

## 21.11 Specific Purpose (Flat Land Recovery) Zone

### 21.11.1 Introduction

This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

This chapter relates to activities that may occur in the Specific Purpose (Flat Land Recovery) Zone. An objective, policies, rules, standards and assessment criteria provide for activities in this zone.

The Specific Purpose (Flat Land Recovery) Zone largely mirrors the flat land areas that were ‘red-zoned’ as a result of the Canterbury earthquakes. The area includes land on the estuary side of South Brighton/Southshore and either side of the Avon River through to Fitzgerald Avenue.

The land within the Specific Purpose (Flat Land Recovery) Zone is to be the subject of a separate process to determine its long term future use. This process was outlined in the 'Residential Red Zone Programme' in the Recovery Strategy for Greater Christchurch, Mahere Haumanutanga o Waitaha, and referred to in the Land Use Recovery Plan, Te Mahere Whakahaumanu Tāone. In the Greater Christchurch Earthquake Recovery: Transition to Regeneration (Transition Recovery Plan) 2015, it is stated that a new Crown-Council entity called ‘Regenerate Christchurch’ will oversee the long-term development and enhancement of Christchurch’s residential red zone. Regenerate Christchurch has a role in developing plans and strategies for areas within its scope such as the residential red zone. The development of these plans and strategies will occur under a different timeframe to the Replacement District Plan process.

This chapter seeks to protect the zone from inappropriate **subdivision**, land use and development that would compromise or impede options for the long term recovery and future use, or increase the risk to people's safety, property and infrastructure from the effects of natural hazards. As an interim zone, activities are limited to those existing and their limited modification, temporary activities, and immediate recovery activities.

The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

~~Note: The land within the Specific Purpose (Flat Land Recovery) Zone is to be the subject of a separate process to determine its long term future use. This process was outlined in the 'Residential Red Zone Programme' in the Recovery Strategy for Greater Christchurch, Mahere Haumanutanga o Waitaha, and referred to in the Land Use Recovery Plan, Te Mahere Whakahaumanu Tāone. In the Greater Christchurch Earthquake Recovery: Transition to Regeneration (Transition Recovery Plan) 2015, it is stated that a new Crown Council entity called ‘Regenerate Christchurch’ will oversee the long term development and enhancement of Christchurch’s residential red zone. Regenerate Christchurch has a role in developing plans and strategies for areas within its scope such as the residential red zone. The development of these plans and strategies will occur under a different timeframe to the Replacement District Plan process.~~

## **21.11.1.2 21.11.2 Objectives and Policies**

### **21.11.1.1 21.11.2.1 Objective — Activities in the Specific Purpose (Flat Land Recovery) Zone**

- a. A largely open environment with a very low density of residential and non-residential activities, that:
  - i. reflects the changes in land uses in the area, including [building](#) clearance;
  - ii. recognises the natural hazard risks affecting many properties;
  - iii. recognises the infrastructure limitations of the area;
  - iv. acknowledges the interim nature of this ~~zone~~[Zone](#); and
  - v. maintains the longer-term potential of the area to contribute to the recovery and future enhancement of Christchurch.

### **21.11.1.1.1 21.11.2.1.1 Policy — Residential activities**

- a. Provide for the use of existing privately owned [sites](#) for [residential activities](#), to the extent compatible with the natural hazard risks and infrastructure limitations.

### **21.11.1.1.2 21.11.2.1.2 Policy — Non-residential activities**

- a. Only provide for the following non-residential activities:
  - i. ~~home based~~ [home occupation](#) activities, [market gardens](#) or [community gardens](#);
  - ii. existing commercial and community activities and their limited modification; or
  - iii. temporary activities, [land management activities](#), water or hazard management or mitigation activities, and
  - iv. new [community facilities](#) on privately owned [sites](#) assessed on a [site](#) by [site](#) basis, to the extent compatible with the natural hazard risks and infrastructure limitations.

### **21.11.1.1.3 21.11.2.1.3 Policy — Management of effects**

- a. Manage activities within the Specific Purpose (Flat Land Recovery) Zone to:
  - i. reduce adverse amenity effects on occupied residential properties and effects at the interface with surrounding residential zones;
  - ii. sustain the qualities and values of the natural environment.

