

Chapter 13: Amenity Values

13.1 Introduction

A wide variety of environmental qualities and characteristics contribute to amenity values. Green and open spaces, daylight, clean air, views, natural landscapes and vegetation, recreational areas and tidy and well-maintained buildings all contribute to amenity values. Noise, dust, smoke, odour, spray drift, lighting, litter, electromagnetic radiation, vermin and traffic effects all detract from amenity values.

An increasing diversity of activities in an area may generate differing expectations of acceptable amenity. For example agricultural practices such as crop spraying and night harvesting may adversely affect residential amenity. Activities establishing in an area will need to recognise existing, accepted amenity levels, which reflect common management practices in the area and the effects of existing activities. Managing subdivision and building to sustain amenity can reduce future conflicts. The towns of Raglan, Ngaruawahia, Huntly and Te Kauwhata and the rural villages and localities all have different amenity values that add to the diversity of the district.

13.2 Issue – Adverse Effects of Land Use

The adverse effects of land use can compromise the natural and physical qualities and characteristics of an area, which contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

OBJECTIVES	POLICIES
<p>13.2.1 Adverse effects of activities on amenity values are managed so that the qualities and character of the surrounding environment are not unreasonably compromised.</p>	<p>13.2.2 Adverse effects associated with lighting, litter, electromagnetic radiation, vermin, traffic, spray drift, and noise should be contained within the site where they are generated.</p> <p>13.2.3 Adverse effects associated with offensive or objectionable dust, smoke and odour should be contained within the site where they are generated.</p> <p>13.2.4 Adverse effects that cannot be contained on the site where they are generated must be remedied or mitigated.</p> <p>13.2.5 Amenity values, health and safety should be protected from adverse traffic effects including:</p> <ul style="list-style-type: none"> (a) noise, vibration, dust, lighting and glare (b) vehicle emissions (c) accelerated or contaminated stormwater runoff (d) visual effects of parking and loading areas (e) traffic safety and congestion.

<p>13.2.6 Amenity values of localities are maintained and enhanced.</p>	<p>13.2.7 Scale, intensity, timing and duration of effects of activities should be managed to be compatible with the amenity and character of the locality.</p> <p>13.2.8 Activities with similar effects or a similar expectation of amenity should be located together.</p> <p>13.2.9 Activities sensitive to noise, dust, smoke, odour, spray drift, lighting, litter, electromagnetic radiation, vermin or traffic should locate in areas where local amenity values are not already compromised by those effects.</p> <p>13.2.10 Activities with dissimilar effects or a dissimilar expectation of amenity should be separated where possible.</p> <p>13.2.11 The district should be divided into zones for the purposes of resource management.</p>
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13.3 Reasons and Explanations

13.3.1 Amenity Values

This objective and policies provide for an outcome that effects of activities must be contained within the site where they arise or be remedied or mitigated. The purpose of internalising environmental effects is to ensure that these effects do not unreasonably compromise the amenity values of neighbouring properties. The person carrying out an activity (and deriving the benefits from it) is best placed to manage the effects, and it is rational and efficient for that person to be primarily responsible for avoiding, mitigating or remedying the effects. This philosophy is sometimes referred to as the polluter pays principle. It is consistent with the general duty under section 17 of the Resource Management Act that every person must avoid, remedy or mitigate adverse effects of activities they carry out.

The objective has implications for the creation of buffer areas around activities that have adverse effects that cross boundaries. Taking all reasonable steps to avoid cross-boundary effects, for example by setting the activity away from the site boundary to create internal buffers, creating bunds, planting shelterbelts, adopting best work practices or managing hours of operation, should be considered first. That is, primary emphasis should be placed on seeking to internalise the environmental effects. An external buffer area restricting development on neighbouring land is not an automatic planning response.

Where the adverse effects cannot be practically contained (for example noise from aircraft using an airport) the neighbourhood will be affected to some extent. In those circumstances, the policy to remedy or mitigate the cross-boundary effects will apply. An external buffer might be considered where mitigation has not provided a satisfactory outcome, there is a demonstrable and significant public benefit from the activity (for example public access to air travel), or a clear threat to the viability of the activity exists (for example from reverse sensitivity pressures).

