

Memo

Date 7 October 2024

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

Subject: **Plan Modifications: Clause 20A modification to Auckland Unitary Plan – Correction to Schedule 10 and D13 Notable Trees Overlay, AUP**
5 Papakura-Clevedon Road – ID #1579 (Clevedon Village Reserve)

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

I seek your approval of the plan modifications pursuant to clause 20A, First Schedule, Resource Management Act 1991 (correct minor errors) 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 Schedule 10 modification arises from the removal of the poplar tree following storm damage which blew the tree over and necessitated emergency removal works as an adjoining property was affected. The tree has been physically removed.

It is also considered appropriate at this time to correct, pursuant to Clause 20A, the ‘unverified position’ notable tree triangle that is central to the property - and not at the location of either notable tree - by relocating it to the position of the one tree that remains, the cypress tree.

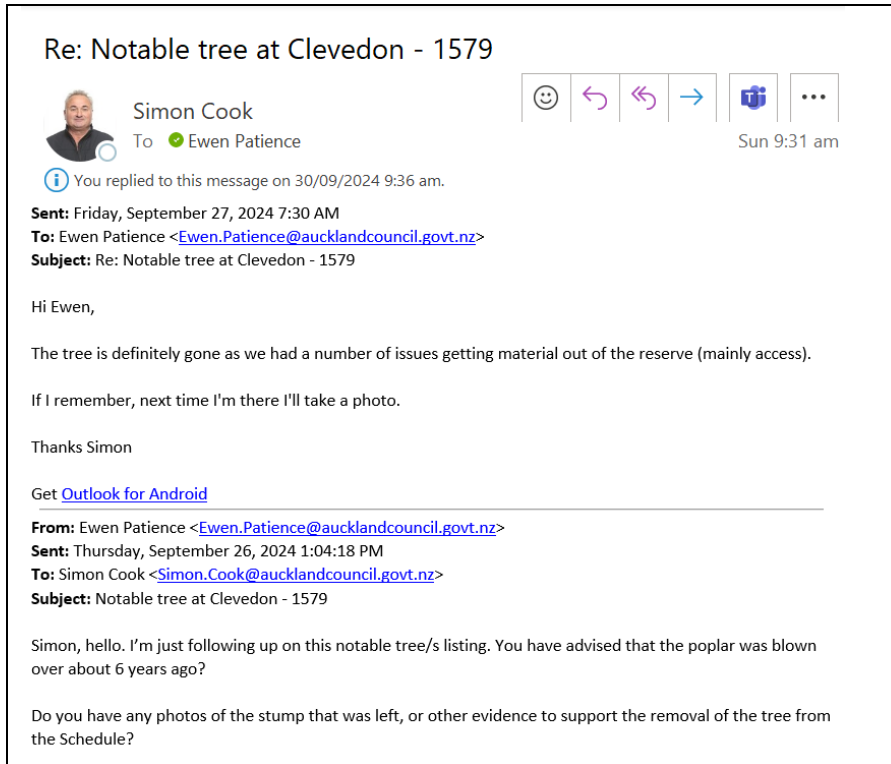
Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree # 1579						
	1579	<i>Cupressus spp, Populus spp</i>	Cupressus spp, Poplar	2	Papakura - Clevedon Road 5	Clevedon	Lot 1 DP 31133
Subject Site	5 Papakura-Clevedon Road, Clevedon						
Current Legal Description	Lot 1 DP 31133						
Nature of change	A clause 20A modification is required in accordance with D13.4 to update Schedule 10 of the AUP in response to confirmation from Council arborist Simon Cook (email 27 September 2024) that the poplar tree at the Clevedon Village Reserve has been removed (about 6 years ago) following a storm that necessitated its urgent removal as it affected an adjoining property (refer						

