

Auckland Unitary Plan

Standard Conditions Manual

Arboricultural Conditions

Disclaimer

The information in this Standard Conditions Manual is, according to the Auckland Council's best efforts, accurate at the time of publication. Auckland Council makes every reasonable effort to keep it current and accurate. However, users of the Conditions Manual are advised that:

- *Although the conditions are “standardised”, in the sense that they should be applied consistently where they are required, this does not mean that they should all be applied in every instance. Applicants need to consider the nature of the activity, and the characteristics of the site and its surroundings in considering whether to apply each and every condition.*
- *The standard conditions should be used with caution as a starting point from which appropriate conditions for the individual consent should be drafted to align with the requirements of ss108, 108AA and 220 of the Resource Management Act 1991.*
- *Further guidance as to whether to apply the conditions are included in the guidance notes that accompanies each condition.*
- *Users should take specific advice from qualified professional people before undertaking any action as a result of information obtained in this Standard Conditions Manual.*
- *Auckland Council does not accept any responsibility for, or liability whatsoever whether in contract, tort, equity or otherwise (including negligence) arising from the use of, or reliance on, this Standard Conditions Manual. This includes, without limitation, any liability arising from any error, or inadequacy, deficiency, flaw in or omission from the information provided.*

Introduction

These conditions relate to vegetation removal, the management of trees during the carrying out of construction and development works, the protection of vegetation through individual tree protection, and larger scale vegetation protection through landscape plans.

These conditions will be placed on consents under the direction of a specialist arborist in councils Earth, Stream and Trees team.

These conditions are not to be used without first getting specialist expert arboricultural advice. Please consult your specialist arborist in relation to all vegetation management and alteration consents.

Please advise your specialist arborist (**prior** to the finalisation of consent conditions or issuing of decision letters) if other council officers from areas such as traffic management, stormwater, or engineering have proposed changes in design or recommend conditions that could have an adverse impact upon the protected trees and/or vegetation subject to the application.

Which conditions should I use?

You need to think carefully about which of the following conditions should be imposed on any particular consent, and not make a final decision before consulting with an arborist. In some cases conditions should only be imposed when works are consented in the root zone of protected trees, in other cases multiple versions of a condition have been drafted to address variations in the nature and complexity of the works occurring on the site.

Condition	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Required for all consents																
May be required depending on nature of consent	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√

The conditions have been set out under specific headings.

General arboricultural conditions ensure that all persons working on the site know that the site has constraints in terms of vegetation management. In some cases the consent holder will have to employ a suitably qualified and experienced arborist to supervise all works on site in order to ensure best practice vegetation removal and/or that construction and earthworks do not damage protected trees.

Prior to works commencing conditions relate to things that have to happen prior to non-vegetation protection works starting on site and include protective measures being put in place around trees to be retained.

Protective fencing is a subset of protective measures that must be completed prior to other work commencing.

During construction conditions include things that will occur throughout the life of the project such as reporting from the works arborist, the type of digging that can occur and the placement of materials on site.

Replanting and Landscape Plan conditions ensure that any replanting happens in accordance with approved or best practice methods.

Post completion reporting ensures that our Monitoring Team can certify that the replanting works have survived to provide the mitigation they were intended to provide.

Advice notes have been drafted to suit a variety of situations that can arise with regard to vegetation management. The specialist arborists will provide advice on the appropriate use of advice notes.

General arboricultural conditions

Condition 1: All works to be carried out in accordance with good arboricultural practice

Version A: Pruning

All tree work must be carried out in accordance with accepted arboricultural standards and practice, by a suitably qualified and experienced arborist, trained in natural target pruning and approved tree climbing techniques.

Version B: Felling

All tree work must be carried out using accepted arboricultural standards and practice, including tree dismantling procedures which control the fall of stems and branches by approved lowering techniques, in recognition of the relatively confined location and the need to avoid damage to understorey vegetation and built structures.

Guidance Note:

This condition should be used on the advice of your specialist arborist. Use Version A when consenting pruning and Version B when consenting felling. If the consent requires both pruning and felling your specialist arborist will customise the text of the conditions for you.