Refer to section 6.8 for special provisions for strategically important utilities, and industrial and research sites.

13.3.2 Traffic Effects

Speed, frequency and noise of vehicles are all effects that can adversely impact on the quality and pleasantness of a neighbourhood. Reverse sensitivity effects, such as traffic noise from a national route (which includes the Waikato Expressway), and a regional arterial road should be effectively managed through insulation of buildings where noise sensitive activities occur and which are in close proximity to major transport corridors. Where parking is insufficient or poorly located, efficient vehicle and pedestrian movement, visual appearance and the convenience of neighbourhoods can be compromised. Inadequate parking and loading areas can lead to clutter and obstruction of footpaths and roads. Dust is a particular issue along gravel roads. Large traffic-generating activities (such as drive-through food outlets) should avoid adverse effects on amenity values through careful choice of site and location, and design within the site.

13.3.3 Localities

Amenity values vary in different localities. The second objective and policies respond to the context of activities. Bringing together activities with similar effects or expectation of amenity, will reduce conflicts and potential for reverse sensitivity and help to mitigate effects that cannot be contained on-site. Economic and community wellbeing are enhanced by providing a degree of certainty about the effects likely to be encountered in a locality. However, occasional out-of-character events can be acceptable. Examples include construction, fireworks displays, entertainment shows, and some sporting and recreational activities. Additionally, very noisy activities such as lawn mowing are acceptable in residential areas so long as they are of short duration and at a reasonable time of the day. Activities on the surface of water are also covered in these policies. Particular regard to the ethic of stewardship and kaitiakitanga (section 7 of the Resource Management Act) will be necessary in the management of amenity values in some places.

13.3.4 Zones

Resource management issues do not arise uniformly throughout the district and provision for the varying needs of, and effects in, different parts of the district need to be addressed.

13.4 Issue – Subdivision, Building and Development

Poorly designed and located subdivision, building and development can have adverse effects on amenity values, affecting the natural and physical qualities of the environment.

OBJECTIVES	POLICIES
<p>13.4.1 Amenity values of sites and localities maintained or enhanced by subdivision, building and development</p>	<p>13.4.2 Subdivision, building and development should be located and designed to:</p> <ul style="list-style-type: none"> (a) be sympathetic to and reflect the natural and physical qualities and characteristics of the area (b) ensure buildings have bulk and location that is consistent with buildings in the neighbourhood and the locality (c) avoid buildings and structures dominating adjoining land or public places, the coast, or water bodies (d) retain private open space and access to public open space (e) encourage retention and provision of trees, vegetation and landscaping (f) arrange allotments and buildings in ways that allow for view sharing, where appropriate (g) provide adequate vehicle manoeuvring and parking space on site (h) provide vehicle, cycling and pedestrian connection to transport networks, including roads, cycleways and walkways, and facilitate public transport (i) promote security and safety of public land and buildings, and places (j) mitigate foreseeable effects (including reverse sensitivity effects) on, and from, nearby land use, particularly existing lawfully established activities (k) mitigate foreseeable effects on water bodies (l) maintain adequate daylight and direct sunlight to buildings, outdoor living areas and public places (m) maintain privacy (n) avoid glare and light spill. <p>13.4.3 Trees that have special amenity value should be protected.</p> <p>13.4.3A In the Tamahere Country Living Zone buildings should be sited to maintain the spacious large lot character of the area and avoid dominating adjoining land.</p>
<p>13.4.4 Signs visible from public places do not compromise visual amenity or road safety.</p>	<p>13.4.5 The number, size, location and appearance of signs visible from public places should be compatible with the character and sensitivity of localities.</p> <p>13.4.6 Signs visible from public places should not create adverse effects from illumination, light spill, flashing or reflection.</p> <p>13.4.7 Messages or images on signs visible from roads should not confuse or distract road users.</p>

