

Memo

Date 31 January 2025

To: Celia Davison, Central South Planning Manager
 From: Ewen Patience – Policy Planner

Subject: Plan Modification: Clause 20A modification to Auckland Unitary Plan – Correction to Schedule 10, D13 Notable Trees Overlay, AUP
28 Picton Street, Howick – ID #1545 (subdivision)

Corrections are required to the Auckland Unitary Plan (operative in Part) 2016 (the AUP).

I seek your approval of this plan modification pursuant to clause 20A, First Schedule, Resource Management Act 1991 and Chapter D13 Notable Trees Overlay of the AUP(OP).

You have delegated authority, as a tier four manager, to make a decision to correct a minor error to an operative plan under clause 20A. Schedule 2A of the Auckland Council Chief Executive’s Delegations Register authorises all powers, functions, and duties under RMA’s first schedule (except clause 17 which cannot be delegated) to tier four positions.

D13.4 Activity table of the AUP enables the automatic update of Schedule 10 Notable Trees Schedule under the following circumstances:

- a) Subdivision altering legal description of one or more trees
- b) Resource consent authorising the removal of one or more trees and the tree has been physically removed
- c) Resource consent for, or authorisation of, removal of tree as a result of emergency works (storm damage/disease/other).

In this case the modification relates to: Subdivision (boundary adjustment) (SUB60437389) which alters the legal description of notable tree/s #1545, as set out below. It is noted that consents have been granted at various times for maintenance work on the two oak trees and the tree at the front of the site is in poor health (Site Pack emails refer).

Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree #1545						
	1545	<i>Quercus sp</i>	Oak	2	Picton Street 28	Howick	Lot 5 DP 48322
Subject Site	As above						
Current Legal Description	As above						
Nature of change	A clause 20A modification is required in accordance with D13.4 to ‘automatically’ update Schedule 10 of the AUP for the following reason: As advised by the GIS team (Rachel Joseph, 30.1.2025) following the regular updating of the cadastral mapping data received from LINZ, a subdivision of the property has occurred. This necessitates updating/correcting the notable tree listing in Schedule 10 as set out below.						
Effect of change	The effects of the modifications are neutral as they are authorised by the						

	<p>provisions of D13.4 AUP and arise from subdivision.</p> <p>The landowner/s will be advised of the AUP modification once approved (and as soon as the new owner/address is in the Council system).</p>														
Changes required to be made (text/in-text diagrams)	<p>Amend Schedule 10 Notable Tree Schedule of the AUP so that it reads as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">ID</th> <th style="text-align: center;">Botanical Name</th> <th style="text-align: center;">Common Name</th> <th style="text-align: center;">Number of Trees</th> <th style="text-align: center;">Location/Street Address</th> <th style="text-align: center;">Locality</th> <th style="text-align: center;">Legal Description</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1545</td> <td style="text-align: center;"><i>Quercus sp</i></td> <td style="text-align: center;">Oak</td> <td style="text-align: center;">2</td> <td style="text-align: center;">Picton Road 28</td> <td style="text-align: center;">Howick</td> <td style="text-align: center;">Lot 5 DP 48322 Lot 1 DP 610189</td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	1545	<i>Quercus sp</i>	Oak	2	Picton Road 28	Howick	Lot 5 DP 48322 Lot 1 DP 610189
ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description									
1545	<i>Quercus sp</i>	Oak	2	Picton Road 28	Howick	Lot 5 DP 48322 Lot 1 DP 610189									
Changes required to be made (to maps)	No changes are required to be made to the AUP GIS maps.														
Attachments	<p>Any further relevant information/evidence to help the decision maker (if necessary):</p> <ul style="list-style-type: none"> - Attachment 1: Information from GIS team as advised by email from Rachel Joseph, Geospatial Specialist, on 30.1.2025 - Attachment 2: AUP map showing listing #1545 - Attachment 3: Google streetview of notable trees #1545 - Attachment 4: Site Pack information of notable oak trees #1545 on north-west boundary of property - Attachment 5: Schedule 10 listing showing revised texts. 														

