

5 Amenity Values

5.1 Significant Issues

The environmental effects of incompatible or inappropriate activities can compromise the characteristic amenity values of a locality, particularly where activities are in close proximity.

Activities can be unduly restricted by other activities that demand a higher level of amenity.

Public use of open space and the coastal environment require a higher level of amenity due to the type and frequency of use.

Land uses can produce noise, odour, dust, smoke and chemical spray drift problems, which adversely affect the amenity values of the surrounding environment.

Inappropriate development, including the bulk, siting and design of buildings, can compromise amenity values of a locality, especially through effects on access, vehicular, pedestrian and personal safety, day lighting, outlook and privacy.

The adverse effects of sporadic development on the amenity of coastal and rural environments.

An important amenity of the district is the significant number of archaeological sites we found in the district. The District Plan has an important role in recognising archaeological sites, particularly through the assessment of archaeological values.

5.2 Overview

Amenity values are the characteristics that influence and enhance people's appreciation of a particular area. These values are derived from the pleasantness, aesthetic coherence and cultural and recreational attributes of an area. Amenity values can be affected by noise, dust, smoke, smell, glare, light spill, traffic, appearance, intensity and shading. Amenity considerations also include intangible aspects, for example, the presence of funeral activities in a Living Environment.

Particular areas have different levels of amenity and distinct features that contribute to, or detract from, the amenity values, resulting in higher levels of amenity in some areas than others. For example, in residential areas, relatively low levels of noise can adversely affect amenity values, whereas such noise may be acceptable in a business area. The amenity values of an area are therefore determined by the natural and physical characteristics of the area, and the effects of activities.

The following references to 'Environment' refer to the Environments (formerly called zones) that the District is divided into. The planning maps include a complete list of the Environments. Reference to the word 'environment' however relates to the definition of environment as outlined in section 2 of the Resource Management Act 1991.

Living Environments tend to be passive environments where people relax and interact with each other on a social basis. In general, they have high levels of amenity as a result of a combination of some or all of the following characteristics:

- Low intensity development;

- Presence of trees and private gardens;
- Landscaped frontages and street set backs;
- Off-street parking;
- High degree of privacy;
- Daylight and sunlight access;
- A high proportion of private and public open space;
- Low levels of noise, visual pollution, odour and nuisances;
- Safe environment for children, cyclists and pedestrians;
- Low levels of vehicular traffic;
- Feeling of community;
- Non-residential support activities, such as business and community activities, of an appropriate scale.

Some areas of Living Environments are compromised by the effects of activities located in other environments. Where there are conflicts between existing legitimate land use activities, a balance is required to be struck between the achievement of high levels of amenity in living environments, and the efficient use of existing resources.

Business Environments are places where people work and interact on both a social and commercial level. This is not to say, however, that amenity values are not important in the Business Environments, as many people spend a significant proportion of their day working or interacting with others in these areas. They are Environments that accommodate a wide range of business activities, from retail to heavy industry. As such, the levels of amenity within the Business Environments vary.

The **Open Space Environment** usually has high amenity values. These areas are used by the public to interact socially and relax. The key elements of this amenity are:

- Low intensity of development;
- Provision of public facilities;
- High landscape qualities;
- Public places can be exciting and vibrant;
- Recreational qualities;
- Access to daylight and sunlight;
- Limited vehicular traffic.

While they can be very busy places in terms of human activity, such areas tend to be devoid of commercial or industrial activities, and therefore create a sense of tranquillity in which people can relax. The amenity values of these areas are sensitive to the effects of activities both within them and on adjoining sites, particularly activities that affect the ability of people to relax in these areas.

The interface between the different Environments is often an area of conflict, due to activities affecting the amenity values of adjoining sites. Activities in such areas should therefore be carried out in a manner that seeks to maintain the amenity of adjoining sites.

5.3 Objectives

5.3.1

The characteristic amenity values of each Environment are maintained and, where appropriate enhanced.

5.3.2

Adverse effects on amenity values do not result in a reduction of amenity value below that which is desirable for people's health and safety.

5.3.3

Activities that demand a high level of amenity do not unduly compromise other land uses.

5.3.4

The amenity values of open space are maintained and enhanced.

5.3.5

The actual or potential effects of Subdivision use and development is appropriately controlled and those activities located and designed, are to be compatible with existing and identified future patterns of development and levels of amenity in the surrounding environment.

