

Memo

Date 13 December 2024

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 23 (21A) Esperanto Road, Papatoetoe– ID #1743 (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 (BUN60402297) which alters the address and legal description of tree #1743, as set out below. The consent has verified the position of the trees and therefore it is appropriate to correct these as set out in **Attachment 4** (it is noted that the RMA at section 76(4A) and (4D) does not require trees to be mapped).

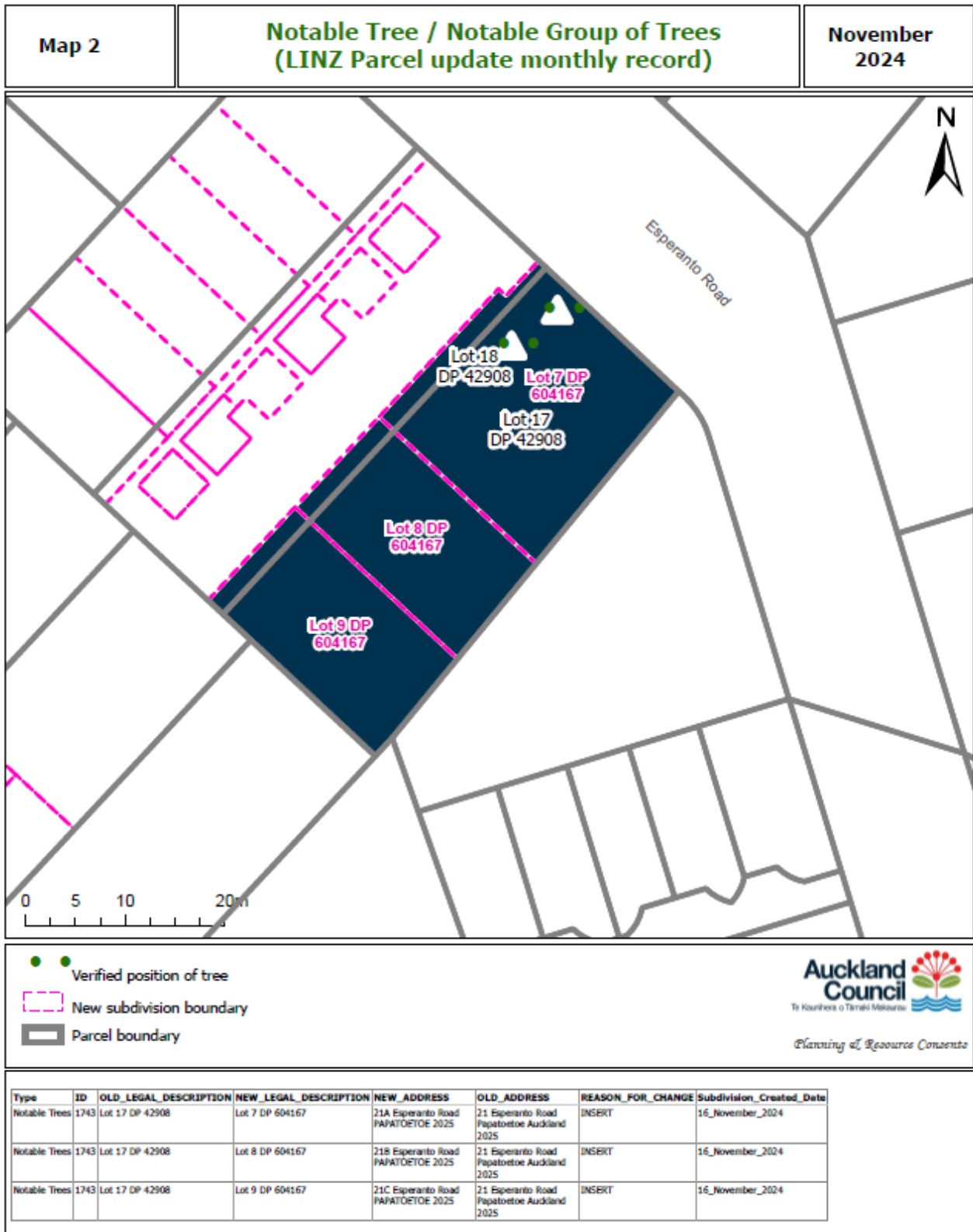
Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree #1743						
	1743	<i>Agathis robusta</i>	Queensland Kauri	2	Esperanto Road 23	Papatoetoe	Lot 17 DP 42908
Subject Site	23 (21A) Esperanto Road, Papatoetoe						
Current Legal Description	As above						
Nature of change	A clause 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 (Dean Thompson, 28.11.2024) 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	The effects of the modifications are neutral as they are authorised by the						

