

11(a) AMENITY VALUES - AMENITY PLANTING

ISSUE 1

Trees make a major contribution to urban amenities and rural landscapes and there is a lack of amenity tree planting in some parts of the District.

Explanation

The issue of amenity tree planting throughout the District received wide ranging public comment when the Council called for public identification of issues. Most comments requested additional urban amenity planting and that notable and significant trees be given protection in the District Plan.

This issue relates to amenity planting rather than larger scale plantation or forestry planting.

OBJECTIVES

- (1) Achievement of greater amenity by improving the quality of tree planting on private and publicly owned land.
- (2) Protection of notable trees and other vegetation of cultural and historical value.
- (3) Increased areas of local native species.

Principal Reason

Consistent with the purpose of sustainable management. Aims to achieve improved environmental quality in the longer term (see Part B(2)).

POLICIES

- (1) To promote improved amenity tree planting on residential and commercial sites and historically and culturally significant sites.

Explanation and Principal Reason

Addresses community concerns for increased planting of trees in the District.

- (2) To enhance and increase the planting of trees and other appropriate vegetation on Council reserves and along street frontages of residential, commercial and industrial sites in settlements.

Explanation and Principal Reason

Improved visual amenity should occur throughout the District but be focused on priority areas. Also addresses the Regional Policy Statement's requirement to encourage an increase in long lived vegetation cover which absorbs CO2.

- (3) To recognise heritage values and the cultural importance of significant trees in the District.

Explanation and Principal Reason

Addresses community concern expressed at the time of District Plan consultation for the recognition of heritage and cultural values of trees in the District.

- (4) To encourage the replanting of indigenous vegetation with eco-sourced indigenous local species.

Explanation and Principal Reason

This is consistent with the policies in the Natural Environment section of the District Plan. Eco-sourced means that plants are grown from seeds sourced from the planting site or nearby to minimise genetic pollution and the loss of local biodiversity.

- (5) To promote the retention of trees on sites at the time of subdivision or development.

Principal Reason

Trees providing amenity to the locality have frequently been lost at the time of subdivision or development.

- (6) To require landscaping with development or an equivalent cash contribution to the Council's reserves fund; where it is impracticable to provide landscaping cash contributions to be spent on public spaces or streetscapes in the locality.

Principal Reason

The requirement to plant trees could be part of the resource consent to ensure implementation of this condition.

METHODS

- (1) Preparing and making available guidelines for tree planting which encourage species diversity and appropriate siting; replanting of indigenous remnants with local native species; include information

regarding invasive plant species such as wildings; taking into account the relationship of tree planting with landscape and potential effects on neighbouring properties. The guidelines should identify the species and size of trees for use in landscape enhancement.

Principal Reason

Raising peoples' awareness of points to consider when deciding to plant can enhance the effectiveness of planting and avoid many of the pitfalls.

- (2) Establishing a tree enhancement programme through the Long Term Council Community Plan.

Principal Reason

Addresses community concerns for increased planting of trees in the District.

- (3) Identifying significant trees (eg historical, cultural, botanical, visual) with a marker or protective barrier, with the agreement of the land owner.

Principal Reason

A means of informing interested persons of the importance of some trees and protecting trees from damage.

- (4) Including a Schedule of the most significant trees in the District Plan and requiring a resource consent for removal or major modification (see Volume II and General Rule 6.13).

Principal Reason

Enables protection of significant trees where appropriate.

- (5) Making greater effort to protect trees when carrying out services, particularly in urban residential and commercial areas. Encouraging undergrounding of overhead services in urban residential and commercial areas and placement of new services to provide for new street trees in urban residential and commercial areas.

Principal Reason

Undergrounding of overhead wires results in less conflict with amenity street planting. Related benefits from undergrounding include improvement of street appearance, safety, better street light placement, reduced maintenance of wiring. Reduction of costs of

maintenance and repair of trees damaged by servicing work; less disruption of existing and future street trees.

- (6) Requiring trees to be identified on plans when making resource consent applications (see General Rules 6.2 and 6.3).

Principal Reason

Reduces accidental damage to trees by unsympathetic development.

- (7) Provision by the Council of trees or shrubs for new household units.

Principal Reason

Provision of trees, shrubs etc with new household units provides an incentive to plant and seek landscaping advice.

