



DRAFT REGIONAL POLICY STATEMENT

May 2016

Chapter 3

Character and Amenity *Pūāhua me te aahurutanga*

I.3 Significant Resource Management Issues: Character and Amenity

Issue 3.1 Maintain and enhance essential amenity and character values.

Importance of amenity values

Amenity values are important to the City's social and economic vitality. They contribute to making Whakatū Nelson an attractive and appealing place to live, work, play and visit. The way that development is configured and enabled has a significant relationship with the quality of amenity values created and the extent to which they can be readily maintained or even enhanced over time.

Built environment of particular importance

The built environment is where most Nelson residents spend a lot of their time. Whakatū Nelson's location between the coast and the backdrop hills provides the setting of the built environment and this is the basis of the most iconic urban amenity and character values important to the community.

Nelson's urban amenity values are very different from its natural environment amenity values. In the urban environment there is a much greater expectation for change and modification over time to accommodate growth and how people use their property in general. The transitory nature of the built environment is itself one characteristic of urban amenity values. Historic heritage contributes considerably to the District's character, particularly in the City Centre which includes some well-maintained examples of Edwardian and Victorian architecture, and in residential areas where a significant number of early timber buildings create a range of high quality character environments.

Nelson's built environment contains many physical qualities and characteristics that contribute to people's appreciation of its pleasantness, aesthetic coherence, and recreational attributes. In terms of pleasantness, built amenity values include comfort and appeal, and how people enjoy living in their street or neighbourhood. Aesthetic coherence can include the visual attractiveness of a streetscape or the patterns of subdivisions and streets criss-crossing the landform. Cultural and recreational attributes can include the way in which residential environments are spacious and private gardens allow people to enjoy their personal time, or even the enjoyment of tending to a vegetable garden.

Essential character and amenity values

Amenity values can mean different things to different people. In some cases, "maintaining" amenity values can be interpreted to mean something very close to "leave things the way they are". Especially where there is a dual consideration of historic heritage, this may be the most appropriate approach.

But in many instances, the maintenance or enhancement of amenity values does not preclude potentially substantial changes to the built environment or its visual appearance. New development, a loss of some views, or the acceptance of visually plain and unappealing buildings can and will be appropriate to maintain essential amenity values such as visual privacy, access to sunlight, or a feeling of safety and pleasantness as one walks along a street.

The same applies in respect of character values which, other than for historic heritage or natural character reasons, are a sub-set of amenity values.

There are numerous types of land use activity that characteristically co-locate in clusters. These include residential, industrial, and rural activities as examples. They have different amenity and character values and those values are susceptible to different risks. To make the interpretation of the RPS and development of District Plan provisions transparent, the key amenity values that are expected to be maintained, enhanced, or maintained and enhanced should be identified and provided for. This will help to provide certainty for the community.

It is expected that in Whakatū Nelson's industrial areas a more functional level of amenity, especially visual amenity, will be appropriate reflecting an overall balance of the issues which sometimes include lower value activities, low overall occupant densities and a general lack of busy through traffic or tourist movement. Conversely, in centres the multitude of activities and people attracted to them require a very high standard of amenity and character to be established and maintained.

Issue 3.2 New development must enhance Whakatū Nelson's character and amenity values

Amenity and character values are not limited to existing or historic development. New developments in the district will change the environment they occur in. Change is itself not inherently positive or adverse but the way that new development blends or juxtaposes with its surrounds can lead to significant environmental effects. Inappropriate development in close proximity to areas of significant heritage or natural

environmental value can substantially degrade amenity and character values.

Low quality outcomes can occur when a new development does not reflect existing patterns or amenity values, and at the same time does not provide any contribution to establishing new amenity or character values. Cumulatively, low quality new developments can undermine the community's social and economic wellbeing and this must be avoided given how reliant wellbeing in Whakatū Nelson is on attracting external visitors and activity.

Development can bring benefits to the community not just in terms of economic development activity or employment. New streets, spaces, buildings and views will be established and these will enable a wide variety of activities to occur. Social and economic wellbeing will be maximised in these spaces when they offer high character and amenity values to users. New development, where it does not rely on a set of existing character or amenity values to shape its design, should identify and provide for new character and amenity values to establish that respond and contribute to the qualities of the local environment. These new amenity values, in conjunction with existing amenity values, should collectively and overall enhance the character and amenity of Whakatū Nelson.

Issue 3.3 Retain and enhance the green, leafy suburbs, vistas through and from the city centre, the rural backdrop and notable trees that contribute to Nelson's character and amenity.