### **21.11.1.1.4 21.11.2.1.4 Policy — Future use**

- a. The land in the Specific Purpose (Flat Land Recovery) Zone will be considered under a separate future process which will inform future land use zoning and development options.

### 21.11.3 How to interpret and apply the rules

#### ~~21.11.2 Rules — Specific Purpose (Flat Land Recovery) Zone~~

##### ~~21.11.2.1 How to use the rules~~

~~a.~~ — The rules that apply to activities in the Specific Purpose (Flat Land Recovery) Zone are contained in:

~~b.a.~~ ~~T~~he activity status tables (including activity specific standards) in this ~~chapter~~ Rule 21.11.4.1.

~~e.b.~~ The activity status tables and standards in the following chapters also apply to activities in the Specific Purpose (Flat Land Recovery) Zone (where relevant):

~~5~~ Natural Hazards;

~~6~~ The following sub-chapters of General Rules and Procedures ~~where relevant below~~:

~~6.1~~ Noise;

~~6.3~~ Outdoor Lighting and Glare;

~~6.4~~ Temporary Earthquake Recovery Activities;

~~7~~ Transport;

~~8.6~~ 5A Earthworks;

~~9~~ Natural and Cultural Heritage;

~~10~~ Designations;

~~11~~ Utilities and Energy;

~~12~~ Hazardous Substances and Contaminated Land;

~~19~~ Coastal Environment.

~~Note:~~ ~~w~~Where there is no reference to the Specific Purpose (Flat Land Recovery) Zone in the above chapters, the provisions relating to a residential zone shall apply.

~~d.~~ ~~Where the word 'facility' or 'facilities' is used in the rules e.g. community facilities, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.~~

~~Similarly, where the word/ phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.~~

## 21.11.4 Rules — Specific Purpose (Flat Land Recovery) Zone

### 21.11.2.21.11.4.1 Activity status tables

#### 21.11.2.2.121.11.4.1.1 Permitted activities

~~The activities listed below are permitted activities in the In the~~ Specific Purpose (Flat Land Recovery) Zone ~~Zone the activities listed below are permitted activities~~ if they ~~comply with the~~ meet any the activity specific standards set out in this table.

Activities may also be ~~controlled,~~ restricted discretionary, discretionary, ~~or non-complying or prohibited~~ as specified in Rules 21.11.~~24.21.2~~, 21.11.~~24.21.3~~, and 21.11.~~24.21.4~~, ~~21.11.2.2.5 and 21.11.2.2.6.~~

Activity		Activity specific standards
<b>P1</b>	<u>Residential activity</u> , except for <u>boarding houses</u> , on a <u>site</u> that was privately owned as at 12 October 2015.	a. The activity shall <del>comply meet with</del> the following built form standards of the Residential Suburban Zone: <u>Rules</u> 14.2.3.1, 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (b) below. b. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply meet with</del> the following built form standards of the Residential Small Settlement Zone: <u>Rules</u> 14.8.3.1, 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6 and 14.8.3.8.
<b>P2</b>	Commercial activities that occur within an existing commercial <u>building</u> .	Nil
<b>P3</b>	Alterations, additions, maintenance and repair of an existing commercial <u>building</u> , <u>accessory building</u> , or built structure.	a. Any increase in <u>gross floor area</u> shall not exceed 25m <sup>2</sup> within any continuous period of 10 years. b. Where the activity relates to an existing commercial <u>building</u> , the activity shall <del>comply meet with</del> the following built form standards of the Commercial Local Zone: <u>Rules</u> 15. <del>35.32.1</del> , 15. <del>35.32.2</del> , 15. <del>35.32.3</del> , and 15. <del>35.32.4</del> .
<b>P4</b>	Demolition and/or removal of existing <u>buildings</u> (including fencing, walls, paths, decks and pools).	Nil  <u>Advice</u> Notes: 1. The provisions within Chapter 6.1 shall apply. 2. Noise from demolition activities shall comply with and be measured and assessed in accordance with New Zealand Standard NZS6803:1999 Acoustics – Construction Noise.