ANTICIPATED ENVIRONMENTAL OUTCOMES

- (1) Increased amenity planting in the District, with special regard for existing natural values and effects on adjoining properties.

MONITORING

- (1) Assess the effectiveness of policies by monitoring comments and complaints.
- (2) Upgrade schedule of significant trees.
- (3) Survey the public to identify awareness of available landscape information/guidelines.
- (4) Within four years survey public awareness of Council implemented amenity planting and indigenous re-vegetation programmes; use comparison of aerial photos to observe whether tree planting is increasing.

ISSUE 2

Many commercial and industrial sites are unattractive.

Explanation

Enhancement measures are needed where sites are visible from public places and adjoining residential areas.

OBJECTIVE

- (1) Improved visual quality of commercial and industrial sites.

Principal Reason

Addresses community concerns for the improved appearance of commercial and industrial sites.

POLICY

- (1) To promote enhancing the visual appearance of commercial and industrial sites and to protect the visual quality of adjoining Recreation, Residential or Rural Zones.

Explanation and Principal Reason

Proposes enhancement measures to address amenity concerns in commercial and industrial areas.

METHODS

- (1) Increasing public awareness of the advantages of providing landscaped areas within commercial and industrial sites, by providing guidelines on appropriate planting.

Principal Reason

Increases public awareness and promotes efficient maintenance of landscaped sites.

- (2) Including rules in the District Plan which require the development of areas landscaped with trees or shrubs in conjunction with the development of the site appropriate to the zone (see General Rule 6.19).

Principal Reason

Establishes specific standards which must be complied with when developing the site. These rules shall not apply to the minor extension of an existing building.

ISSUE 3

There is a need to improve the means for addressing disputes where “problem” trees affect other properties and utility services.

Explanation

These situations usually arise when large trees and houses are located in close proximity to each other. The issue relates to the effect of plantings on adjacent or neighbouring household units.

OBJECTIVE

- (1) Creating greater awareness of the potential to adversely affect adjoining property owners or utility services when planting trees.

Principal Reason

By increasing public awareness of this issue future conflicts over problem trees may be avoided.

POLICIES

- (1) To promote amenity tree planting on residential and commercial sites which are appropriate to the location, development and size of the allotment and adjoining land.

Explanation and Principal Reason

By increasing public awareness of this issue future conflicts over problem trees may be avoided.

- (2) To require rural shelter belts, wood lots and forestry to be set back from household units and Residential Zones.

Explanation and Principal Reason

Massed plantings can adversely affect light and outlook to the detriment of residential activities. Dwellings in such locations are also more susceptible to fire risk.

METHODS

- (1) Preparing and making available guides to tree planting which encourage appropriate siting and choice of species. Take into account the relationship of tree planting with landscape and potential effects on neighbours, etc.

Principal Reason

Aim to reduce complaints about problem trees; improved visual amenity; heightened public awareness of appropriate planting.

- (2) Publicizing existing Property Law Act and Disputes Tribunal procedures for resolving boundary disputes over individual trees in urban areas. Use rules to address locations where massed trees can have adverse effects.

Principal Reason

Reduction in public costs; avoids the Council being drawn into neighbourhood disputes; transfers cost to individuals involved in dispute. Addresses problem trees rather than providing rules which apply to all plants on all properties, which would create enforcement problems. Where massed trees are proposed it is better to address the location of the trees by way of rules before any trees are planted.

ANTICIPATED ENVIRONMENTAL OUTCOME

- (1) Increased amenity planting in the District, having special regard for effects on adjoining properties.

MONITORING

- (1) Assess the effectiveness of policies by monitoring comments and complaints and reviewing policy within four years.

ISSUE 4

There are specimen trees highly valued by the community because they are either visually attractive or because they have heritage (including botanical) values worthy of recognition.

Explanation

There are some trees in the District which have landmark qualities or are associated with important events in the history of the community.

OBJECTIVE

- (1) That important specimen trees are recognised and given protection from human activity which threatens to damage or remove the tree.

Principal Reason

Recognises the value the community attributes to these trees and seeks to retain these trees where possible.