One of Whakatū Nelson's defining amenity values is the contrast that is often visually evident between clustered urban development and the natural environment, including the coast, rural backdrop, and mature healthy vegetation. As Nelson develops, this urban / natural relationship must be retained and where appropriate expanded or enhanced.

Provision must be made in the setting of management methods for urban development to:

- Require contained and compact settlement patterns that efficiently use land and retain open space values including by way of maintaining a clear and defined urban edge
- Require rural subdivision to follow landscape and natural patterns to create irregular rather than rectilinear and uniform sized 'checkerboard' lots

- Retain and enhance the amenity values of drainage corridors, ecological linkages, esplanade reserves, and wetlands, rivers, lakes and their margins
- Restore or rehabilitate degraded areas where this is practical, including the stabilisation of erosion-prone or unstable land
- Allow sufficient space for the accommodation of mature vegetation on sites in the residential and industrial areas including in areas identified for intensification
- Promote the retention of mature vegetation on sites subject to redevelopment
- Provide and retain street trees

Individual indigenous or exotic trees or stands of trees make a significant contribution to Whakatū Nelson's character and amenity. Activities such as felling, pruning, and activities undertaken in proximity of a tree (e.g. the construction of buildings or laying of pipes) all have the potential to adversely impact on trees with historic heritage and/or significant amenity values.

Notable trees are also very important to the community for historical, botanical and social reasons. Often they provide a link to Nelson's past and the emotional ties that can be formed with Nelson's most remarkable trees are very strong.

R.3 Resource Management Responses: Character and Amenity

Objectives

Objective 3.1 Recognise and provide for different categories of land use activity that each support different types and levels of character and amenity values.

Objective 3.2 Ensure that the character and amenity values, and in particular the essential amenity values, of each identified category will be maintained or enhanced. Recognise that in identified parts of Nelson, notably commercial centres, specified intensification areas, and new greenfield development areas, potentially substantial change to the existing environment will occur and be appropriate.

- Objective 3.3** New development, particularly in commercial centres, is of a high quality and positively contributes to public space amenity, visual interest and activity. High standards of urban design are achieved throughout the urban environment.
- Objective 3.4** Natural character and landscape values that contribute to the sense of enjoyment and appreciation of rural and coastal areas are protected.
- Objective 3.5** New rural subdivision and development is provided for in a way that will protect amenity values and avoid further fragmentation of rural land. Development should also be accompanied by environmental enhancement or restoration.
- Objective 3.6** Retain and enhance the open space, rural, and natural environment values that frame, cross and encircle Whakatū Nelson's urban areas, and also trees (including groups of trees), that make a notable contribution to Whakatū Nelson's character or amenity.

Policies

- Policy 3.1** Use different zones to manage different land uses and activities.

Explanation

Land use zones are a very efficient way of grouping land and activities with like characteristics together, and then subjecting them to more specific and focussed management methods including rules. This allows users of each zone to have more certainty and confidence about what they can do and what their neighbours are likely to do. Identifying them on Planning Maps makes it clear what package of methods apply to each site.

The Council has identified that at least industrial, commercial centre, rural, residential conservation, coastal and open space zones are required however there may be a number of sub-zones within each of these categories, or other categories altogether, that are demonstrated as being the most appropriate for Whakatū Nelson.

Policy 3.2 Development in commercial centres should result in high quality building design and enhanced pedestrian and public space amenity.

Explanation

Commercial centres are busy environments where there is, as a result of the density and diversity of activity occurring in them, potential for many adverse effects to occur.

The Council also expects that commercial centres will change as a result of new development and redevelopment within them. The extent of this visual or other change is likely to mean that over time many existing character and amenity values will change.

This change is not of itself necessarily adverse, especially if new character and amenity values that reinforce the identity, qualities and context of each commercial centre are provided. This will be achieved by development outcomes that emphasise visual and pedestrian amenity. Prioritising building orientation and design detail towards streets and public open spaces, particularly at the ground level, is the most appropriate means of achieving this. Part of new development reinforcing the identity, quality and context of a commercial centre includes ensuring it reflects any nearby historic heritage character. Doing so promotes visual interest, public safety, social and economic exchange, and a contribution to the cumulative impressions that visitors find memorable.

But if development and redevelopment in commercial centres leads to a net loss of the character and amenity values that make those centres enjoyable places to visit, work and live in, then this would give rise to unacceptable adverse effects and these must be avoided.

Policy 3.3 Identify and monitor the essential amenity values of commercial centres and residential areas. Identify in the District Plan those geographic areas or land use zones where moderate or substantial change is anticipated over time.

