

Memo

Date 30 September 2024

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

Subject: **Plan Modifications: Clause 20A modification to Auckland Unitary Plan (AUP) Corrections to Schedule 10, D13 Notable Trees Overlay, AUP**
Corner Panama and Ryburn Roads, Mt Wellington – ID #640

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

I seek your approval of plan modifications pursuant to clause 20A, First Schedule, Resource Management Act 1991 (correct minor errors) and Chapter D13 Notable Trees Overlay of the AUP.

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.



AUP chapter D13.4 (Activity table) 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 and land use consents which alter the legal description and address of the large pōhutukawa tree ID # 640, as set out below.

Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree # 640						
Subject Site	Corner Ryburn Road and Panama Road, Mt Wellington						
Current Legal Description	Lot 1 DP 199264						
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: A nomination from The Tree Council for a new notable tree listing was found to relate to an existing listing (ID#640) and upon investigation it was found that a subdivision of the property had occurred affecting the address and legal description of the listing (BUN60340582). This necessitates updating/correcting the 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 'bundled' subdivision and landuse consents. The notable tree remains and the listing can be corrected, as set out below.</p> <p>It is noted that the consents granted impose 9 conditions concerning the ongoing protection of the tree.</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 Trees Schedule of the AUP so that it reads as below:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <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;">640</td> <td style="text-align: center;">Metrosideros excelsa</td> <td style="text-align: center;">Pōhutukawa</td> <td style="text-align: center;">1</td> <td style="text-align: center;">Ryburn The shared land portion of 1/17 Panama Road, 22</td> <td style="text-align: center;">Mt Wellington</td> <td style="text-align: center;">Lot 1 DP 499264 Lot 31 DP 559539</td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	640	Metrosideros excelsa	Pōhutukawa	1	Ryburn The shared land portion of 1/17 Panama Road, 22	Mt Wellington	Lot 1 DP 499264 Lot 31 DP 559539
ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description									
640	Metrosideros excelsa	Pōhutukawa	1	Ryburn The shared land portion of 1/17 Panama Road, 22	Mt Wellington	Lot 1 DP 499264 Lot 31 DP 559539									
Changes required to be made (to maps)	No map changes are required.														
Attachments	<p>Any further relevant information/evidence to help the decision maker (if necessary):</p> <ul style="list-style-type: none"> - Attachment 1: Subdivision and landuse consent information (BUN60340582). - Attachment 2: Subdivision / landuse plan showing the notable tree to be protected in the shared land of the development. - Attachment 3: Aerial photographs of the property and Lot 31 DP 559539. - 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: N/A	Signature:
Reviewed by:	Signature:


Clare Wall Shaw, Team Leader	
<p>Decision: I agree to authorise the Clause 20A modifications using my delegated authority</p> <p>Celia Davison Central South Planning Manager Date: 2 October 2024</p>	<p>Signature:</p> 

Attachment 1: Information from subdivision and landuse consent granted 31 October 2019 (BUN60340582)

Delegated decision maker:

Name: Aruna Pillay

Title: Team Leader, Resource Consents

Signed: 

Date: 31 October 2019

Page 36 31 October 2019 RC 6.3.23 V2
BUN60340582, LUC60340583, SUB60340584

Auckland Council
LUC60340583, SUB60340584
Approved Resource Consent Plan
31/10/2019

