

PRACTICE NOTE 3/2014



SHOTOVER COUNTRY CONSENT NOTICES AND THE DEFINITION OF 'LIVING AREA'

SHOTOVER COUNTRY SPECIAL ZONE

Some uncertainty has arisen with regard to a condition commonly found on Consent Notices placed on residential sites in the Shotover Country Special Zone. The Consent Notices require that:

- a) *“An area of glazing from a living area, or bedroom or office (or similar) must face towards the street”*

The uncertainty arose in relation to whether a kitchen would fall within the category of a 'living area' and as such if an area of glazing from a kitchen faces towards the street would it therefore comply with the above condition.

THE QLDC DISTRICT PLAN

The QLDC District Plan does in fact have a definition of 'Living Area':

LIVING AREA

Means any room in a residential unit other than a room used principally as a bedroom, laundry or bathroom.

The interpretation that Council is taking with regard to the Consent notices is that a kitchen is a 'living area' as it is a room in a residential unit which is not used principally as a bedroom, laundry or bathroom in line with the definition above.

As such in order to comply with the above Consent Notice condition it is acceptable to have an area of glazing from a kitchen facing towards the street.

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