

Memo

Date: 18 June 2025

To: Celia Davison, Central South Planning Manager

From: Ewen Patience – Policy Planner

Subject: **Plan Modification: Clause 20A modification to Auckland Unitary Plan – Correction to D13 Notable Trees Overlay; AUP Schedule 10 and Maps 144 Papakura-Clevedon Road, Clevedon; ID #1597 and #1598**

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 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:

- 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).

Modifications

In this case the modifications relate to a subdivision across two properties, 80 and 144 Papakura-Clevedon Road primarily affecting notable tree listings **#1597** and **#1598** but also **#1600** – refer **Attachment 1** (BUN6038825). Changes are required to listings #1597 and #1598 which relate to 144 Papakura-Clevedon Road.

1597	<i>Quercus palustris, Podocarpus totara</i>	Pin Oak, Totara	2	Papakura - Clevedon Road 144	Clevedon	Lot 2 DP 186158
1598	<i>Podocarpus totara</i>	Totara	1	Papakura - Clevedon Road 144	Clevedon	Lot 1 DP 142381

Regarding these listings the submitted arboricultural assessment report of Peers Brown Miller Ltd of 10 December 2021 ('arborist report') summarises the situation regarding the subdivision of 144 Papakura-Clevedon Road (BUN6038825). The relevant portion follows. Only the Pin Oak tree remains and the two Tōtara trees have been removed:-

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

Peers Brown Miller Ltd (PBM) has been commissioned by *Karaka Harbourside Estate Ltd* to provide an arboricultural assessment of the proposal to subdivide the existing site. The subdivision will include a mixture of residential and rural lots, with 57 residential lots and 9 large rural lots proposed.

Three separate listings are afforded to this property within Schedule 10 (Notable tree overlay) of the Auckland Unitary Plan. These are listed as IDs 1597, 1598 & 1600.

Of those trees listed, only one (1) Pin Oak (*Quercus palustris*) tree within 144 Papakura – Clevedon Road (ID1597) still exists. It is understood that the two (2) Totara trees (ID1597 & ID1598) were removed, with ID1600 growing within 80 Clevedon – Papakura Road (please see images in Section 4.0).

The remaining Notable Pin Oak tree is to be retained and protected in a larger residential lot (Lot 4) created to comfortably accommodate the tree.

As reported, the subdivision also affects listing ID #1600 which pertains to 80 Papakura-Clevedon Road however this listing has an incorrect legal description of Lot 3 DP 142381 which is a lot within 144 Papakura-Clevedon Road. Listing #1600 is being corrected in a clause 20A correction relating to a subdivision of 62-80 Papakura-Clevedon Road (immediately east of 144 Papakura-Clevedon Road). The corrected listing is as follows:

1600	<i>Podocarpus totara</i>	Totara Tōtara	1	Papakura – Clevedon Road 80 Meadows Drive 2	Clevedon	Lot 3 DP 142381 Lot 3000 DP 606369
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The reference to listing #1600 in the AUP maps for 144 Papakura-Clevedon Road is also deleted.

The tree locations of the three notable trees referred to in the arborist report are shown in Figure 1 below, being a retained Pin Oak (red circle) and two removed Tōtara trees (blue circles).

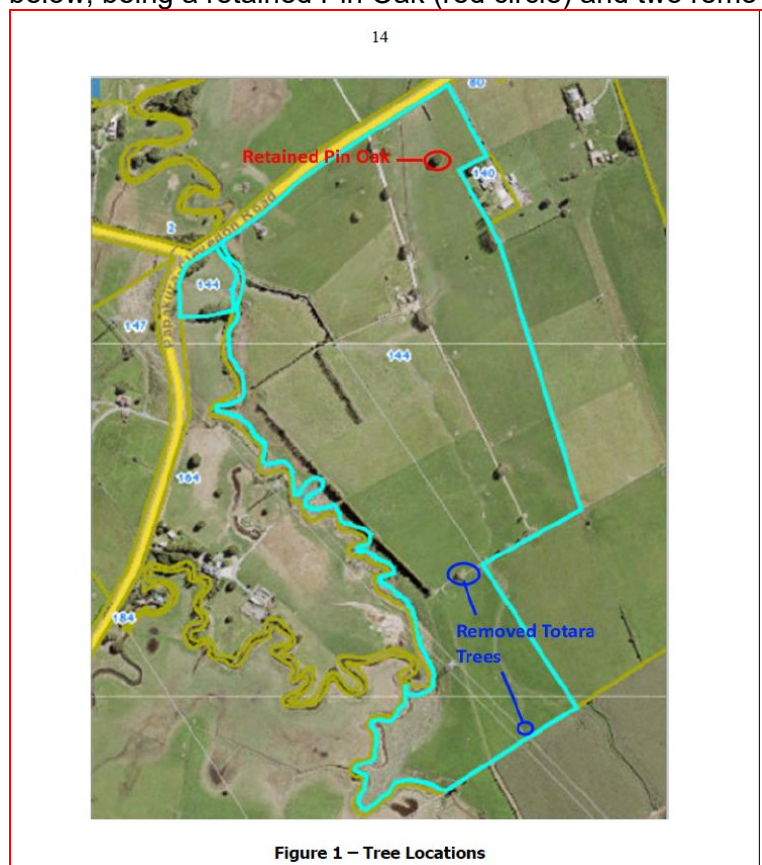


Figure 1: Notable tree locations of trees of listings #1597 and #1598 at 144 Papakura-Clevedon Road

