

House of Representatives

Supplementary Order Paper

Tuesday, 25 July 2023

Natural and Built Environment Bill

Proposed amendments to SOP No 389

Hon Eugenie Sage, in Committee, to move the following amendments:

Clause 427A

In *clause 427A*, definition of **place of national importance**, new **paragraph (a)**, after “national” (page 290), insert “, regional, or district”.

In *clause 427A*, definition of **place of national importance**, new **paragraph (b)**, replace “as being outstanding on a national” (page 290) with “ or plan as being outstanding on a national, regional, or district”.

Explanatory note

This Supplementary Order Paper (SOP) seeks to amend the definition of places of national importance to require that the place can have outstanding natural character at a national, regional, or district scale to be recognised as a place of national importance. The preservation of natural character is a matter of national importance under the Resource Management Act. It has not been qualified by just having to be of exceptional importance at the national scale. The SOP better aligns with the considerable case law which has developed on natural character under the Resource Management Act and would help achieve the system outcome in *clause 5(2)(c)*. “Exceptional” is new term which risks unnecessary litigation.

The SOP would also provide for natural landscapes and natural features to be recognised as outstanding on a national, regional or district scale. This better carries across the interpretation and case law which has developed around what constitutes outstanding natural landscapes and natural features under the Resource Management Act. As drafted, the Bill risks a limited number of landscapes being recognised as places of national importance and being protected from the adverse effects of use and development. Landscapes and features which are outstanding on a regional or district

scale are still places of national importance and should be recognised as such. The SOP is intended to help better achieve the outcome in *clause 5(2)(b)* and help avoid unnecessary litigation by carrying over well understood concepts from the Resource Management Act.