

FACT OR FICTION – YOU DECIDE

WHAT’S BEING SAID AROUND THE BONFIRE....	A BIT OF ‘WOOD FOR THE TREES’ CLARITY PERHAPS....?
5,000 tree consents every year relate to trees.	The figure of 4000 – 4500 has also been bandied around. Would be good to see some verifiable facts and figures backing up this reported 5000 figure and what the year-on-year trends have been.
Tree consents cost \$1,000.	Whilst some do, it is understood that the majority do not. As the majority of Councils that have blanket tree protection rules do not charge for tree consents, this cost is picked up by Council. Again, it would be good to see some verifiable facts and figures backing up this reported \$1000 per consent figure.
Very few tree consents are declined so substantial expense has occurred for little benefit.	<p>It is surprising that this statement has been repeatedly put out into the public arena. As an overall %, planning consents in general have a higher ‘pass rate’ than tree consents so running along that same ‘logic line’, it would mean that there is little benefit in having general planning rules. Using this argument as a means to justifying the removal of tree consents is kind of nonsensical really.</p> <p>Also, important to note, within the number of granted tree consents are a % of ‘modified’ consents. These involve discussions with the applicant which result in a modification of the original application. These generally occur on the basis that the applicant’s issues have been resolved whilst gaining an improved outcome (i.e. tree retention, additional tree removal, appropriate replacement planting, etc). This is the all important ‘educational role’ that the tree rules also fulfil – a positive unintended consequence you could say.</p>
No tree rules in 90% of Councils in New Zealand so why have them at all.	The 6 Auckland Councils that have a form of blanket tree protection rules covers about a third of the country’s population and has the densest urban environment with significant development pressures. It may be that lower density population areas (Councils with a predominantly rural composite) may have different needs in relation to tree protection, which supports the need to have environmental protection that suits a local environment and community.
Auckland City is the largest city to use blanket tree protection rules. They supported Clause 52 and viewed the current mechanism as ineffective and inefficient.	Point to note is that Manukau City Council and North Shore City Council (whose combine total population is more than Auckland City Council) <u>did not</u> support Clause 52. Current blanket tree protection ‘system’ has not had a significant overhaul since its inception 16 years ago. Everyone is in agreement that it needs revision, just not thrown out

	<p>wholesale because there are some issues with it. It has also been suggested that administrative procedures surrounding resource consents in general are inefficient and not just in relation to trees. So it would be fair and reasonable to suggest that the most obvious place to start would be to 'work' the system first rather than just throwing it out.</p>
<p>Major cities in New Zealand that do not have blanket tree protection rules may have a better urban tree environment than those cities with such rules</p>	<p>Hard to see how. If that is a personal opinion, then okay. An informed opinion suggests very much the opposite. Would like to see the relevant stats that support such a position.</p>
<p>Christchurch has no blanket tree protection rules and there is no widespread problem with wholesale tree reduction in this city</p>	<p>Is it not the case that Christchurch has not added a single tree to its scheduled list since 1999? What is known is that there has been widespread removal of established trees in residential areas (along with quality 'heritage' homes). There has also been and continues to be significant damage done to mature specimens by unregulated works occurring within the dripline of such trees during development. For a city that prides itself as being 'The Garden City', the lack of structure around protecting its wonderful tree asset is concerning (given the slow tree growth rates and pollution issues).</p>
<p>No evidence blanket tree protection rules provide for more trees or better urban environment.</p>	<p>Local experience points towards the fact that Auckland is a more quality treed environment. The requirement (rather than relying on what may now be an out of date adage that we Kiwis are manic gardeners – aka very high obesity rate would suggest more time is spent inside than weeding the garden) to undertake replacement planting when tree removal is agreed assists with maintaining urban forest renewal. This also allows for the right tree to be planted in the right place, thus reducing need for consents over time.</p>
<p>Scheduling trees is a more appropriate means of protecting the trees that matter and the urban forest.</p>	<p>Scheduling trees is in no way the panacea to this debate. Whilst a necessary and important component to protecting significant or historical trees within the urban forest, as a standalone mechanism in an environment such as Greater Auckland, it falls woefully short.</p> <p>In addition, to ensure that property owner rights are not infringed, it is being muted that Councils will have to get the 'owners' of significant specimens to agree for the tree/s inclusion on a 'special tree' register. This requirement (whilst understanding the relevance to property rights) further waters down the potential effectiveness of the tree scheduling process. It means land owner consent is required to protect a tree from the person at whom the tree is, potentially, at greatest threat from.</p> <p>Scheduling or listing trees does not currently allow for the protection of ecosystems, such as riparian margin vegetation,</p>