Modification to two listings:

1597	<i>Quercus palustris, Podocarpus totara</i>	Pin Oak, Totara	2	Papakura - Clevedon Road 144	Clevedon	Lot 2 DP 186158
1598	<i>Podocarpus totara</i>	Totara	1	Papakura - Clevedon Road 144	Clevedon	Lot 1 DP 142381

144 Papakura-Clevedon Road is made up of three lots and Lot 1 DP 142381 (listing #1598) is not one of them: They are Lot 2 DP 142381, Lot 3 DP 142381 and Lot 2 DP 186158 – refer

Attachment 2.

There are no Tōtara trees remaining at any of the three lots that make up 144 Papakura-Clevedon Road - as explained further below - so it is proposed to delete listing #1598: That is, there is no Tōtara tree and Lot 1 DP 142381 does not pertain to 144 Papakura-Clevedon Road. A Pin Oak remains at 144 Papakura-Clevedon Road so it is proposed to amend listing #1597 to delete the Tōtara, retain the Pin Oak, and extend the legal description to include all three lots of the property.

Regarding Lot 2 DP 142381, it is noted from the arborist report and Figure 1 that no notable trees were evident on this small lot at the western end of 144 Papakura-Clevedon Road. However, this lot has a tree triangle in the AUP maps that references a Tōtara tree under listing #1598 – refer Figure 2 below (2 images). The listing's address is correct but the legal description of Lot 1 DP 142381 pertains to 164 Papakura-Clevedon Road, the property immediately south (which has listing #1599 which includes a Tōtara tree). Therefore, given there is no notable tree that pertains to #1598 – as verified further below – this listing is to be deleted and the tree triangle removed from Lot 2 DP 142381 on the maps. Refer **Attachment 3**.

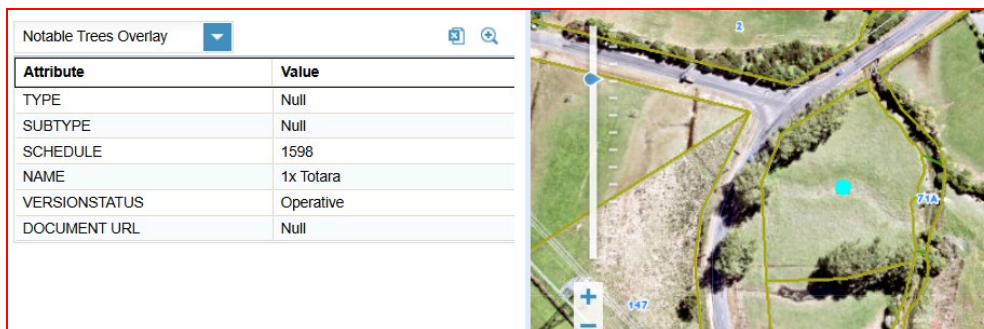
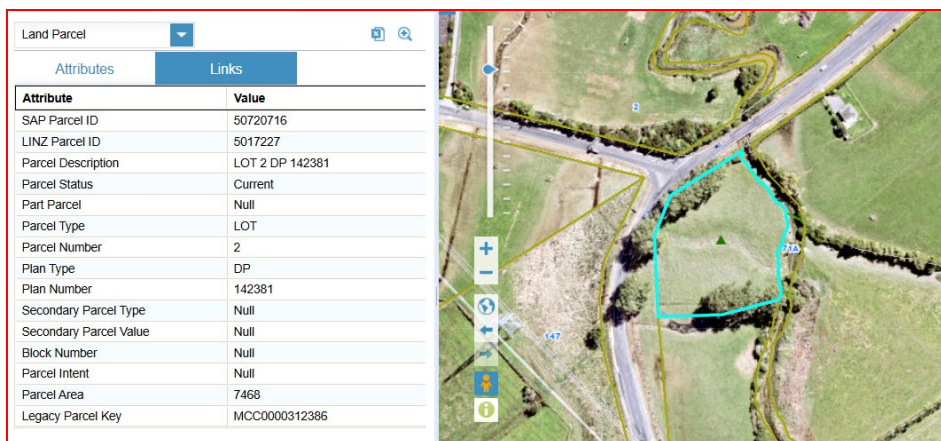


Figure 2: AUP maps data for ID # 1598 (2 images)

West Fynn (Senior Heritage Arborist) visited 144 Papakura-Clevedon Road in 2021 and has reiterated that there is no Tōtara tree on Lot 2 DP 142381 (email 3 June 2025). The aerial photograph of 2006 indicates that there have only ever been deciduous trees on Lot 2 DP 142381 – refer **Figure 3**:



Figure 3: 2006 aerial photograph of Lot 2 DP 142381 of 144 Papakura-Clevedon Road indicating deciduous trees.