change	<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="color: red;">ID</th> <th style="color: red;">Botanical Name</th> <th style="color: red;">Common Name</th> <th style="color: red;">Number of Trees</th> <th style="color: red;">Location/Street Address</th> <th style="color: red;">Locality</th> <th style="color: red;">Legal Description</th> </tr> </thead> <tbody> <tr> <td style="color: red;">1743</td> <td style="color: red;"><i>Agathis robusta</i></td> <td style="color: red;">Queensland Kauri</td> <td style="color: red;">2</td> <td style="color: red;">Esperanto Road 23-21A</td> <td style="color: red;">Papatoetoe</td> <td style="color: red;">Lot 17 DP 42908 Lot 7 DP 604167</td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	1743	<i>Agathis robusta</i>	Queensland Kauri	2	Esperanto Road 23-21A	Papatoetoe	Lot 17 DP 42908 Lot 7 DP 604167
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Changes required to be made (to maps)	<p>The Property Summary information of the GIS AUP maps viewer will need to be updated in line with the changes set out above.</p> <p>The tree triangles require to be relocated per Attachment 4.</p>														
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 Dean Thompson on 28 November 2024. - Attachment 2: AUP map showing listing #1743 - Attachment 3: Consent plan showing two notable Queensland Kauri trees, the protected root zones and protection measures required by condition 12 of LUC60402298. - Attachment 4: Before and after graphic showing correct (relocated) position of tree triangles - Attachment 5: Schedule 10 listing showing revised texts. 														

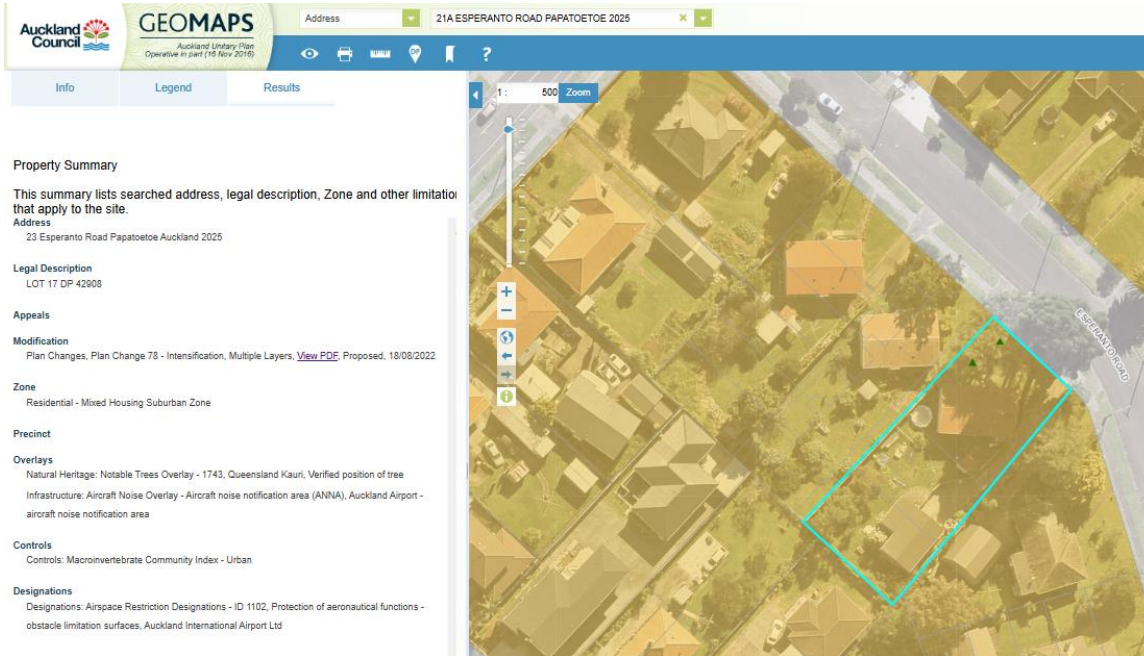
<p>Prepared by: Ewen Patience, Policy Planner</p>	<p>Signature:</p> 
<p>Text prepared by: Sarah El Karamany, Planning Technician</p>	<p>Signature:</p> 
<p>Data or map/s prepared by: Dean Thompson, Team Leader Geospatial</p>	<p>Signature:</p> 
<p>Reviewed by: Clare Wall Shaw, Team Leader</p>	<p>Signature: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

