

Mackenzie District Council

Mackenzie District Plan

Proposed Plan Change 14

RESIDENTIAL HARD STAND AREAS – RESIDENTIAL 1 and 2 ZONES

BACKGROUND

The majority of the District's residential areas are zoned 'Residential 1' with a smaller percentage Residential 2 for the more multi unit developments. These sites are predominantly used for residential activities and residents expect a pleasant and coherent living environment with a high standard of amenity to be maintained.

PURPOSE

The District Plan currently controls the character of residential areas with building development standards relating to bulk and density. The specific standards building work must comply with include minimum site areas per residential unit, maximum building coverage, maximum heights and setbacks from internal and road boundaries. Subdivision minimum lot sizes and minimum dimensions also aim to create lots of a sufficient size and shape to accommodate residential activities within a medium density environment.

In the past two years, the Mackenzie District Council has become concerned with the communities perception and issues associated with resource consent associated with building coverage areas. These issues include cost, difficulties in applying for consents for in some instances minor increases over standards and also the level of discretion required with a non-complying vs a discretionary consent..”

Plan Change 14 amends the building coverage standard and consent status to better reflect the anticipated outcome by Council when instigating the standards imposed under Plan Change 8 in 2005 by.

- Slightly increasing maximum building and hard stand coverage to recognise the communities concerns and still maintaining the anticipated amenity outcomes.

CHANGES TO THE PLAN

Note: for the purposes of this Plan Change, any text proposed to be added is shown as **bold underlined** and any text removed as ~~strike through~~.

Amend Residential (Section 6) as follows:

3 RESIDENTIAL ACTIVITIES

3.1 Permitted Activities - Residential Activities

3.1.1 Any Residential Activity which is not specified as a Controlled Activity in 3.2 below and which complies with the following standards:

3.1.1.a Building Coverage

(i) The maximum building and hard surface coverage of the net area of any Residential 1 site shall be ~~50~~45%.

(ii) The maximum building and hard surface coverage of the net area of any Residential 2 site shall be 65%.

3.3 Discretionary Activities

3.3.1 Any Residential Activity which does not comply with any one or more of the following standards for Permitted Residential Activities in the relevant Residential Zone and which is not specified as a Non-Complying Activity in 3.4 below

3.1.1.b Building Coverage

3.4 Non-Complying Activities – Residential Activities

3.4.3 Building and hard surface coverage greater than 60% ~~45~~% of the net site area in the Residential 1 Zone.

CHANGES TO THE PLANNING MAPS

No changes to the planning maps are proposed.

SECTION 32 ASSESSMENTS OF PROPOSED AMENDMENTS

Section 32 requires an evaluation of whether the proposed policies, rules and methods are the most appropriate for achieving their objective and in this assessment regard must be had to the effectiveness and efficiency of these. For the purposes of this assessment effectiveness is taken to mean the extent to which something achieves the desired result. Efficiency is taken to mean producing the result effectively without wasting effort, energy or money. Inherent in assessing whether the provisions are the most appropriate is a comparison with other provisions. It is understood Council considered various options before the current approach was adopted. The assessment below assesses the proposed change to the rules in terms of their effectiveness and efficiency. This is followed by general consideration of other options with particular consideration of costs and benefits. This approach was adopted in part to inform the reader of why the various policies and rules were chosen.

Section 32 also requires the risk of not acting if there is uncertain or insufficient information. This matter is considered later in the assessment in relation to the proposed plan change and alternative provision.

Efficiency and Effectiveness of Rules

The Proposed Plan Change amends the rules in relating to the percentage cover associated with Building and Hard Surface areas and modifies the status. It is considered that the rule changes are effective in achieving the desired purpose. It is considered however the efficiency of the existing rules is not to the desired level based on the feedback received to council. In particular the effort and energy associated with generally inexperienced landowners making their one and only resource consent application for relatively minor increases over the specified standard. It is considered there have been instances where this energy and effort is out of proportion to the benefits received by the community.

Council consulted with Ms Tina Batistic a Landscape Architect who advised that she personally does not see much difference between the existing 45% coverage and a increased level of 50% in terms of effect. However she expressed clear concern over exceeding that amount and the potential impact on the openness and character of the residential amenity.

Hard Surface: means, in relation to any site, any part of that site which is impermeable and includes:

- **Concrete, bitumen or similar driveways, paths or other areas paved with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks; or hardfill driveways that effectively put a physical barrier on the surface of any part of the site.**
- **Any area used for parking, manoeuvring, access or loading of motor vehicles.**
- **Any area paved wither with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks.**

The following shall not be included in the definition of hard surface:

- **Paths of less than 1 metre in width.**
- **Shade houses, glass houses and tunnel houses not having solid floors.**

Whilst a degree of concern has been expressed over the retention of hardfill areas in the definition of hard surface areas it is mine and the landscape architects assessment that there is a very clear and real potential for significant adverse effects on the residential amenity in terms of a urban desert associated with their exclusion. Any change by excluding hardfill from the definition of hard surface cannot be supported on the basis of the considered effect on street amenity arising from this.

SECTION 32 ASSESSMENT OF ALTERNATIVES AND COSTS AND BENEFITS

Available alternatives include non-regulatory measures such as guidelines or educational materials. These however are not considered to provide council with the ability to address any effects associated with development in excess of that permitted.

As the issue of hard stand coverage is a result of development it is considered this is the most appropriate area to manage the effects instead of through the use of Bylaws.

A reduced level of activity status such as control is not considered to provide council with the required level of discretion in terms of being able to decline adverse levels of development.

SECTION 32 ASSESSMENT OF RISK OF NOT ACTING

Whilst Council has the ability to 'do nothing' it is considered this would leave the situation as it stands with the resultant concerns over applicant efficiencies not addressed.

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