

AUCKLAND CITY DISTRICT PLAN

(Isthmus Section, Operative 1999)

Plan Change under Section 73 of the
Resource Management Act 1991

PLAN CHANGE: PLAN MODIFICATION NO. 134

Operative date: 6 August 2004

File No. 311/209134

Part A: Amendments to part 4 General provisions and procedures

1. *Amend clause 4.3.2.5 Restricted controlled activities, first paragraph as follows:*

Except as provided for by Section 94C(2) of the Act, the following controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.

2. *Amend clause 4.3.2.6 Restricted discretionary activities, first paragraph to as follows:*

Except as provided for by Section 94C(2) of the Act, the following discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

3. *Amend clause 4.3.2.6 Restricted discretionary activities, the paragraph immediately following the tenth bullet point, as follows:*

Except as provided for by Section 94C(2) of the Act, the following discretionary activities in Business 5 and 6 zones will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

Part B: Amendments to part 4A General rules

- 1. Amend clause 4A.1 Common rules, subclause C(ii) Restricted controlled activity, by altering the first paragraph under the heading 'Temporary carparking provisions' as follows:*

Temporary carparking areas are a restricted controlled activity (refer Clause 4.3.2.5 for public notification and service requirements) subject to compliance with Parts 4A, 5B, 5C and 5E.

Part C: Amendments to part 7 – Residential activity

- 1. Amend clause 7.7.1 Activities in all residential zones by altering the notes immediately prior to the activity table as follows:*

*Those activities marked with a * are restricted controlled activities (refer Clause 4.3.2.5 Restricted Controlled Activities for public notification and service requirements).

**Those activities marked ** are restricted discretionary activities (refer Clause 4.3.2.6 Restricted Discretionary Activities for public notification and service requirements).

Part D: Amendments to part 8 – Business activity

- 1. Amend clause 8.7.1 Activities in business 1, 2, 3, 4, 5, 5A and 6 zones by altering the notes immediately prior to the activity table as follows:*

*Those activities marked with a * are restricted controlled activities. (Refer Clause 4.3.2.5 Restricted Controlled Activities for public notification and service requirements).

**Those activities marked ** are restricted discretionary activities. (Refer Clause 4.3.2.6 Restricted Discretionary Activities for public notification and service requirements).

Part E: Amendments to part 11 – Subdivision

- 1. Amend clause 11.5.5.1 Controlled activity by altering the first paragraph as follows:*

An application for a controlled activity subdivision consent will be treated as a restricted controlled activity (refer Clause 4.3.2.5 for public notification and service requirements).

- 2. Amend clause 11.5.5.2 Discretionary activity by altering the first paragraph as follows:*

An application for a discretionary activity subdivision consent will be treated as a restricted discretionary activity (refer Clause 4.3.2.6 for public notification and service requirements).

Part F: Amendments to part 12 – Transportation

1. Amend clause 12.9.1.1 Rule: Discretionary activities by altering the first paragraph as follows:

Those activities marked with a * are restricted discretionary activities. (Refer Clause 4.3.2.6 for public notification and service requirements)