

# Memo

**Date** 23 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**  
360 Albany Highway – ID #1020 (tree removal consent)

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: Tree consent removal (TRE60357246). The Silky Oak tree was found to be in a poor state of health and its removal consented. It is appropriate to also correct the legal description in Schedule 10 at this time.

<b>Rule or Section of Unitary Plan</b>	Schedule 10 Notable Trees Schedule – Tree #1020						
<b>Subject Site</b>	As above						
<b>Current Legal Description</b>	As above						
<b>Nature of change</b>	A clause 20A modification is required in accordance with D13.4 to ‘automatically’ update Schedule 10 of the AUP for the following reason: A consent has been granted for the removal of the Silky Oak tree (TRE60357246). The legal description for the listing also requires to be corrected. This necessitates updating/correcting the notable tree listing in Schedule 10 as set out below.						
<b>Effect of change</b>	The effects of the modifications are neutral as they are authorised by the						

	<p>provisions of D13.4 AUP and arise from a tree removal consent.</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>														
<b>Changes required to be made (text/in-text diagrams)</b>	<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;">1020</td> <td><i>Magnolia grandiflora,</i> <i>Quercus robur,</i> <i>Liriodendron tulipifera,</i> <i>Casimiroa edulis,</i> <i>Carya illinoensis,</i> <i>Grevillea robusta,</i> <i>Idesia polycarpa</i></td> <td>Magnolia, English Oak, Tulip tree, White Sapote, Pecan, <del>Silky Oak</del>, Wonder tree</td> <td style="text-align: center;"><del>7</del> 6</td> <td>Albany Highway 360</td> <td>Albany</td> <td><del>Lot 2 DP 10242</del> Sec 2 SO 473605, Sec 4 SO 473605, Sec 10 SO 473605, Sec 11 SO 473605, LOT 2 DP 517688, PT ALLT 37 PARO PAREMOREMO, PT ALLT 37 PARO PAREMOREMO</td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	1020	<i>Magnolia grandiflora,</i> <i>Quercus robur,</i> <i>Liriodendron tulipifera,</i> <i>Casimiroa edulis,</i> <i>Carya illinoensis,</i> <i>Grevillea robusta,</i> <i>Idesia polycarpa</i>	Magnolia, English Oak, Tulip tree, White Sapote, Pecan, <del>Silky Oak</del> , Wonder tree	<del>7</del> 6	Albany Highway 360	Albany	<del>Lot 2 DP 10242</del> Sec 2 SO 473605, Sec 4 SO 473605, Sec 10 SO 473605, Sec 11 SO 473605, LOT 2 DP 517688, PT ALLT 37 PARO PAREMOREMO, PT ALLT 37 PARO PAREMOREMO
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<b>Changes required to be made (to maps)</b>	<p>The <u>Property Summary</u> in the AUP GIS maps needs to be corrected as set out above, by the deletion of 'Silky Oak'.</p>														
<b>Attachments</b>	<p>Any further relevant information/evidence to help the decision maker (if necessary):</p> <ul style="list-style-type: none"> <li>- <b>Attachment 1:</b> AUP map showing listing #1020 and correct legal description.</li> <li>- <b>Attachment 2:</b> Schedule 10 listing showing revised text.</li> </ul>														

<b>Prepared by:</b> Ewen Patience, Policy Planner	<b>Signature:</b> 
<b>Text prepared by:</b> Sarah El Karamany, Planning Technician	<b>Signature:</b> 
<b>Data or map/s prepared by:</b> NA	<b>Signature:</b>
<b>Reviewed by:</b> Clare Wall Shaw, Team Leader	<b>Signature:</b>

	
<p><b>Decision:</b> I agree to authorise the Clause 20A modification using my delegated authority</p> <p>Celia Davison Central South Planning Manager Date: 29 January 2025</p>	<p><b>Signature:</b></p> 

**Attachment 1: AUP map showing listing #1020 and correct legal description**

**Property Summary**

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

**Address**  
380 Albany Highway Albany 0632

**Legal Description**  
Sec 2 SO 473605, Sec 4 SO 473605, Sec 10 SO 473605, Sec 11 SO 473605, LOT 2 DP 517688, PT ALLT 37 PARO PAREMOREMO, PT ALLT 37 PARO PAREMOREMO

**Appeals**

**Modification**  
Plan Changes, Plan Change 78 - Intensification, Multiple Layers, [View PDF](#) Proposed, 18/08/2022


**Zone**  
Coastal - General Coastal Marine Zone  
Road  
Special Purpose - School Zone

**Precinct**

**Overlays**  
Natural Resources: Significant Ecological Areas Overlay - SEA-M2-57b, Marine 2  
Natural Resources: Significant Ecological Areas Overlay - SEA\_T\_8078, Terrestrial  
Infrastructure: National Grid Corridor Overlay - National Grid Substation Corridor  
Natural Heritage: Notable Group of Trees Overlay - 1020, Magnolia, English Oak, Tulip tree, White Sapote, Pecan, Silky Oak, Wonder tree

**Controls**  
Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise  
Controls: Macroinvertebrate Community Index - Native  
Controls: Macroinvertebrate Community Index - Urban

**Designations**  
Designations: Airspace Restriction Designations - ID 4311, Defence purposes - protection of approach and departure paths (Whenuapai Air Base), Minister of Defence



**Attachment 2: Schedule 10 listing showing revised text**

Listing ID	Species	Common Name	Quantity	Location	Address	Legal Description
1018	<i>Quercus robur</i>	English Oak (2)	6	Albany Highway (road reserve opposite 357)	Albany	
1020	<i>Magnolia grandiflora</i> , <i>Quercus robur</i> , <i>Liriodendron tulipifera</i> , <i>Casimiroa edulis</i> , <i>Carya illinoensis</i> , <i>Grevillea robusta</i> , <i>Ilex pedunculata</i>	Magnolia, English Oak, Tulip tree, White Sapote, Pecan, Wonder tree	6	Albany Highway 360	Albany	Sec 2 SO 473605, Sec 4 SO 473605, Sec 10 SO 473605, Sec 11 SO 473605, LOT 2 DP 517688, PT ALLT 37 PARO PAREMOREMO, PT ALLT 37 PARO PAREMOREMO
1016	<i>Podocarpus totara 'aurea'</i>	Golden Totara	1	Albany Highway 473 (reserve)	Albany	Section 16 SO 441539
1001	<i>Agathis australis</i> , <i>Dacrydium</i>					