Activity		Activity specific standards
P5	<p><u>Land management activities</u> and the use, repair and maintenance of Crown owned <u>buildings</u>.</p>	<p>a. Any activity on a <u>site adjoining</u> an occupied <u>residential unit</u> or residential zone shall <del>comply</del> <u>meet-with</u>:</p> <ul style="list-style-type: none"> <li>i. the relevant noise standards for the residential zone in Rule 6.1.<del>4.1.1-15.1</del> which shall be met at the <u>boundary</u> of that <u>site</u> or zone;</li> <li>ii. all standards for the residential zone in the Outdoor Lighting and Glare provisions in Rule 6.3.<del>2.3-16</del>; and</li> <li>iii. all standards for the residential zone in the <u>Signage</u> provisions in Rule 6.8.<del>34</del>.1.</li> </ul> <p><del>Note</del>: An activity is exempt from the <u>rules in Chapter 6.1 General (Noise), Chapter 6.3 (Outdoor Lighting and Glare), and Chapter 6.8 (Signage Signs) provisions</u> where the activity is not located in the areas specified above.</p>
P6	<p>Temporary buildings and <u>signage</u> associated with:</p> <ul style="list-style-type: none"> <li>a. <del>existing residential activity</del>;</li> <li>b. <del>existing commercial activities</del>;</li> <li>c. <del>relocation activities</del>;</li> <li>d. <del>utilities</del> and infrastructure;</li> <li>e. <del>existing recreation activities</del>; or</li> <li>f. <del>that are ancillary to an approved building or construction project or maintenance, repair and demolition activities</del>.</li> </ul>	<ul style="list-style-type: none"> <li>a. <u>Buildings</u> shall be relocatable.</li> <li>b. No <u>building</u> shall exceed 50m<sup>2</sup> in <u>gross floor area</u>.</li> <li>c. The following built form standards of the Residential Suburban Zone shall be met where it relates to <u>residential activity</u>: <u>Rules</u> 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (d).</li> <li>d. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply-meet with</del> the following built form standards of the Residential Small Settlement Zone: <u>Rules</u> 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6 and 14.8.3.8.</li> <li>e. The following built form standards of the Commercial Local Zone shall be met where it relates to commercial activity: <u>Rules</u> 15.<del>35.32</del>.1, 15.<del>35.32</del>.2, 15.<del>35.32</del>.3 and 15.<del>35.32</del>.4.</li> <li>f. Any <u>buildings</u> or <u>signage</u> associated with the activity shall be removed from the <u>site</u> within one month of the completion of the project.</li> </ul>
P7	<p>Use, maintenance and repair of <u>community facilities</u> and <u>community infrastructure</u>.</p>	Nil
P8	<p>Operation, maintenance, repair, removal, replacement, relocation, and upgrading of existing <u>utilities</u> and <u>roads</u>; new <u>utilities</u> and <u>roads</u>; and <u>ancillary</u> temporary activities.</p>	Nil

