



**YOUR PLAN OUR FUTURE**  
**TIMARU DISTRICT PLAN REVIEW**  
LAND USE PLAN

**Timaru District Plan Review**

Topic 5

# Landscapes and Natural Character

Discussion Document, November 2016





# Contents

<b>1.0</b>	<b>Introduction</b>	<b>2</b>
	1.1 Purpose	
	1.2 Report Format	
<b>2.0</b>	<b>Issue Identification</b>	<b>3</b>
<b>3.0</b>	<b>Statutory Matters</b>	<b>4</b>
<b>4.0</b>	<b>Timaru District Plan</b>	<b>5</b>
<b>5.0</b>	<b>Options</b>	<b>6</b>

## 1.0 Introduction

### 1.1 Purpose

Timaru District Council has commissioned this report to identify the 'issues' with how the Timaru District Plan manages landscapes, natural character, and significant trees. The report subsequently identifies the potential 'options' to address these issues and the strengths and weaknesses of each option.

This topic primarily relates to the identification and management of outstanding natural features and landscapes, areas of outstanding and high natural character, heritage landscapes, and other significant amenity landscapes. It also relates to the identification and management of trees with significant amenity values.

The key driver for this topic is the Resource Management Act 1991 which identifies the preservation of natural character of the coastal environment, lakes, rivers, and wetlands; protection of outstanding natural features and landscapes; and the protection of historic heritage, as matters of national importance. The Act also identifies the maintenance and enhancement of amenity values as a matter to be given regard to, which may include the amenity values associated with other significant landscapes, and significant urban trees. National Policy Statements and the Canterbury Regional Policy Statement contain further policy which articulates how these matters are to be addressed in the District Plan.

The report is intended to inform and provide a basis for public consultation on this matter and to some degree stimulate debate. The report forms part of a suite of public consultation measures that may be used to inform a potential change to the District Plan.

### 1.2 Report Format

The remainder of the report has been set out as follows:

- Section 2** identifies and describes the issue.
- Section 3** summarises the relevant statutory matters.
- Section 4** briefly explains the current Timaru District Plan approach to landscapes, natural character, and significant trees.
- Section 5** discusses some potential options to deal with landscapes, natural character, and significant trees.

This document outlines the issues our district faces in relation to landscapes and natural character.

We welcome your feedback on this topic.

**Steve Wills**  
Timaru Ward Councillor

## 2.0 Issue Identification

Management of landscape and natural character (naturalness) values, and significant trees through their protection or maintenance, contributes to social and cultural well-being by providing a sense of place and identity, and to economic well-being through tourism.

The key issues for the District relating to areas of landscape and natural character, and significant trees are as follows:

### **Outstanding Natural Features and Landscapes**

- Whether the outstanding landscape areas in the current District Plan are consistent with the current Regional Policy Statement criteria, and findings of the Canterbury Regional Landscape Study 2010?
- Whether there are any outstanding natural features such as geopreservation sites that exist outside of the outstanding landscape areas, which should be protected in the District Plan?
- Whether the current provisions for managing inappropriate subdivision, use, and development within or immediately adjacent to outstanding landscape areas are sufficient to protect landscape values, while also providing for appropriate activities. What provisions should apply to any identified outstanding natural features?

### **Areas of Outstanding or High Natural Character in the Coastal Environment, Lakes, Rivers, and Wetlands**

- Whether there are any areas of the coastal environment, lakes, rivers, and wetlands that have outstanding or high naturalness, and should be protected in the District Plan?
- What provisions are required for managing inappropriate subdivision, use, and development in areas of outstanding or high naturalness to protect their values, while also providing for appropriate activities, and avoiding duplication / overlap with Regional Plans?
- What opportunities are there for restoring areas of degraded naturalness in the coastal environment, and what provisions could be included in the District Plan to promote restoration?

### **Significant Amenity Landscapes**

- Whether the current amenity landscape areas in the District Plan capture all areas of significant landscape amenity?
- Whether the current provisions for managing subdivision, use, and development in amenity landscapes are sufficient to maintain their values, while also providing for continued working activities (e.g. for farming)?

### **Heritage Landscapes**

- Whether there are any historical areas in rural areas at a landscape scale in the District beyond specific heritage features and sites that are not otherwise suitably protected through their inclusion in other landscape categories (e.g. outstanding landscapes)<sup>1</sup>?

### **Significant Trees**

- Given that the Resource Management Act now limits tree protection to 'urban' trees outside of Council reserves only, what significant urban trees require protection?
- Lack of provisions which enable trimming and removal of trees that are dead, diseased, or present a danger to the public.

---

<sup>1</sup>Heritage landscapes or precincts in an urban context are captured in Topic 15: Commercial Zones Discussion Document.

## 3.0 Statutory Matters

### Resource Management Act 1991

The key provisions from the Resource Management Act 1991 are covered within sections 6 and 7 of the Act. In particular, section 6 requires the Council in managing the use, development and protection of natural and physical resources through its District Plan to recognise and provide for the following matters of national importance:

- Section 6(a) – preservation of the natural character of the coastal environment, wetlands, lakes, and rivers and their margins from inappropriate subdivision, use, and development.
- Section 6(b) – protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.
- Section 6(f) – protection of historic heritage from inappropriate subdivision, use, and development.

