

House of Representatives  
**Supplementary Order Paper**

**Tuesday, 30 July 2013**

**Resource Management Reform Bill**

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*Proposed amendments*

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

*Clause 12*

In *clause 12, new section 76(4A)(a)*, after “described” (line 17 on page 14), insert “or spatially identified”.

In *clause 12, new section 76(4A)(b)*, after “both” (line 19 on page 14), insert “, or by spatial identification”.

In *clause 12, new section 76(4B)(c)(i)*, after “described” (line 27 on page 14), insert “or spatially identified”.

In *clause 12, new section 76(4B)(c)(ii)*, after “both” (line 29 on page 14), insert “, or by spatial identification”.

In *clause 12, new section 76(4C)* (after line 31 on page 14), insert in its appropriate alphabetical order “**spatial identification or spatially identified** means identification of a tree or trees or property boundaries by way of notation on an aerial photograph, geographic information system, or other spatial representation”.

In *clause 12*, delete *new section 76(4D)(a)* (lines 9 to 11 on page 15).

In *clause 12, new section 76(4D)(b)*, after “vegetation” (line 13 on page 15) insert “, but do not apply to areas that have been identified as areas of significant indigenous vegetation or significant habitat of indigenous fauna”.

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**Explanatory note**

This Supplementary Order Paper amends the Resource Management Reform Bill. Urban trees contribute to amenity values and the liveability of our cities and urban areas. They help create a sense of place and identity and can provide habitat for indigenous and introduced species. The Bill restricts councils’

ability to use plan rules to control the felling or pruning of urban trees by only allowing rules to apply to trees that are specifically identified by street address or legal description in a schedule to the plan. Preparing such schedules will require considerable work by councils to identify and assess whether individual trees should be included in plan schedules. Upper Hutt City Council estimated that preparation of such a schedule would cost \$100,000 if it was to provide continued protection to significant trees within its Residential Hill and Residential Conservation zones. The Bill imposes significant and onerous costs on local authorities. Given this, it is also unlikely that such plan schedules will be exhaustive. This will leave many urban trees vulnerable to being pruned or felled by landowners with impunity.

This Supplementary Order Paper would enable councils to use more cost effective tools to prepare plan schedules by allowing trees to be identified by notation on an aerial photograph, GIS map layer or similar. As amended by select committee, the Bill excludes reserves protected under the Conservation Act 1987, and the Reserves Act 1977 from the restrictions in *clause 12*.

The status of bush protection zones that are not Crown land is unclear. So too is the status of areas of continuous vegetation identified as significant indigenous vegetation and habitat in terms of section 6(c) of the Resource Management Act 1991. *Clause 12* does not say whether councils can continue to use general rules to control vegetation clearance or modification in these significant natural areas. This Supplementary Order Paper makes it clear that councils can use such general rules without needing to individually identify every tree in a plan schedule.

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