Activity		Activity specific standards
<p><b>P9</b></p>	<p>Hazard management or mitigation works including river control and drainage works carried out by or on behalf of a Local Authority exercising its powers, functions and duties under the Resource Management Act 1991, Soil Conservation and Rivers Control Act 1941, Christchurch District Drainage Act 1951, or Land Drainage Act 1908, unless expressly provided for as a non-complying activity, where undertaken outside:</p> <ol style="list-style-type: none"> <li>a Site of Ecological Significance listed in <a href="#">Schedule A of Appendix 9.1.46.1</a>;</li> <li>an Outstanding Natural <a href="#">Feature</a>, <a href="#">Outstanding Natural Landscape</a> or Significant <del>landscape or</del> <a href="#">Feature</a> listed in Appendix 9.2.<del>59.42</del>;</li> <li>areas of Outstanding or High (<a href="#">and Very High</a>) Natural Character in the coastal environment in Appendix 9.2.<del>59.42</del>, and remaining areas in the coastal environment <a href="#">shown on the pPlanning Maps</a>.</li> </ol>	<p>Nil</p> <p><a href="#">Advice</a> Note:</p> <ol style="list-style-type: none"> <li>The design of hazard management or mitigation works shall be carried out by a chartered professional engineer.</li> </ol>
<p><b>P10</b></p>	<p>Maintenance, repair, relocation and removal of flood protection and bank erosion protection works; and the maintenance of existing drains or ponds undertaken or authorised by the Crown, the Regional <a href="#">Council</a>, or Christchurch City Council.</p>	<p>Nil</p>
<p><b>P11</b></p>	<p>Construction, maintenance and operation of structures, basins and <a href="#">wetlands</a> for the conveyance, treatment, storage, retention or detention of water, wastewater, stormwater and land drainage water by the Christchurch City Council or a <a href="#">network utility operator</a>.</p>	<p>Nil</p> <p><a href="#">Advice</a> Note:</p> <ol style="list-style-type: none"> <li>The requirements of the Infrastructure Design Standard and/or Construction Specification Standard apply</li> </ol>

Activity		Activity specific standards
<b>P12</b>	<u>Bed and breakfast</u> within a <u>residential unit</u> on a <u>site</u> that was privately owned as at 12 October 2015.	<p>a. There shall be:</p> <ul style="list-style-type: none"> <li>i. a maximum of six guests accommodated at any one time;</li> <li>ii. at least one owner of the <u>residential unit</u> residing permanently on the <u>site</u>; and</li> <li>iii. no guest given accommodation for more than 90 consecutive days.</li> </ul> <p>b. The activity shall <del>comply-meet-with</del> the following built form standards of the Residential Suburban Zone: <u>Rules</u> 14.2.3.1, 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (c) below.</p> <p>c. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply-meet-with</del> the following built form standards of the Residential Small Settlement Zone: <u>Rules</u> 14.8.3.1, 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6 and 14.8.3.8.</p>
<b>P13</b>	Care for non-resident children within a <u>residential unit</u> in return for monetary payment to the carer on a <u>site</u> that was privately owned as at 12 October 2015.	<p>a. There shall be:</p> <ul style="list-style-type: none"> <li>i. a maximum of four non-resident children being cared for in return for monetary payment to the carer at any one time, and</li> <li>ii. at least one carer residing permanently within the <u>residential unit</u>.</li> </ul> <p>b. The activity shall <del>comply-meet-with</del> the following built form standards of the Residential Suburban Zone: <u>Rules</u> 14.2.3.1, 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (c) below.</p> <p>c. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply-meet-with</del> the following built form standards of the Residential Small Settlement Zone: <u>Rules</u> 14.8.3.1, 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6, and 14.8.3.8.</p>

Activity		Activity specific standards
P14	<p><u>Home occupation</u> on a <u>site</u> that was privately owned as at 12 October 2015.</p>	<p>a. The <u>home occupation activity</u> shall limit:</p> <ul style="list-style-type: none"> <li>i. the <u>gross floor area</u> of the <u>building</u> plus the area used for <u>outdoor storage area</u> occupied by the occupation to less than 40m<sup>2</sup>;</li> <li>ii. the number of FTE employed persons, who reside permanently elsewhere than on the <u>site</u>, to two;</li> <li>iii. any <u>retailing</u> to the sale of goods grown or produced on the <u>site</u>, or internet-based sales where no customer visits occur;</li> <li>iv. the hours of operation when the <u>site</u> is open to visitors, clients, and deliveries to between the hours of: <ul style="list-style-type: none"> <li>A. 0700 – 2100 Monday to Friday; and</li> <li>B. 0800 – 1300 Saturday, Sunday and public holidays;</li> </ul> </li> <li>v. visitor or staff <u>parking area</u> to outside the <u>road boundary setback</u>;</li> <li>vi. outdoor advertising to a maximum area of 2m<sup>2</sup>.</li> </ul> <p>b. The activity shall <del>comply-meet with</del> the following built form standards of the Residential Suburban Zone: <u>Rules</u> 14.2.3.1, 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (c) below.</p> <p>c. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply-meet with</del> the following built form standards of the Residential Small Settlement Zone: <u>Rules</u> 14.8.3.1, 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6, and 14.8.3.8.</p>
P15	<p><u>Market gardens, community gardens</u> and <u>garden allotments</u>.</p>	<p>a. The activity shall <del>comply-meet with</del> the following built form standards of the Residential Suburban Zone: <u>Rules</u> 14.2.3.1, 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (b) below.</p> <p>b. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply-meet with</del> the following built form standards of the Residential Small Settlement Zone: <u>Rules</u> 14.8.3.1, 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6, and 14.8.3.8.</p>