13.5 Reasons and Explanations

13.5.1 Subdivision, Building and Development Design

This objective and policy emphasise the interrelationship between land use and subdivision. Subdivision design, including allotment location, size and shape, is the starting point for management of amenity issues. Subdivision often dictates the location

of buildings that will be built subsequently and the open space that can be provided around them. New rural allotments are often intended principally for residential use and the policy anticipates that the eventual residents will demand a high standard of amenity. A wide range of activities may take place on adjoining land, in both rural and urban contexts, so management of effects across property boundaries is of great importance. Designs can (for example) affect the length of the perimeters of the allotments that are likely to be exposed to farming and other rural uses. On a wider scale, allotment size and dimensions have cumulative effects on the amenity of neighbourhoods and localities, especially where the density of development is higher than in the locality generally.

13.5.2 Sympathetic to Natural and Physical Qualities

This policy seeks to avoid development that clashes with the surrounding natural and physical environment. The apparent naturalness of an area depends to some extent on the open space and vegetation cover. Open space may be found on sites, roads and public open spaces and a combination of these may be considered. In relation to the built context, the policy covers recycled buildings moved from other sites.

13.5.3 Bulk and Location

The characteristic bulk and location of buildings contributes greatly to amenity values. For renewable energy developments, particular regard shall be had to the benefits which accrue from the development and use of renewable energy when considering potential impact on amenity values.

In the Tamahere Country Living Zone it is important for any buildings to maintain the appropriate setbacks and retain the sense of space between buildings on adjoining properties as is characterised within this zone. The bulk and location of buildings needs to ensure that they do not overshadow or have an intrusive effect on neighbouring properties. Privacy of adjoining properties should be maintained or enhanced.

13.5.4 Open Space and Trees

Retention of open space and trees contributes to amenity.

13.5.5 View Sharing

The policy does not set out to preserve views from private land. When new development is proposed, the sharing of views between sites is a preferred outcome. Arrangement of allotments in subdivisions can contribute to this.

13.5.6 Vehicles and Pedestrians

Vehicle parking and transport connections need to be planned for and adequate space allowed, supported by easements if necessary. Connections to transport networks will depend on the locality. Access to shops, reserves, walkways or public transport routes will need to be considered where relevant. Pedestrian routes need to provide for safety, security, amenity and convenience of users and nearby landowners.

13.5.7 Security and Safety

Security and safety are important aspects of amenity values. Measures that can be incorporated into subdivision, building and development design include street lighting, visibility of people in public places (buildings that have windows that allow surveillance of streets and adjoining public open space contribute to the perception of safety), and building and development designs that avoid creating possible hiding places, especially in urban areas.

13.5.8 Nearby Uses

Subdivision near existing industries, strategic utilities, mineral extraction and other high-impact activities must mitigate the effects of the nearby activities, including reverse sensitivity. This could be done by means of allotment sizes, dimensions, shapes, and

buffer areas, that ensure new dwellings or other sensitive activities are sited away from the relevant boundaries. When sensitive land use activities, particularly dwellings, occur, additional mitigation measures such as sound insulation or setbacks will be required where necessary. Wind deflection is an effect that also needs to be considered. A separate policy requires that the effects of activities be contained on-site as far as possible, but it recognises that this is not always feasible or applicable to existing uses.

13.5.9 Lighting

Glare and light spill from poorly designed lighting can adversely affect amenity values.

13.5.10 Daylight and Sunlight

Access to direct sunlight improves amenity and enables use of the sun as an energy source. Daylight includes natural reflected light.

13.5.11 Privacy

Privacy includes visual and aural privacy.

13.5.12 Dominating Effect

Buildings that are out of scale with neighbouring buildings, or too close to roads, open space or natural features can cause adverse effects through the dominating effect they have on their neighbours or adjoining areas.