	<p>or large swathes of continuous vegetation such as coastal Pohutukawa or tracts of native bush. Scheduling does not provide for 'developing but not quite there yet' significant trees for the future, only for trees that are significant now.</p>
<p>Once trees get over 3 metres in height, they are subject to protection.</p>	<p>There is no blanket tree protection provision that covers the entire Auckland region where 3 metres in height is part of the 'trigger point' criteria. Tree owners being in zones requiring consent relating to a tree that is 3 metres or more in height is very much in the 'doesn't happen that often' basket.</p> <p>In fact, the annual percentage of consents associated with 3 metre high trees would be infinitesimally small. To be honest, the fact that this is mentioned kind of smacks of sensationalism.</p> <p>By a country mile, the most common tree consents relates to trees that are 6, 8 or 10 metres in height (with associated girth measurements). Different areas have different protection criteria for trees and vegetation, which is dependent upon the zone or designation of the property or the presence of watercourses or other natural features and varies for each Council. A point to note is that some zones have no tree protection for private properties.</p>
<p>Some nurseries have said that some people ask for trees that grow less than 3 metres in height so they will avoid the tree rules.</p>	<p>Again, in any legislation there will be unintended consequences. An example at the other end of the spectrum are those people seeking to buy quality trees that will grow into mature specimens knowing that they will be protected in the future.</p> <p>It is also surmised that this attitude is potentially a result of the fact that many people aren't aware that just because a tree is protected doesn't mean you can't carry out any works (including removal). This is assessed on a case by case basis and in most instances, either consent is granted as applied for or a workable compromise is reached.</p>
<p>There are assumed negative motives of property owners in relation to trees (aka should the tree rules be removed, wholesale tree removal will occur).</p>	<p>This is not the case. It is fair to say that the presence of tree rules can act as a deterrent to those with negative motives relating to trees. More importantly, the presence of tree rules provides an opportunity for appropriate information to be provided to property owners that helps ensure they do not undertake an action that will take decades to rectify.</p>
<p>Property owners are reluctant to plant trees for fear of losing control of their property choices.</p>	<p>In any legislation there will be unintended consequences and actions/reactions at either end of the spectrum. An example at the other end of the spectrum are those people seeking to plant quality trees knowing that they will be protected in the future.</p> <p>Also we have to remember that in a large number of cases,</p>

	<p>we do not own the property for very long (7 years on average is a figure commonly bandied about). So is it really appropriate for individual land owners who may be moving on soon to cut down a mature/maturing tree for reasons that could be resolved via other means?</p>
--	--

It may be worth noting that the presence of a protected tree does not mean you can't remove, prune or carry out works in the root zone. This is a very important point to note. The consent application process allows for informed discussions to take place in order to (hopefully) arrive at the best outcome, which often results in works being carried out to/on protected trees. Given this is the case, it is not an outright, locked down, 100% prohibitive process. It just isn't. If it was, there would be a whole lot more consents declined!

A wee disclaimer:

The above 'clarity' comments are opinion-based only. If you know any different, please let us know asap (you can contact us using the facility on the website) so we continue to straighten this whole matter out.

As has been said, this is a multi faceted issue that is far from being resolved in an informed manner hence any additional information you can provide will be welcomed and given appropriate consideration. Cheers.