	
<p>Decision: I agree to authorise the Clause 20A modification using my delegated authority</p> <p>Celia Davison Central South Planning Manager Date: 15 January 2025</p>	<p>Signature:</p> 

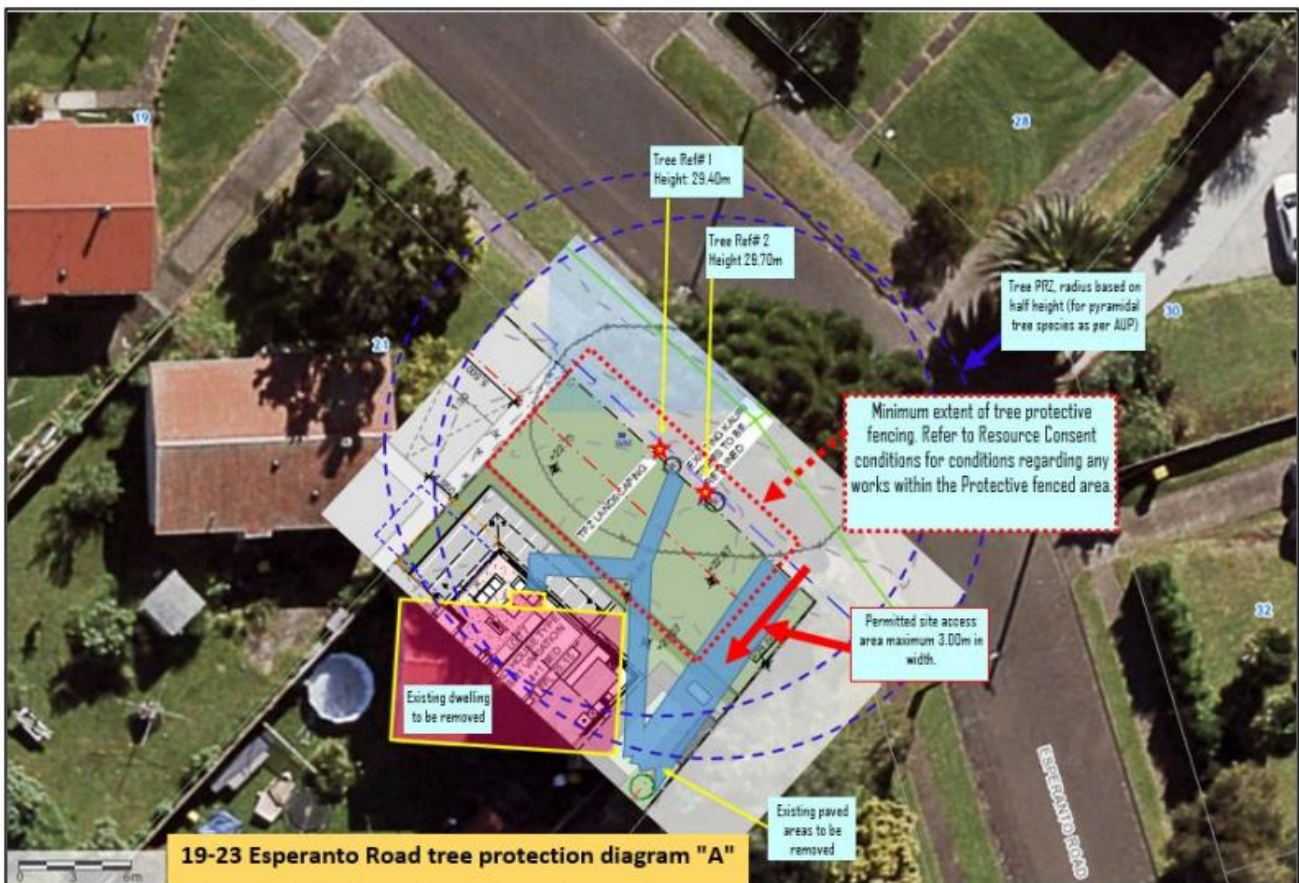
Attachment 1: Information from GIS team as advised by email from Dean Thompson on 28 November 2024



