

Memo

Date 20 September 2024

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

Subject: **Plan Modification: Clause 20A modifications to Auckland Unitary Plan – Correction to Schedule 10 and D13 Notable Trees Overlay, AUP**
30A Beach Road, Castor Bay – ID #1041 (removal)

A correction is 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 (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 modification arises from a resource consent authorising the removal of a Norfolk Island Pine tree ID 1041 which has come to light following a subdivision affecting the property the tree triangle is located on. The tree has been physically removed.

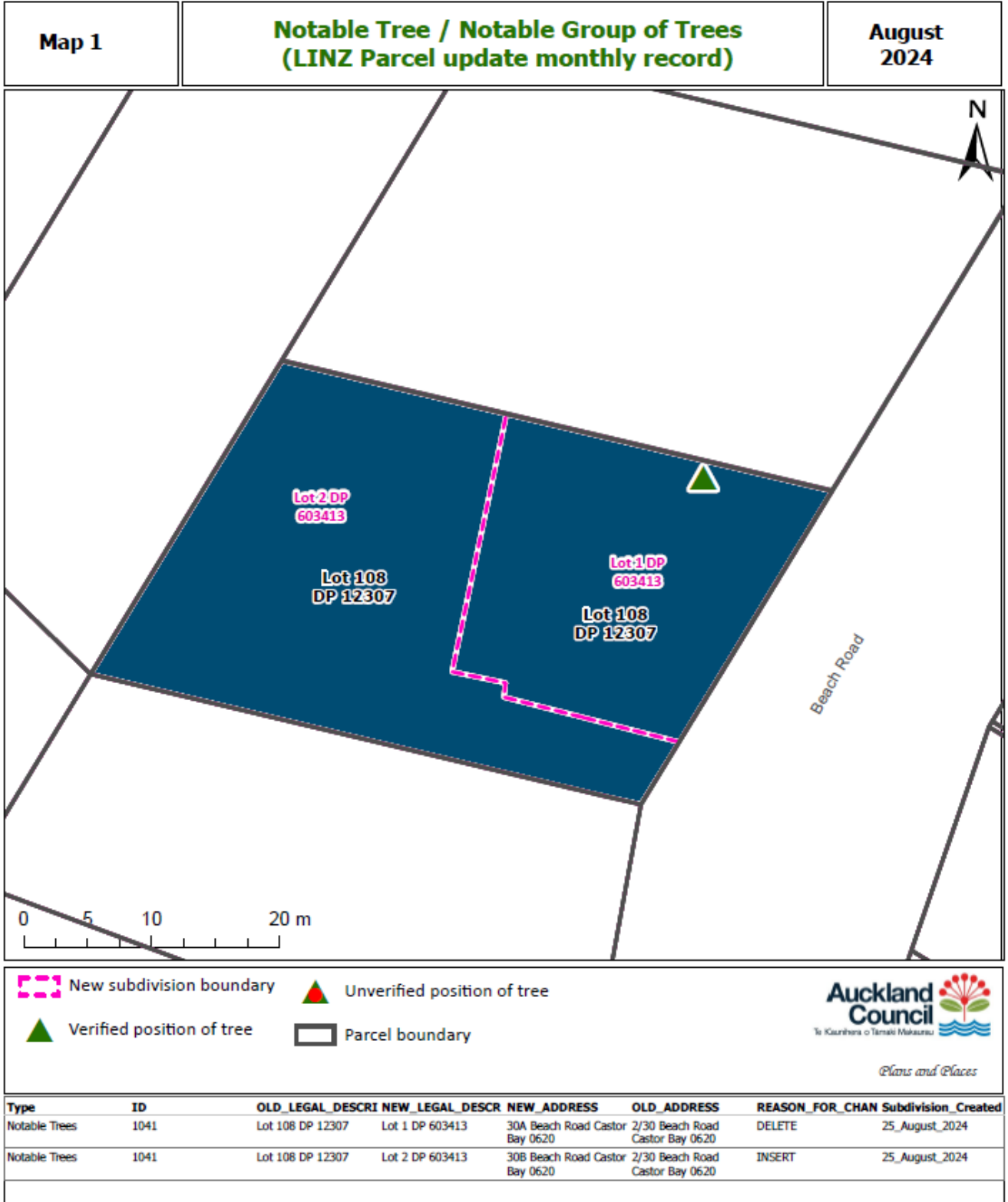
Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree # 1041						
	1041	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Beach Road 30A	Castor Bay	Lot 108 DP 12307
Subject Site	30A Beach Road, Castor Bay						
Current Legal Description	Lot 108, DP 12307						
Nature of change	A clause 20A modification is required in accordance with D13.4 to update Schedule 10 of the AUP in response to a consent granted in June 2020 to remove a notable tree #1041 (TRE60342137). The consent came to light after the GIS team had advised - 4 September 2024 following the regular updating of the cadastral data received from LINZ - that a subdivision of a property containing a tree triangle had occurred (refer Attachment 1). The tree has been physically removed and the consented subdivision plan (cross lease conversion, SUB60429816) indicates that there is no tree on the property (refer Attachment 3). This has been confirmed by viewing Google Maps. This necessitates removing						

