

Memo

Date 22 October 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
508 Te Atatu Road – ID #2015 (removal of one tree)**

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 Register¹ 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:

- Subdivision altering legal description of one or more trees
- Resource consent authorising the removal of one or more trees and the tree has been physically removed
- 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 the permitted removal of a Australian Frangipani tree, one of two notable trees at 508 Te Atatu Road (ID 2015) which followed the confirmation by Council's Senior Heritage Arborist West Fynn to the landowner that the tree was dead. The tree has been physically removed. The correction to the listing should also correct the spelling of 'Illawarra' (addition of second 'r').

Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree # 2015					
	2015	<i>Brachychiton acerifolius, Hymenosporum flavum</i>	Illawara Flame Tree, Australian Frangipani	2	Te Atatu Road 508	Te Atatu Peninsula
Subject Site	508 Te Atatu Road, Te Atatu Peninsula					
Current Legal Description	Lot 3 DP 53845					
Nature of change	A clause 20A modification is required to remove the Australian Frangipani tree from the ID 2015 listing.					

¹ available on Kotahi at [Delegation Register](#)

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 declared dead and removed as a permitted activity.</p> <p>There is no need for landowner advice of this correction as West Fynn confirmed directly to the landowner that the tree was dead and could be removed.</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 as indicated (which includes the correction of the spelling of 'Illawarra' (by adding an 'r')):</p> <table border="1" data-bbox="371 669 1435 929"> <thead> <tr> <th>ID</th> <th>Botanical Name</th> <th>Common Name</th> <th>Number of Trees</th> <th>Location/Street Address</th> <th>Locality</th> <th>Legal Description</th> </tr> </thead> <tbody> <tr> <td>2015</td> <td><i>Brachychiton acerifolius</i>, <i>Hymenosporum flavum</i></td> <td>Illawarra Flame Tree, Australian Frangipani</td> <td>≥ 1</td> <td>Te Atatu Road 508</td> <td>Te Atatu Peninsula</td> <td>Lot 3 DP 53845</td> </tr> </tbody> </table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	2015	<i>Brachychiton acerifolius</i> , <i>Hymenosporum flavum</i>	Illawarra Flame Tree, Australian Frangipani	≥ 1	Te Atatu Road 508	Te Atatu Peninsula	Lot 3 DP 53845
ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description									
2015	<i>Brachychiton acerifolius</i> , <i>Hymenosporum flavum</i>	Illawarra Flame Tree, Australian Frangipani	≥ 1	Te Atatu Road 508	Te Atatu Peninsula	Lot 3 DP 53845									
Changes required to be made to maps	<p>Removal of one tree triangle from property: Refer Attachment 2</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 West Fynn Senior Heritage Arborist dated 19 February 2024 confirming that the notable Australian Frangipani tree at 508 Te Atatu Road was dead and could be removed; and an email of 8 October 2024 confirming the tree had been felled. - Attachment 2: Before and after graphic showing removal of Australian Frangipani tree at 508 Te Atatu Road, Te Atatu Peninsula from the planning maps. - Attachment 3: AUP Schedule 10 listing showing corrected text 														

Prepared by: Ewen Patience, Policy Planner	Signature: 
Text prepared by: Maninder Kaur-Mehta, Planning Technician	Signature: 

Data or map/s prepared by: Danica Torres, 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: 24 October 2024	Signature: 

Attachment 1: Email from West Fynn Senior Heritage Arborist dated 19 February 2024 confirming that the notable Australian Frangipani tree at 508 Te Atatu Road was dead and could be removed, and an email of 8 October 2024 confirming the tree had been felled.

From: West Fynn
Sent: Monday, February 19, 2024 11:02 AM
To: Desmond Borges <flash302511@gmail.com>
Cc: Unitary Plan <unitaryplan@aucklandcouncil.govt.nz>
Subject: RE: 508 Te Atatu Road, Te Atatu

Hi Joseph

Yes, as I explained on the phone, after my site visit, I can confirm that the notable Australian Frangipani tree is completely dead and therefore can be removed completely, as a permitted activity. This means that this email constitutes permission to do so, without requiring the normal prior resource consent.

Note that the removal must be done in a professional manner by competent arborists to ensure that the adjacent protected notable Illawarra Flame tree is not damaged or compromised in any way in the process.

2015	Brachychiton acerifolius, Hymenosporum flavum	Illawara Flame Tree, Australian Frangipani	2	Te Atatu Road 508	Te Atatu Peninsula	Lot 3 DP 53845
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Happy to discuss further.