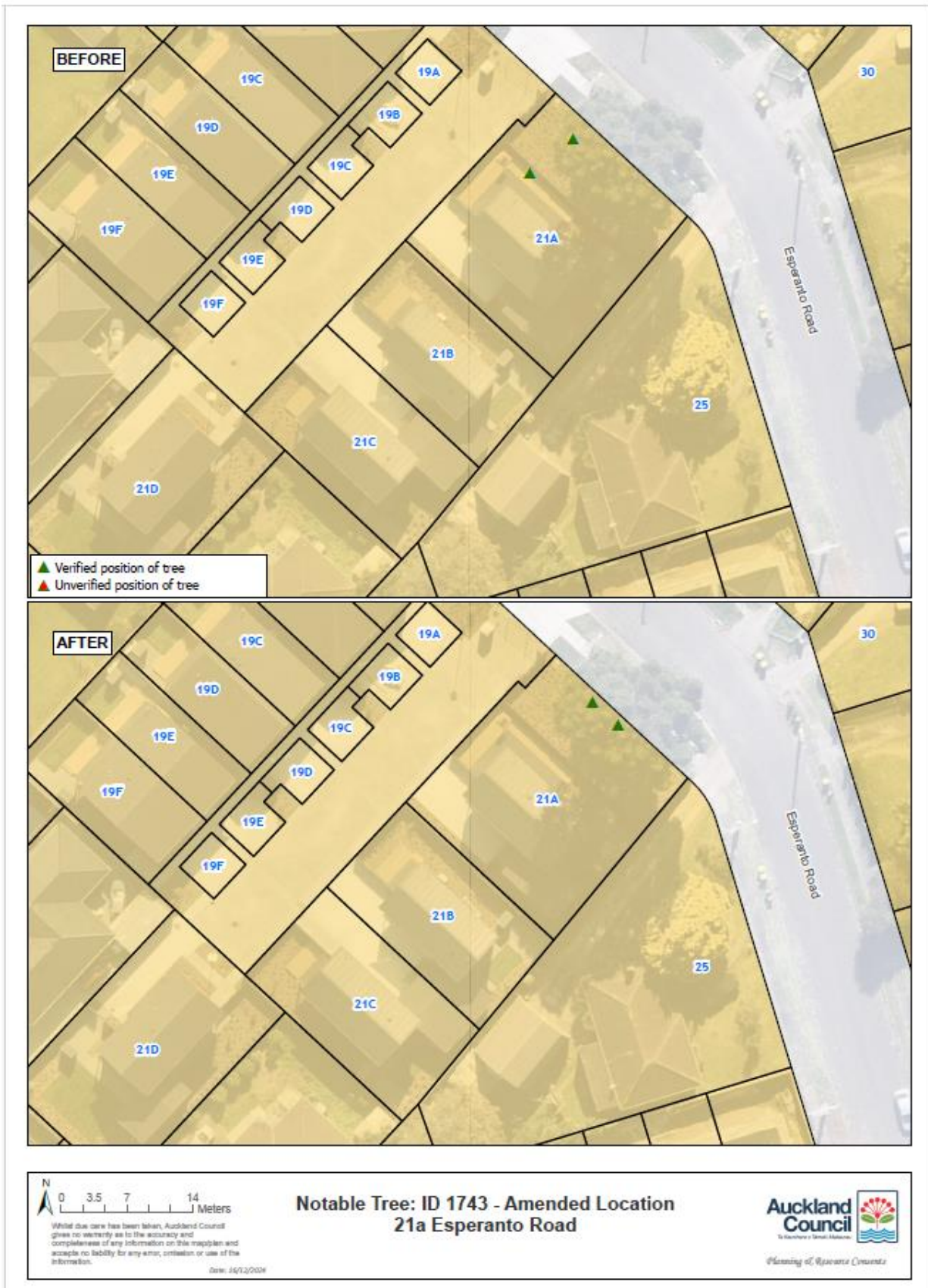
Attachment 2: AUP map showing listing #1743 (note, Dean Thompson has advised that the Property Summary data in this viewer is not up to date, which is why '23 Esperanto Road' appears).



Attachment 3: Consent plan showing two notable Queensland Kauri trees, the protected root zones and protection measures required by condition 12 of LUC60402298.



Attachment 4: Before and after graphic showing correct (relocated) position of tree triangles



Attachment 5: Schedule 10 listing showing revised text

1690	<i>Metrosideros excelsa</i>	Pohutukawa (2)	2	East Tamaki Road 114	Papatoetoe	Lot 1 DP 44302
1743	<i>Agathis robusta</i>	Queensland Kauri	2	Esperanto Road 21A	Papatoetoe	Lot 7 DP 604167
1630	<i>Platanus orientalis</i>	Oriental Plane	1	Estuary Views 3C	Howick	Lot 8 DP 195845
1770	<i>Agathis robusta</i>	Queensland Kauri	2	Esperanto Road 21A	Papatoetoe	Lot 7 DP 604167