	<p>the listing in Schedule 10 and the tree notation on the planning maps.</p> <p>The GIS team has prepared a 'before and after' graphic for the removal of the tree triangle, ID # 1041 – refer Attachment 4.</p>							
Effect of change	<p>The effects of the modifications are neutral as they are authorised by the provisions of D13.4 AUP where a tree has been removed by way of the grant of a consent (TRE60342137).</p> <p>There is no need for landowner advice of this correction as the tree has been down for some time (circa 2020) and it is the recent subdivision that has brought the facts to light.</p>							
Changes required to be made (text/in-text diagrams)	<p>Amend Schedule 10 Notable Trees Schedule of the AUP to <u>delete</u> the following listing:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">1041</td> <td style="width: 20%; text-align: center;"><i>Araucaria heterophylla</i></td> <td style="width: 20%; text-align: center;">Norfolk Island Pine</td> <td style="width: 5%; text-align: center;">1</td> <td style="width: 20%; text-align: center;">Beach Road 30A</td> <td style="width: 10%; text-align: center;">Castor Bay</td> <td style="width: 15%; text-align: center;">Lot 108 DP 12307</td> </tr> </table>	1041	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Beach Road 30A	Castor Bay	Lot 108 DP 12307
1041	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Beach Road 30A	Castor Bay	Lot 108 DP 12307		
Changes required to be made to maps	<p>The tree triangle on the AUP planning maps at 30A Beach Road, Castor Bay is to be removed. Refer 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 Danica Torres on 4 September 2024. - Attachment 2: Excerpt from tree removal consent of 2 June 2020, TRE60342137. - Attachment 3: Consented subdivision plan dated 7/5/2024 indicating that there is no tree on the property. - Attachment 4: 'Before and after' graphic showing removal of 'notable tree' 1041 in the AUP planning maps. - Attachment 5: Schedule 10 listing showing corrected text 							

<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: Danica Torres, Senior Geospatial Specialist</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 modifications using my delegated authority:</p> <p>Celia Davison Central South Planning Manager Date: 24 September 2024</p>	<p>Signature:</p> 

Attachment 1: Information from GIS team as advised by email from Danica Torres 4 September 2024. The recent subdivision (cross lease conversion) has occurred which has brought to light that the tree has been felled following a consent for its removal.



Attachment 2: Excerpt from tree removal consent of 2 June 2020, TRE60342137

Decision following the hearing of an application for resource consent under the Resource Management Act 1991



Proposal

To remove a scheduled Norfolk Island Pine that is listed on the Notable Tree Overlay, ID 1041.