POLICIES

- (1) To identify the most important specimen trees assessed against the following criteria:
 - the size of the tree;
 - the importance of its position;
 - the presence of other trees;
 - the occurrence of the species in the District;

- the role of the tree in the location or setting;
- the useful life expectancy of the tree;
- the form or shapeliness of the tree;
- and any historic importance associated with the tree.

Explanation and Principal Reason

Addresses community concerns for the protection of important specimen trees and provides some basis for assessing specimen trees.

- (2) To protect the most important specimen trees from any human activity that may cause damage to or removal of identified specimen trees by having regard to the following matters:

- whether the proposed development can be undertaken without any work affecting the tree;
- the health or condition of the tree;
- any effect of trimming or disturbance of the tree's root system on its appearance or health;
- the effect of any building or other development on the visibility of the tree from a road or public place;
- whether the tree is causing any significant damage to property or services;
- whether the tree restricts the development of the site to a significant degree;
- whether the tree inhibits the growth of another more important specimen tree nearby;
- and any safety concerns.

Explanation and Principal Reason

This policy provides criteria to balance competing aspirations of landowners who wish to see significant trees removed, against community benefit. Gives some measure of certainty for those in the community who wish to see important specimen trees protected and to tree owners who wish to retain the ability to maintain their trees.

METHODS

- (1) Increasing public awareness of accepted horticultural procedures for trimming or pruning of trees by including information in the proposed Tree Guidelines and by public education programmes.

Principal Reason

Increases public awareness and promotes improved tree maintenance.

- (2) By including the most significant trees in the District Plan and requiring an application for a resource consent to carry out work on or near scheduled trees (see Volume II and General Rule 6.13).

Principal Reason

Allows for general maintenance of the tree but gives the Council control over large scale maintenance or removal of trees scheduled in the District Plan.

The Royal New Zealand Institute of Horticulture Tree Evaluation System was used to identify the significant trees, and others were added because of their association with important events.

- (3) Providing for the trimming of foliage on significant trees in accordance with recognised horticultural practice (see General Rule 6.13).

Principal Reason

Provides for reasonable maintenance of a significant tree.

- (4) Any activity within 10 metres of the base of a Significant Tree, which has the potential to damage or remove any part of the tree, other than for maintenance provided for in Method (3) shall be a discretionary activity (see General Rule 6.13).

Principal Reason

Ensures potentially destructive actions on trees are carefully considered as part of the resource consent assessment process.

ANTICIPATED ENVIRONMENTAL OUTCOME

- (1) Increased protection of Significant Trees while providing for maintenance where appropriate.

MONITORING

- (1) Assess effectiveness of policies by monitoring trees scheduled in the District Plan and monitoring resource consents relating to those trees.

Part B

Community Enablement and Physical Resources

11(b) AMENITY VALUES - SUNLIGHT, DAYLIGHT AND OUTLOOK

ISSUE

The bulk and location of buildings can have effects on the surrounding sites and the local environment.

Explanation

The siting of buildings and other structures can obstruct sunlight and daylight enjoyed by neighbours as well as affecting outlook and privacy for surrounding residents.

OBJECTIVE

- (1) Ensuring a measure of protection of daylight, sunlight, and residential privacy and outlook.

Principal Reason

The amount of sunlight or daylight received by a residential dwelling or a work place contributes to the general amenity of the site. By taking account of these values, recognition should also be given to the desire for privacy and the need to reduce supplementary energy requirements for heating and lighting.

POLICIES

- (1) To control the height (and height in relation to bulk and location) of buildings, concentrating on the effects on adjoining residential properties.

Explanation and Principal Reason

Building height will be controlled by setting maximum height performance standards and height in relation to boundaries, by requiring recession planes and set backs of non-residential buildings (other than residential accessory buildings) from residential boundaries.

Recession planes and the set back of non-residential buildings are primarily concerned with protection of adjacent properties. Height requirements can also protect townscape and outlook, including views for the wider neighbourhood. Places limits on development to avoid the most adverse effects and gives some certainty to both applicants and neighbours.

- (2) To require a resource consent for proposals exceeding those performance standards referred to in Policy (1) taking into account any effects on daylight, sunlight, privacy, outlook, streetscape and townscape and giving preference to those values when a proposal exceeds the performance standards.