Explanation

Resource management plans are much more helpful to users when instead of expressing generalised statements like “maintain or enhance amenity values” they give them real local meaning and relevance by explaining what specific amenity values should be maintained and/or enhanced.

Regular engagement with local communities will be the most effective means of the Council ensuring that it understands the priorities and

values of the community. Arising from this will be the ability for the Council to be as clear as possible when discussing character and amenity values in Whakatū Nelson. Amenity statements for commercial centres will be developed in the District Plan.

Related to this, the District Plan should give users a clear understanding of those parts of Whakatū Nelson where moderate or substantial change over the next 25 years could be appropriate, and where character and amenity values may change accordingly.

Policy 3.4 For the purposes of Objective 3.2 and Policy 3.3, recognise that the essential amenity values of existing residential areas include:

- a) High levels of on-site privacy, accepting that those choosing to live on sloping hills may enjoy lower levels of privacy from sites up-slope**
- b) Infrequent exposure to sustained loud noises (including the noise of large groups of people or traffic), especially at night time, accepting that along major roads residents will endure a higher noise environment and potentially lower air quality**
- c) Direct sunlight for at least four hours of the day between the hours of 0800 and 1700 on all days of the year**
- d) A generally open aspect where occupants can see over and around buildings, and where there is ample on-site outdoor space to accommodate mature trees and recreation space**
- e) Streets that are overlooked, feel safe, and are interesting for residents to walk along, and are also open and sunny**
- f) Freedom to design a colour, shape and style of house that meets the preference of each landowner, subject to bulk and location controls to guide the achievement of (a) to (e)**
- g) Non-residential activities where these are compatible with identified essential amenity values, including by being contained in residential dwellings or buildings**
- h) In some areas, significant heritage buildings or groups of buildings that together have particular significance**
- i) Any other qualities identified through Council processes in accordance with Policy 3.3**

The maintenance and enhancement of amenity values in existing residential areas is of critical importance to residents who have often

invested their life savings into their home. The community's social wellbeing will be most appropriately served by specifying the key amenity values that should be maintained or enhanced in a general sense across the entire residential area. This will provide certainty, comfort and confidence around the benchmarks that new development or redevelopment will need to satisfy.

The Council has already obtained feedback from previous consultation exercises and it would be counter-productive and inefficient to not recognise this. The Council has identified that across the residential area a number of essential amenity values are common and these have been identified in the policy.

Future consultation and engagement processes in commercial centres and other potential intensification areas will allow the identified matters to be modified or expanded in a place-based and locally relevant manner.

Policy 3.5 Manage development in the industrial zones through performance standards which are essential to maintain amenity values at the boundary of the industry area based on the adjoining uses and to achieve an appropriate functional level of internal amenity within the industrial area.

Explanation

Industrial zones have lower levels of amenity values and character than some other areas for many reasons. These include the lower land value of the activities, their emphasis on employment and economic development, large and functional buildings, and lower employee densities. In light of these matters it is appropriate that these operational aspects of industrial areas are recognised in Plans so as to not discourage their location in Nelson.

However, it is appropriate that industrial zones also maintain the amenity values of adjacent activities and for this reason the acknowledgement that industrial activity may be restricted in a way that achieves this is also necessary.

Policy 3.6 Manage activities within the rural zone and coastal environment in a way that preserves open space characteristics, a predominance of unbuilt over built outcomes, and otherwise enables ongoing productive economic activities to occur.

Explanation

Whakatū Nelson’s rural areas are working environments that are very susceptible to ad-hoc residential (and other) intensification. The encroachment of sensitive activities close to productive uses can lead to unacceptable adverse effects that must be avoided.

The amenity and character values of the rural environment are equally susceptible to degradation by way of the proliferation of dwellings, driveways, and subdivision patterns (fences, vegetation and landscaping, and so on).

Development should be enabled in the rural area in a way that maintains existing qualities of openness, uninterrupted undulating landscapes, economic productivity, and the predominance of open, unbuilt land free from excessive modifications including long and straight fence lines demarcating small properties.

Policy 3.7 Support management practices on rural land that internalise the adverse effects of development within the site, or limit them to the immediate locality in a way that mitigates any adverse effects on the ability of adjacent landowners to enjoy their land.

Explanation

Many of the productive activities appropriate and expected in the rural area generate adverse effects that can affect adjacent properties. Examples include agricultural chemicals, pollen, seeding and wilding, and the emission of noise and odour.

