

9 April 2018

Hon. David Parker
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Tēnā koe Minister

Congratulations on your recent appointment as Minister for the Environment. We are writing to you to highlight a number of issues that we consider important in your Environment portfolio.

As you may know, the Architectural Centre has a long history of advocating for a better environment through good design. We believe that the environmental problems of climate change, urban liveability, and historic heritage demand thoughtful and sophisticated solutions that don't just enforce, but also inspire change to effect social aspirations. Of prime importance to us is the ability of the legislative regime of the Resource Management Act (RMA) to provide more explicit recognition of the importance of urban design. Good design of cities is important for cultural, health and economic reasons. With respect to this we have the following comments and suggestions to make:

1. **Currently urban design is not an explicit consideration under the RMA.** Rather this is engaged with indirectly via the "*maintenance and enhancement of amenity values*" (s7(f)) and "*the protection of historic heritage from inappropriate subdivision, use, and development*" (s6(f)). Amenity values are defined as "*those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes*" (s2). Consequently we suggest the following:
 - (a) **Implement an National Policy Statement (NPS) on Urban Amenity Values and Urban Design.** We believe central government has an important responsibility to provide guidance and leadership on resource management matters through the publication of NPSs. We consider that an NPS on urban amenity values and urban design, as part of the regulatory framework of the RMA, would be a significant and positive step towards improving the quality of our built environment and the liveability of our cities. Such an NPS could include:
 - (i) universal design in urban contexts. Universal design anticipates the abilities of all groups (including the elderly and disabled). Proactively addressing how an ageing population can be supported by urban environments will become increasingly important in the future.
 - (ii) requirements for inner city residential density, and removing mandatory provisions for car-parking in District Plans.
 - (iii) sustainable transport supporting the role of public transport and active transport modes (specifically walking and cycling) in creating people-centred cities. Smart land-use (where development and transport infrastructure are mutually supportive) is an important aspect of this.



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- (iv) water sensitive urban design, linking in with the Ministry for the Environment's Water Programme and Urban Water Interest Group.
 - (v) aspects of urban natural resources, including better protection for significant trees, the importance of green corridors, predator-free environments, and urban biodiversity.
 - (vi) a requirement for District Plans to identify areas of highly fertile land, that are particularly beneficial for horticultural production, and to protect them from development.
- (b) **Update the Urban Design Protocol.** We believe a review and updating of the Urban Design Protocol is overdue, and would complement an NPS on urban amenity values and urban design. This could also include a review of recent RMA case law pertaining to amenity value as this relates to urban design.
- (c) **Implement an NPS on Historic Heritage.** Historic heritage is an important aspect of urban design because it contributes to aesthetic character, place-making and urban identity. We believe an NPS on Historic Heritage is required to provide clearer guidance at all levels of the RMA hierarchy regarding historic heritage, as well as supplementing better definition, requirements, and guidance regarding urban design.
2. Addressing issues of energy-use (embodied and operating energy) and waste is important to achieve a sustainable built environment. Consequently we suggest the following:
- (a) **Increase the consideration of Climate Change in the RMA.** We recommend that a more proactive stance must be taken with respect to evaluating the causes of climate change in the Resource Management Act. In this regard we note that Part 2 of the RMA requires decision-makers to "*have particular regard to ... the effects of climate change*" (s7(i)), but nowhere does the RMA require decisions regarding development to take into account activities which will exacerbate or cause climate change. We also suggest that it would be appropriate for s32 reports, which require an assessment to "*identify and assess the benefits and costs of the environmental ... effects that are anticipated*" (s32(2)(a)), to explicitly require the inclusion of a climate impact assessment (including assessments of energy use and carbon emissions). Similarly we ask that the RMA be amended to also require a climate impact assessment to form part of an adequate consideration to alternatives (e.g. ss171, 168A). This supports the sentiment of the coalition and confidence and supply agreements between Labour and its support partners which states that "*[a]ll new legislation will have climate impact assessment analysis.*"
 - (b) We would like to see **increased incentives for developments to use sustainable building practices and materials.** New developments should be responsive to innovations in building technologies and design, and District Plans should encourage new developments to champion innovative, sustainable solutions. This includes the adaptive reuse of buildings because adaptive reuse of buildings has both positive heritage and sustainability outcomes. Adaptive reuse is also a creative endeavour and can be a mechanism to increase residential density while maintaining aspects of streetscape and external character. Such advances should also be cognisant of life-cycle assessments of energy-use, including the embodied energy of building products to ensure the lifetime of products is sufficient to warrant the energy expended in making them.

- (c) We are also supportive of Associate Environment Minister Eugenie Sage's proposed review of the Waste Minimisation Act 2008. In addition, we would like to see **incentives developed for water recycling, and the use of greywater systems and life-cycle evaluations of energy-use.**

Finally, as a group which in recent years has needed to resort to legal mechanisms to advocate for better environmental outcomes, **we support the funding provided for not-for-profit groups through the Environmental Legal Assistance Fund.** We understand the importance of including local perspectives, as well as the perspectives of communities of interest, in resource management decision-making. We would like to see the ELAF funding increased to enable a greater number of worthy applications to access funding, especially for advocating matters of local and regional significance, which we note can often miss out on funding against applications relating to matters of national significance.

Thank for you considering our comments above. As a group which has broad interests relating to the built environment we have also sent letters to the Minister for Arts, Culture and Heritage, the Minister for Climate Change, and the Minister of Conservation, and will be writing in the near future to the Minister for Building and Construction, the Minister of Transport and the Minister of Housing and Urban Development. Copies of these letters, and any replies, are posted on our website at: <http://architecture.org.nz/submissions/>

We wish you really well in this extremely important role, and if we can assist in anyway please let us know.

ka nui ngā mihi



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