Explanation and Principal Reason

Provides for assessment of development in excess of the controls while giving some certainty to others in the neighbourhood. In some cases it may be found that buildings can exceed the performance standards for the zone without compromising the values in Policy (2).

METHODS

- (1) Establishing performance standards that set maximum building height and recession planes (see Zone Rules and General Rule 6.22).

Principal Reason

Administratively practical. Some protection of neighbours amenities.

- (2) Providing for buildings to exceed performance standards as a discretionary activity (see Zone Rules and General Rule 6.1).

Principal Reason

Allows flexibility over the placement of ancillary buildings, provided the consent of those who could be affected is obtained.

- (3) Where commercial and industrial sites adjoin residential properties, a building set back is required on the commercial and industrial property (see Rules for Commercial Zones and Rules for Industrial Zones).

Principal Reason

Some control over scale of development for townscape purposes.

- (4) Providing for open space for each household unit on any site (see Rules for Residential Zones).

Principal Reason

To provide for recreation and outdoor activities and exercise some control over scale of development for townscape purposes and protection of neighbours' amenities (see also Part B, 11(c)).

ANTICIPATED ENVIRONMENTAL OUTCOMES

- (1) Some access to daylight and sunlight is preserved for all properties, unless a resource consent is obtained.
- (2) A measure of protection for privacy and outlook.
- (3) Energy consumption for heating and lighting will be lower than might otherwise occur in some instances.

MONITORING

- (1) Record number of consents required from height, set back, and recession plane performance standards.
- (2) Record number of complaints due to the effects of building on daylight, sunlight, privacy and outlook.
- (3) Review situation in eight years.

Part B

Community Enablement and Physical Resources

11(c) AMENITY VALUES - TOWNSCAPE AND LIFESTYLE

ISSUE 1 (a)

There is a general lack of amenity in some urban areas where land use degrades the appearance of “streetscapes”, and where the scale and coherence of new development in relation to existing developments reduces the amenity of these areas.

Explanation

The visual appearance of buildings and other structures including overhead wires and signs, in residential, commercial and industrial areas is of concern to the community. People expressed specific concerns about the state of dilapidated buildings, and the need for coherence of streetscapes.

ISSUE 1 (b)

Community safety may be compromised by activities that may be perceived as morally offensive and/or associated with criminal activities and where the amenity of the area is compromised by its general ambience including poor lighting, narrow alleyways, litter and the character of persons frequenting the area.

Explanation

There can be a perception of diminished public safety in the vicinity of adult entertainment venues. Any perceived threats to personal safety may relate to verbal comments or visual signs and need not arise out of knowledge of actual events, however, the hours of operation of adult entertainment venues may enhance street security and consequently accessibility for people who would have otherwise avoided the area.

OBJECTIVE

- (1) Improved amenity and safety of urban “streetscapes” in the District.

Principal Reason

Addresses the wide community concern that the appearance of urban areas in the District needs improvement.

POLICIES

- (1) To permit the use and development of residential and commercial sites while protecting and enhancing the amenity and safety enjoyed

by neighbouring properties and the public enjoyment of the streetscape (other than during short term construction).

When considering applications for resource consent for businesses of prostitution, the Council shall refer to section 15 of the Prostitution Reform Act 2003.

Explanation and Principal Reason

Offers some protection of neighbours' amenity and public enjoyment of streetscapes.

- (2) To seek the eventual undergrounding of overhead wires other than transmissions lines within urban areas.

Explanation

Overhead wires contribute to visual clutter in streetscapes. They also have an adverse effect on safety and amenity tree planting.

METHODS

- (1) Requiring a set back from road boundaries, except in town centres and Central Timaru (see Residential 1, 3 and 4 Zones and Commercial 2 and 3 Zones).

Principal Reason

So that buildings do not unduly dominate the streetscape. Set backs provide a degree of openness which may also be used to fulfil open space requirements.

- (2) Limiting the density of household units in Residential Zones.

Principal Reason

To provide a limit on the intensity of development, giving a measure of protection to privacy and outlook compatible with the purpose of the zone, and reducing intensity of demand for urban services.

- (3) Including a rule for temporary buildings or activities which limits the time of site occupation, and the bulk and location of the proposed building or activity (see General Rule 6.10).