West Fynn also confirms that there are no Tōtara trees remaining on the balance of 144 Papakura-Clevedon Road - Lot 3 DP142381 and Lot 2 DP186158. It is possible that listing #1598 was intended to address one of the (removed) Tōtara trees but was given the wrong legal description (Lot 2 instead of Lot 3).

West Fynn provided the following graphic after his 2021 visit to the property – **Figure 4** (note the Pin Oak is at the north end of the property, refer Figure 1).

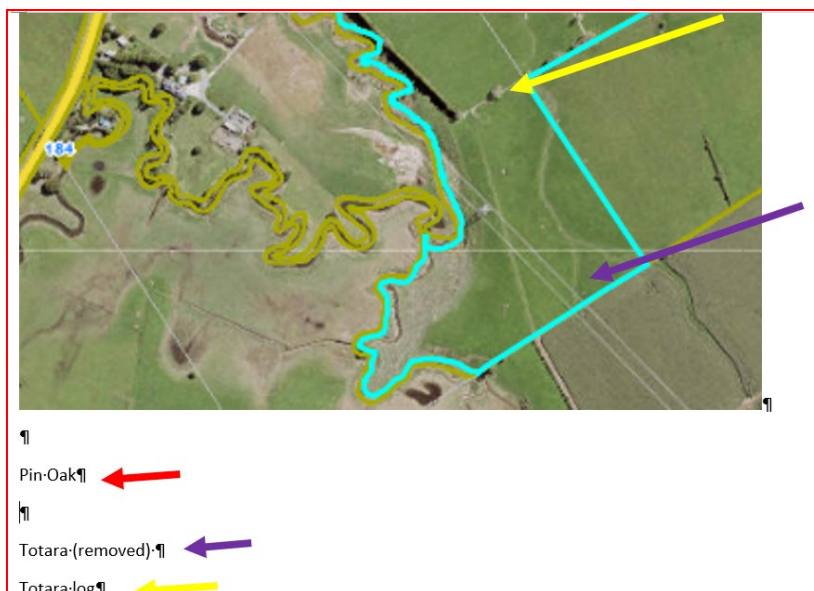


Figure 4: West Fynn's 2021 location of notable trees at 144 Papakura-Clevedon Road (Lot 3 DP 142381)

The southern-most Tōtara (purple arrow) was removed to make way for high voltage transmission lines some time between 2008 and 2010/11, according to past aerial photographs (refer **Attachment 4**)². It is not known when the other Tōtara was removed (yellow arrow) but the photograph of the stump that West Fynn took in 2021 indicates that it had been removed many

² Refer to Transpower designation 8512 rolled over into the AUP from the MCC District Plan

years before. There is Site Pack information for the ‘purple’ Tōtara (Figure 5) but no information for the ‘yellow’ Tōtara apart from a photograph of a tree stump taken by West Fynn.



Figure 5: Site Pack information of notable Tōtara tree 96 (removed) at 144 Papakura-Clevedon Road, Lot 3 DP 142381

For completeness, the lot referred to in listing #1597, Lot 2 DP 186158, is shown in Figure 6 below. It contains the Pin Oak but no Tōtara trees. It is proposed to extend the legal description of this listing to include all three lots of the property and the one remaining notable tree, the Pin Oak.

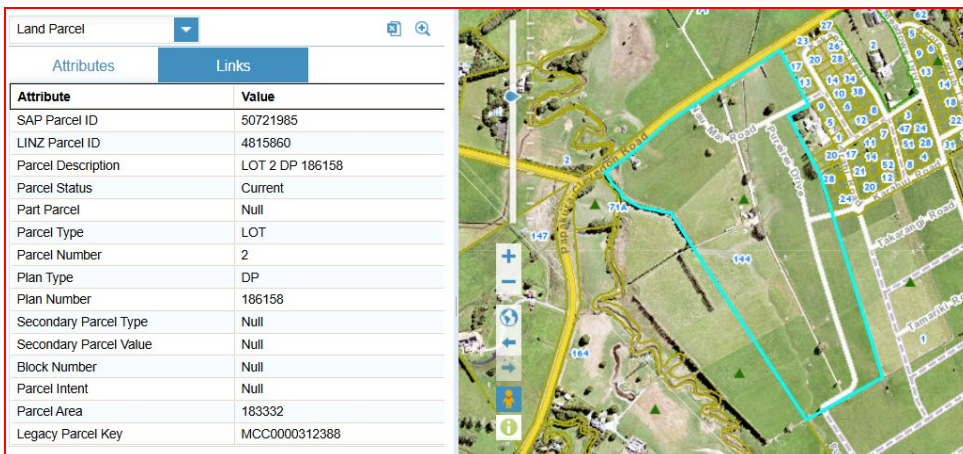


Figure 6: Lot 2 DP 186158 which contains listing #1597 – Pin Oak but no Tōtara tree.

The location of the Pin Oak is a verified one and therefore the AUP Maps can indicate this – refer Attachment 2. The Site Pack data has the following legacy information – Figure 7.




