



## **Submission by Civic Trust Auckland on the Natural and Built Environment Bill**

To: Environment Committee  
Parliament Buildings  
Wellington

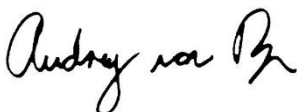
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1. Civic Trust Auckland (CTA) is a non-profit public interest group formed in 1968 with activities and interests throughout the Auckland region. The aims of the Trust include the:
  - protection of natural landforms
  - preservation of heritage in all its aspects
  - encouragement of good planning for the city and region.
2. CTA is a regular submitter on matters of interest to it, mostly at a local government level. It makes submissions on planning documents including Auckland's legacy district plans and subsequently its new Auckland Unitary Plan in 2013. CTA also submits on local plans and occasionally upon resource consents of public interest.
3. CTA has submitted on national matters where they affect the Auckland region. With the Resource Management Act (RMA) the subject of ongoing commentary, CTA has made submissions on that over time, including upon the government's 2013 discussion document about improving our resource management system. Most recently we submitted in August 2021 on the consultation draft of the Natural and Built Environment Bill, which will in part replace the RMA.
4. CTA has consistently noted the apparent failure to properly recognise and protect those aspects of the built environment which embody the heritage and character of certain places and areas. There has in CTA's view been a progressive weakening of protections for those aspects of the built environment. We supported the creation of a National Policy Statement (NPS) under the RMA for Heritage with the aim of requiring local authorities to place more weight on recognising and supporting heritage places and areas in district plans.
5. The Government initiated a report identifying issues within New Zealand's heritage protection system. Undertaken by the Ministry for Culture and Heritage, it resulted in a Draft Report in 2018 entitled 'Strengthening protections for heritage buildings'. Part of that report involved consideration of an NPS for Heritage.
6. While the NPS-Heritage languished, the Government gazetted the National Policy Statement on Urban Development (NPS-UD) in August 2020, and in December 2021, the Resource Management (Enabling Housing Supply and Other Matters)

Amendment Act 2021 brought forward implementation of the NPS-UD and directed Council to significantly increase intensification, except for where a 'qualifying matter' might make that inappropriate.

7. Auckland, Council offered up its existing heritage schedules as a qualifying matter provided for under that legislation, and those schedules include 'historic areas', Category A places of regional significance and Category B buildings of local significance. Much heritage in Auckland remains unassessed and unprotected.
8. Under the new Natural and Built Environment Bill (NBE Bill), the new 'effects management framework' provides only for potential protection of 'specified cultural heritage'. In the context of built heritage, that will mean just those places which meet the criteria for inclusion on the List of Heritage New Zealand Pouhere Taonga (HNZ) as Category I places or Historic Heritage Areas. We think this is too limited and would render the overwhelming majority of Council's heritage schedules and HNZ's List unprotected, and we consider this is neither prudent, necessary nor widely supported. In effect, the NBE Bill puts local heritage at risk.
9. The list of systems outcomes to be provided for under the NBE Bill include both protective and development focused matters, with no hierarchy or weighting between them. This means the Minister and regional planning committees (RPC's) will be faced with resolving such conflicts.
10. We suggest the NBE Bill stipulate that the local government representatives on RPC's should be elected members, to ensure stronger accountability before communities. We are concerned at the limitation of preparation and notification of regional spatial strategy plans (RSS) and national built environment plans (NPEP) to 'selected representatives' and Māori may reduce the rights of local communities to participate in planning process.
11. In order to express views of local communities, we suggest the NBE Bill should make consideration of Statements of Community Outcomes (SCOs) compulsory.
12. In order for councils and communities to influence regional planning decisions. the NBE Bill should be amended to make it mandatory for councils to produce Statements of Community Outcomes (SCOs) and Statements of Regional Environmental Outcomes (SREOs), and the Bill should be amended to require RPCs to "give effect" to those statements.

**Signature of person making submission:**



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