Principal Reason

Enables some buildings or activities to locate temporarily, subject to some controls which mitigate their effects on neighbouring activities or limit the duration of the activity.

ISSUE 2

Signs and other forms of advertising can have adverse environmental effects by detracting from the visual or scenic qualities of an area and causing a traffic hazard, especially if these signs or other forms of advertising are poorly located and designed.

Explanation

Signs are an essential part of modern life. Sensitively designed and positioned signs can enhance the character and visual appearance of a commercial locality. Signs can also give information about the direction or location of an activity (such as the availability of products or services), features of interest, or give notice of forthcoming events.

Community attitudes to the use of signs vary. In commercial and industrial areas, signs are an accepted part of such activities where they can add colour and vibrancy to an area, however, there are situations where signs may reduce amenity and visual appearance. For example, in situations where the scale and character of modern signs and heritage buildings conflict.

In residential and rural areas, signs also have the potential for causing adverse visual effects. These signs could also have adverse effects on traffic and pedestrian safety in all areas and this needs to be considered too.

Signs within the road reserves on State Highways are subject to specific controls imposed by Transit New Zealand, while on other roads throughout the District, the Council is the controlling authority. All road signage relating to the transportation function of roads is permitted in the respective zones as this is considered an integral part of the roading network.

It is considered that signs located within or along State Highways and other roads, for other than roading purposes, have the same potential adverse effects on traffic safety as signs located in private property.

The Council controls signs on its roads and private property by way of a Bylaw. The Bylaw covers the safety aspects of signs especially in relation to urban pedestrian areas and the use of temporary signs.

OBJECTIVE

- (1) Enabling signs while avoiding or mitigating the adverse environmental effects of signs on public safety and the visual quality of the District.

Principal Reason

Because advertising provides information and can add colour and vibrancy (particularly in the commercial and industrial areas) it seems appropriate to provide for relatively unrestricted advertising in those areas. This applies only up to the extent that public safety, convenience, access and visual amenity values are not compromised.

POLICIES

- (1) To provide for signage but to ensure that signs do not adversely affect traffic safety by confusing, distracting, or obstructing the views of motorists or pedestrians.

Explanation and Principal Reason

While it is intended to have little or no controls on the type and method of advertising, particularly within the Commercial and Industrial Zones, in some instances the position of signage in relation to roads and adjoining Residential Zones will need to be controlled. The performance standards reflect these controls.

- (2) To limit all advertising in or over roads or public places, except those associated with businesses and within the immediate vicinity of those businesses (i.e. signs on veranda's or sandwich board signs), to signs that are necessary for direction, public information or public safety.

Explanation and Principal Reason

The purpose of roadways is to provide a line of communication or transport between places for pedestrians, cyclists and motorists and they should not be cluttered with unnecessary obstructions like advertising signs. Exceptions are the business areas where the shopping environment can tolerate some obstruction by signage in accord with Council Bylaws.

- (3) To limit signage in Rural, Residential and Recreation Zones to signs that are necessary for direction, public information, and public safety, or for identifying the premises on which the sign is located.

Explanation and Principal Reason

In some areas signs are not appropriate or desirable, in particular signage or advertising which do not relate to the property on which it is located. Such signs can cause confusion or distraction to the road user.

These signs can also detract from the visual amenity of areas with predominantly residential and rural character.

- (4) To limit signage associated with businesses of prostitution where there is potential for conflict with sensitive activities such as day care facilities, schools and community facilities, and where there is potential to cause nuisance and/or serious offence to ordinary members of the public and be incompatible with the existing character and use of an area.

Explanation and Principal Reason

Signage associated with businesses of prostitution has the potential to create significant adverse visual effects which may cause serious offence to some members of the community, however these effects have to be considered in the context of an environment where cinema or theatre advertising can occasionally display nudity, and where adult shops can openly display their products in shop windows.

METHOD

- (1) Requiring compliance with performance standards and rules for signs (see General Rule 6.15).

Principal Reason

Limits the scale and intensity of signage and ensures compatibility with the character of the surrounding environment.

ISSUE 3

When recycled or relocated buildings or shipping containers are shifted into an area many are unsightly without renovation.

Explanation

Many owners use this method to reduce costs and will complete the interior leaving the exterior for long periods due to financial constraints.

