



GLOBAL CONSENTING

'Raising the level of compliance while reducing compliance related time and cost'

A case study – Healthy Waters Regional-tree Consent

Michael Lindgreen, Director, 4Sight Consulting Ltd.

Katja Huls, Acting Healthy Waters Resource Management Team Manager,
Healthy Water Department, Auckland Council

LAND. PEOPLE. WATER.

The situation

- Auckland Council's Healthy Waters Team are responsible for stormwater services in the Auckland region
- Stormwater networks are essential to the health and safety of communities and protection of receiving environments
- Trees and vegetation often share the same 'space' as underground services
- The result – approx. 400 tree consents annually to authorise works around / under protected trees
- 50,000 resource consents processed by NZ local government – 4,000 tree works related



The back story

- Trees constantly under “threat” from development
- Perceived view of a poor history of compliance
- Global consents
 - giving applicants ‘carte blanche’ rights to undertake an activity
 - reduced opportunities for compliance management
- Conditions typically more onerous than individual consents
- Reporting typically more onerous (and does anyone look at it?)



Global consents - the opportunity (with the right framework)

- Streamline, simplify and provide for a wide range of stormwater activities within a single permit
- Significantly reduce number of individual consents
- Common management framework for all tree works across the region
- Consistent training and certification
- Self-monitoring regulatory framework
 - better compliance management and environmental outcomes?
 - less time and cost for the applicant / regulatory authorities?



Region-wide Global Tree Works / Removal Consent (RTC)

- Region-wide for all stormwater related works
 - root zone and trimming / pruning protected trees
 - root zone and trimming / pruning notable trees
 - removal protected trees of 'lesser significance'
- Tiered effects-based management framework
- Process-based consent
 - only 18 operational conditions
 - template and flow-chart based processes
 - streamlined works methods using arboricultural best practice
- Self-monitoring regulatory framework – applicant (PM's) and independent assessment

Decision on notification of a resource consent application(s) under the Resource Management Act 1991



Non-complying activity under the operative plans

Discretionary activity under the PAUP

Application number(s): R/LUC2013/2340 (Isthmus), R/LUC2013/2345 (Central Area), LT-213701 (North Shore), LUC204 (Roddie) + 100+ more the Auckland Council

Applicant: Auckland Council
Site address: Various Islands

Proposal:

The applicant is seeking a Regional Tree Care zone and trimming / pruning of protected trees and the removal of protected trees / vegetative stormwater network utility works across the A Islands.

Having read the application, supporting documents, consultant planner's report and recommendation information received on 11 and 26 May 2015, consider the matters required by the Resource Management Act 1991 (RMA) this application because:

- The proposed activity will have no more environmental effects than those of the proposed activity. It is considered that the proposed activity will have no more environmental effects than those of the proposed activity.
- There is no district or regional rule or no public notification and the applicant has
- There are no other reasons, including s

Under section 95B of the RMA this application shall proceed without limited notification because:

- It is considered that there are less than minor effects arising from the activity on any persons for the following reasons:
 - (a) Works will only be undertaken within the root zone of trees where the long term health, stability and amenity of the trees will be provided for by the adoption of arboricultural assessment and best practice methodologies outlined in a suite of detailed specialist arboricultural protocols;
 - (b) Removal of trees is limited to those of 'lesser significance', and will be mitigated by suitable replacement planting (and will be subject to Auckland Council Regulatory Services' approval);
 - (c) Approval of tree owners will be obtained prior to any physical works commencing pursuant to consent properly law;
 - (d) If the effects on a tree are determined to fall outside the scope of the RTC, then a separate consent application will be made to Council;
 - (e) If accidental damage occurs, there are agreed protocols for the consent holder to appropriately mitigate any adverse effects; and
 - (f) A self-monitoring and reporting programme will be implemented (over and above Council's standard compliance function) to ensure that the requirements of the protocols and conditions are being met on an on-going basis and to ensure that if non-compliance is identified, changes can be made to ensure that any adverse effects are appropriately avoided or mitigated. The outcome of such monitoring and reporting can be used by Council to inform a review of conditions (including all process based protocols) in the event that unanticipated adverse effects are identified that may warrant changes to the protocols and/or additional mitigation.
- There are no protected customary rights groups or marine life groups in the region affected by this proposal.