	<p>Attachment 1). The loss of the tree recently came to light when someone enquired about use of the reserve for filming and the protection of the notable trees on the site was discussed, at which point it was confirmed that only one listed tree remained.</p> <p>In correcting the listing it is appropriate to also correct the common name for the remaining tree to 'cypress species'. West Fynn has advised that at this stage we do not know which type of cypress it is.</p> <p>Simon Cook has also advised that the remaining notable tree (cypress) is at a specific location near the front of the reserve and he agrees it would be appropriate to correct the 'unverified position' of the tree on the property by relocating the triangle to the verified position. This position is shown in the Site Pack folder for listing #1579 that contains the evaluation of the tree dated 2010 (refer Attachments, 2, 3 and 4).</p>														
Effect of changes	<p>The effects of the modifications are neutral as (1) the correction of Schedule 10 is authorised by the provisions of D13.4 AUP where a tree has been removed following storm damage; and (2) the correction to the AUP maps under Clause 20A is minor and appropriate as the position of the remaining notable tree (cypress) on the reserve has been verified by a Council arborist as being that marked in the Site Pack information for the listing.</p> <p>There is no need for landowner advice of the Schedule 10 modification to the listing as the tree has been down for some time (circa 6 years) and the owner is Auckland Council and Parks staff are aware of the situation.</p>														
Changes required to be made (text/in-text diagrams)	<p>Amend Schedule 10 Notable Trees Schedule of the AUP to <u>amend</u> the following listing:</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;">1579</td> <td style="text-align: center;">Cupressus spp, Populus spp</td> <td style="text-align: center;">Cupressus spp, Poplar Cypress species</td> <td style="text-align: center;">2 1</td> <td style="text-align: center;">Papakura-Clevedon Road 5</td> <td style="text-align: center;">Clevedon</td> <td style="text-align: center;">Lot 1 DP 31133</td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	1579	Cupressus spp, Populus spp	Cupressus spp, Poplar Cypress species	2 1	Papakura-Clevedon Road 5	Clevedon	Lot 1 DP 31133
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1579	Cupressus spp, Populus spp	Cupressus spp, Poplar Cypress species	2 1	Papakura-Clevedon Road 5	Clevedon	Lot 1 DP 31133									
Changes required to be made to maps	<p>A change to the maps is appropriate by way of a Clause 20A process to correct (relocate) the tree triangle (unverified position) on the reserve to the verified position near the front of the property (refer Attachment 2 and 3).</p>														
Attachments	<p>Any further relevant information/evidence to help the decision maker (if necessary):</p> <ul style="list-style-type: none"> - Attachment 1: Email from Simon Cook confirming the poplar tree has been removed. - Attachment 2: Email from Simon Cook agreeing the correct location of the remaining cypress tree on the reserve. - Attachment 3: Graphic from Site Pack indicating location of cypress tree (38) near the front of the Clevedon Village Reserve (by street number '5'); photograph of tree from Site Pack. - Attachment 4: Information from Site Pack of poplar tree that has been removed – photograph and location of tree (39) 														

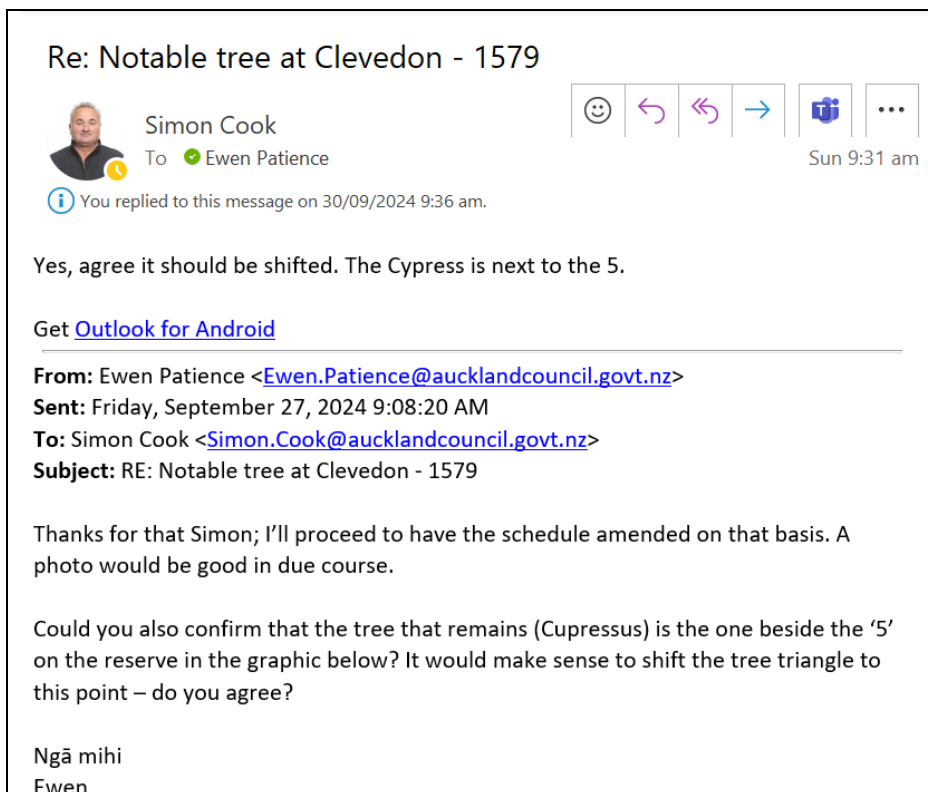
	<ul style="list-style-type: none"> - Attachment 5: Aerial photos indicating the timing of the removal of the poplar tree (39) some time between 2017 and 2019/20 (about 6 years ago). - Attachment 6: 'Before and after' graphic of relocated tree triangle for AUP maps. - Attachment 7: Schedule 10 listing showing corrected text (portions of schedule only).
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Prepared by: Ewen Patience, Policy Planner	Signature: 
Text prepared by: Sarah El Karamany, Planning Technician	Signature: 
Data or map/s prepared by: Aching Konyak, Senior Geospatial Specialist	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: 9 October 2024	Signature: 

Attachment 1: Email from Simon Cook confirming the poplar tree has been removed.



Attachment 2: Email from Simon Cook agreeing the correct location of the remaining cypress tree on the reserve (see graphic at Attachment 3).



