

Auckland Unitary Plan

Proposed Plan Change 83: Additions and amendments to Schedule 10 Notable Trees Schedule in the Auckland Unitary Plan (Operative in part)

Auckland Council has prepared the following proposed plan change to the Auckland Unitary Plan (Operative in Part) under Schedule 1 to the Resource Management Act 1991 (RMA).

The proposal seeks to ensure the continued identification, management and protection of notable trees across the region and recognition of their values by undertaking the following:

The scope of the proposed changes is limited to the following:

- Scheduling 24 individual and four groups of those nominated trees which have been found to meet the Notable Trees criteria and adding them to the Notable Trees Overlay¹. These additions ensure the provisions of the AUP apply, including the Notable Trees Overlay provisions.
- The introduction of an automatic update clause ensures all future subdivisions are captured and amendments as a result of removals can be undertaken outside the Schedule 1 process
- Amendments to 64 listings which:
 - update legal descriptions and/or addresses where they have changed as a result of development and subdivision
 - correct minor errors such as spelling and grammar
 - improve the location of symbology in the Notable Trees Overlay to ensure the trees are accurately identified where the location has been verified
 - update the number of trees for different species where this has been omitted
 - improve species descriptions where these are not specific enough
 - remove 51 notable trees (27 listings in full and 11 partial listing removals) where there is evidence they have been physically removed as a result of consents (often development or subdivision related), emergency works and/or deteriorated health.

The following are not included in Proposed Plan Change 83 (i.e out of scope):

- the addition of further notable trees or notable groups of trees other than those specifically addressed in this report. The scope of nominations which were considered for additions as part of this plan change are limited to those existing nominations which have been recorded in council's database
- the removal of existing notable trees or notable groups of trees on the schedule (other than those which have been physically removed from a property and therefore no longer exist)
- amendments to the objectives or policy framework or to the rules relating to notable trees
- re-visitation of previous plan changes undertaken by legacy councils which developed the legacy schedules of notable trees which were subsequently amalgamated to the operative Schedule 10

The proposal may be inspected at www.aucklandcouncil.govt.nz/unitaryplanmodifications or during business hours at any library or Service centre. If you have any questions or would like more information on Proposed Plan Change 83, please contact Teuila Young, Policy Planner by email at teuila.young@aucklandcouncil.govt.nz or call 021 195 3910.

The following persons may make a submission on the proposal:

- The local authority in its own area may make a submission; and
- Any other person may make a submission but, if the person could gain an advantage in trade competition through the submission, then the person may make a submission only if the person is directly affected by an effect of the proposal that –
 - adversely affects the environment; and

¹ AUP Chapter D13 Notable Trees Overlay

- does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic submission to Auckland Council at:

- Auckland Council, Unitary Plan Private Bag 92300, Auckland 1142, Attention: Planning Technician, or
- By using the electronic form on the Auckland Council website at www.aucklandcouncil.govt.nz/unitaryplanmodifications; or
- By email to: unitaryplan@aucklandcouncil.govt.nz; or
- Lodging your submission in person at Auckland Council Libraries or offices

The submission must be in 'Form 5' and must state whether or not you wish to be heard in relation to your submission. Copies of this form are available to download at www.aucklandcouncil.govt.nz/unitaryplan or can be collected from any Library or Council office.

Submissions open on Thursday 18 August 2022 and close on Thursday 29 September 2022.

The process for public participation in the consideration of the proposal under the RMA is as follows.

- after the closing date for submissions, Auckland Council must prepare a summary of decisions requested by submitters and give public notice of the availability of this summary and where the summary and submissions can be inspected; and
- there must be an opportunity for the following persons to make a further submission in support of, or in opposition to, the submissions already made:
- any person representing a relevant aspect of the public interest;
- any person who has an interest in the proposal greater than the general public has;
- the local authority itself; and
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- Auckland Council must give its decision on the provisions and matters raised in the submissions (including its reasons for accepting or rejecting submissions) and give public notice of its decision within 2 years of notifying the proposal and serve it on every person who made a submission at the same time; and
- any person who has made a submission has the right to appeal the decision on the proposed plan change to the Environment Court if-
- in relation to a provision or matter that is the subject of the appeal, the person referred to the provision or matter in the person's submission on the proposal; and
- in the case of a proposal that is a proposed policy statement or plan, the appeal does not seek the withdrawal of the proposal as a whole.

John Duguid
Manager – Plans & Places

Notification date: 18 August 2022