Condition 2: Operation in accordance with conditions

The consent holder must ensure that all contractors, sub-contractors, and workers engaged in any activities covered by this consent are advised of the tree protection measures contained in the conditions of this consent and that they operate in accordance with them.

Guidance Note:

This condition is to be included in all vegetation management consents and where earthworks and construction on site may affect protected trees. The purpose of the condition is so that contractors are made aware of the limitations of the site with regard to vegetation. Some contractors do not work with these types of constraints often and therefore it is important that they are reminded that for example earth cannot be stockpiled beneath protected trees etc.

Condition 3: Suitably qualified and experienced arborist

Prior to any works commencing on the site, the consent holder must engage the services of a suitably qualified and experienced arborist. The consent holder must inform Council in writing of the qualifications and contact details of the arborist. The arborist is to advise upon, direct, supervise and monitor all [add a description of works e.g. excavation and construction activity that occurs in the root zone of protected trees] for the duration of the project. The arborist must ensure that best practice is employed when there is any excavation or pruning of trees. The arborist must also ensure that no unauthorised work is undertaken on the trees. The arborist must liaise with the main contractor and hold regular meetings to discuss tree care matters before during and after construction. The arborist must supervise the tree protection measures required to ensure that the works have no adverse impact upon any retained protected trees.

Guidance Note:

A version of this condition should be imposed on all sensitive sites and/or if work is being carried out in the root zone of protected trees. Your specialist arborist will decide which words are most appropriate given the nature of the work being undertaken and the level of risk to protected trees from the works.

Prior to works commencing

Condition 4: Protection of root zone through mulching

Prior to any work taking place within the root zone of a protected tree, the ground beneath the canopy spread must be mulched with an organic compost to a depth of 80mm to serve as a root protection buffer. The mulch must remain in place for the duration of the works.

Guidance Note:

The purpose this condition is to provide a protective barrier between any person stepping on the ground and the delicate roots beneath the ground. This condition should be imposed as a tree protection methodology on the advice of your specialist arborist e.g. when no other protection methodology has been approved through the consent.

Condition 5: Pre-start report

Where pre-start tree protection measures are required (such as protective fencing, mulching, or planking) written confirmation must be provided to the Council by the consent holder confirming that the implementation of those measures has occurred. No further works are permitted until the Council has received this report.

Note to staff:

The purpose of this condition is to clarify that any agreed protection works have been carried out prior to construction or earthworks occurring on site. This can be dependent on whether a pre-start meeting condition (see general construction condition 1) has also been imposed or whether the consent holders appointed arborist is required to certify that they understand the protection measures and have put them in place.

Protection fencing

Condition 6: Protection fencing

A tree protection fence of sturdy construction must be erected at a minimum distance of 1m from the outside edge of the canopy spread of the tree/s to be protected on the site. The fence must accord with the minimum requirements in the industry best practice publication titled A Guideline for Tree Protection Fencing on Development Sites published by the New Zealand Arboricultural Association dated April 2011. The fence must be erected prior to the commencement of any work on the site, including site earth works and must remain in place until the completion of all works on the site.

The purpose of the fence is to protect the trees from the effects of earthworks, including excavation, overfilling and construction works on the site. No work must be carried out within the protected area and no building or fill materials must be stored or placed within the protected area, either on a temporary or permanent basis.

Advice note:

A high visibility mesh fence which is not resistant to impact and is easily breached will not generally be an appropriate means of complying with this condition.

Guidance Note:

The purpose of this condition is to ensure that protective fencing is installed around trees to be retained. If works are being proposed in the dripline of trees to be retained then the application should have proposed an alternative way to ensure tree protection which can be conditioned. In some cases where the site is large and the trees are far away from the works, a high visibility mesh fence may be ok to provide for visual demarcation, however such a fence should be pinned to the ground so as it is not able to be moved. If this is the case your arborist will write a separate condition for you to use. Please also include the advice note regarding best practice.