Activity		Activity specific standards
<b>P16</b>	Storage of <a href="#">heavy vehicles</a> on a <a href="#">site</a> that was privately owned as at 12 October 2015.	<p>a. No more than one vehicle shall be stored on the <a href="#">site</a>.</p> <p>b. The activity shall <del>comply-meet with</del> the following built form standards of the Residential Suburban Zone: <a href="#">Rules</a> 14.2.3.1, 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (c) below.</p> <p>c. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply-meet with</del> the following built form standards of the Residential Small Settlement Zone: <a href="#">Rules</a> 14.8.3.1, 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6, and 14.8.3.8.</p>
<b>P17</b>	Dismantling, repair, or storage of motor vehicles and boats on a <a href="#">site</a> that was privately owned as at 12 October 2015.	<p>a. The vehicles and/or boats shall be owned by people who live on the same <a href="#">site</a>.</p> <p>b. The activity shall <del>comply-meet with</del> the following built form standards of the Residential Suburban Zone: <a href="#">Rules</a> 14.2.3.1, 14.2.3.3, 14.2.3.4, 14.2.3.5, 14.2.3.6, 14.2.3.7, 14.2.3.8, 14.2.3.9 and 14.2.3.11, except as provided for in (c) below.</p> <p>c. In the case of the Specific Purpose (Flat Land Recovery) Zone at Brooklands (Planning Maps 2 and 6), the activity shall <del>comply-meet with</del> the following built form standards of the Residential Small Settlement Zone: <a href="#">Rules</a> 14.8.3.1, 14.8.3.2, 14.8.3.3, 14.8.3.4, 14.8.3.5, 14.8.3.6, and 14.8.3.8.</p>

### **21.11.2.2.2 Controlled activities**

~~The activities listed below are controlled activities.~~

~~There are no controlled activities.~~

### **21.11.2.2.3 21.11.4.1.2 Restricted discretionary activities**

The activities listed below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

Activity		The <a href="#">Council</a> 's discretion shall be limited to the following matters:
<b>RD1</b>	Activities <a href="#">listed in Rule 21.11.4.1.1</a> P1, P3, P6, P12, P13, P14, P15, P16, or P17 <del>in Rule 21.11.2.2.1</del> that do not <del>comply-meet with</del> Rule 14.2.3.4 where the <a href="#">site coverage</a> is between 35% and 40%; or for the Specific Purpose (Flat Land Recovery) Zone at	<p>a. Site density and site coverage – <del>Rule 14.43</del>14.2.</p> <p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>