In the Tamahere Country Living Zone, the large setback requirements provide the opportunity for landscaping and screening, thereby enhancing the amenity of the area and reducing the visual impact of buildings on adjoining properties. Buildings within setbacks may dominate neighbours and result in unacceptable levels of visual intrusion on adjoining properties or from public viewpoints including roads.

13.5.13 Trees

Notable trees are identified and listed in Appendix F (Notable Trees). Notable trees are those that contribute most strongly to amenity values. Apart from notable trees, trees generally contribute to the pleasantness of streetscapes and localities, and the policies provide for tree planting and retention in the context of new subdivision and development.

13.5.14 Signs

Signs provide information that promotes public safety, as well as social, cultural and economic wellbeing. The policies address the potential adverse effects of signs on traffic safety, visual amenity, light spill and other amenity effects. Adverse traffic effects arise from signs that mimic traffic signs, contain a message out of context with their siting, are too numerous, poorly located, have a message that is too long or lettering that is too small to be easily read, block visibility, or present a physical obstruction to traffic. The policies recognise that characteristics of signs need to be responsive to different levels of sensitivity to the varying effects on amenity in different localities. The policy does not address issues relating to the moral or political content or good taste of messages on signs.

13.5.15 Buildings in the Tamahere Country Living Zone

The Tamahere Country Living Zone is an environment where a high degree of amenity and privacy is expected from large lot residential development. The coverage, setbacks and height limits within the zone encourage a relatively low density of development to avoid buildings dominating the landscape. These provisions allow generous outdoor space for landscaping that contributes to high amenity values and a sense of open space. Locating dwellings or accessory buildings within the boundary setbacks will generally not be supported as this will detract from the expected amenity of the zone. Where reductions in setbacks are necessary, buildings should be located to maintain the visual

and aural privacy for dwellings on both the subject and adjoining sites. This is to ensure that the amenity values of the zone are not compromised.

Developments within the Tamahere Country Living Zone also necessitate provision of outdoor space suitable for active or passive leisure purposes and to facilitate adequate provision for drainage. Sometimes there are adverse effects associated with living in close proximity to neighbours as buildings may contain activities which can cause a nuisance to neighbouring property owners. These adverse effects can be reduced by developments complying with the zone rules.

13.6 Issue – Rural Character

Subdivision or development can adversely affect rural character where it is of a density, scale, intensity or location that is inappropriate to the locality.

OBJECTIVE	POLICIES
<p>13.6.1 Rural character is preserved.</p>	<p>13.6.2 Rural subdivision and development should be of a density, scale, intensity and location to retain or enhance rural character, including:</p> <ul style="list-style-type: none"> (aa) a predominance of natural features over built features (a) a very high ratio of open space in relation to areas covered by buildings (b) open space areas in pasture, trees, crops or indigenous vegetation (c) tracts of unmodified natural features, indigenous vegetation, streams, rivers, wetlands and ponds (d) large numbers of farm animals and wildlife (e) noises, smells and sights of farming, horticultural and forestry uses (f) post and wire fences, purpose-built farm buildings, and scattered dwellings (fa) low population density (g) generally narrow carriageways within wide road reserves, often unsealed with open drains, low-speed geometry and low traffic volumes (h) a general absence of urban-scale and urban-type infrastructure such as roads with kerb and channel, footpaths, mown berms, street lights, advertising signs, sealed and demarcated parking areas, decorative fences and gateways (i) a diversity of lot sizes and shapes, related to the character and pattern of the landscape. <p>While recognising that mineral extraction activities are of a different scale and intensity, and where appropriate should be accommodated.</p> <p>13.6.3 Rural land should be retained in large holdings sufficient in size to enable productive rural activities to occur, and the creation of large holdings encouraged and where appropriate boundary relocations should be encouraged that facilitate holdings of sufficient size to support these activities.</p> <p>13.6.4 Allotments created by subdivision should be of a shape and sufficient size to retain the rural character of the area by ensuring they are large enough for rural land uses to predominate.</p>
<p>13.6.5 The cumulative adverse effects of subdivision or development on rural character and amenity</p>	<p>13.6.6 Rural character should be maintained and the cumulative adverse effects of subdivision should be avoided.</p> <p>13.6.7 Repeated subdivision of rural land that results in additional lots must be avoided.</p>