Condition 7: Vegetation protection fencing / combined silt fencing

A sturdy, framed, vegetation protection fence, incorporating appropriate silt control mechanisms, must be erected no less than 1m from the outer edge of the existing covenanted vegetation area. This fence must be constructed prior to the commencement of any excavation work on the site. The fence is to remain in place until the completion of all works on the site.

Guidance Note:

This condition can be used where combined vegetation protection and silt control fence is to be installed. There are special restrictions on when this can occur due to the method of fence construction (e.g. trenching) and the effect this may have on the roots of protected trees. Please consult with your specialist arborist before imposing this condition.

Condition 8: Fencing inspection

Prior to the start of any vegetation clearance, excavation, or construction work the consent holder must contact the council to arrange for an inspection of the vegetation protection fence by Council. The purpose of the inspection is to confirm that the vegetation protection fence has been constructed in accordance with condition [\[insert cross reference\]](#). Five working days' notice is required to arrange a site inspection visit.

Advice note:

Please contact Council on [\[insert phone number or email address or monitoring@aucklandcouncil.govt.nz\]](#).

Guidance Note:

This condition can be imposed if the consent holder's appointed arborist is not required to state that protection works have been carried out prior to works starting on site (If you do not impose condition 5 you should impose condition 8). Your specialist arborist will advise which condition is the most appropriate for the nature of the works on site.

During construction

Condition 9: Reporting during works

From the commencement of all works on site until all tree works authorised by this consent are complete the consent holder must provide a written report to Council on a [insert frequency weekly/monthly/other specified duration] basis. The report must: identify the occasions when the consent holder's arborist has been present on site to supervise and monitor works in the root zone of protected trees; document (including photographs) all activities which have been undertaken on or within the root zone of protected trees; provide confirmation (or otherwise) from the consent holder's arborist that all tree related works undertaken have been carried out in accordance with the conditions of consent.

Guidance Note:

The purpose of this condition is to clarify that any agreed protection works have been carried out on site. Your specialist will tell you the frequency to insert. This can be dependent on the staging of the works, for example for larger projects there may be periods where works have stopped due to the completion of the earth-working season or construction phasing so that a monthly report system is not required and council is only informed when a works arborist has actually been on site. The reporting in this condition also places an onus on the consent holder's arborist to certify that works are occurring in accordance with the conditions rather than requiring further monitoring by council officers.

Condition 10: Hand digging works

All excavations carried out within the root zone of protected trees must be hand dug with hand held tools to minimise root disturbance, and must occur under the direct on site supervision of the consent holder's suitably qualified and experienced arborist. Roots with a diameter of less than 35mm encountered during the excavation which cannot be retained must be cleanly cut back to the excavation face. Any roots larger than 35mm must not be removed without an on-site assessment of effects having been undertaken by the consent holder's suitably qualified and experienced arborist. That assessment should be communicated to Council. The removal works must not proceed until Council has approved the assessment and the proposed works.

Guidance note:

This condition should only be imposed where works are consented in the root zone of protected trees. Best practice requires that no machinery should be

used. Works that may be consented in the root zone can include, for example, digging for the installation of water and power servicing to a dwelling.

Condition 11: Excavated root work

Any severed or damaged roots of protected trees encountered during excavation must be cleanly cut back to the excavation face using a sharp implement such as a handsaw or secateurs under the supervision of a suitably qualified and experienced arborist.

Exposed retained roots and cut faces must be protected from direct contact with concrete during any concrete pour using best arboricultural practice.

Advice note:

Lining the excavation with plastic prior to any concrete pour and leaving that plastic to remain as a permanent root barrier may be considered a best practice option.

Guidance Note:

This condition should only be imposed where works are consented in the root zone of protected trees. Your specialist arborist will advise when to impose this condition where for example an arborist has been appointed by the consent holder and there are known services that will require works through a root zone and the protected tree is of such a size that it is anticipated that the roots will require barrier works.