Activity	The <b>Council's</b> discretion shall be limited to the following matters:	
	Brooklands, that do not <del>comply meet with built form standard</del> <u>Rule</u> 14.8.3.3.	
RD2	<p><u>Activities listed in Rule 21.11.4.1.1 Activities</u> P1, P3, P6, P12, P13, P14, P15, P16 or P17 <del>in Rule 21.11.2.2.1</del> that do not <del>comply meet with</del> one or more of the built form standards <u>in Rules</u> 14.2.3.3, 14.2.3.6, 14.2.3.7 or 14.2.3.8; or for the Specific Purpose (Flat Land Recovery) Zone at Brooklands, that do not <del>comply meet with</del> one or more of the built form standards <u>in Rules</u> 14.8.3.2, 14.8.3.4 or 14.8.3.5.</p>	<p>a. As relevant to the <del>breached</del> built form standard <u>that is not met</u>:</p> <ul style="list-style-type: none"> <li>i. Impacts on neighbouring property — <u>Rule</u> 14.<del>13</del><u>14</u>.3.</li> <li>ii. Minimum building, window and balcony setbacks – <u>Rule</u> 14.<del>13</del><u>14</u>.19.</li> </ul> <p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
RD3	<p><u>Activities listed in Rule 21.11.4.1.1 Activities</u> P1, P3, P6, P12, P13, P14, P15, P16 or P17 <del>in Rule 21.11.2.2.1</del> that do not <del>comply meet with</del> one or more of the built form standards <u>in Rules</u> 14.2.3.5, 14.2.3.9 or 14.2.3.11; or for the Specific Purpose (Flat Land Recovery) Zone at Brooklands, that do not <del>comply meet with</del> one or more of the built form standards <u>in Rules</u> 14.8.3.6 or 14.8.3.8</p> <p><del>Any application arising from this rule shall not be limited or publicly notified. Any application arising from non-compliance with these standards will not require written approval and shall not be publicly or limited notified.</del></p>	<p>a. As relevant to the <del>breached</del> built form standard <u>that is not met</u>:</p> <ul style="list-style-type: none"> <li>i. Street scene - road boundary building setback, fencing and planting – <u>Rule</u> 14.<del>13</del><u>14</u>.18.</li> <li>ii. Outdoor living space – <u>Rule</u> 14.<del>13</del><u>14</u>.21.</li> <li>iii. Water supply for firefighting – <u>Rule</u> 14.<del>13</del><u>14</u>.8.</li> </ul> <p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
RD4	<p><u>Activities listed in Rule 21.11.4.1.1 Activities</u> P6 <del>in Rule 21.11.2.2.1</del> that do not <del>comply meet with</del> one or more of the activity specific standards a, b, e or f.</p>	<p>a. Matters over which the <b>Council</b> has restricted discretion are set out in <del>Section Rule 6.2.36.2.5</del>.</p> <p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
RD5	<p>Land management and <u>maintenance</u> activities that exceed activity specific standard <del>P5</del> (a)(i) <u>in Rule 21.11.4.1.1 P5</u> <del>in Rule 21.11.2.2.1</del> by 10 dB or less (noise).</p>	<p>a. Matters over which the <b>Council</b> has restricted discretion are set out in <del>Section Rule 6.1.4.38</del>.</p> <p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
RD6	<p>Land management and <u>maintenance</u> activities that exceed activity specific standard <del>P5</del> (a) (ii) <u>in Rule 21.11.4.1.1 P5</u> <del>in Rule 21.11.2.2.1</del> (outdoor lighting and glare).</p>	<p>a. Matters over which the <b>Council</b> has restricted discretion are set out in <del>Section Rule 6.3.36.3.7</del>.</p> <p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
RD7	<p>Land management and <u>maintenance</u> activities that exceed activity specific standard <del>P5</del> (a)(iv) <u>in Rule 21.11.4.1.1 P5</u> (<u>signage</u>).</p>	<p>a. Matters over which the <b>Council</b> has restricted discretion are set out in <del>Section Rule 6.8.56.8.6</del>.</p> <p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
RD8	<p><u>Subdivision</u> that involves conversion of the type of tenure from unit title or cross lease</p>	<p>a. Matters over which the <b>Council</b> has restricted discretion set out in <del>Section Rule</del> 8.5.</p>