Regards

West Fynn | Senior Heritage Arborist
Heritage
Plans and Places
Chief Planning Office
Auckland Council

RE: 508 Te Atatu Road, Te Atatu - tree felled?

 West Fynn
 To  Ewen Patience

 You replied to this message on 8/10/2024 12:53 pm.

Tue 12:11 pm

Hi Ewen

Yes, the Frangipani has been removed (the larger notable one but there is still a smaller not protected one) – the flame tree is still there.

Cheers

West Fynn | Senior Heritage Arborist
Heritage
Plans and Places
Chief Planning Office
Auckland Council
 Mobile 021824708
 Auckland Council, Level 16, 135 Albert St
 Visit our website: www.aucklandcouncil.govt.nz

Attachment 2: Before and after graphic showing removal of Australian Frangipani tree at 508 Te Atatu Road, Te Atatu Peninsula from the planning maps.



Attachment 3: Revised AUP Schedule 10 text.

Waitakere

ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description
1928	<i>Podocarpus totara</i>	Totara	1	Te Atatu Road 107	Te Atatu South	Lot 3 DP 44074
1933	<i>Fagus sylvatica 'Purpurea'</i>	Copper Beech	1	Te Atatu Road 161	Te Atatu South	Lot 1 DP 64476
2133	<i>Dacrycarpus dacrydioides</i>	Kahikatea	1	Te Atatu Road 169A	Te Atatu South	Lot 9 DP 21214
1930	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Te Atatu Road 221	Te Atatu South	Lot 8 DP 31444
2015	<i>Brachychiton acerifolius</i>	Illawarra Flame Tree	1	Te Atatu Road 508	Te Atatu Peninsula	Lot 3 DP 53845
2016	<i>Podocarpus sp</i>	Podocarp tree	1	Te Atatu Road 628	Te Atatu Peninsula	Lot 1 DP 349327
2017	<i>Brachychiton acerifolius</i>	Illawara Flame Tree	1	Te Atatu Road 628A	Te Atatu Peninsula	Lot 2 DP 349327
1914	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Te Atatu Road 752	Te Atatu Peninsula	Lot 2 DP 47427
1989	<i>Quercus sp.</i>	Oak	1	Te Kanawa Crescent 11	Henderson	Lot 1 DP 203245
1988	<i>Quercus sp.</i>	Oak	2	Te Kanawa Crescent 11A	Henderson	Lot 2 DP 203245
1990	<i>Quercus sp.</i>	Oak	8	Te Kanawa Crescent 17	Henderson	Lot 18 DP 48910
1894	<i>Dacrydium cupressinum</i>	Rimu	1	Te Kanawa Crescent 50	Henderson	Lot 2 DP 51895
2079	<i>Quercus sp.</i>	Oak	1	Te Pai Place 2	Henderson	Lot 1 DP 96962
1874	<i>Metrosideros excelsa</i>	Pohutukawa	1	The Terrace 88 (Esplanade reserve)	Herald Island	Lot 109 DP 31409
1869	<i>Metrosideros excelsa</i>	Pohutukawa	1	Titirangi Road 27	Titirangi	Lot 1 DP 67799
1998	<i>Cinnamomum camphor</i>	Camphor Laurel	1	Titirangi Road 391	Titirangi	Lot 1 DP 38235
1964	<i>Dacrydium cupressinum</i>	Rimu	1	Titirangi Road 400	Titirangi	Lot 3 DP 130604
1795	<i>Quercus robur</i>	English Oak	1	Titirangi Road, 418 (Lopdell House)	Titirangi	Allotment 740 PSH OF Waikomiti
1999	<i>Agathis australis, Dacrydium cupressinum, Dacrycarpus dacrydioides</i>	Kauri, Rimu, Kahikatea	Group	Titirangi Road 421, 421A & 423	Titirangi	Lot 1 DP 26523
1891	<i>Metrosideros excelsa</i>	Pohutukawa	1	Totara Avenue 1A	New Lynn	Lot 2 DP 161309
1893	<i>Ficus macrophylla</i>	Moreton Bay Fig	1	Twin Wharf Road (road reserve outside #5)	Herald Island	
1834	<i>Agathis australis</i>	Kauri grove	1	Upland Road 44 (Upper Page Farm)	Huia	Lot 11 DP 436003
1840	<i>Metrosideros excelsa</i>	Pōhutukawa	1	View Road 59	Henderson	Lot 1 DP 77916
1841	<i>Metrosideros excelsa</i>	Pōhutukawa	1	View Road 61	Henderson	Lot 1 DP 176421