Ms Guest has not provided clarification on what these are and how they are to be identified) in the Wellington region. For me, the issue is not the appropriateness of seeking increased green space and tree canopy coverage in urban areas, but rather the use of prescriptive tree canopy cover targets across all parts of Wellington in undefined “suburbs”.
 - Policy HRZ-P13 (City Outcomes Contributions) from the Wellington Proposed District Plan is now recommended to be deleted by the reporting officer for that topic following evidence heard at the hearings. It is now recommended that the City Outcomes Contributions provisions are not to apply in the High Density Residential Zone (HRZ). This is identified in the relevant right of reply².
14. **Policy CC.18 and Policy FW.8:** For the reasons I have set out in my statement of evidence for climate-resilience and nature-based solutions, I continue to consider that Policy CC.18 needs to be amended to remove its level of prescriptiveness, while Policy FW.8 needs to be confined to the regional council since it requires non-RMA actions. Contrary to Ms Guest’s opinion that Policy CC.18 is simply implemented by Method CC.4, a district plan still needs to give effect to the policies, regardless of Method CC.4. Indeed Method CC.4 (regional forest spatial plan) involves developing a non-RMA plan, which raises the question of why Policy CC.18 is even necessary if it is solely to be implemented by way of an action outside of the Resource Management Act?

Thank you.

² Stream 4 Reporting Officer Right of Reply of Anna Stevens on behalf of Wellington City Council, Date: 4 August 2023