Figure 7: Site Pack information for Pin Oak tree (92) at 144 Papakura-Clevedon Road.

Details of modifications

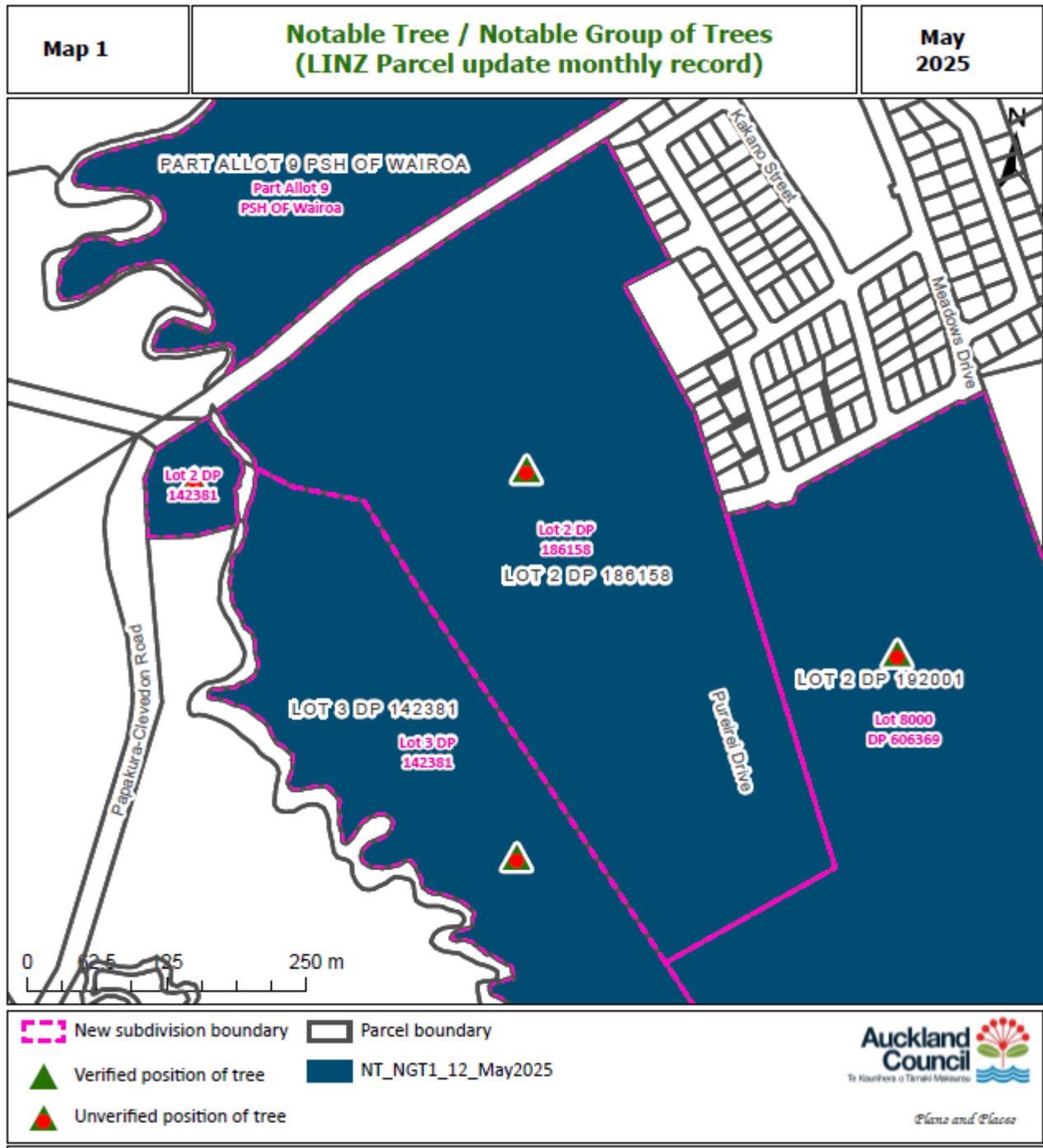
The details of the corrections/modifications to be made are set out in the table that follows:

