



Clerk of the Committee
Local Government and Environment Committee
Select Committee Office
Parliament Buildings
Wellington

1st April 2009

Submission to the Local Government and Environment Select Committee on the Resource Management (Simplifying and Streamlining) Amendment Bill 2009

Opposition to the Inclusion of Clause 52

1. Representatives of the New Zealand Arboricultural Association (NZAA) Inc. wish to appear before the committee to speak to this submission and wish to be heard, preferably in Auckland.
2. The NZAA was created in 1989 in response to a growing demand for the formation of a national body to represent professional and non-professional people involved in New Zealand tree care. We currently have 224 members nationwide, with the numbers growing annually. The NZAA is the only recognised national body representing arborists and the arboriculture industry in New Zealand. As part of our role, we have a national Approved Contractors Scheme for arborists, as well as a number of other related programmes.
3. In 1996, the NZAA joined the International Society of Arboriculture (ISA) to become its 32nd Chapter and in 2004 the NZAA became an incorporated society.
4. The NZAA is a national association which aims to encourage, foster, improve and educate members and others in all aspects of arboriculture throughout New Zealand. The objects and powers under our constitution include:-
 - a. 3d) To provide for and encourage the planting protection and preservation of indigenous and exotic trees.
 - b. 3f) To promote or oppose bills, legislation or other measures or by-laws affecting the interests of members or the industry.
5. The NZAA support the principle of streamlining the process for obtaining a Resource Consents, however the NZAA at this time **oppose the inclusion of Clause 52** within the Bill. The NZAA consider that this Clause should be removed until viable and efficient alternatives to the existing urban tree protection rules are explored, adequately evaluated and proven to be more valuable environmentally and economically than the existing systems, utilising the expertise and knowledge of relevant industry professionals and bodies.

6. No research based information had been provided to justify the removal of urban tree protection rules in relation to economical, environmental and public health related benefits.
7. In addition, the Clause is directly contrary to Part II of the Resource Management Act (1991) [RMA] and specific provisions within:-
 - a. Section 5 – this section defines sustainable management of the natural environment as being paramount to the purpose of the Act.
 - b. Section 6 – this section 6 defines, as matters of national importance (in part), the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna and the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
 - c. Section 7 – this section 7 defines other matters of importance including (but not limited to): The maintenance and enhancement of amenity values, intrinsic values of ecosystems, maintenance and enhancement of the quality of the environment and any finite characteristics of natural resources.
 - d. Each Section of Part II relates directly to trees and vegetation.
8. Trees and vegetation are part of the natural environment and are an important natural resource. Trees and vegetation are intrinsic and integral to the life-supporting capacity of air, water, soil and ecosystems. Trees and vegetation are a vital component of natural cycles regardless of their relationship with tenure, management systems, pre-European existence or pre-urban development existence. Trees and vegetation are part of, and interconnected with, all aspects of the environment, whether in an urban or rural setting.
9. The NZAA surveyed the membership 8th March 2009 by e-mail to gauge positions on the proposed changes to the RMA in relation to the urban tree protection provisions.
 - a. 83% of respondents indicated that they did not support the removal of (blanket) general tree protection from Local Council District Plans.
 - b. 62.5% of respondents indicated that they may support the removal of the current form of (blanket) general tree protection from Local Council District Plans if it was replaced with an alternative form of protection. Examples of alternative forms of tree protection were noted on the return surveys and the majority, in summary, include forms of :-
 - i. Retaining the existing general tree protection and implement improvements. For example, revisions to the current administration systems, delegations, decision making processes, general tree protection criteria and assessment criteria.
 - ii. Extended and more easily administered tree scheduling systems than are currently available.
 - iii. Tree Preservation Orders (TPOs). This refers to the system currently used in the UK. This is a national form of tree protection that is governed by Central Government legislation (Town and Country Planning Act 1990) and administered locally.

10. It is recommended that existing and alternative forms of urban tree protection rules are adequately researched in order to determine the effective management of sustainable resources with efficiency and positive environmental outcomes. This should incorporate the assessment of any previous studies carried out, actual and potential environmental outcomes, monetary and time efficiency issues and effective urban tree protection systems that may already exist internationally. These issues should be weighed up to provide a balanced and effective determination before any existing urban tree protection system is removed or altered.
11. In addition, any reform to the RMA should include a Government provision for **public education** to take place in tandem with these reforms, regarding the value of trees, the correct choice of trees and their economic, environmental and public health related benefits.

Yours sincerely,



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