Section 7 includes other matters to which particular regard must be had, and includes the maintenance and enhancement of amenity values (section 7(c)). Section 76 sets out limitations on tree protection, including limiting protection to 'urban' trees outside of Council reserves only.

### National Policy Statement for Freshwater Management 2014 and New Zealand Coastal Policy Statement 2010

At a national level the National Policy Statement for Freshwater Management 2014 and New Zealand Coastal Policy Statement 2010 provide some direction for this topic. The National Policy Statement includes an expectation that the significant values of outstanding freshwater bodies are protected (Objectives A2 and B4). The Coastal Policy Statement includes directive policy requiring the avoidance of adverse effects of activities on areas in the coastal environment identified as outstanding natural features and landscapes or having outstanding natural character. Elsewhere it requires avoidance of significant adverse effects on other features / landscapes, and natural character in the coastal environment (Policies 13 and 15). The Coastal Policy Statement also requires promotion of the restoration of natural character in the coastal environment (Policy 14).

### Canterbury Regional Policy Statement 2013

The Canterbury Regional Policy Statement 2013 provides direction for this topic in Chapters 7, 8, 12, and 13 for the District Council, including that the Council:

- Ensure the mapping of outstanding natural features and landscapes has regard to the criteria in Policy 12.3.4, the findings of the Canterbury Regional Landscape Study Review 2010, and any geopreservation sites.
- Include provisions in District Plans to avoid, remedy, or mitigate adverse effects of subdivision, use, and development of land on the values of outstanding natural features and landscapes to protect them from inappropriate subdivision, use, and development, and enable activities that maintain the integrity of landforms and their associated landscape values.
- Consider including provisions in District Plans that provide for the appropriate management of other important landscapes, including for their natural character, historic cultural, or historic heritage values, and amenity values.
- Ensure consistency in the identification, protection, or enhancement of areas with high natural character in Regional and District Plans.
- Include provisions in District Plans to preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use, and development.
- Include provisions in District Plans to manage the effects of subdivision, use, and development on heritage landscapes, with the historic landscapes in the coastal environment being a priority.

### Regional Plans

The Canterbury Land and Water Regional Plan 2015, Opihi River Regional Plan 2000, Pareora Catchment Environmental Flow and Water Allocation Regional Plan 2012 provides direction and helps deliver community aspirations for the management of water quantity and quality, and the beds of lakes and rivers in both urban and rural areas. Relevantly, Objective 3.14 of the Land and Water Regional Plan seeks that outstanding freshwater bodies and hapua are maintained in a healthy state or improved where degraded. The Orari River and tributaries upstream of the gorge are identified as a 'high-naturalness' water body in the Land and Water Regional Plan.

### Canterbury Regional Coastal Environmental Plan 2005

The Canterbury Regional Coastal Environment Plan 2005 provides direction on the management of activities in the coastal environment. Objective 6.1 seeks to protect and where appropriate enhance areas of high natural character in the coastal environment, and coastal landforms and landscapes that are regionally, nationally or internationally representative or unique.



## 4.0 Timaru District Plan

The current District Plan identifies an outstanding landscape area, and significant amenity landscapes on the Planning Maps.

Part B – 2 Natural Environment covers the high level direction for the management of outstanding natural landscapes and amenity landscapes. Specifically, Objective 3 seeks to identify, protect, and enhance outstanding landscape values of the District, and those natural processes, features and areas of significant natural value which contribute to its overall character and amenity.

Part D (1) Rural Zones further articulates the way in which activities will be managed in the outstanding landscape areas to achieve the higher level policy direction in Chapter 2. It includes rules for the Rural 1 and 5 zones managing activities in outstanding landscape areas controlling:

- New walking tracks, fences, vehicle and stock access tracks within outstanding landscape areas (Rural 5 zone).
- Buildings within outstanding landscape areas (Rural 5 zone).
- Tree planting in outstanding landscape areas (Rural 5 zone).
- Woodlots and forestry within outstanding landscape areas (Rural 1 and 5 zones).

The general rules for the Rural 1 and 5 zones manage activities in amenity landscape areas, and in particular controls tree planting, earthworks, and structures in these areas above 900m in altitude.

The current District Plan also addresses the management of significant trees in Part B – 11 Amenity Values. Specifically, Objective 2 seeks the protection of notable trees and other vegetation of cultural and historical value. Part D (6) General Rule includes rules for managing significant trees which are listed in a schedule and shown on the Planning Maps. The District Plan enables trimming and pruning of significant trees in accordance with recognised horticultural practice, while controlling all other trimming, pruning, removal, and activities within 10m of trees.



# 5.0 Options

The main options to manage landscapes, natural character, and significant trees are summarised as:

- Status quo (i.e. retain the current District Plan approach).
- Amend (i.e. current District Plan approach requires amendment to align it with current best practice and to give effect to national and regional planning documents).

These options are briefly described in turn below, followed by a brief assessment of their strengths and weaknesses. Please note other options exist for the identified issues that have not been reflected here to keep the document concise.