Prepared by: Ewen Patience, Policy Planner	Signature: 
Text prepared by: Sarah El Karamany, Planning Technician	Signature: 
Data or map/s prepared by: Rachel Joseph, Geospatial Specialist	Signature: 
Reviewed by: Clare Wall Shaw, Team Leader	Signature: 

Decision:

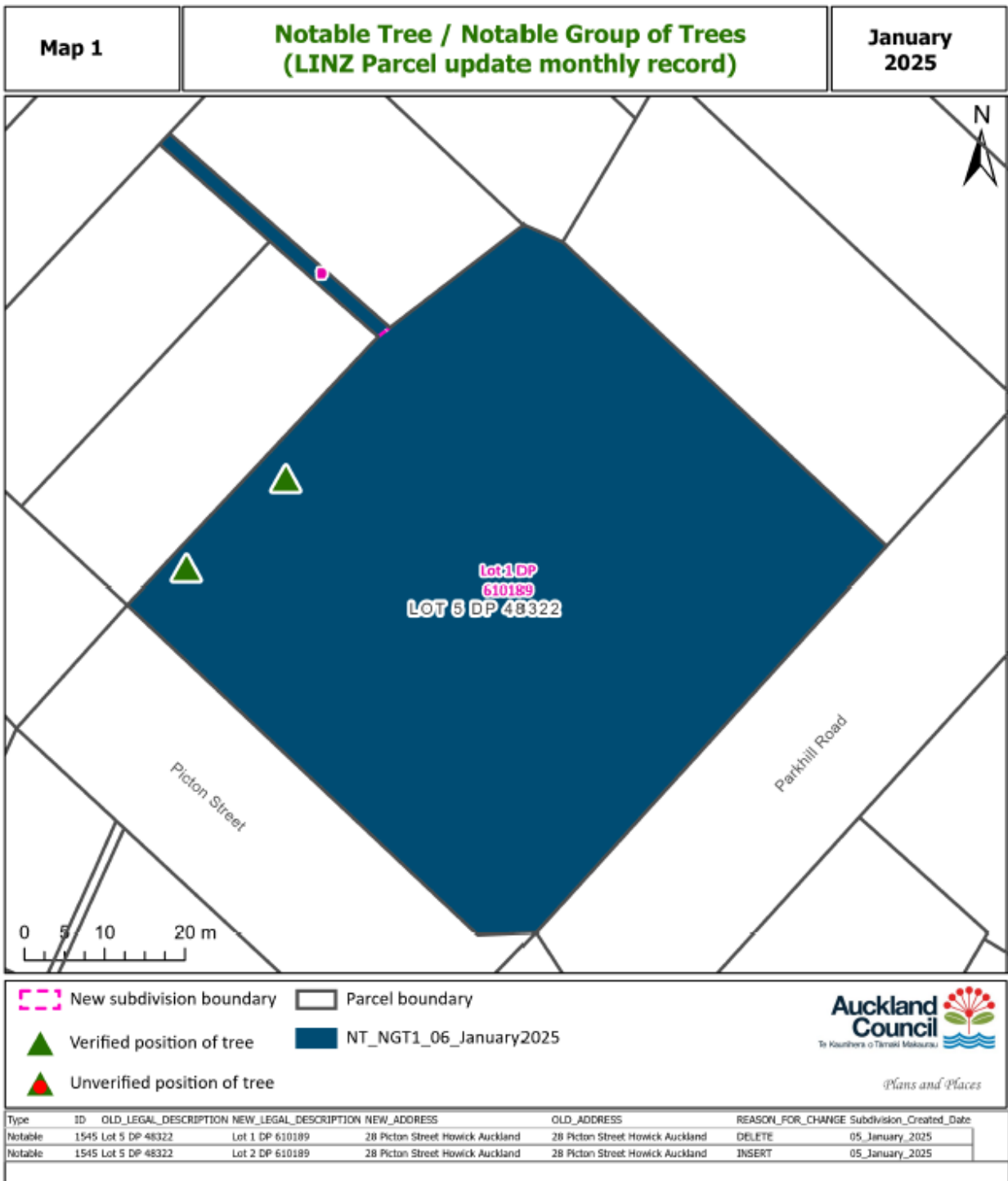
I agree to authorise the Clause 20A modification using my delegated authority

Celia Davison
Central South Planning Manager
Date: 7 February 2025

Signature:



Attachment 1: Information from GIS team as advised by email from Rachel Joseph on 30.1.2025



Attachment 2: AUP map showing listing #1545

Property Summary

This summary lists searched address, legal description, Zone and other limitations that apply to the site.