Rule or Section of Unitary Plan	Schedule 10: Notable Tree Schedule – tree ID #1597, #1598 and AUP Maps																										
	1597	<i>Quercus palustris, Podocarpus totara</i>	Pin Oak, Totara	2	Papakura - Clevedon Road 144	Clevedon Lot 2 DP 186158																					
	1598	<i>Podocarpus totara</i>	Totara	1	Papakura - Clevedon Road 144	Clevedon Lot 1 DP 142381																					
Subject site	As above																										
Current legal description	As above																										
Nature of change	Clause 20A modifications are required in accordance with AUP Chapter D13.4 to automatically update Schedule 10 of the AUP and the maps arising from the subdivision of 80 and 144 Papakura-Clevedon Road, Clevedon.																										
Effect of change	<p>The effects of the modifications are neutral as they are authorised by the provisions of AUP Chapter D13.4 and arise from the subdivision of the relevant land parcels of the notable tree listings #1597 and #1598. The legal effect of the AUP is not changed as the physical address is correct.</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 to text or in-text diagrams	<p>Amend Schedule 10 Notable Tree Schedule of the AUP so that it reads as follows:</p> <table border="1"> <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>1597</td><td>Quercus palustris, Podocarpus totara</td><td>Pin Oak Totara</td><td>2 1</td><td>Papakura - Clevedon Road 144</td><td>Clevedon</td><td>Lot 2 DP 186158, Lot 2 DP 142381, Lot 3 DP 142381</td></tr> <tr> <td>1598</td><td>Podocarpus totara</td><td>Totara</td><td>1</td><td>Papakura - Clevedon Road 144</td><td>Clevedon</td><td>Lot 1 DP 142381</td></tr> </tbody> </table>						ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description	1597	Quercus palustris, Podocarpus totara	Pin Oak Totara	2 1	Papakura - Clevedon Road 144	Clevedon	Lot 2 DP 186158, Lot 2 DP 142381, Lot 3 DP 142381	1598	Podocarpus totara	Totara	1	Papakura - Clevedon Road 144	Clevedon	Lot 1 DP 142381
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1598	Podocarpus totara	Totara	1	Papakura - Clevedon Road 144	Clevedon	Lot 1 DP 142381																					
Changes required to be made (to maps)	<p>The <u>Property Summary</u> information pertaining to each listing above will need to be updated in the AUP maps to reflect the changes set out above.</p> <p>Changes to the symbology in the AUP Maps pertaining to the above listings are also required: Refer Attachment 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: Information from GIS team regarding the subdivision affecting #1597, #1598 and #1600. - Attachment 2: AUP map of 144 Papakura-Clevedon Road referencing listings 																										

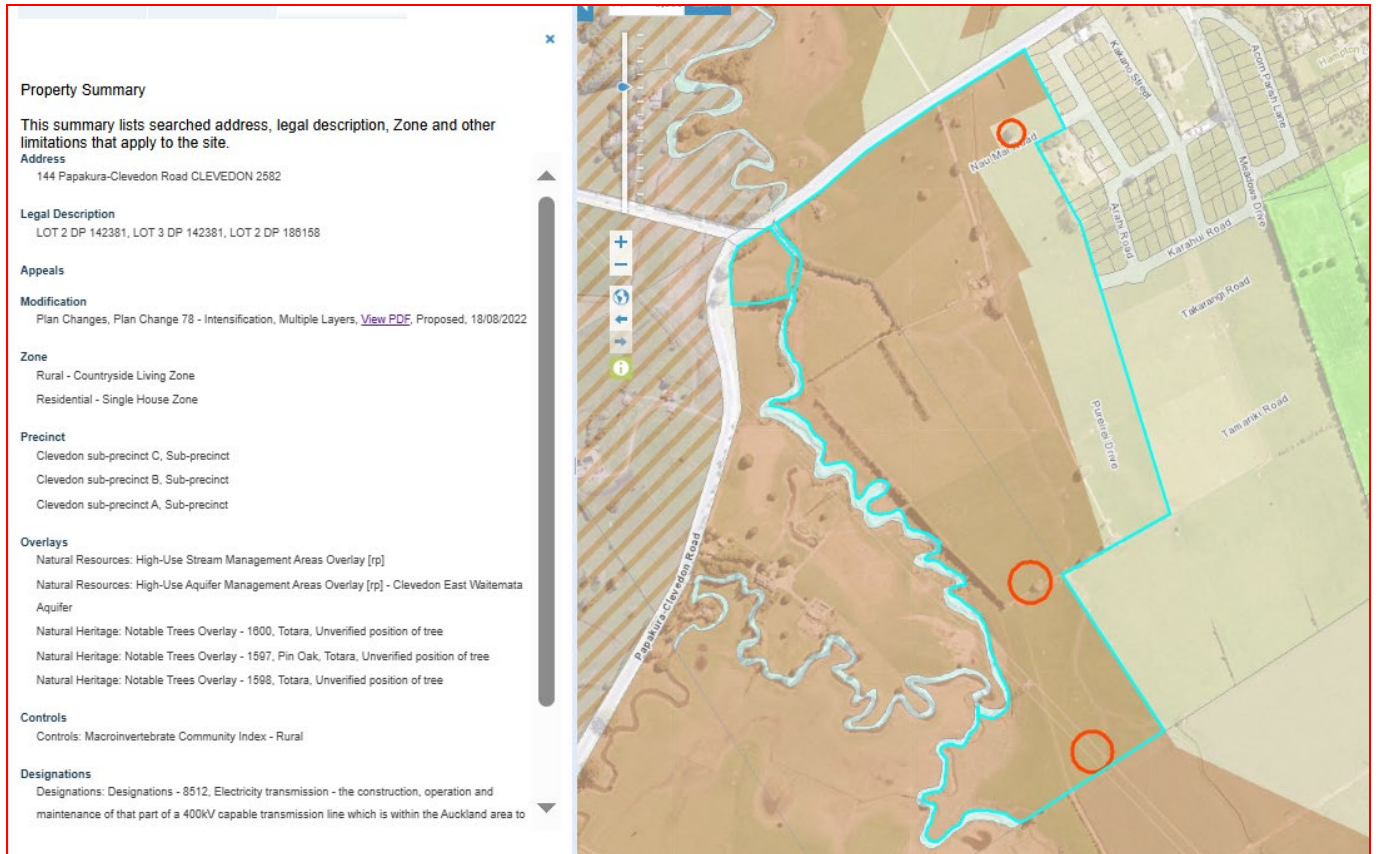
	<p># 1597 (to be amended), #1598 (to be deleted) and #1600 (pertains to 80 Papakura-Clevedon Road).</p> <ul style="list-style-type: none"> - Attachment 3: Before and after map of 144 Papakura-Clevedon Road showing revised tree triangle symbology. - Attachment 4: Aerial photographs 2008-2025 showing location of southern-most removed Tōtara tree on Lot 3 DP 142381 - Attachment 5: Corrections to text (strikethrough/underline) - Attachment 6: Corrected text (clean)
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<p>Prepared by: Ewen Patience, Policy Planner</p>	<p>Signature:</p> 
<p>Text prepared by: Diana Chin, 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 modification using my delegated authority</p> <p>Celia Davison Central South Planning Manager Date: 22 July 2025</p>	<p>Signature:</p> 

