

PRACTICE NOTE 2/2014



DEFINITION OF NET AREA UNDER THE QLDC DISTRICT PLAN

THE QLDC DISTRICT PLAN

The QLDC District Plan defines ‘Building Coverage’ by referring to the term ‘Net Area’ which is defined as:

NET AREA

In relation to a site or lot, means the total area of the site or lot less any area subject to a designation for any purpose, and/or any area contained in the access to any site or lot, and/or any strip of land less than 6m in width.

Some uncertainty has arisen with regard to the phrase ‘less any area subject to a designation for any purpose’. The uncertainty relates to the term ‘designation’ and what would fall within this category.

The interpretation that Council is taking is that

‘any area subject to a designation for any purpose’

does refer to a Resource Management Act designation identified in the District Plan. Easements for services would not fall within the term ‘designation’.

The definition then goes on to exclude other areas (in addition to RMA designations). The definition excludes

“any area contained in the access to any site or lot, and/or any strip of land less than 6m in width”.

Right of Way easements are considered to be part of “the access to any site or lot”. This approach has been taken due to an access way being unusable space for development while service easements may be built on subject to the relevant approvals or usable for private open space for amenity purposes.

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