

Memo

Date 02 December 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
443 Dominion Road (St Albans Church) – ID #261

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 Register¹ 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 legal description in Schedule 10. The address for the notable trees listing is unchanged and correct. The legal description in the AUP maps Property Summary is also correct.

Peri Buckley, Senior Heritage Information Analyst has researched the matter and has advised: "The trees were originally scheduled as part of PC305 but during the roll-over process into the PAUP, the wrong legal description was referenced." It is not clear how this occurred. The error was recently brought to Council's attention by an arborist wanting to clarify the extent of the listing at the church property.

Rule or Section of Unitary Plan	Schedule 10 Notable Trees Schedule – Tree # 261						
	261	<i>Metrosideros excelsa</i>	Pōhutukawa	2	Dominion Road 443	Mt Eden	Pt Allotment 132 SECT 10 SBRS OF Auckland
Subject Site	443 Dominion Road, Mt Eden						
Current Legal Description	Pt Allotment 132 SECT 10 SBRS OF Auckland						
Nature of change	A clause 20A modification is required to correct the legal description for this listing in Schedule 10 to Lot 2 DP 555.						
Effect of change	The effect of the modification is neutral as the address for the listing is correct (as is the legal description in the AUP maps) and RMA section 76(4A)(b) provides that either an address or legal description is provided for a notable trees schedule.						

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

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><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><tr><td>261</td><td><i>Metrosideros excelsa</i></td><td>Pōhutukawa</td><td>2</td><td>Dominion Road 443</td><td>Mt Eden</td><td>Pt Allotment 132 SECT 10, SBRS OF Auckland Lot 2 DP 555</td></tr></table>	ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	261	<i>Metrosideros excelsa</i>	Pōhutukawa	2	Dominion Road 443	Mt Eden	Pt Allotment 132 SECT 10, SBRS OF Auckland Lot 2 DP 555
ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description									
261	<i>Metrosideros excelsa</i>	Pōhutukawa	2	Dominion Road 443	Mt Eden	Pt Allotment 132 SECT 10, SBRS OF Auckland Lot 2 DP 555									
Changes required to be made (to maps)	The <u>Property Summary</u> information in the GIS AUP maps is correct (refer Attachment 1).														
Attachments	Any further relevant information/evidence to help the decision maker (if necessary): - Attachment 1: AUP Property Summary information - Attachment 2: Update text to Schedule 10 Notable Tree Scheudle														

Prepared by: Ewen Patience, Policy Planner	Signature: 
Text prepared by: Sophia Coulter 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: 11 December 2024	Signature: 

Attachment 1: AUP Property Summary information indicating correct legal description (#261 - 443 Dominion Road)

Property Summary

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

Address

443 Dominion Road Mount Eden Auckland 1024

Legal Description

Lot 2 DP 555

Appeals

Modification

Zone

Business - Mixed Use Zone

Precinct

Overlays

Natural Heritage: Notable Trees Overlay - 261, Pohutukawa, Verified position of tree

Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - E6, Mount Eden, Viewshafts

Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 1643, St Albans Church

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

Isthmus

ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description
711	<i>Vitex lucens</i>	Puriri	1	Colchester Avenue 24	Glendowie	Lot 284 DP 20612
992	<i>Quercus falcata</i>	Southern Red Oak	1	Connaught Street 90	Green Bay	Lot 1 DP 45710
755	<i>Agathis australis</i>	Kauri	1	Corbett-Scott Avenue 3	Epsom	Lot 1 DP 99132
835	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Corbett Scott Avenue 4	Epsom	Lot 1 DP 32581
406	<i>Sequoia sempervirens</i>	Redwood	6	Cornwall Park (near kiosk)	Epsom	Pt Allotment 11 SECT 12 SBRS OF Auckland
403	<i>Beilschmiedia tarairi</i>	Taraire	23	Cornwall Park (Park boundary, southern side Greenlane Road West)	Greenlane	Pt Allotment 10 SECT 12 SBRS OF Auckland
367	<i>Olea europaea</i>	Olive Grove (approx 200)	Group	Cornwall Park (adjacent to Claude & Crescent Roads)	Greenlane	Pt Allotment 9 SECT 12 SBRS OF Auckland
824	<i>Liriodendron tulipifera</i>	Tulip tree	1	Coronation Road 9	Epsom	Lot 1 DP 53493
887	<i>Metrosideros excelsa</i>	Pōhutukawa		Coronation Road 31	Epsom	Lot 2 DP 46076
476	<i>Metrosideros excelsa, Vitex lucens</i>	Pōhutukawa, Puriri	2	Court Crescent 30	Panmure	Lot 153 DP 21465
488	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Court Crescent 39	Panmure	Lot 76 DP 21465
601	<i>Quercus robur, Vitex lucens</i>	English Oak, Puriri	2	Cove Lane 3	Mt Wellington	Lot 23 DP 150834
386	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Crescent Road 18	Epsom	Lot 3 DP 18376
825	<i>Dacrydium cupressinum</i>	Rimu	1	Crescent Road, 29	Epsom	Lot 1 DP 147518
973	<i>Vitex lucens</i>	Puriri	1	Cromwell Street 1	Mount Eden	Lot 49 DP 1927
106	<i>Agathis australis</i>	Kauri	1	Cumberland Avenue 8	Westmere	Lot 166 DP 17365
71	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Curran Street 9	Herne Bay	Lot 1 DP 36627
72	<i>Quercus robur</i>	English Oak	1	Curran Street 50	Herne Bay	Pt Allotment 9 SECT 8 SBRS OF Auckland
940	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Denbigh Avenue 56 Mount Roskill	Mount Roskill	Lot 2 DP 196013
335	<i>Metrosideros excelsa</i>	Pōhutukawa	3	Derry Street 1	Greenlane	Lot 1 DP 128278
743	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Dexter Avenue 27	Mount Eden	Lot 47 DP 4665
744	<i>Dacrydium cupressinum</i>	Rimu	1	Dexter Avenue 42	Mount Eden	Lot 31 DP 4665
687	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	2-8 Dilworth Terrace	Parnell	Lot 1 DP 97009
746	<i>Dacrydium cupressinum</i>	Rimu	1	Disraeli Street 1	Mount Eden	Pt Lot 1 DP 4311
926	<i>Dacrydium cupressinum</i>	Rimu	1	Disraeli Street 18	Mount Eden	Lot 5 DP 4763
972	<i>Metrosideros excelsa</i>	Pōhutukawa	1	Domain Drive 12A	Parnell	Lot 1 DP 201994
478	<i>Metrosideros excelsa</i>	Pōhutukawa	8	Domain Road 44	Panmure	Pt Allotments 63, 77, 78 & 79 SECT 2 VILL OF Panmure
490	<i>Metrosideros excelsa</i>	Pōhutukawa	8	Domain Road 44	Panmure	Allotments 45 & 64 SECT 2 VILL OF Panmure
186	<i>Quercus suber</i>	Cork Oak	2	Dominion Road 114	Mt Eden	Lot 1 DP 121009
185	<i>Metrosideros excelsa</i>	Pōhutukawa	2	Dominion Road 136	Mt Eden	Pt Allotment 9 SECT 10 SBRS OF Auckland
948	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Dominion Road 242a	Mount Eden	Lot 2 DP 19805
261	<i>Metrosideros excelsa</i>	Pōhutukawa	2	Dominion Road 443	Mt Eden	Lot 2 DP 555
269	<i>Cedrus deodara</i>	Cedar	2	Dominion Road 488	Mt Eden	Section 16 SO
767	<i>Alectryon excelsus</i>	Titoki	1	Dominion Road 968	Mount Roskill	Section 4 SO 447335