

AUCKLAND UNITARY PLAN
INDEPENDENT HEARINGS PANEL

Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau

Report to Auckland Council
Hearing topic 007
Climate change

July 2016

Report to Auckland Council – Hearing topic 007 Climate change

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1. Hearing topic overview

1.1. Topic description

Topic 007 addresses the regional policy statement provisions of the proposed Auckland Unitary Plan relating to:

Topic	Proposed Auckland Unitary Plan reference	IHP reference
007 Climate change	B9 Responding to climate change	B10 Environmental risk; other sections of the Plan as set out below.

Under the Local Government (Auckland Transitional Provisions) Act 2010, section 144 (8) (c) requires the Panel to set out:

the reasons for accepting or rejecting submissions and, for this purpose, may address the submissions by grouping them according to—

- (i) the provisions of the proposed plan to which they relate; or
- (ii) the matters to which they relate.

This report covers all of the submissions in the Submission Points Pathways report (SPP) for this topic. The Panel has grouped all of the submissions in terms of (c) (i) and (ii) and, while individual submissions and points may not be expressly referred to, all points have nevertheless been taken into account when making the Panel's recommendations.

1.2. Summary of recommended changes to the proposed Auckland Unitary Plan

Provisions relating to climate change have been integrated across the regional policy statement rather than placed in a standalone chapter.

The Panel recommends that the regional policy statement provisions be amended to achieve a more integrated approach to managing the effects of climate change. Accordingly a number of the regional policy statement sections have been amended to incorporate climate change provisions including those relating to urban growth (and structure planning), infrastructure, subdivision use and development in the coastal environment and natural hazards.

Objectives and policies relating to matters such as carbon sinks, waste minimisation and local food production are not able to be implemented through plan provisions. Accordingly these regional policy statement objectives and policies have been deleted.

1.3. Overview

The Panel accepts that climate change is a significant issue, but did not support climate change as being a 'topic in its own right'. A policy framework to mitigate or adapt to the

effects of climate change needs to be integrated across the regional policy statement and addressed as part of subdivision, use and development as well as the protection of natural and physical resources.

It is the Panel's recommendation that the relevant climate change provisions be integrated across the regional policy statement rather than placed in a standalone chapter. Accordingly the section of the regional policy statement that dealt with climate change has now been recast more broadly and deals with environmental risks including subsections on natural hazards, hazardous substances, contaminated land and genetically modified organisms.

1.4. Scope

The Panel considers that the recommendations in 1.2 above and the changes made to the provisions relating to this topic (see 1.1 above) are within scope of submissions.

For an explanation of the Panel's approach to scope see the Panel's Report to Auckland Council – Overview of recommendations July 2016.

1.5. Documents relied on

Documents relied on by the Panel in making its recommendations are listed below in section 4 Reference documents.

2. Integrated approach to climate change

2.1. Statement of issue

The Panel recognises that the effects of climate change on the region's natural and physical resources are a significant resource management issue that must be addressed by the Unitary Plan. Given the importance of this issue and the fact that climate change relates to a range of matters addressed in the regional policy statement, it is the Panel's view that provisions relating to climate change should be integrated across the regional policy statement rather than in a standalone chapter. This will ensure a more comprehensive and consistent approach to addressing the effects of climate change is achieved.

It is also noted that at the plan level there are no standalone chapters relating to climate change that would implement the provisions in the notified regional policy statement (Chapter B9).

2.2. Panel recommendation and reasons

In many instances the objectives and policies contained in Chapter B9 relate to matters that are addressed in other chapters of the regional policy statement. It is therefore more efficient in the Panel's view to include reference to climate change in the other regional policy statement chapters rather than repeat these same matters again in a separate chapter. For example Policy 1 has a strong focus on renewable energy and energy efficiency which are covered in B3.4: Energy, and both Policy 1 and Policy 2 refer to sustainable design which is addressed in B2.3: A quality built environment.

There is a strong relationship between climate change and natural hazards, as nearly all natural hazards will be affected by climate change. This relationship has been recognised at the plan level but not to the same extent at the regional policy statement level of the proposed Auckland Unitary Plan. The Panel considers that this relationship needs to be strengthened in the regional policy statement and an effective way of achieving this is to integrate relevant climate change matters into B10.2 Natural hazards. This will ensure greater alignment between the regional policy statement provisions and the plan level provisions and will result in the effects of climate change being taken into consideration in the management of natural hazards.

The Panel agrees with the legal submissions of Mr Nolan on behalf of Auckland International Airport Limited to hearing topic 005 that the regional policy statement should not be developed in a vacuum without consideration of how the regional policy statement flows down into the rule framework. Therefore if the regional policy statement objectives and policies are not implemented through provisions at the plan level then the Panel questions the need to include such objectives and policies in the regional policy statement. Objective 1 and Policy 1 refer to carbon sinks and Policy 1.e, 1.f and 1.h refer to waste minimisation and local food production. None of these matters has corresponding objectives, policies or rules at the plan level. The Panel is therefore recommending that these components of the objective and policies are not integrated into other sections of the regional policy statement.

3. Consequential changes

3.1. Changes to other parts of the plan

As a result of the Panel's recommendations on this topic, there are consequential changes to other parts of the Plan as listed below.

- i. B2.3 A quality built environment;
- ii. Appendix 1 Structure plan guidelines;
- iii. B3.2 Infrastructure;
- iv. B3.4 Energy;
- v. B7.4 Coastal Water, freshwater and geothermal water;
- vi. B7.2 Indigenous biodiversity;
- vii. B8.3 Subdivision use and development (in the coastal environment);
- viii. B10.2 Natural hazards and climate change.

3.2. Changes to provisions in this topic

There are no changes to provisions in this topic as a result of the Panel's recommendations on other hearing topics.

4. Reference documents

The documents listed below, as well as the submissions and evidence presented to the Panel on this topic, have been relied upon by the Panel in making its recommendations.

The documents can be located on the aupihp website (www.aupihp.govt.nz) on the hearings page under the relevant hearing topic number and name.

You can use the links provided below to locate the documents, or you can go to the website and search for the document by name or date loaded.

(The date in brackets after the document link refers to the date the document was loaded onto the aupihp website. Note this may not be the same as the date of the document referred to in the report.)

4.1. General topic documents

Panel documents

[007-Submission Point Pathway Report - 10 Oct 2014](#) (17 October 2014)

[007-Parties and Issues Report - 10 Oct 2014](#) (06 March 2014)

Auckland Council marked up version

[007- LATE Auckland Council Proposed Markup Version - Climate Change](#) (06 November 2014)

Auckland Council closing statement

[006/007 - Closing Statement](#) (02 December 2014)

4.2. Specific evidence

Auckland International Airport Limited

[005 Hearing evidence - legal submissions](#) (2 November 2014)

[006 - Legal Submission](#) (01 December 2014)

Scentre (New Zealand) Limited

[006 - Legal Submission](#) (26 November 2014)

Stevenson Group Limited

[006 - Legal Submission](#) (01 December 2014)