While in many instances these effects will be appropriate, the Council shall encourage land users to proactively minimise their adverse effects on adjacent land. This is already a requirement of the RMA (section 17). However, given the size of the rural environment and the day-to-day nature of activities that may generate adverse effects, Council management is appropriate.

Policy 3.8 Identify and provide appropriate protection for existing and potential new areas of high amenity open space, rural, and natural environments that frame, cross and encircle Whakatū Nelson’s urban areas, and encourage their enhancement over time.

Explanation

The amenity and character values of Whakatū Nelson’s urban areas are influenced by the relationship between the built and natural environment including the coast, hills, and waterways that connect the two.

Subdivision patterns that integrate with these, including the creation of views and view shafts, form an important part of the attributes and overall aesthetic coherence that the community values.

It is appropriate for the Council to manage these spaces so as to ensure that the contribution they make to amenity and character values is retained and, where possible, enhanced over time. This may lead to a combination of statutory and non-statutory methods being used over time, including investment in new reserves in new development areas. A key statutory method will be the spatial distribution and extent of land use zones so as to maintain a clear and easily discernible urban edge around Nelson’s settlement areas.

Policy 3.9 Identify and provide appropriate protection of Whakatū Nelson’s notable trees and encourage new trees to be planted across the urban area.

Explanation

It is important to recognise that trees in the urban area can provide a number of social and cultural wellbeing benefits to the community. Such trees should be protected by way of methods that require a resource consent before any works that could adversely affect each tree (which could include full removal) can be undertaken. Protection in this context should be considered in a broad way and relates to the avoidance of adverse effects which may result from:

- The partial or total destruction of features that contribute to the significance of the tree
- A lack of appropriate maintenance
- The destruction of, or substantial reduction in, the spiritual associations held by tangata whenua and/or the community in relation to the tree

The use of “appropriate” in the policy reflects the diversity of protection methods and signals the practicalities that need consideration when

setting policy around trees (e.g. enabling efficient management following storms).

Policy 3.10 **Notable trees shall be evaluated using the Standard Tree Evaluation Method (STEM). Following evaluation, trees shall be classified by the following categories:**

Heritage **(STEM score >128) Protection and retention essential (except in exceptional circumstances)**

Landscape **(STEM score 100-128) Protection and retention important**

Explanation

The Standard Tree Evaluation Method (STEM) was developed by the Royal New Zealand Institute of Horticulture and establishes a range of criteria to assess the value of a tree. Criteria are grouped under Arboricultural, Amenity and Outstanding headings, the latter of which includes scoring towards historic importance such as association or commemoration.

“Heritage” Trees are the best and most significant in the City. Their protection is considered high priority. The policy recognises that there may be special circumstances when removal of such trees may be acceptable. These circumstances will be extremely limited, reflecting the high status of these trees, but may include trees that:

- Are dead or have fallen
- Have been so significantly damaged by a climatic event that death is inevitable and unavoidable
- Pose a serious risk to human life as advised by an arboricultural expert, and all other options have been evaluated as unsuitable (e.g. end-weight reductions to alleviate forces at the base of branches)

Note that as the STEM system is used, the name “Heritage Tree” does not necessarily indicate historic heritage qualities as defined in the RMA.

The protection of “Landscape” Trees is important to the City, but of a lesser priority than Heritage Trees due to the lower level of significance.

The Standard Tree Evaluation Method is provided in Appendix **XX**.

Methods

Regulatory methods	Who	Policy link
Nelson Plan		
Identify and map land use zones	Council	Policy 3.1
Identify and map locations appropriate for intensification or other potentially significant change over time	Council	Policy 3.1
Implement development controls and resource consent assessment methods to apply in each land use zone and intensification areas that will maintain or enhance amenity values, especially any identified essential amenity values	Council	Policy 3.2 Policy 3.3 Policy 3.4 Policy 3.5 Policy 3.6
Implement development controls on high amenity land that contributes to the amenity and character values of urban areas	Council	Policy 3.6 Policy 3.8
Enable the enhancement and restoration of natural systems, including provision for landscaping, planting of large trees, and street trees including their reasonable maintenance and care	Council	Policy 3.2 Policy 3.4 Policy 3.5 Policy 3.6 Policy 3.7 Policy 3.8
Provide for the ongoing productive use of rural land subject to management of subdivision and development and internalising effects.	Council	Policy 3.6 Policy 3.7
Identify notable trees and tree groups and control activities in order to appropriately protect them	Council	Policy 3.9 Policy 3.10
Other Statutory Policies, Standards and Plans		
Review Reserve Management Plans to ensure they are maintaining or enhancing adjacent residential amenity values.	Council	Policy 3.4
Bylaws		
Review noise and dog control bylaws to ensure residential amenity values are being maintained or enhanced.	Council	Policy 3.4
Non-regulatory methods		
Monitoring and information		
Undertake centre and potential intensification area-based consultation to identify and monitor essential amenity values	Council	Policy 3.1 Policy 3.2 Policy 3.3
Advocacy and education		
Promote greater housing choice to developers and the community	Council	Policy 3.3
Enable the Council's Urban Design Panel to offer suggestions to applicants on how to better maintain and enhance character and amenity values	Council	Policy 3.2 Policy 3.3 Policy 3.5 Policy 3.6