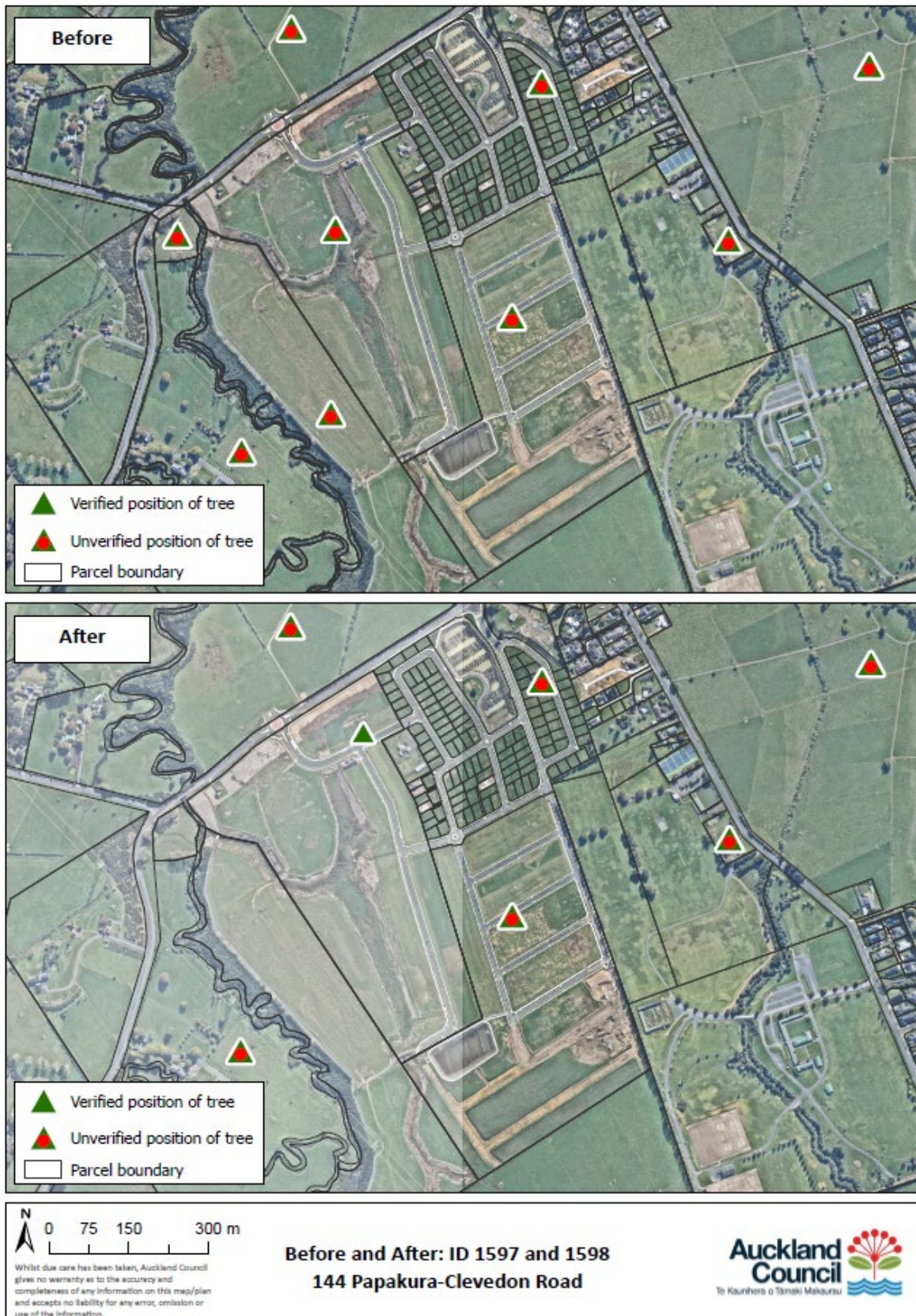
Attachment 1: Information from GIS team regarding the subdivision affecting notable tree listings #1597, #1598 and #1600



Attachment 2: AUP map of 144 Papakura-Clevedon Road referencing listings # **1597** (to be amended), **#1598** (to be deleted) and **#1600** (pertains to a Tōtara on the property to the east; subdivision of 62-80 Papakura-Clevedon Road). A Pin Oak remains (north end) while two Tōtara trees have been removed (red circles). Both Tōtara trees were on Lot 3 DP 142381.

