

Memo

Date 10 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
139 Paihia Road, Onehunga – ID #437 (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 (BUN60389427) which alters the address and legal description of tree #437, as set out below:

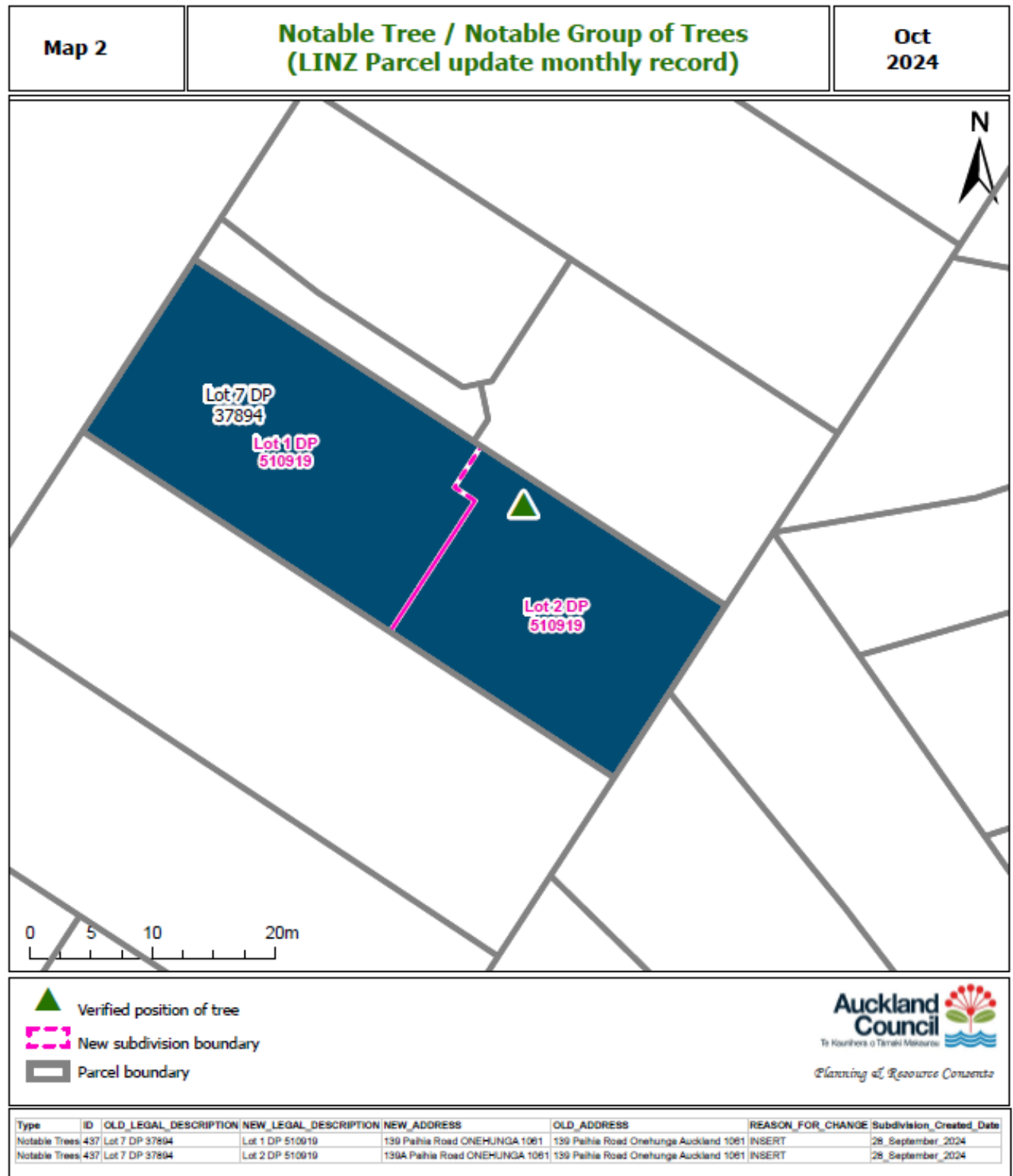
Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree #437						
	437	<i>Quercus canariensis</i>	Algerian Oak	1	Paihia Road 139	Onehunga	Lot 7 DP 37894
Subject Site	139 Paihia Road, Onehunga						
Current Legal Description	As above						
Nature of change	A clause 20A modification 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 (Danica Torres, 29.10.2024) 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 change	<p>The effects of the modifications are neutral as they are authorised by the 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</p>						

	soon as the new owner/address is in the Council system).														
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;">437</td> <td style="text-align: center;"><i>Quercus canariensis</i></td> <td style="text-align: center;">Algerian Oak</td> <td style="text-align: center;">1</td> <td style="text-align: center;">Paihia Road 439 139A</td> <td style="text-align: center;">Onehunga</td> <td style="text-align: center;"> Lot 7 DP 37894 Lot 2 DP 510919 </td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	437	<i>Quercus canariensis</i>	Algerian Oak	1	Paihia Road 439 139A	Onehunga	Lot 7 DP 37894 Lot 2 DP 510919
ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description									
437	<i>Quercus canariensis</i>	Algerian Oak	1	Paihia Road 439 139A	Onehunga	Lot 7 DP 37894 Lot 2 DP 510919									
Changes required to be made (to maps)	No change is required to the tree triangle.														
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 Danica Torres, Senior Geospatial Specialist, on 29 October 2024. - Attachment 2: AUP map showing listing #437. - Attachment 3: Consent plan showing notable Algerian Oak tree in the development - Attachment 4: Schedule 10 listing showing revised texts. 														

