

**Proposed Plan Change 59:  
Review of Residential Zone Coverage  
Section 32 Evaluation**

## **1.0 Introduction**

The purpose of the plan change is to review and update the residential zone coverage rules. The current building coverage rule which applies throughout much of the residential zone in the district is 33 per cent maximum. There has been demand for higher maximum building coverage in residential zones in some townships of the district. However part of the purpose of the rule is to maintain amenity and manage stormwater effects, although the latter is not clearly stated in the current Tasman Resource Management Plan (TRMP).

## **2.0 Resource Management Act 1991 (the Act)**

### **2.1 Section 32 Evaluation Report**

Before a proposed plan change is publicly notified, the Council is required under Section 32 of the Act to evaluate whether the objectives of the proposal are the most appropriate way of achieving the purpose of the Act; whether the provisions in the proposal are the most appropriate way to achieve the objectives; identifying options/alternatives for achieving the objectives; and identifying and assessing the costs and benefits of the proposed change, including opportunities for economic growth and employment.

Section 32 sets out what the evaluation report must do —

- (1)(a) *the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of this Act; and*
- (b) *whether the provisions are the most appropriate way to achieve the objectives by -*
  - (i) *identifying reasonably practicable options for achieving the objectives*
  - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives*
  - (iii) *summarising reasons for deciding on the provisions*
- (2) *an assessment under Subsection 1(b)(i) must –*
  - (a) *identify and assess the benefits and costs of the environmental, economic and cultural effects that are anticipated from implementing the provisions, including the opportunities for –*
    - (i) *economic growth that are to be provided or reduced; and*
    - (ii) *employment that are anticipated to be provided or reduced; and*
  - (b) *if practicable, quantify the benefits and costs referred to above; and*
  - (c) *assess the risks of acting or not acting if there is insufficient information about the subject matter*

### 3.0 Evaluation of the Plan Change

#### 3.1 Current State, Issues and Outcomes Sought

Amenity objectives and policies are generally set out in Chapter 5 of the TRMP. Amenity values may be affected by the proportion of buildings, open space and vegetation on a site. Amenity values may be affected by increased stormwater runoff from development.

The residential zone building coverage rule in the TRMP sets a maximum amount of a site able to be covered with buildings.

Apart from in a few development areas in the district where a maximum of 50 per cent building coverage is the controlled activity condition most of the residential zone has a permitted activity condition for buildings of maximum 33 per cent coverage. It is possible to seek up to 35 percent coverage through a restricted discretionary activity consent.

The reasons given in the TRMP for having the rules are to retain space for trees and garden plantings. Another reason for the rule (unstated in the TRMP however) in the unserviced settlements (such as Upper Moutere, Tasman, Marahau, Patons Rock and Pakawau) is that pervious space on a site is necessary for on-site wastewater and stormwater disposal. The effect of building coverage rules to help manage stormwater runoff is not well addressed in the TRMP as it is not mentioned in reasons for rules. Any increase in residential coverage would need to address stormwater runoff effects as an increase in the latter would be an adverse effect in many parts of the district.

Over the last four years the Council has processed 39 resource consents seeking to breach the building coverage rules in the residential zone. All these resource consents were approved and recent consents have included conditions requiring some type of on site detention (such as rain water tanks) to help mitigate effects on Council’s stormwater infrastructure. Most of the consents granted were in Richmond and Motueka with a small number in Brightwater and Wakefield. In the same period there were no building coverage increases sought in the unserviced settlements or in Golden Bay.

#### 3.2 Objectives

The objectives included in the TRMP are not intended to be changed.

#### 3.3 Provisions – Options assessment

Provisions are the policies, rules or other methods that implement or give effect to the objectives of the proposed plan change. Various possible options have been assessed for their efficiency and effectiveness. The efficiency assessment identifies the benefits and costs of the effects anticipated from implementing the provisions. The assessment of options is set out in the following table:

Options	Costs	Benefits	Effectiveness/ Efficiency
Option 1: District wide increase in maximum building coverage (all residential zones)	Loss of pervious land available for stormwater soakage; less soakage area for wastewater systems in unserviced townships.  Cost of plan change	Greater buildable area on individual sites; less administration costs for Council (fewer consents)	The smaller townships are not serviced so require larger lots, with low building coverage to manage the effects of on-site waste and stormwater disposal.  Increasing building coverage is likely to increase the risk on unserviced sites that on site servicing effects are inadequately dealt with.

Option 2: Increase building coverage in serviced townships	Loss of pervious land available for stormwater soakage but to a lesser extent than Option 1.  Cost of plan change	Benefit to landowners as in Option 1; less administration costs for Council (fewer consents).	The issue of coverage has only arisen in a few of the serviced townships, rather than all townships.
Option 3: Increase building coverage in specified serviced townships linked with on site stormwater detention tank	Some costs to landowners in providing on site detention.  Cost of plan change	Avoids current costs to Council and landowners of resource consents for increased building coverage.  No net increase in stormwater runoff despite coverage increase.  Avoids more definitions in TRMP.  Meets market demand	Requiring on site detention has proven to be a workable option.  Leaves loose use of terms "building coverage" and "site coverage" in TRMP.
Option 4: Increase building coverage in specified serviced townships linked with a maximum imperviousness or maximum site coverage of 70 %	Cost of plan change	Avoids current costs to Council and landowners of resource consents.  Will need to add a definition of "imperviousness" or "site coverage". The latter term is used loosely in the current TRMP and a definition would add clarity.  Meets market demand.	It should be able to be realistically implemented, monitored and enforced if site coverage is clarified with a simple definition
Option 5: Status quo	Costs of continuing resource consents for applicants; administration costs for Council processing consents	Retention of space around buildings; Consents granted sometimes require as a condition stormwater detention (but only recently)	Lack of clear guidance in current rules to require stormwater detention so current rule not very efficient.  Loose use of terms reduces the effectiveness of the TRMP

## 4.0 Recommendation and Conclusion

The preferred options are Options 3 (increased building coverage in specified townships linked with stormwater detention tank) and Option 4. In Option 4 the concept of site coverage (rather than perviousness) is preferred for ease of administration. A separate definition of site coverage clarifies the current loose wording in the TRMP.

The options that have been evaluated and those put forward for the Schedule 1 Public Notification of the Proposed Plan Change are considered an appropriate package for achieving the Objectives in the TRMP and the purpose of the Act in an effective and efficient manner.