values are avoided.	<p>13.6.8 Rural character should be retained by avoiding the incremental expansion of areas where compromise has already occurred.</p> <p>13.6.9 Subdivision, use and development should not further compromise rural character in rural areas already modified by non-rural activities.</p> <p>13.6.10 Subdivision, use and development of rural land composed principally of small land holdings should be managed to retain rural character by ensuring allotments are of sufficient size for rural land uses to predominate in these areas.</p>
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13.7 Reasons and Explanations

13.7.1 Rural Character

Rural areas are working and living environments. They provide much of the character and amenity values of the district as a whole. The character of rural areas needs to be recognised for its natural, social, cultural and economic values, as well as its role in enabling a range of lifestyles and activities. Subdivision or development by its density, scale or location has the potential, individually or cumulatively, to adversely affect the amenity values and rural character that the above objectives and policies seek to maintain. The objectives and policies do not prohibit change, but envisage that subdivision and development will be managed so that the character of the locality is maintained. The open space character of rural areas might be retained, for example by clustering new dwellings in suitable locations that are integrated by natural landforms and features.

Rural character is not constant throughout the district. It varies from one locality to another. For example, the flat plains in the south-east of the District contrast with the hill country to the west. On the flat country, long views punctuated by trees and shelterbelts contribute more strongly to rural character than in the hill country, where shorter views to natural features are more dominant.

New development will need to recognise and enhance the existing characteristics of rural character in a particular area. New development in rural areas needs to be located so that rural character is not adversely affected and reverse sensitivity issues are avoided. People considering living in a rural area should recognise that it is a production area and not subject to the same amenity standards as an urban residential area. For example, productive rural activities can involve the use of agrichemicals, noise and odour generation and extended working hours. The roadside appearance of properties will often be important.

Rural character typically includes the features listed in Policy 13.6.2, and it is important that these features are maintained. This character is most clearly evident where large allotments predominate, and the retention of large allotments is a significant part of managing rural character. Creation of large holdings is also encouraged.

It is important to ensure that, in any given rural area, rural land uses continue to predominate because these land uses are fundamental to providing the rural character. Rural land uses, which may or may not be productive rural activities in economic terms, require allotments that are large enough to support them. Allotments should be large enough for rural land uses to occur over the clear majority of the land within each of them, including in areas where land is composed primarily of small land holdings, so that

they contribute positively to rural character. Allotments too small to support rural land uses such as livestock grazing can detract from rural character and appropriate protections need to be put in place when creating any such allotments in the Rural and Coastal zones. Low density development that is predominantly residential in nature and which has little or no rural land use component is provided for in the Country Living zone. It is appropriate to make limited provision for rural residential activities in the Rural Zone and for existing small rural titles that already contain a dwelling or have the ability to contain a dwelling. Appropriate assessment needs to be made of the impact that those activities may have on rural character and establish appropriate protections.

13.7.2 Cumulative Effects

Rural character is vulnerable to cumulative effects and can be lost through repeated subdivision and development, which can significantly detract from the rural character and open space of the locality. As subdivision occurs, rural character can become increasingly compromised due to changing land uses, particularly when residential activities become more prevalent. This can be particularly evident in areas already dominated by small allotments and non-rural land uses, where loss of open space, ribbon development, reduced setback distances and built features associated with urban living can be characteristic. The cumulative effects of such development can be the urbanisation of rural areas.

Loss of rural character can happen in terms of both more intensified development within a given area, and the incremental expansion of these areas. The objectives and policies recognise the importance of maintaining the rural character of the district, recognising that the rural environment consists of traditional open agricultural landscapes and some areas which have been modified through development. They seek to avoid and mitigate adverse effects on the rural character and amenities of traditional, unmodified rural areas. In addition, they seek to ensure that the rural character of modified rural localities is not further compromised.

