



the architectural centre inc.
PO Box 24178 Wellington

14 March 2016

Committee Secretariat
Local Government and Environment
Parliament Buildings
WELLINGTON 6160

Re: Resource Legislation Amendment Bill

This submission is from the Architectural Centre, an incorporated society dating from 1946, which represents both professionals and non-professionals interested in the promotion of good design.

1. We support increased public participation and engagement with RMA processes.
2. We consequently oppose striking off submissions (s41D(2)). Our reason is that many community groups do not have access to legal advice and may not have experience in the submissions process, and so would be vulnerable to having their submissions struck off due to lack of skill in submission writing and/or lack of knowledge of the rules of evidence.
3. We likewise consider that amending s144 to allow a Minister to call in a matter "5 working days before the date fixed for the commencement of the hearing" could significantly disadvantage community submitters, who are likely to have limited resources, limited access to lawyers and experts, and limited flexibility to reschedule their lives around a new hearing process.
4. We can see potential problems with the proposed restrictions relating to heritage orders over private land, and note that the ability to order a heritage protection authority purchase the relevant land (s198) is a significant deterrent to spuriously-initiated heritage orders. In addition, as Bruce Chapmen, CE of Heritage NZ has recently noted, "Unlike our natural heritage ... historic heritage places are generally in private ownership" (*Heritage Quarterly* Autumn 2016, p. 3). This issue is core to whether or not heritage retention is considered (and protected as) a public good.
5. We oppose the inclusion of "sufficient development capacity in relation to residential and business land" (ss30,31) because of the potential to cause urban sprawl to the detriment of city form, and the difficulty in determining the meaning of "sufficient development capacity." If such a clause is to be retained, we ask that a further factor be listed in s30(5) to favour efficient use of land (including increased density), when evaluating whether there is sufficient capacity of land for development. We are also unclear why development capacity for private business needs specific legislation, when economically viable development will presumably be supported by the market, and are concerned that such legislation may further encourage land-banking. We see this business need as distinct from the provision of social housing, which is inherently uneconomic.

6. We support aims to reduce duplication and support the idea of a National Planning Template (ss58B-J).

7. We support the inclusion of clauses related to natural hazards (ss6,106), and the use of e-mail as a service address. We do however consider it necessary to ensure copies (hard copy or electronic) are provided to the relevant public library/ies to ensure that those with limited/no electronic access are not excluded from participation.

8. We wonder if removing the requirement for a draft Board of Inquiry report (s149Q) could result in additional legal appeals, as the publication of a draft can enable the correction of errors - which are almost inevitable in such complex inquiries. The apparent increased time pressure on Boards of Inquiry (s149L) may amplify this.

The Resource Legislation Amendment Bill is clearly a complex one, and we are confident we will have missed commenting on aspects of concern to our members. Consequently, absence of express opposition to any aspects of this Bill cannot be taken as endorsement of them.

Thank you for this opportunity to comment on the Resource Legislation Amendment Bill. If you have any questions please do not hesitate to contact me. We are not able to speak at the Select Committee hearing.

Yours faithfully

Christine McCarthy
President, Architectural Centre
arch@architecture.org.nz