OBJECTIVE

- (1) Avoidance of (other than temporary) adverse visual effects arising from relocated buildings.

Principal Reason

Relocated buildings can be unattractive because of the damage done to the base and exterior appearance of the building during the removal process.

POLICY

- (1) To require the completion and renovation of relocated buildings or enhancement of shipping containers within a reasonable time frame, except for shipping containers located in Industrial Zones.

Explanation and Principal Reason

By requiring the completion and renovation of the foundations and exterior envelope of buildings, adverse visual effects can generally be removed.

METHOD

- (1) Requiring application for a resource consent for the relocation of an existing building or shipping container on a site, other than in an Industrial Zone (see General Rule 6.14).

Principal Reason

To ensure that any potential adverse visual effects are addressed prior to relocation.

ISSUE 4

Where animals are housed on sites adjoining residential activities, there can be problems with noise, odour, and the attraction of flies or vermin.

Explanation

There may be adverse environmental effects produced where animals are housed in close proximity to residential activities and the anticipated residential amenity of such areas is reduced. Council Bylaws provide some controls on the housing of animals in the Timaru urban area.

OBJECTIVE

- (1) Mitigation of the adverse effects of housed animals where buildings intended to accommodate animals are located near to residential areas.

Principal Reason

Addresses the adverse environmental effects of housing animals in close proximity to residential areas.

POLICY

- (1) To limit the location of buildings used for housing of animals in and adjoining Residential Zones.

Explanation and Principal Reason

Provides some protection for residential activities from adverse effects associated with the housing of animals.

METHOD

- (1) Requiring buildings housing animals to be set back from internal site boundaries within Residential Zones and sites adjoining Residential Zones (see General Rule 6.17).

Principal Reason

Ensures buildings housing animals are located away from site boundaries to reduce conflict with neighbouring activities.

ISSUE 5

The lack of visual quality, coherence and character in some urban areas.

Explanation

Some urban subdivision and development is visually unattractive, lacks character and interest and lacks the connectivity needed to make residential areas socially cohesive, interesting and safe places to live.

OBJECTIVE

- (1) Achieve high quality urban subdivision and development that reflects good urban design and is environmentally sustainable.

Principal Reason

Ensures comprehensive planning for urban development that reflects good urban design.

POLICY

- (1) To promote low impact urban design guidelines for land development and subdivision, including to:
- Identify and protect areas of vulnerable ecology.
 - Build on and incorporate existing landscape features, patterns and processes.
 - Integrate landscape features into public and common areas.
 - Landscape for multiple use, help stormwater filtration and erosion control.
 - Plant to control microclimate effects.
 - Provide green/buffer areas between neighbourhoods.
 - Provide compact and well located parks.
 - Enable the creation of higher density building sites.
 - Design building sites for maximum solar access.
 - Include traffic free areas in neighbourhood design.
 - Design to enable multiple land use opportunities.
 - Ensure privacy/security of private allotments and security in public areas.
 - Consider the needs of waste management in neighbourhood design.

(Source of guidelines: “New Zealand Handbook Subdivision for People and the Environment” (SNZ HB 44:2001)).

Explanation and Principal Reason

Low impact urban design provides a number of environmental, social and economic benefits. These include reduced emissions and effluent pollution; healthier aquatic ecosystems; reduced toxins, heavy metals, and greenhouse gases; stormwater management to attenuate flows and reduce flood risk; enhanced biodiversity; improved understanding of local environment; better connectivity of communities; increased urban amenity values; increased use of indigenous vegetation; reduced development costs through economies of scale; understanding of most cost effective approaches; enhanced property values; marketing advantage and improved profitability; reduced costs of urban infrastructure and clean up of polluted sites; and lower operating costs, e.g. energy efficiency.

ANTICIPATED ENVIRONMENTAL OUTCOMES

- (1) Retention of the amenity enjoyed by existing developments.
- (2) Enhanced urban amenity associated with low impact urban design and development.

Part B

Community Enablement and Physical Resources

MONITORING

- (1) Record number of consents required for alterations to set back requirements, minimum allotment requirements, or General Rules 6.10 (Temporary Activities), 6.14 (Relocated Buildings), or 6.15 (Signs).
- (2) Record complaints arising from activities.
- (3) Review situation prior to next plan review.