Avoiding the repeated subdivision of rural land is a vital part of avoiding cumulative adverse effects. Therefore, using the date of a certificate of title to determine the activity status of a subdivision application is fundamental to implementing the policy framework. The subdivision of certificates of title created after 6 December 1997, with a few specified exceptions, is not anticipated and is strongly discouraged.

13.8 Methods of Implementation

13.8.1 Regulatory Methods

- (a) Rules that control activities by reference to the following zones:
 - Living
 - Pa
 - Business
 - Industrial – Heavy and Light
 - Rural
 - Coastal
 - Country Living
 - Recreation.
- (b) Rules that control activities by reference to bulk and location of activities on sites, hours of operation, and other rules to address effects on amenity.

13.8.2 Council Works and Services

- (a) Planting of street trees and local parks, general improvement of streetscape through road construction and street furniture.
- (b) Support the establishment of aggregated information signs at the entrance to towns and townships, and at sites of natural, cultural and historical interest.

13.8.3 Information, Education and Advocacy

- (a) Educate the community to be aware of regulation of signs and the need for regulation.
- (b) Promote guides and codes of practice relating to landscape protection, sign construction and placement.
- (c) Information about listing and significance of notable trees.
- (d) Guidelines for good practice for subdivision and development in outstanding and amenity landscape areas.

13.9 Reasons for Methods**13.9.1 Regulatory Methods**

Amenity values are very important in the everyday lives of most people. Voluntary means contribute greatly to amenity, but rules are necessary to ensure full community compliance. Rules provide enforceable minimum standards, which ensure reasonable living and working conditions for everyone. Rules also allow people to confidently predict the level of amenity that will prevail in various parts of the district. This gives certainty to the property market and thereby assists economic wellbeing. Market forces can produce positive outcomes in terms of subdivision design, but the market does not always adequately address all issues. There is a public expectation that the district plan will manage these effects.

13.9.2 Council Works and Services

Council works have an important role in the maintenance of streetscape and public open space, as most roads and reserves are owned and maintained by the Council.

13.9.3 Information, Education and Advocacy

Voluntary efforts to maintain and improve amenity values are boosted by providing of information, education and advocacy on development design issues and solutions.

13.10 Anticipated Environmental Results

ISSUES	ANTICIPATED ENVIRONMENTAL RESULTS
<p>13.10.1 Adverse effects of land use</p>	<ul style="list-style-type: none"> (a) Avoidance of any significant land use effects such as noise, dust, smoke, odour, spray drift, lighting, litter, electromagnetic radiation, vermin or traffic effects, on surrounding land compared to ambient levels in the environment. (b) Minimal adverse effects on amenity values, the health and safety of people and communities, and the environment adjacent to road transport networks. (c) Protect and safeguard the amenity in a given locality consistent with community expectations for the amenity of that area. (d) Minimal conflicts between adjoining land uses. (e) Separation of activities that typically produce different levels of effects.
<p>13.10.2 Subdivision, building and development</p>	<ul style="list-style-type: none"> (a) Maintain appropriate pattern of subdivision consistent with the land uses on and around the land being subdivided and maintains development density and open space characteristics of the locality. (b) Maintenance of a high degree of amenity value in living environments, including sites and neighbourhoods. (c) Avoidance or mitigation of adverse effects of developments on sensitive landscapes and natural areas, including the coastal environment. (d) Provision of safe and accessible residential areas that encourage people to move around. (e) Encourage design and appearance of buildings that is compatible with local character. (f) Avoidance of visual clutter created by signs that are incompatible with their environment. (g) Development consistent with amenity values and expectations in the existing environment
<p>13.10.3 Rural character</p>	<ul style="list-style-type: none"> (a) Maintenance of rural character of unmodified rural environments including distinctive aspects of localities, and the character of areas where everyday farming practices occur. (b) Rural character of already modified rural localities not further compromised. (c) Maintenance of a predominance of rural land uses in Rural and Coastal Zones. (d) Avoidance of cumulative adverse effects on rural character and amenity values.

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