Activity		The <b>Council's</b> discretion shall be limited to the following matters:
	<p>to fee simple, <u>boundary</u> adjustments, alteration of cross leases, company leases and unit titles, and where it is proposed to subdivide off land within the Specific Purpose (Flat Land Recovery) Zone from an area of land not within the Specific Purpose (Flat Land Recovery) Zone.</p> <p><del>Any application arising from this rule shall not be limited or publicly notified. Any application arising from non-compliance with this rule will not require written approvals and shall not be publicly or limited notified.</del></p>	<p>b. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
<b>RD9</b>	<p>Hazard mitigation works not provided as a permitted activity in Rule- <u>21.11.4.1.1</u> <del>21.11.2.2.1</del> P9.</p>	<p>a. The significance of ecological, landscape or natural values, ecological corridors, <u>indigenous fauna</u>, and whether these would be adversely compromised by the activity.</p> <p>b. The risk to life, property and the environment posed by hazards.</p> <p>c. The extent to which the activity would remedy or mitigate the hazard or be compatible with existing mitigation works or structures.</p> <p>d. Whether or not the work would be carried out under the supervision of a Chartered Professional Engineer.</p> <p>e. The extent to which the activity would protect <u>buildings</u> and their occupants.</p> <p>f. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p> <p>g. The extent to which the hazard risk may be increased or exacerbated in other locations.</p>
<b>RD10</b>	<p>Activities <u>listed in Rule 21.11.4.1.1</u> P3 <del>in Rule 21.11.2.2.1</del> that do not <u>comply</u> <del>comply</del> with one or more of the built form standards <u>in Rules 15.45.32.1, 15.45.32.2, 15.45.32.3, and 15.45.32.4.</u></p>	<p>a. Maximum building height – <u>Rule 15.813.3.1</u></p> <p>b. Minimum building setback from road boundaries/street scene – <u>Rule 15.813.3.2</u></p> <p>c. Minimum separation from the internal boundary with a residential zone <u>or open space zone</u> – <u>Rule 15.813.3.3</u></p> <p>d. Sunlight and outlook at boundary with a residential zone – <u>Rule 15.813.3.4</u></p> <p>e. The extent to which the proposal will facilitate immediate recovery activity while not compromising long term recovery.</p>
<b>RD11</b>	<p>Activities <u>listed in Rule 21.11.4.1.1</u> P14 <del>in Rule 21.11.2.2.1</del> that do not meet activity specific standard (a).</p>	<p>a. Scale of activity – <del>14.13</del><u>14.5</u></p> <p>b. Traffic generation and access safety – <del>14.13</del><u>14.6</u></p> <p>c. Non-residential hours of operation – <del>14.13</del><u>14.22</u></p>

### 21.11.2.2.4 21.11.4.1.3 Discretionary activities

The activities listed below are discretionary activities.

Activity	
D1	Activities <u>listed in Rule 21.11.4.1.1</u> P12, P13, P16 or P17 in Rule 21.11.2.2.1 <del>(Bed and breakfasts, care for non-resident children, storage of heavy vehicles, dismantling, repair, or storage of motor vehicles and boats)</del> , that do not meet activity specific standard (a).
D2	<del>Pre-school</del> <u>Preschool activity</u> on a <u>site</u> that was privately owned as at 12 October 2015.
D3	<u>Health care facility</u> on a <u>site</u> that was privately owned as at 12 October 2015.
D4	<u>Veterinary care facility</u> on a <u>site</u> that was privately owned as at 12 October 2015.
D5	<u>Education activity</u> on a <u>site</u> that was privately owned as at 12 October 2015.
D6	<u>Place of assembly</u> on a <u>site</u> that was privately owned as at 12 October 2015.
D7	<u>Spiritual activity</u> on a <u>site</u> that was privately owned as at 12 October 2015.
D8	<del>Activities listed in Rule 21.11.4.1.1</del> <u>Activities</u> P3 that do not meet activity specific standard (a).

### ~~21.11.2.2.5~~ 21.11.4.1.4 **Non-complying activities**

The activities listed below are non-complying activities.

Activity	
NC1	Any activity not listed as a permitted, <del>controlled</del> , restricted discretionary, <del>or</del> discretionary <del>or</del> prohibited activity.
NC2	Any <u>land management activities</u> that exceed the activity specific standards in <u>Rule 21.11.4.1.1</u> <del>Rule 21.11.2.2.1</del> P5 (a) (i) by more than 10dB.
NC3	<u>Subdivision</u> , unless provided for as a restricted discretionary activity.

### ~~21.11.2.2.6~~ **Prohibited activities**

~~The activities listed below are prohibited activities.~~

~~There are no prohibited activities.~~