

House of Representatives

Amendment Paper

Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Bill

Proposed amendment

Steve Abel, in Committee, to move the following amendment:

Schedule 2

In *Schedule 2, Part 4*, after the amendment to section 58H (page 105, after line 6), insert:

Section 76

Repeal section 76(4A) to (4D).

Explanatory note

This Amendment Paper amends the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Bill amendments to the Resource Management Act 1991. Under these changes, local authorities will be able to protect classes of trees within urban environments as part of their ordinary planning processes. This restores the law to the position prior to the Resource Management (Simplifying and Streamlining) Amendment Act 2009. That Act limited the ability of local authorities to create district plan rules that restrict tree felling and trimming. In 2011 these provisions were subject to an Environment Court declaration that clarified the extent to which local authority rules could continue to control tree felling and trimming.¹ Following this, the law was further changed through the Resource Management Amendment Act 2013 to completely remove the ability for local authorities to protect classes of trees through district plan rules, curtailing ordinary planning discretion and the ability of local communities to decide on the appropriate levels of tree protection in their local environments.

¹ *Auckland Council* [2011] NZEnvC 129 (19 May 2011)

**Proposed amendments to
Resource Management (Natural and Built Environment
and Spatial Planning Repeal and Interim Fast-track
Consenting) Bill**

AP No 4

Urban trees provide habitats and food for our native species and enhance the amenity of our cities. They enhance air quality, sequester carbon, cool urban environments, and increase social, environmental, and cultural wellbeing. They hold together land banks and cliffs, reduce soil erosion, soak up rain, and reduce stormwater runoff. This Amendment Paper would empower local communities to recognise these values and create appropriate rules to address tree loss in urban areas.

Wellington, New Zealand:

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