## Option 1 – Status quo

The following strategic approach in the current District Plan is still relevant and should be included in the next District Plan:

- The retention of objectives and policies, and rules which seek protection of outstanding landscape areas from inappropriate subdivision, use, and development.

<b>Strengths</b>	<ul style="list-style-type: none"><li>▪ Continued protection of outstanding landscape areas from inappropriate subdivision, use, and development will be achieved.</li></ul>
<b>Weaknesses</b>	<ul style="list-style-type: none"><li>▪ The extent of the current outstanding landscape areas may not reflect the Regional Policy Statement criteria, and findings of the Canterbury Regional Landscape Study, meaning some areas may be protected to a lesser or greater degree than required by regional policy.</li><li>▪ Outstanding natural features (e.g. geopreservation sites) outside of outstanding landscape areas may not be sufficiently protected from inappropriate subdivision, use, and development.</li><li>▪ The objectives, policies and rules may not reflect current best practice, or provide sufficient clarity and certainty for the community.</li><li>▪ Some subdivision, use, and development in areas adjacent to outstanding natural landscape areas may degrade the landscape values of these areas.</li></ul>



## Option 2 – Amend

The intent of the strategic approach in the current District Plan is still valid but the approach requires amendment to align it with current best practice and to give effect to national and regional planning documents as follows:

- Review and (if required) amend the extent of outstanding landscape areas to ensure they are consistent with the Regional Policy Statement criteria, and findings of the Canterbury Regional Landscape Study 2010.
- Include provisions for controlling inappropriate subdivision, use, and development in buffer areas adjacent to outstanding natural features and landscapes, to ensure the landscape values of outstanding natural features and landscapes are not degraded, while enabling appropriate activities.
- Review and (if required) amend the extent of the amenity landscape areas to ensure that their extent reflects current landscape assessment best practice.
- Review and (if required) amend the provisions for controlling subdivision, use, and development for significant amenity landscapes, to ensure the landscape values of these areas are maintained, while enabling appropriate activities.
- Identify and include outstanding natural features (e.g. geopreservation sites), and heritage landscapes over any significant broad historic areas at a landscape scale (if present), where these are not otherwise suitably protected through their inclusion in other landscape categories.
- Identify and include areas of outstanding or high natural character in the coastal environment, lakes, rivers, and wetlands (if present) consistent with any such areas identified in regional plans and studies.
- Include provisions for managing inappropriate subdivision, use, and development in outstanding natural features, heritage landscapes, and outstanding and high natural character areas in the coastal environment, lakes, rivers and wetlands (if present), to ensure the values associated with these areas are protected from any inappropriate subdivision, use, and development.
- Identify areas where degraded natural character in the coastal environment may be restored, and include provisions which enable restoration activities to occur in these areas.
- Amend the schedule of significant trees to remove protection for significant trees in rural areas and on Council reserves to align with section 75 of the Resource Management Act, and include protection of any new significant trees on private land identified by the community.
- Amend the rules controlling pruning / removal of significant trees to enable removal without consent where trees are dead, diseased, or are dangerous.

### Strengths

- The values of outstanding natural features and landscapes, amenity landscapes, heritage landscapes (if present), and outstanding and high natural character areas in the coastal environment, lakes, rivers and wetlands (if present), will be protected from inappropriate subdivision, use, and development.
- Restoration of areas of degraded natural character in the coastal environment (if present) will be enabled.
- Will give effect to National Policy Statements and the Regional Policy Statement.
- Removing protection for significant trees on Council reserves, and in rural areas will ensure the extent of tree protection in the District Plan is lawful under the Resource Management Act.
- Including protection for any significant new trees on private land will ensure significant urban amenity or historic values associated with such trees will be maintained.
- Amending the rules to enable removal of significant trees without consent where trees are dead, diseased, or dangerous, will ensure the safety of the community, while avoiding time / cost associated with consent processes.

**Weaknesses**

- An increase in the extent of landscape areas (including any buffer area), and introduction of heritage landscapes, and outstanding or high natural character areas in the coastal environment, lakes, rivers and wetlands may result in a greater area of rural land being subject to controls over subdivision, use, and development.
- Associated costs with carrying out a review of the existing landscape areas, identifying outstanding natural features, heritage landscapes, and outstanding and high natural character areas in the coastal environment, lakes, rivers and wetland, consultation on changes, drafting plan provisions, etc.

**Note:**

The extent to which methods and rules may be required to protect landscape and natural character areas is highly depended on the degree to which other provisions in the District Plan may otherwise restrict or enable activities. For example, rules which specify setbacks for activities from riparian margins of lakes, rivers, and wetlands may otherwise suitably provide for protection of their naturalness. There is need to ensure that the level of control with regard to landscape and natural character is proportionate to the risk of significant environmental degradation, and does not duplicate or conflict with other provisions of the District Plan.







**Timaru District Council**

2 King George Place

Timaru 7910

[enquiry@timdc.govt.nz](mailto:enquiry@timdc.govt.nz)

P 03 687 7200

F 03 687 7209

TRIM#1019350

