

Memo

Date . 16 October 2024

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

Subject: **Plan Modification: Clause 20A modification to Auckland Unitary Plan (AUP)**
Correction to Schedule 10, D13 Notable Trees Overlay, AUP
120 (&120A) Gray Avenue, Mangere East – ID #1517

A correction is required to the Auckland Unitary Plan (operative in Part) 2016 (AUP).





I seek your approval of a plan modification pursuant to clause 20A, First Schedule, Resource Management Act 1991 (correct minor errors).

You have delegated authority, as a tier four manager, to decide 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.

In this case the modification relates to an incorrect street address The legal description for the notable tree listing is unchanged and correct.

Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree # 1517 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">1517</td> <td style="width: 30%; text-align: center;"><i>Quercus robur</i></td> <td style="width: 20%; text-align: center;">English Oak</td> <td style="width: 5%; text-align: center;">1</td> <td style="width: 15%; text-align: center;">Gray Avenue 120</td> <td style="width: 10%; text-align: center;">Mangere East</td> <td style="width: 10%; text-align: center;">Lot 1 DP 360828</td> </tr> </table>	1517	<i>Quercus robur</i>	English Oak	1	Gray Avenue 120	Mangere East	Lot 1 DP 360828
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Subject Site	120A Gray Avenue, Mangere East							
Current Legal Description	Lot 1 DP 360828							
Nature of change	A clause 20A modification is required to correct a street address for this listing from 120 Gray Avenue to 120A Gray Avenue. The need for this change first came to light in April 2018 when West Fynn (Senior Heritage Arborist) advised that the poplar at 120A Gray Avenue had failed and had been permitted to be felled. Refer Attachment 1 . The poplar on this site was subsequently removed from the schedule by PC 29 Notable Trees.							
Effect of change	The effect of the modification is neutral as the correct legal description for the listing is correct.							

Changes required to be made (text/in-text diagrams)	Amend Schedule 10 Notable Trees Schedule of the AUP so that it reads as below: <table border="1" style="margin-top: 10px; 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;">1517</td> <td style="text-align: center;"><i>Quercus robur</i></td> <td style="text-align: center;">English Oak</td> <td style="text-align: center;">1</td> <td style="text-align: center;">Gray Avenue 420 120A</td> <td style="text-align: center;">Mangere East</td> <td style="text-align: center;">Lot 1 DP 360828</td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	1517	<i>Quercus robur</i>	English Oak	1	Gray Avenue 420 120A	Mangere East	Lot 1 DP 360828
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1517	<i>Quercus robur</i>	English Oak	1	Gray Avenue 420 120A	Mangere East	Lot 1 DP 360828									
Changes required to be made (to maps)	No map changes are required. The tree triangle is in the correct location (refer Attachments 2 and 3).														
Attachments	Any further relevant information/evidence to help the decision maker (if necessary): <ul style="list-style-type: none"> - Attachment 1: Email from West Fynn (Senior Heritage Arborist) April 2018 advising of issues with the listing. - Attachment 2: Property Summary from AUP (operative in part) indicating correct legal description and location of oak tree at 120A Gray Avenue - Attachment 3: Site Pack information identifying poplar (felled in 2018) and English Oak '2' (still in place) - Attachment 4: Photos of trees at 120A Gray Avenue showing poplar that was felled and oak still in place. - Attachment 5: Schedule 10 listing showing revised texts (portions of schedule only) 														

Prepared by: Ewen Patience, Policy Planner	Signature: 
Text prepared by: Sarah El Karamany, Planning Technician	Signature: 
Data or map/s prepared by: N/A	Signature:
Reviewed by: Clare Wall Shaw, Team Leader	Signature: 
Decision: I agree to authorise the Clause 20A modifications using my delegated authority. Celia Davison Central South Planning Manager Date: 25 October 2024	Signature: 

Attachment 1: Email from West Fynn (Senior Heritage Arborist) April 2018 advising of issues with the listing.

From: West Fynn
Sent: Saturday, 21 April 2018 3:45 p.m.
To: Ruth Andrews; Nick Stott; Peri Buckley
Subject: storm...

Hi Yall

The Pohutukawa at 34 Tawa road in onehunga failed and I instructed them to reduce it to 4-5m in height leaving a stump to regenerate from under emergency works. So still retained and to be kept on the list.

The Lombardy at the front of 120A Gray Ave failed damaging the house and I instructed them to completely remove the tree under emergency works and therefore the Lombardy needs deletion from this listing but also the listing needs looking at as there is no listing for 120A but there is for 120? On GIS 120 is set back and there are not trees on all of the various 120's listed. If not one you have looked at then we need to review.

The oak at 10 Margaret ave, Papatoetoe was within that property and not in 105 Wyllie as GIS suggests and has completely failed and so needs removing from the list.

The pohutukawa at 11 woodford ave had significant failures into the road and I have instructed a reduction to 5-6m as emergency works with the remainder of the tree being retained.

Cheers

West

Attachment 2: Property Summary from AUP (operative in part) indicating correct legal description and location of oak tree at 120A Gray Avenue (refer Attachment 3).

Property Summary

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

Address
120A Gray Avenue Papatoetoe Auckland 2024

Legal Description
LOT 1 DP 360828

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 Heritage: Notable Trees Overlay - 1517, English Oak, Verified position of tree

Controls
Controls: Macroinvertebrate Community Index - Urban

Designations
Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd



Attachment 3: Site Pack information identifying poplar (felled in 2018) and English Oak '2' (still in place) – refer photographs.



Attachment 4: Photos of trees at 120A Gray Avenue. Poplar (below left) at front of 120A Gray Avenue referred to by West Fynn that failed in April 2018 and was permitted to be felled. Google streetview (below right) September 2024 showing poplar absent and English Oak (deciduous) remaining at front of site.



Attachment 5: Schedule 10 listing with corrected text. (portions of schedule only)

1652	<i>Podocarpus totara</i>	Totara	4	Grande Vue Road 96	Hillpark	Lot 255 DP 53467
1517	<i>Quercus robur</i>	English Oak	1	Gray Avenue 120A	Mangere East	Lot 1 DP 360828
1518	<i>Agathis australis,</i> <i>Corynocarpus</i> <i>laevigatus</i>	Kauri, Karaka	2	Gray Avenue 120B	Mangere East	Lot 2 DP 360828