Accordingly, this application shall proceed on a NON-NOTIFIED basis.

R/LUC2013/2340 (Priority) – Auckland Council Stormwater

J. Bell

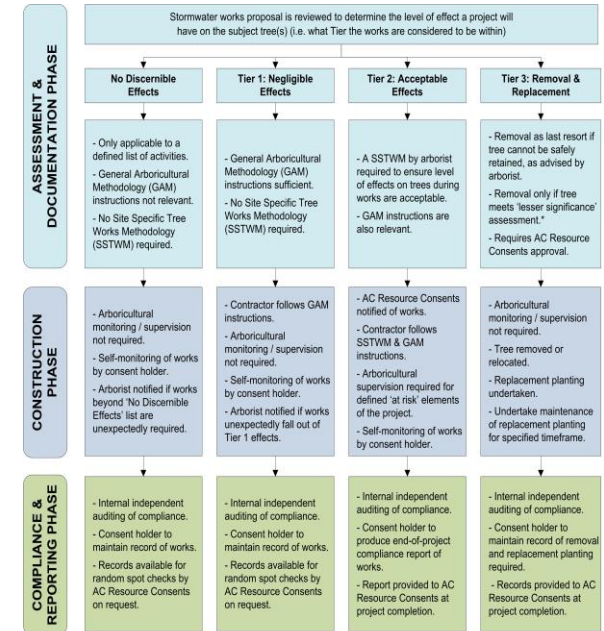
Janine Bell
Duty Commissioner
23 June 2016

R/LUC2013/2340 (Priority) – Auckland Council Stormwater (Isthmus) – Regional Tree Consent

Page 2

“Raising the level of compliance” – effects-based management

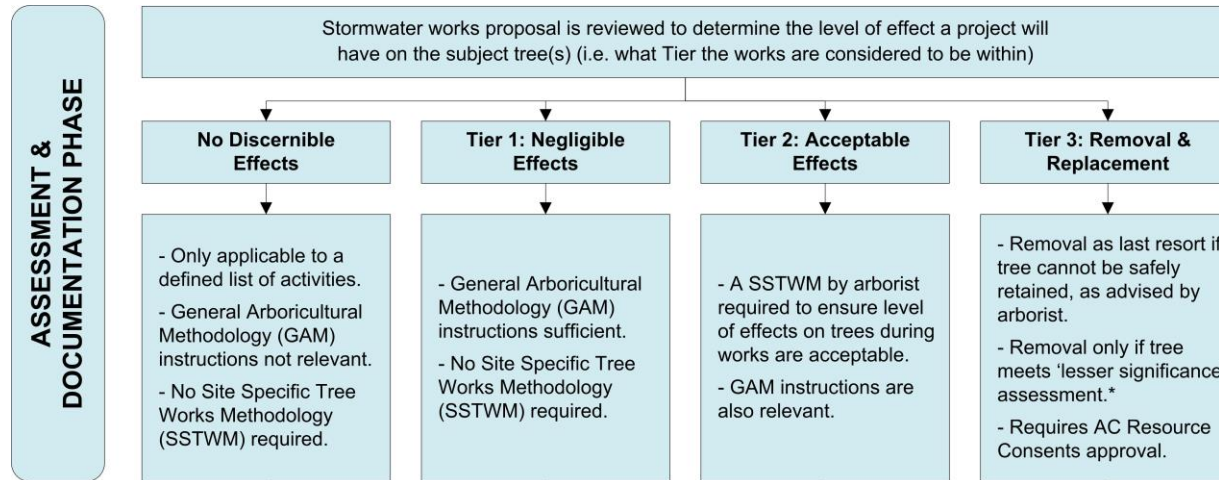
- Case-by-case effects-based assessment of the potential effects on protected trees
 - to not unnecessarily restrict works by type
 - takes into account site specific conditions and resilience of different tree species
- Tiered effects-based management
 - documentation, supervision and compliance reporting commensurate with the level of effect



* Note: whilst an assessment of the effects to each tree is undertaken, the cumulative effects of removing trees will also be considered where removal is required.