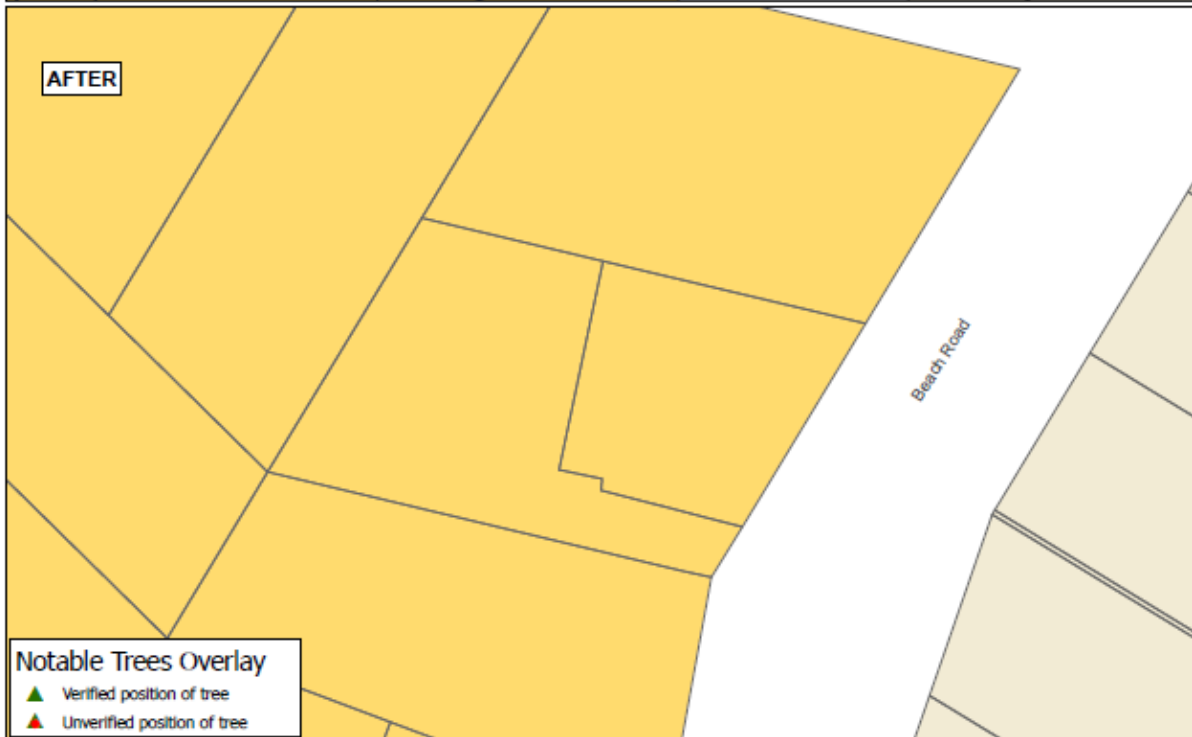
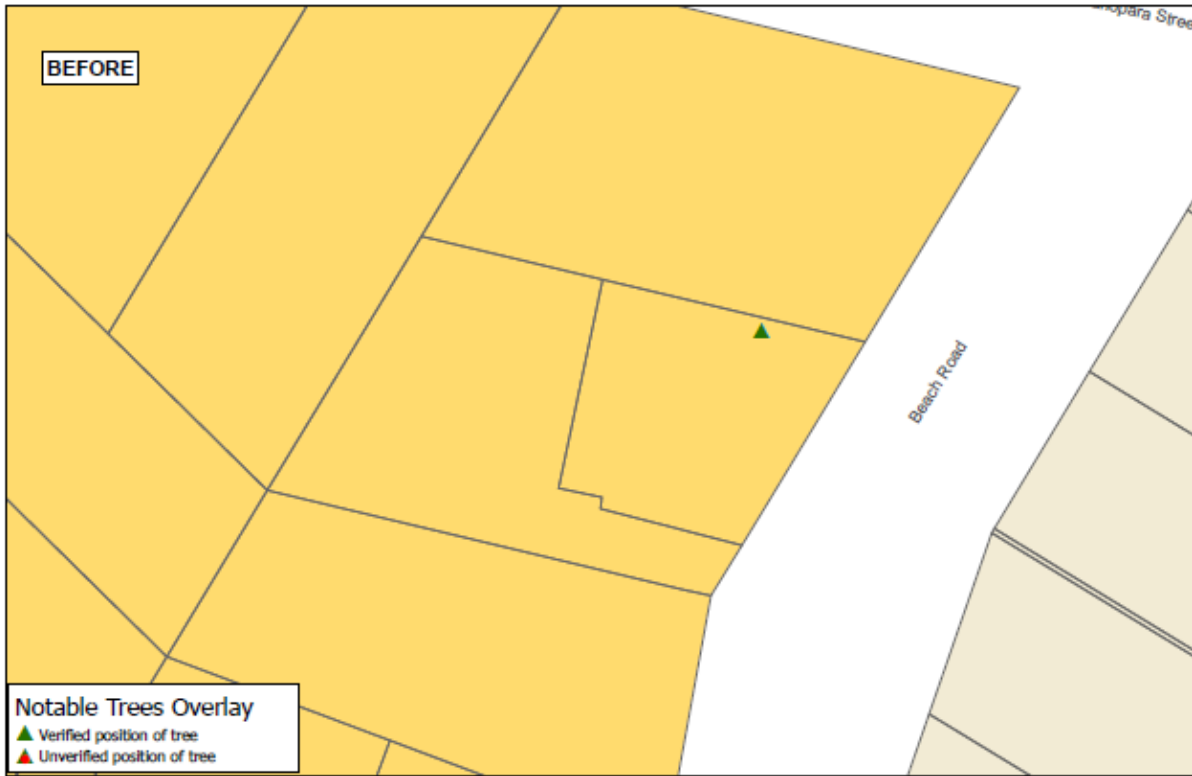
This resource consent is **GRANTED**. The reasons are set out below.

Application number:	TRE60342137
Site address:	30a Beach Road, Castor Bay
Applicant:	Michael Girvan and Jeanette Girvan
Hearing commenced:	Monday 11 May 2020, 10:00am
Hearing panel:	Peter Reaburn (Chairperson) Matt Riley

Attachment 3: Consented subdivision plan showing existing features (cross lease conversion) dated 7/5/2024 indicating that there is no notable tree on Lot 1.



Attachment 4: 'Before and after' graphic showing removal of notable tree triangle 1041 from the AUP planning maps.



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While due care has been taken, Auckland Council gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information.

Notable Tree #1041 Removal

Auckland Council
Te Kaunihera o Tāmaki Makaurau

Plans and Places

Attachment 5: Schedule 10 listing showing corrected text (with map to be corrected as shown in Attachment 4).

BEFORE

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1040	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Beach Road 6	Castor Bay	Lot 2 DP 61602
1041	<i>Araucaria heterophylla</i>	Norfolk Island Pine	4	Beach Road 30A	Castor Bay	Lot 108 DP 12307
2821	<i>Metrosideros excelsa</i> (2), <i>Podocarpus totara</i>	Pōhutukawa, totara	3	Beach Road 71B	Castor Bay	DP 164224 and DP 11099

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AFTER

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1040	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Beach Road 6	Castor Bay	Lot 2 DP 61602
2821	<i>Metrosideros excelsa</i> (2), <i>Podocarpus totara</i>	Pōhutukawa, totara	3	Beach Road 71B	Castor Bay	DP 164224 and DP 11099

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