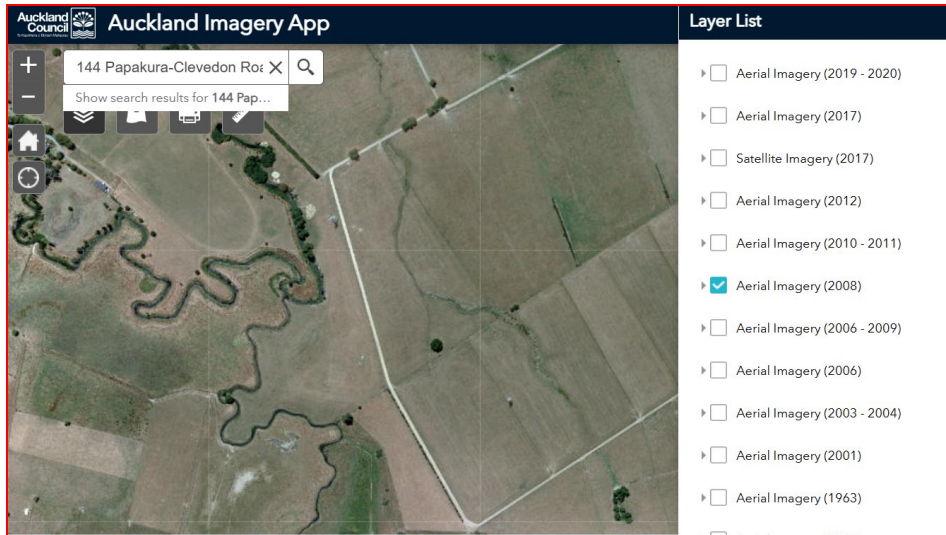


Attachment 3: Before and after map of 144 Papakura-Clevedon Road, listings # 1597 and #1598

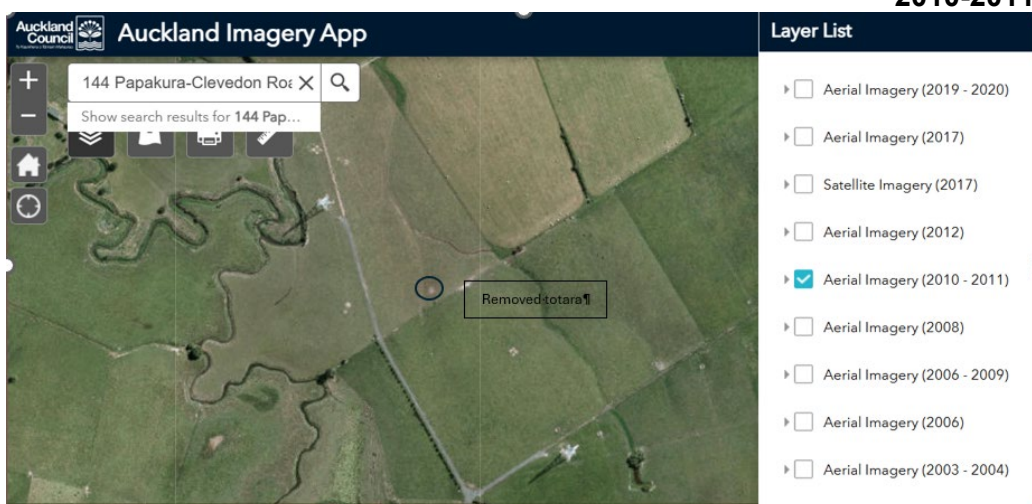


Attachment 4: Aerial photographs 2008-2025 showing location of southern-most removed Tōtara tree on Lot 3 DP 142381.

2008



2010-2011



2025



Attachment 5: Corrections to text (strikethrough/ underline)