Anticipated Environmental Results

Anticipated Environmental Result	Link to policy	Indicator	Data Source
Amenity values in centres are enhanced		Resident and visitor surveys	Council
Residential amenity values are maintained or enhanced		Resident surveys	Council
High amenity areas of open space, rural zone, and natural environment are enhanced		Resident surveys	Council
Amenity values in the rural environment are maintained.		Resident surveys and review of approved resource consents	Council
Amenity values in the coastal environment are maintained or enhanced		Resident surveys	Council
Notable trees that make a significant contribution toward Whakatū Nelson's historic heritage or amenity are identified and retained		The number of protected notable trees in the Nelson Plan remains stable or increases.	Nelson Plan customer satisfaction survey
Greater public awareness of the contribution that notable trees make to our amenity.		Property specific heritage and notable tree information is made available to the public. A reduction in the number of complaints of unlawful activity involving notable trees.	LIMs, GIS, Ozone.

Principal Reasons

The maintenance and enhancement of amenity values is a matter that is highly relevant to Whakatū Nelson. Wherever practicable and reasonable, development should maintain or enhance amenity values unless there are very strong reasons not to.

The Council has identified through numerous surveys and public consultation processes that the maintenance and enhancement of amenity values is a key concern to residents, especially in terms of the City Centre, existing residential areas, the rural backdrop and in relation to public open space. Amenity and character considerations are also vital to Whakatū Nelson's social and economic wellbeing, most notably in the City Centre. The appeal of the City Centre to tourists, visitors and shoppers plays a key role in its ongoing success. The high amenity, high character setting attracts people, encourage them to stay longer, and engage in more activity.

The needs of population and economic growth can also concern residents and businesses when they lack certainty about where and how things might change. To that end, providing a more explicit planning framework to provide that certainty will provide greater community confidence and trust.

Amenity value considerations related to the natural environment, outstanding natural landscapes, and the coastal environment, are addressed elsewhere in the RPS in sections [insert].

The principal reasons for the character and amenity provisions are:

- High amenity values are an important characteristic of desirable and quality living environments. Promoting them in a way that will accommodate change and growth is a key part of enabling wellbeing in Whakatū Nelson
- Commercial centres are intended to be an integral part of Whakatū Nelson and how the community meets its needs. For these to be successful it is essential that they offer high amenity values that interest and attract people
- A regulatory approach that focuses on essential amenity values will offer certainty and transparency, allowing the many members of the community to effectively plan for their future
- Enabling land use zones allows the specific amenity values of different locations and activity clusters to be identified and provided for. This is much more effective than simply relying on the community to identify on a case-by-case basis what relevant amenity value issues should be focussed on, and more efficient than alternatives in that it can enable permitted activity outcomes within each zone that people can develop
- Regulation in the rural environment and an emphasis on protecting those parts of the environment that exhibit the highest amenity values is effects based and effective in balancing the competing interests of development and conservation
- The identification of intensification areas is efficient and effective as it provides certainty for all interested parties and a plan framework that will consistent ensure relevant effects are addressed

The objective and policies regarding retention of significant notable trees aims to:

- Establish a coordinated and systematic process for evaluating trees
- Retain significant notable trees
- Control activities that may compromise significant trees' values

These are matters Council shall recognise and provide for and are important to Whakatū Nelson due to the weight the community places on maintaining the amenity of the City.

The need for development poses a significant risk to significant trees and the community has indicated strong support for the retention of notable trees through resident surveys and feedback. In addition, a number of Iwi authority planning documents have been lodged with the Council that emphasise the importance of appropriately managing items of significance, including significant trees.

For all notable trees, a practical approach is required so as to efficiently allow reasonable works without the need for a resource consent where the situation merits it. This policy aims to enable works such as reasonable pruning and removal of dead or diseased trees without undue formality.



DRAFT REGIONAL POLICY STATEMENT

May 2016

Chapter 4

Social and Economic Wellbeing *Pāpori me te ōhanga hauora*