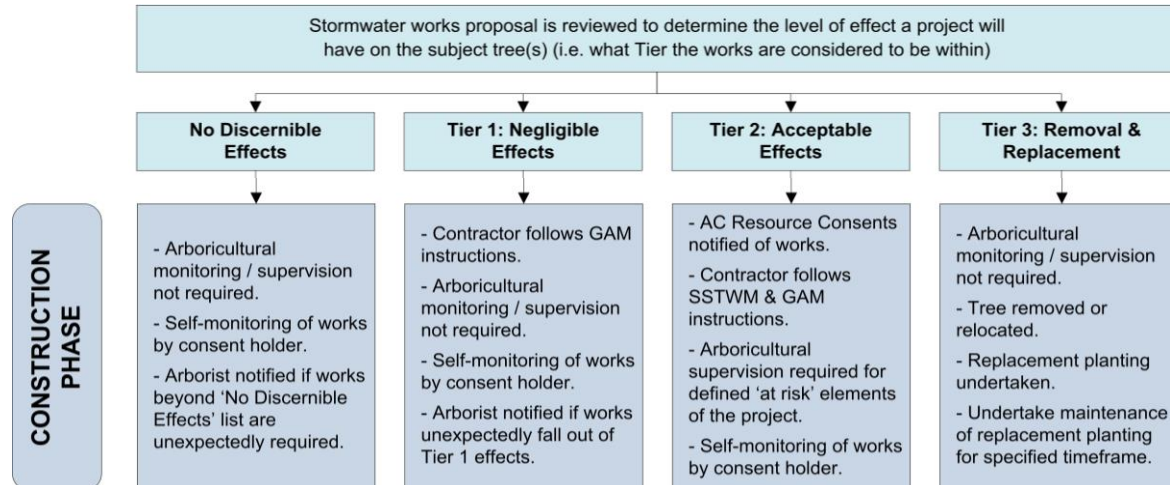
Effects-based management – documentation

- Assessment undertaken by qualified ‘approved’ arborist
- General or site (tree) specific works methodology based on level of effect
 - sets out works methods
 - level of supervision for ‘at risk’ aspects



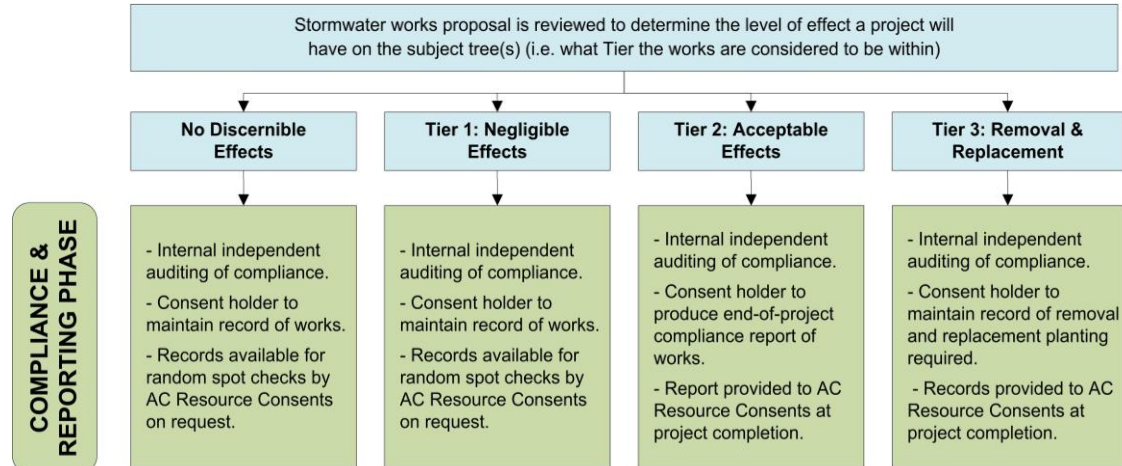
Effects-based management – supervision

- Arboricultural supervision only required for 'at risk' aspects
- Self-monitoring by the consent holder across all tiers
- Works undertaken only by trained contractors
- Regulatory notified of works so they can undertake compliance monitoring