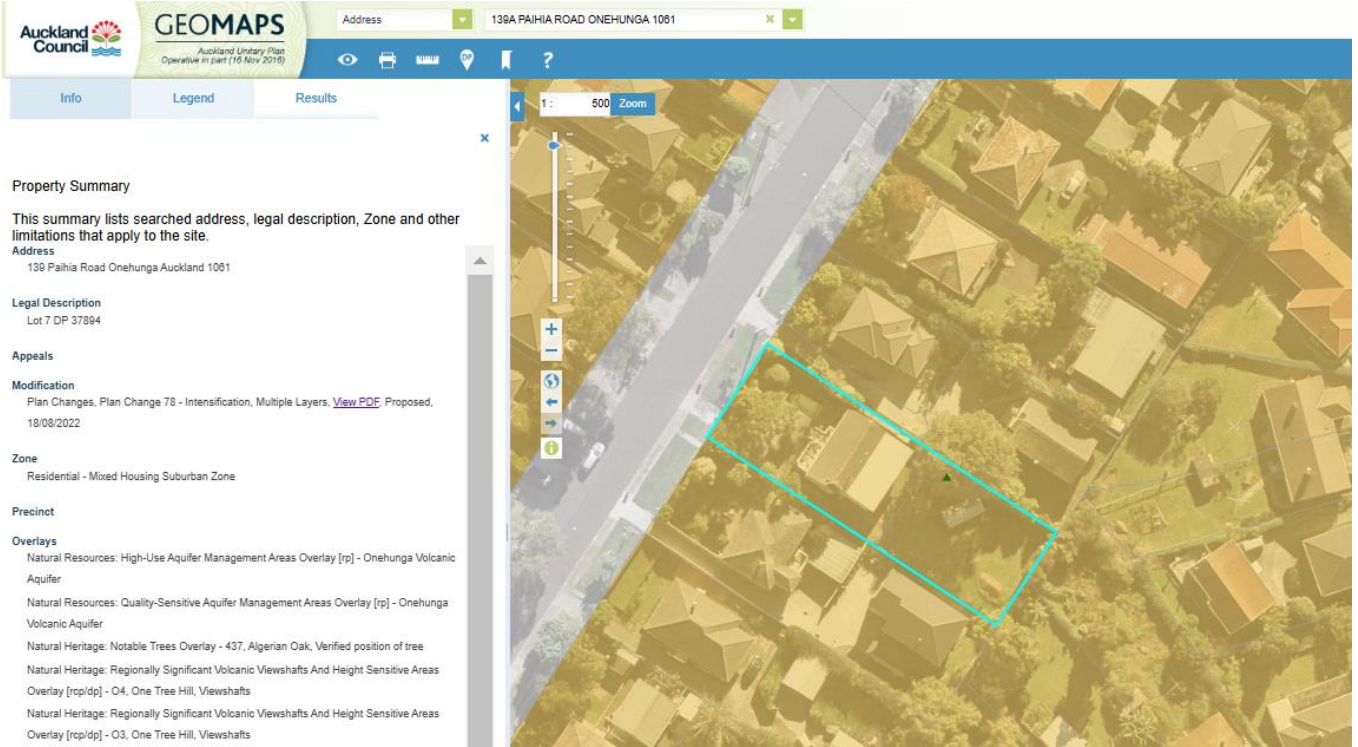
Prepared by: Ewen Patience, Policy Planner	Signature: 
Text prepared by: Sarah El Karamany, Planning Technician	Signature: 
Data or map/s prepared by: NA	Signature:
Reviewed by: Clare Wall Shaw, Team Leader	Signature: 
Decision: I agree to authorise the Clause 20A modification using my delegated authority Celia Davison Central South Planning Manager	Signature: 

Date: 13 January 2025

Attachment 1: Information from GIS team as advised by email from Danica Torres on 29 October, 2024