Condition 12: Service installation by horizontal drilling/thrusting below ground

All earthworks required to facilitate services and drainage which occur within the root zone of protected trees must be undertaken using trenchless technologies such as pipe drilling and thrusting. Any ground openings necessary to provide machine entry and exit pits, service connections etc., and must be sited outside the root zone of protected trees.

Guidance note:

This condition should only be imposed where works are consented in the root zone of protected trees. In some cases machinery can be used, however this precautionary protective condition should be imposed. Your specialist arborist will advise when this condition is appropriate.

Condition 13: Contamination of root zones

No spoil produced by excavation must be stored, either temporarily or long term, within the root zone of any protected tree.

Washings from concrete trucks and/or associated machinery must not contaminate any area within the vicinity of protected trees or areas which are, or will be vegetated, and are required by this consent for ecological or amenity purposes.

Guidance Note:

This condition is to be imposed on all consents. The purpose of the condition is to ensure that excavated material and any contaminated washings are not stored within root zones or landscaping areas as this can cause damage to these areas both from the actual storage, movement of materials and from weeds and pests or contaminates in the materials.

Advice Note

In the event that excavation works not anticipated within the conditions of this consent need to be undertaken within the root zone of any retained protected trees, all works must cease and the consent holder should immediately engage the services of a suitably qualified and experienced arborist, who is experienced in site development activities in close proximity to mature trees, to provide a written assessment of the proposed work. The consent holder's arborist should provide a copy of this assessment to Council for consideration and comment. No further excavation work may proceed within the area in question until approval has been provided by Council. A further consent may be required for the work.

Guidance note:

This advice note should go on all consents where earthworks within the root zone of protected trees have been consented. This advice note makes it clear that unanticipated works may require further consents and should not be carried out without checking with suitably qualified people including the monitoring officer whether additional consenting is required.

Replanting

Condition 14: Replanting

If the consented works are completed during a planting season (1 May to 31 August of any year) and there is sufficient time to undertake replanting before the end of that planting season then replanting must be undertaken during the current planting season. If the consented works are completed outside a planting season then replanting must occur during the next planting season.

The replanting that must be undertaken is **one [insert species] replacement tree for each tree removed. Each replacement tree must have a minimum root ball size of xx PB or litre equivalent and a minimum height of xx metres at the time of planting.**

The replacement tree/s must be located in a position that takes into consideration their long term growth and development. The replacement tree/s must be maintained in accordance with best arboricultural practice including: irrigation, mulching, and formative pruning as necessary, for the duration of the consented activity.

The replacement tree's growth and development must be monitored for **three years** following planting. If the tree dies or declines beyond recovery during this period, it must be replaced by the consent holder with a new specimen of a similar size and species to that which was originally planted.

Any replacement trees that fail to establish, or that decline or die at any time, must be replaced to the satisfaction of the Council. The replacement trees must be of similar grade and size to that originally planted and must be maintained in accordance with the stipulations above.

Throughout the 3-year establishment period the consent holder must ensure that: a weed free environment is maintained directly over the root ball of the replacement trees, any stakes and ties are secure and in place; and the rootball is covered with a composted mulch to a depth of 80mm.

Guidance Note:

This condition should be imposed on all consents where replanting is required and consented. Your specialist arborist will advise you on the length of time the maintenance is required for the planting, the species, height and PB (plastic bag) size. This is an enduring condition that lasts the lifetime of the consent. If the replanting was required to mitigate an effect, that planting should be present on site to mitigate that effect for the lifetime of the consented building or activity.

Condition 15: Landscape plan

Version A

If the consented works are completed during a planting season (1 May to 31 August of any year) and there is sufficient time to implement the approved landscape plan before the end of that planting season then the approved landscape plan must be implemented during the current planting season. If the consented works are completed outside a planting season then the approved landscape plan must be implemented during the next planting season.

The consent holder must implement the approved landscaping in accordance with the approved landscape plans submitted as part of this application referenced as XX, prepared by XX for XX, and dated XX.

Version B

A landscape plan for the site must be submitted to the council for assessment and certification by the Council within **one month of the date of this consent being granted/prior to the start of works**. The landscape plan must include details of: plant species, methods of ground preparation for planting, plant numbers, planting density, and plant sizes at the time of planting.

