



31 May 2006

S06.19

**Submission to the Local Government and Environment Select Committee
on the Resource Management (Climate Protection) Amendment Bill**

Introduction

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 38 nationally organised societies. It has 32 branches spread throughout the country to which women from some 150 societies are affiliated. The council's function is to serve women, the family and the community through research, study, discussion and action.

The present submission has been compiled from the responses of most members of the Council's Environment Standing Committee, and from several branches, ranging from one end of the country to the other, the subject being one which is of great concern to many of our members.

Background

NCWNZ began its engagement with the submission process regarding the Resource Management Act in the lead-up to the 1991 passage of the Act, and has submitted consistently on the several amendments since that date (S93.12, S96.09, S98.02, S99.07, S02.03). NCWNZ has policy which opposes any amendment to the Act which will compromise the principles and purpose of the Act, or replace local councils with commissioners in the resource consent process. Thus, NCWNZ has a history of support for the Act's intention to manage resources so that future New Zealanders will enjoy them as much as the present generation is able to do.

Members of the Environment Standing Committee were given a detailed account of what was said at the Climate Change Conference held in Wellington at the end of March 2006, and branches were circulated with a more general account of it, so that they had some understanding of the reasoning behind the present Amendment Bill.

General Comments

Respondents to the NCWNZ questions were mostly in agreement with the stated Purpose, that regional councils are able to take into account the effect of greenhouse gas emissions on climate change when considering applications for air discharge consents and developing rules in regional plans. There were a few who disagreed, being concerned that the proposals, if enacted, could be used to oppose any resource consent application that requires an air discharge consent. Also of concern is that Regional Councils, in formulating rules, could include within the air discharge consent process some activities which until now have been exempt. Many respondents had done considerable research into how the 2004 amendment to the 1991 Act had affected the ability of regional councils to consider the effects of gaseous discharges on climate change, and thus are well informed about what effect this present proposed amendment will have on councils' ability to include consideration of climate change as they go about their business.

There was some ambivalence as to whether taking action at the local level is the best way to address the question of tackling climate change. Some respondents were very supportive of the idea that acting locally will have wider and desirable ramifications, while others worry that inequities of outcome may result, because of differing circumstances in various regions. It was suggested that while reducing emissions works well locally for good health outcomes, a nationwide strategy is essential because climate change is a national and international problem. One respondent quoted, "Regional councils don't feel able to consider global warming impacts on a





regional basis without a significant framework being developed by central government to consider offsets, mitigation and enforcement”. There is also a suggestion that if an activity is of national importance with respect to global emissions, then it should be considered at a national level, by the Minister calling it in.

Several respondents were of the opinion that a national standard is desirable, to avoid the possibility of different regional authorities having different rules regarding the control of gaseous discharges.

In general, the feeling of the membership of the National Council of Women of New Zealand is that although a national instrument to control discharges to air because of the implications for climate change is the ideal to be aimed for, giving regional and unitary authorities the ability to use legislated standards to work towards and apply locally is a good interim measure.

Specific Comments

Part 1

Amendments to Principal Act

Clause 5 Application to climate change of rules relating to discharges of greenhouse gases

NCWNZ supports the repeal of Section 70A, which would allow regional councils to control discharges to air of greenhouse gases because of their effects on climate change. One Branch pointed out that climate change must be taken into account for a number of planning issues, including the possibility of flooding, erosion and housing developments in the future. Therefore, it is not unreasonable to take account of climate change when planning to reduce the emissions that help to bring it about.

Clause 6 Implementation of regulations made under section 43

NCWNZ members do not wholeheartedly support this amendment. Some feel that the discretion of regional councils in respect of controlling discharges of greenhouse gases should not be entirely unlimited. They reason that different circumstances might mean that applicants for discharge permits would suffer a greater economic impact than applicants in other regions which have tight controls on the ability to emit greenhouse gases. Some industries and businesses, too, might bear greater impact than others because the net of the application of the rules is cast more widely.

Clause 7 Applications relating to discharges of greenhouse gases

NCWNZ supports the repeal of Section 104E. Regional councils are already able to consider the effects on residents' health and wellbeing of discharges to air of all sorts of gases when considering applications for discharge or coastal permits. Because the matter of climate change is so urgent and serious, councils should be enabled to consider such effects on it. One respondent suggested that rather than councils being merely *enabled* to consider the effects on climate change of discharges and emissions, they should be *required* to consider such effects.

Conclusion

NCWNZ supports repealing the suggested sections of the Resource Management Act in the hope that regional planners may be enabled to take whatever steps are reasonable and necessary as part of the national effort to reduce the emission of gases that have a bearing on global warming and thus contribute to climate change. Empowering planners and permit granters to specifically include the notion of climate change in their plans and their consideration of applications for discharges will give them greater authority and strengthen their ability to withstand assaults on that authority.

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