Attachment 2: AUP map showing listing #437



Property Summary

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

Address
138 Paihia Road Onehunga Auckland 1061

Legal Description
Lot 7 DP 37894

Appeals

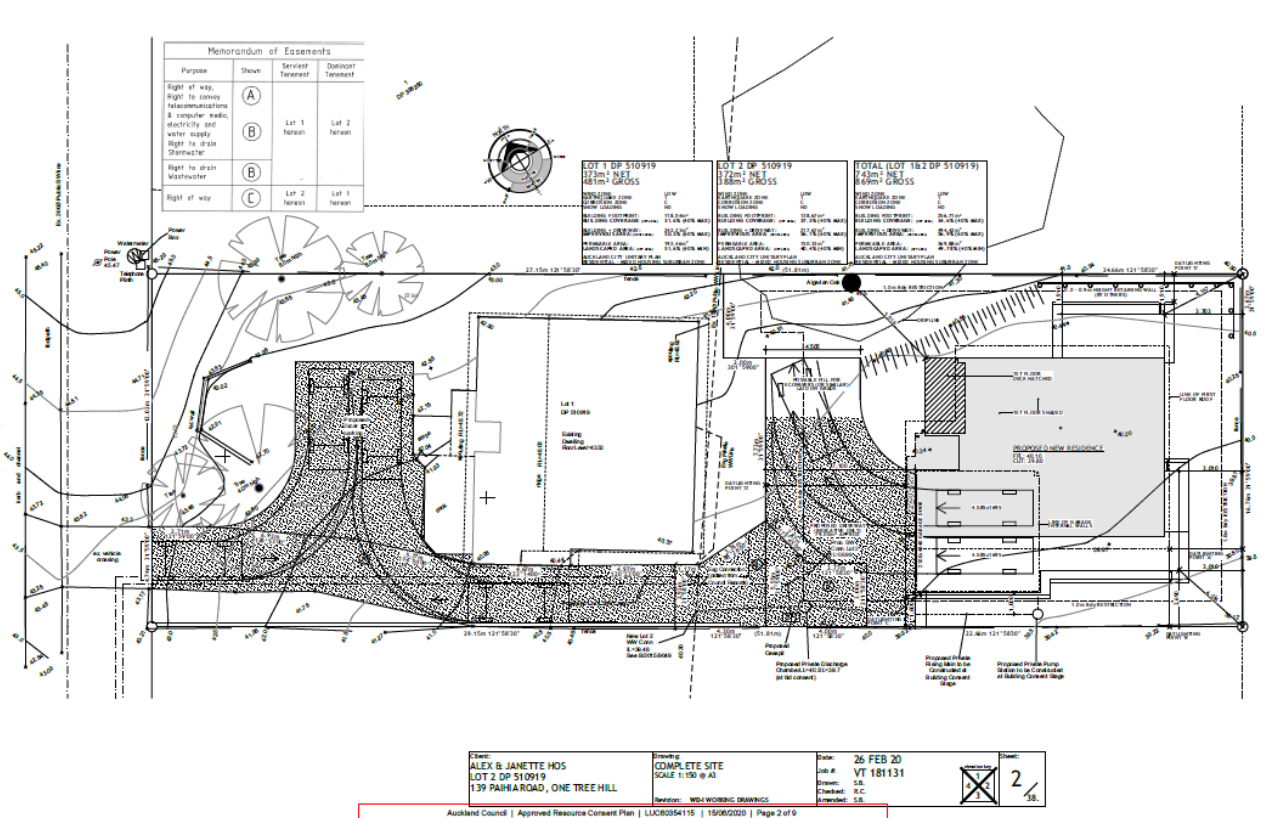
Modification
Plan Changes, Plan Change 78 - Intensification, Multiple Layers. [View PDF](#), Proposed, 18/08/2022

Zone
Residential - Mixed Housing Suburban Zone

Precinct

Overlays
Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer
Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer
Natural Heritage: Notable Trees Overlay - 437, Algerian Oak, Verified position of tree
Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rop/dp] - O4, One Tree Hill, Viewshafts
Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rop/dp] - O3, One Tree Hill, Viewshafts

Attachment 3: Consent plan showing notable Algerian Oak tree in development.



Memorandum of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of way	(A)		
Right to convey telecommunications	(B)	Lot 1	Lot 2
Right to convey water supply	(B)	Lot 1	Lot 2
Right to drain	(B)	Lot 1	Lot 2
Right to drain	(B)	Lot 1	Lot 2
Right of way	(C)	Lot 2	Lot 1

LOT 2 DP 510919
139 PAIHIA ROAD, ONE TREE HILL

COMPLETE SITE
SCALE 1:100 (p.43)

Date: 26 FEB 20
Drawn: S.B.
Checked: S.C.
Reviewed: S.B.

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Attachment 4: Schedule 10 listing showing revised text

716	<i>Podocarpus totara</i>	Totara	1	Paice Avenue 73	Sandringham	Lot 23 DP 3671
437	<i>Quercus canariensis</i>	Algerian Oak	1	Paihia Road 139A	Onehunga	Lot 2 DP 510919
639	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Panama Road 9	Mt Wellington	Lot 5 DP 23160
50	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Panama Road 9	Mt Wellington	Lot 5 DP 23160