Address
28 Picton Street HOWICK 2014

Legal Description
LOT 1 DP 610189

Appeals

Modification
Plan Changes, PC82 - Amendments to sch 14 Historic Heritage Sch, Historic Heritage Overlay Extent of Place [rcp/dp], [View PDF](#), Notified, 18/08/2022 10:00:09 a.m.
Plan Changes, Plan Change 78 - Intensification, Multiple Layers, [View PDF](#), Proposed, 18/08/2022

Zone
Business - Town Centre Zone

Precinct

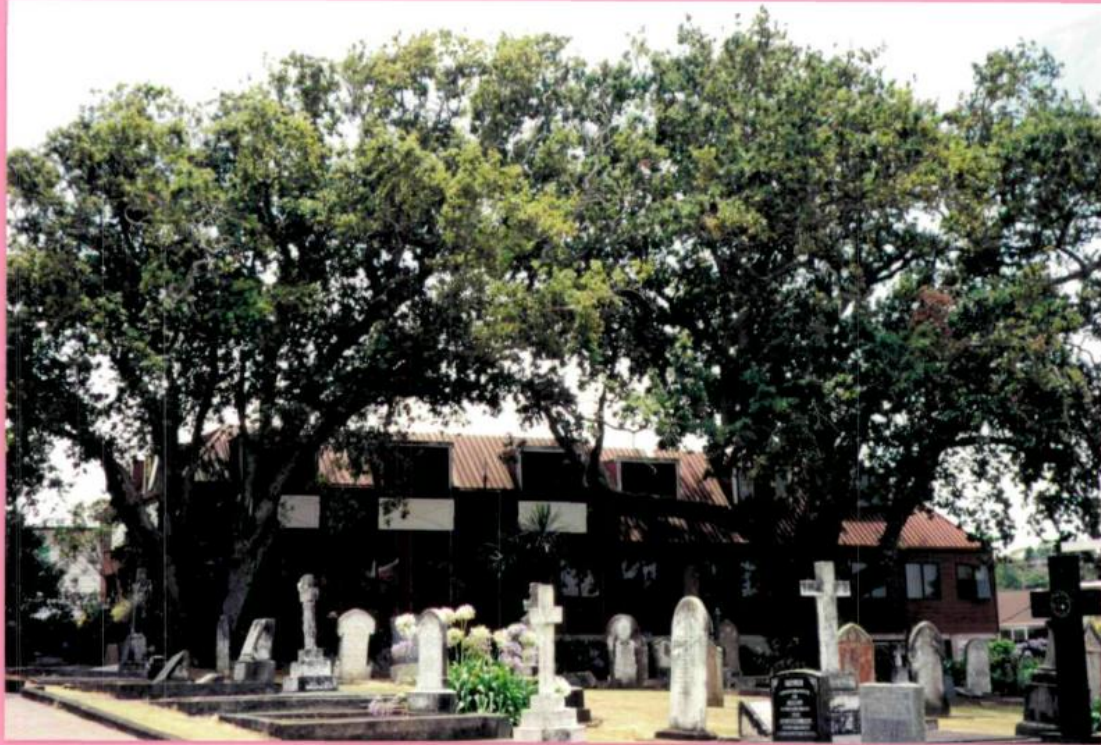
Overlays
Natural Heritage: Notable Trees Overlay - 1545, Oak, Verified position of tree
Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1372, Our Lady Star of the Sea graveyard



Attachment 3: Google streetview of notable trees #1545 (Note: The street tree on the left obscures the view of the notable oak tree at the front of the church property; this tree is not in good condition and is subject to approvals to prune deadwood).



Attachment 5: Site Pack information of notable oak trees #1545 on north-west boundary of property



2 x OAK
STAR OF THE SEA CHURCH
18 PARKHILL ROAD
HOWICK.

Attachment 6: Schedule 10 listing showing revised text

1525	<i>Phoenix canariensis</i>	Phoenix Palm	2	Phoenix Place (road reserve outside #100 & 110 Portage Rd)	Papatoetoe	
1545	<i>Quercus sp</i>	Oak	2	Picton Street 28	Howick	Lot 1 DP 610189
1555	<i>Araucaria heterophylla</i>	Norfolk Island Pine	3	Pāhūtukawa Road 15		Lot 1 DP 392922