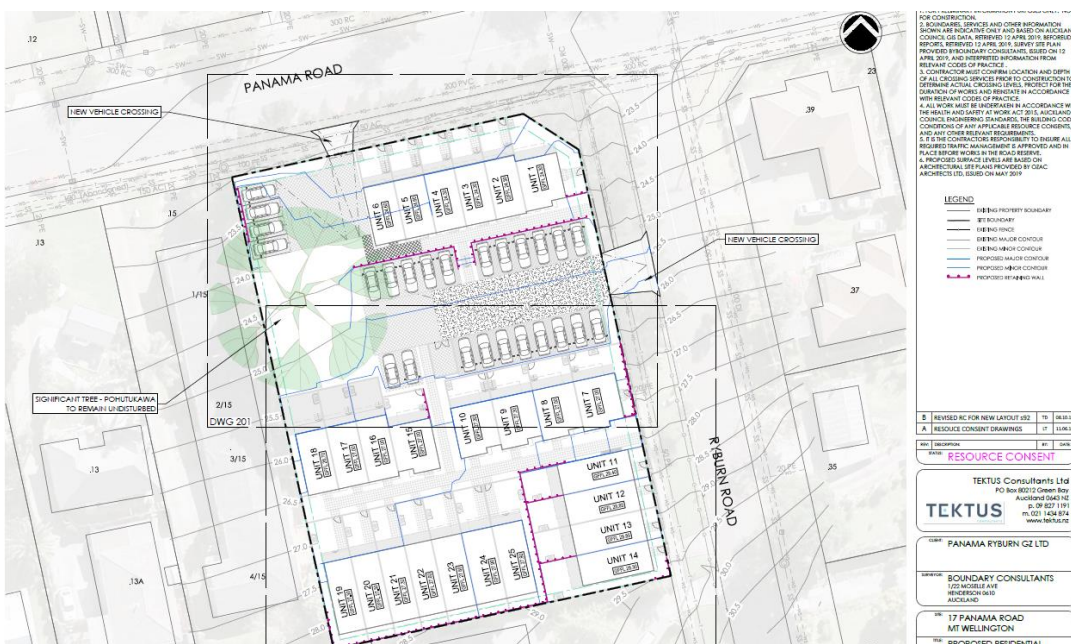
17 PANAMA ROAD DEVELOPMENT

22 Ryburn Road Mount Wellington Auckland 1062

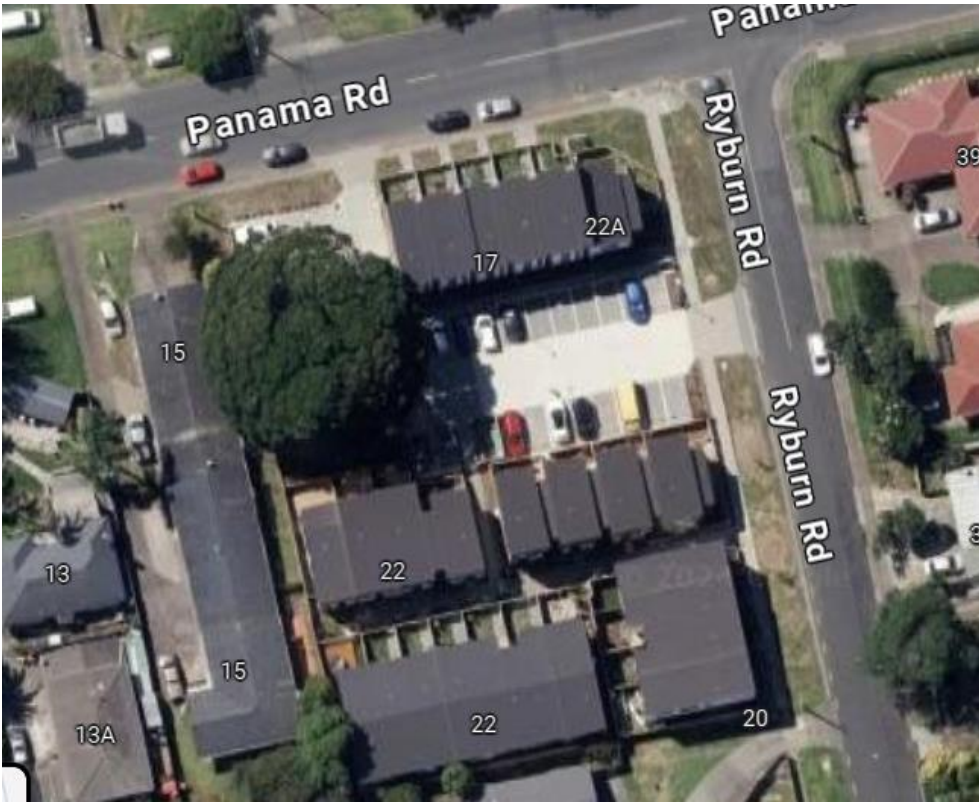
LEGAL DESCRIPTION:
LOT 1 DP 199264
GROSS SITE AREA: 2832.97 sqm

RESOURCE CONSENT SET

Attachment 2: Subdivision / landuse plan showing the notable tree to be protected in the shared land of the development.



Attachment 3: Aerial photographs of the property and Lot 31 DP 559539



Google Maps

Value
50895191
8225806
Current
LOT 31 DP 559539
LOT
31
DP
559539



Attachment 4: (once approved) Schedule 10 listing with corrected text.

BEFORE

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640	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Ryburn <u>The shared land portion of 1/17 Panama Road 22</u>	Mount Wellington	Lot 1 DP 199264 <u>Lot 31 DP 559539</u>
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AFTER

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640	<i>Metrosideros excelsa</i>	Pōhutukawa	1	The shared land portion of 1/17 Panama Road	Mount Wellington	Lot 31 DP 559539
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