Attachment 3: Graphic from Site Pack indicating location of cypress tree (38) near the front of the Clevedon Village Reserve (by the street number 5); photograph of tree from Site Pack.



Attachment 4: Information from Site Pack of notable poplar tree that has been removed – photograph and location of tree (39).



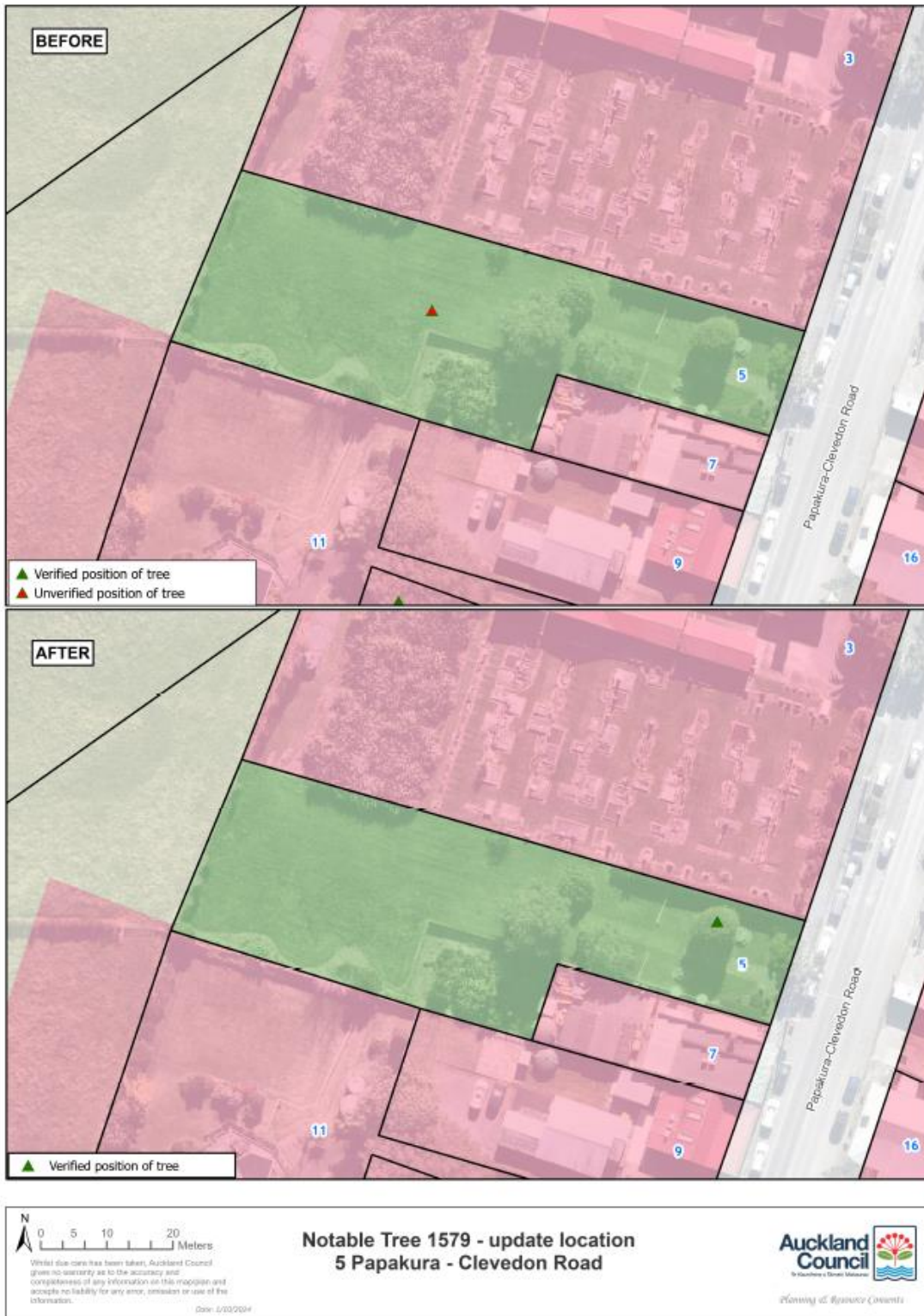
Attachment 5: Aerial photos indicating the timing of the removal of the notable poplar tree (39) some time between 2017 and 2019/20 (about 6 years ago).



19-2020



Attachment 6: ‘Before and after’ graphic of relocated tree triangle in the Clevedon Village Reserve.



Attachment 7: Schedule 10 listing showing corrected text (portions of schedule only)

1532	<i>Vitex lucens</i>	Puriri	1	Paparoa Road 2R (reserve)	Howick	Allotment 67 SECT 1 SM FMS NEAR Howick
1579	<i>Cupressus spp</i>	Cypress species	1	Papakura - Clevedon Road 5	Clevedon	Lot 1 DP 31133
1578	<i>Quercus robur</i>	English Oak	1	Papakura - Clevedon Road 13	Clevedon	Pt Allotment 5 PSH OF Wairoa