The landscape plan must also specify an on-going maintenance and weed control program designed to ensure that adequate care of the planted material is undertaken through to establishment. The weed control program must make provision for replacement of newly planted trees and/or shrubs that die or decline, [to a point that, in the opinion of the Council, they are not of value] and must extend for a minimum of **three years** following completion of the first planting.

Council must be notified by the consent holder upon completion of the landscape work in order to ensure compliance with the plan.

The consent holder must notify Council when the landscape work has been completed to enable monitoring of compliance to occur.

Further monitoring at 12 and 24 months from the date of completion will take place to ensure that adequate maintenance has been undertaken.

Any replacement trees and/or shrubs required must be of the same type, grade and size as that originally planted and all replacements must be planted either within the current (1 May to 31 August) planting season if practicable or the following planting season.

Guidance Note:

Landscape works can be required for amenity reasons where vegetation is being lost or development requires mitigation. With an integrated consent advice should be sought from the council's urban design landscape architects. A separate section in the conditions manual contains conditions for landscape plans as recommended by those urban design landscape architects. These

conditions are for tree only consents where no urban design advice is sought and the landscape works are being reviewed only by the council's specialist arborists.

Version A should be used where a Landscape Plan has already been approved as part of the consent documents. Version B should be used where no Landscape Plan has been supplied.

Post completion reporting

Condition 16: Reporting after completion

Version A

A completion report prepared by a suitably qualified and experienced arborist must be supplied to Council within one month of completion of all site works. The completion report must confirm (or otherwise) that: the works have been undertaken in accordance with the tree protection measures contained in the conditions of consent, the works were completed under the direction of a suitably qualified and experienced arborist, the impact of the works on the protected trees has been no greater than that permitted by the conditions of consent.

Version B

A report is required to be supplied to Council from a suitably qualified and experienced arborist one year after the finish of site works and completion of the development. The report must describe the health and condition of the retained trees and confirm (or otherwise) that the effects of the works upon the trees has been no greater than that permitted by the conditions of this consent. The report must also itemise any remedial actions that may be required to alleviate any adverse effects that have occurred.

Version C

The consent holder must provide a tree report to Council, twelve months after completion of all works on site. The purpose of this report is to determine the health of the newly planted trees and any damage that may have occurred to retained trees during the previous 12 months. This report must also itemise any remedial actions that may be required to alleviate any adverse effects to trees that have occurred as a result of the exercise of this consent.

Guidance Note:

A version of this reporting condition should be imposed on all consents where significant works or replanting was required by the consent. Your specialist arborist will advise which version is the most appropriate given the nature of works on site and the length of the project.

Specific advice notes

1. Except as provided for by this consent, no works adversely affecting trees protected by rules contained in the Auckland Unitary Plan – Operative in Part and/or the Auckland Council District Plan – Hauraki Gulf

Islands Section (as the case may be), should proceed without a further resource consent.

2. Advice should be sought regarding the use of root barriers to avoid future conflicts with adjacent structures and underground services, and to enable more flexibility with planting locations.
3. The consent holder is advised that the installation of silt fences within the root zone of retained trees should not involve the excavation or alteration of ground levels. This requirement also applies where tree protection and silt/erosion control fences are combined into the one fence and constructed within the protected root zone area.
4. The consent holder is advised that soils with a high plasticity index such as some clay types have a greater potential for moisture shrinkage over summer and re-hydration during winter. Structures founded on soil types which are subject to volume change may move. NZ Building Research Bureau publications from 1963 (based upon D.S.I.R. information) have identified potential soil hazard zones on expansive clay sites and recommends that the foundations of structures on such soils be designed accordingly.

The consent holder is therefore advised of the need to assess potential soil volume changes prior to construction and to consider the proximity of existing trees on the site when designing the type and depth of foundations for the proposed structure.

Guidance note:

These advice notes are not generic and should only be imposed with the advice of your specialist arborist.