Manukau

ID	Botanical Name	Common Name	Number of Trees	Location/Street Address	Locality	Legal Description
	<i>Phyllocladus trichomanoides</i> , <i>Phoenix canariensis</i> , <i>Magnolia grandiflora</i>					
1482	<i>Phoenix canariensis</i>	Phoenix Palm	1	Otara Road 53S	Otara	Pt Lot 17 DP 24310
1493	<i>Phoenix canariensis</i>	Phoenix Palm	1	Pakuranga Road 96R	Pakuranga	Pt Lot 5 DP 52174
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
1533	<i>Metrosideros excelsa</i> , <i>Metrosideros robusta</i>	Pohutukawa and Rata	2	Pakuranga Road 600R	Highland Park	ALLT 67 SECT 1 SMLN Howick, LOT 2 DP 74753, PT ALLT 13 SECT 1 SMLN Howick, LOT 122 DP 83902, LOT 65 DP 83902, PT LOT 5 DP 40797, PT LOT 6 DP 40797, LOT 1 DP 48131
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
1532	<i>Vitex lucens</i>	Puriri	1	Paparoa Road 2R (reserve)	Howick	Allotment 67 SECT 1 SM FMS NEAR Howick
3052	<i>Metrosideros excelsa</i> , <i>Podocarpus totara</i>	Pōhutukawa, Tōtara	group	Paparoa Road 52R	Howick	PT ALLT 8 SECT 7 SMLN Howick, LOT 44 DP 58128, PT ALLT 8 SECT 7 SMLN 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
1580	<i>Quercus robur</i>	English Oak	1	Papakura - Clevedon Road 21	Clevedon	Lot 2 DP 597885
1581	<i>Ulmus spp</i>	Elm	2	Papakura - Clevedon Road 31	Clevedon	Lot 2 DP 58899
1582	<i>Quercus palustris</i>	Pin Oak	1	Papakura - Clevedon Road 43	Clevedon	Lot 1 DP 94107
1584	<i>Quercus spp</i>	Oak	1	Papakura - Clevedon Road 50	Clevedon	Lot 2 DP 75855
1583	<i>Podocarpus totara</i> , <i>Sequoia sempervirens</i> , <i>Quercus robur</i>	Totara, Redwood, English Oak	3	Papakura - Clevedon Road 59	Clevedon	Lot 2 DP 65298
1595	<i>Quercus spp</i> , <i>Dacrycarpus dacrydioides</i>	Oak, Kahikatea (7)	8	Papakura - Clevedon Road 62	Clevedon	Lot 1000 DP 606369
1572	<i>Dacrydium cupressinum</i> , <i>Prumnopitys taxifolia</i> , <i>Alectryon excelsus</i> , <i>Dacrycarpus dacrydioides</i> , <i>Podocarpus totara</i> , <i>Quercus robur</i> , <i>Knightia excelsa</i> , <i>Corynocarpus laevigatus</i> , <i>Plagianthus</i> , <i>Prumnopitys ferruginea</i> , <i>Kunzea ericoides</i> , <i>Cordyline australis</i>	Rimu (4), Matai (25), Titoki (195), Kahikatea (29), Totara (2), English Oak, Rewarewa (14) Karaka, Ribbonwood, Miro (3), Ti Kouka (cabbage tree) (5)	280	Papakura - Clevedon Road 71	Clevedon	Pt Allotment 9 PSH OF Wairoa
1573	<i>Dacrydium cupressinum</i> , <i>Alectryon excelsus</i> , <i>Dacrycarpus dacrydioides</i>	Rimu (2), Matai (8), Titoki (12), Kahikatea (2)	24	Papakura - Clevedon Road 71	Clevedon	Pt Lot 9 DP 5258
1600	<i>Podocarpus totara</i>	Tōtara	1	Meadows Drive 2	Clevedon	Lot 3000 DP 606369
1597	<i>Quercus palustris</i> , <i>Podocarpus totara</i>	Pin Oak, Totara	2 1	Papakura - Clevedon Road 144	Clevedon	Lot 2 DP 186158, <u>Lot 2 DP 142381, Lot 3 DP 142381</u>
1598	<i>Podocarpus totara</i>	Totara	4	Papakura - Clevedon Road 144	Clevedon	Lot 1 DP 142381
1599	<i>Quercus palustris</i> , <i>Quercus robur</i> , <i>Podocarpus totara</i> , <i>Dacrycarpus dacrydioides</i>	Pin Oak (2), English Oak, Totara, Kahikatea (2)	6	Papakura - Clevedon Road 164	Clevedon	Lot 2 DP 142381
1750	<i>Quercus robur</i>	English Oak	1	Patons Road 32	Howick	Lot 1 DP 42180
1715	<i>Araucaria heterophylla</i>	Norfolk Island Pine	1	Patons Road 38	Howick	Lot 4 DP 42180

PC 113 (see modifications)

PC 113 Immediate legal effect under s86B(3) of RMA (see modifications)

Attachment 6: Corrected text (clean)

Manukau

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1580	<i>Quercus robur</i>	English Oak	1	Papakura - Clevedon Road 21	Clevedon	Lot 2 DP 597885
1581	<i>Ulmus spp</i>	Elm	2	Papakura - Clevedon Road 31	Clevedon	Lot 2 DP 58899
1582	<i>Quercus palustris</i>	Pin Oak	1	Papakura - Clevedon Road 43	Clevedon	Lot 1 DP 94107
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1766	<i>Podocarpus totara</i> , <i>Dacrycarpus dacrydioides</i> ,	Native trees	Group	Patricia Avenue 16	Manurewa	Lot 1 DP 90105

PC 113 (see modifications)

PC 113 Immediate legal effect under s86B(3) of RMA (see modifications)