Effects-based management – compliance and reporting

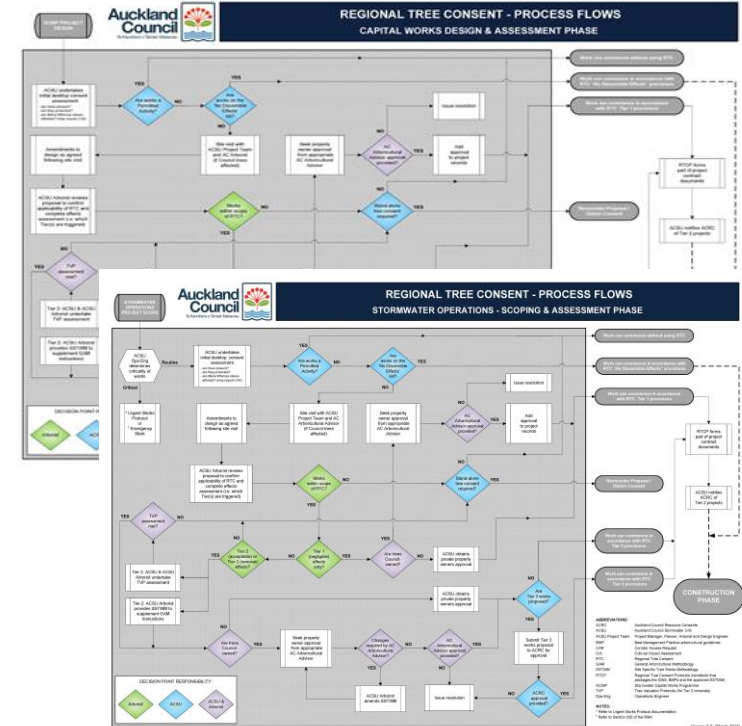
- Independent compliance monitoring on behalf of consent holder
- Maintain records of compliance
 - spot regulatory checks on request
- End-of-project compliance reports



* **Note:** whilst an assessment of the effects to each tree is undertaken, the cumulative effects of removing trees will also be considered where removal is required.

“Raising the level of compliance” – process-based consent

- Series of clear processes for each stage in the project life-cycle
 - design
 - scoping and assessment
 - construction
- Picture tells a thousand words
 - less open to interpretation or confusion
 - clear step-by-step process
- Provides for internal process improvements without variation



Process-based consent – templates

- Specialist arboricultural protocols and templates developed
- Clear set of common instructions for contractors
 - General Arboricultural Methodology
 - Site Specific Tree Works Methodology
 - Site Specific Tree Works Amendment
 - Accidental Damage Reporting Protocol
 - Urgent Works Protocol

The image displays several Auckland Council templates for tree consent. The primary document is the 'Auckland Council Regional Tree Consent General Arboricultural Methodology (GAM)'. It includes sections on 'WHAT IS THE AIM OF THIS GUIDE?', 'HOW TO PROTECT TREES?', 'THE DESIRED APPROACH', and 'THE DESIRED EFFECT'. Below these are 'TIER 1 WORKS' and 'TIER 2 WORKS' sections. To the right, there is a 'Glossary of Abbreviations' and a 'What are the protected root zones / driplines of a tree?' diagram. Below the main GAM document, there is a 'Auckland Council Regional Tree Consent Site Specific Tree Works Methodology (SSTWM)' form, which includes a table for 'Tree Details' and a 'Tree Works' section. To the right of the SSTWM form, there are three smaller documents: 'Accidental Damage Reporting Protocol', 'Urgent Works Protocol', and 'Site Specific Tree Works Amendment'.

“Raising the level of compliance” – training and ‘approval’

- Register of consultant arborists to demonstrate evidence of
 - qualification, experience and competency
 - briefing / training on consent approach and protocols
- Internal training programme
 - contractors trained on approach, protocols and the conditions of this consent
- Consistent approach to works by qualified people
- Greater level of certainty of quality of works and compliance



A potential alternative?

- Wide range of stormwater activities that affect trees delivered under a single permit
- No non-compliances under RTC
- RTC Review clauses not triggered
- No additional resource consents for tree works
- Consistent approach to tree works, management, and monitoring / reporting across the region
- Significant time and cost savings for both the applicant and the regulatory department
- A potential alternative to consent compliance management?



**land
people
water.**
**thrive
together**