Explanation and Reasons: These objectives seek to maintain and enhance the amenity values of the District, and to avoid conflict between incompatible activities. Activities with similar effects are concentrated together. This strategy depends upon such activities not producing effects that would adversely affect other activities, and being relatively insensitive to the effects of similar activities. For example, the introduction of especially sensitive activities such as residential units into an industrial environment or airport Environment, would tend to restrict those activities and undermine this strategy. Activities are also encouraged to be located and designed in a way that avoids remedies or mitigates any adverse effects that they might have on the environment.

5.4 Policies

5.4.1 Effects on the Local Environment

To ensure that activities do not produce, beyond the boundaries of the site, adverse effects that are not compatible with the amenity values characteristic of the surrounding and/or adjacent environment unless, such effects are authorised by a district plan, a designation, a resource consent or otherwise. The following effects should be given particular consideration in this respect:

- Noise and effects;
- Shading;
- Glare;
- Light spill;
- Dust;
- Smoke;
- Odour;
- Vibration;

- Spray drift;
- Visual amenity.

Where internalisation of effects cannot be wholly achieved, the Council will consider a Best Practicable Option approach.

Explanation and Reasons: Conflict often occurs at the interface between activities due to different levels of amenity, or where effects occur beyond the boundary of a site. Activities should be carried out in a manner which ensures that they do not produce, beyond the boundaries of the site, levels of adverse effects such as noise, nuisance, shading, glare, light spill, dust, smoke, odour, vibration or other emissions such as spray drift that may adversely affect adjoining sites. This is particularly the case where activities are located on or near Environment boundaries.

Levels of noise or quietness are an important part of amenity values, particularly where people are living in close proximity to one another. The enjoyment of property, or the ability to effectively function in an area, can be affected by glare, odour, light spill and other adverse amenity effects from activities that are not characteristic of the particular locality. Chemical spray drift from rural activities can affect the amenity values of adjacent residential areas, cause health problems for humans and animals, and lead to unintentional crop damage.

Availability of, and orientation toward, sunlight, are important factors in amenity, as they provide warmth, energy efficiency and a sense of well-being. The policy ensures that maximum use is made of available sunlight and daylight and that the effects of shadowing upon neighbouring properties is minimised.

While management of air emissions is a Regional Council responsibility, the policy seeks to locate land use activities in places where they are acceptable, so as to avoid, remedy or mitigate adverse effects on the amenity values of more sensitive activities and other properties.

5.4.2 Character and Timing of Activities

To allow activities where their nature, timing and duration do not result in adverse effect on amenity values beyond the extent compatible with the characteristics of the surrounding and/or adjacent Environment/s.

Explanation and Reasons: A wide range of activities have a similar scale, intensity and character, and occur at similar times of the day or day of the week. These activities should therefore be located where they are compatible with, or can avoid, remedy or mitigate adverse effects on the amenity values and characteristics of these environments.

5.4.3 Activities in Living Environments

To ensure activities in Living Environments do not have adverse effects that are significantly greater than those associated with residential activities, whilst acknowledging that adverse effects of activities from outside the Living Environments, e.g. the Airport, may not be avoidable altogether and may affect amenity values.

Explanation and Reasons: The Living Environments are particularly sensitive to the effects of non-residential activities. Any activity that locates in a Living Environment should not have any effects that cannot be avoided, remedied or mitigated to a level consistent with the amenity of a residential area. In addition, in Living Environments, a general sense of community, friendliness, common security and mutual support can be attributed to spatial continuity of housing. Non-residential activities that separate houses can create gaps that disrupt these values and weaken the sense of community. The cumulative effects of such activities can adversely affect amenity values.

However, these concerns do not preclude appropriate non-residential activities of a nature and scale consistent with, or serving the needs of, the local resident community.

5.4.4 (deleted)

5.4.5 (deleted)

5.4.6 Open Space Environments

To ensure amenity values and natural character associated with Open Space Environments are maintained and enhanced, and to enable public appreciation and enjoyment of such places except where public access is restricted due to ecological cultural, public health and/or safety reasons.

Explanation and Reasons: Open space is an essential ingredient for community well-being, health and safety. These areas are used for recreational purposes and for passive enjoyment. The amenity values of such environments should be protected. Public access may be restricted due to ecological, cultural, public health and/or safety reasons.

5.4.7 Intensity and Design of Subdivision and Development

To ensure that subdivision and development do not unduly compromise the outlook and privacy of adjoining properties, and should be compatible with the character and amenity of the surrounding environment. Particular regard should be given to:

- The layout and intensity of subdivision;
- The location, design and siting of buildings and structures except, where such buildings and structures provide a specific service for the surrounding environment. In the latter case, any building or structure shall be designed, laid out and located, so as to avoid, remedy or mitigate any adverse effects on the environment.

Restrictions on density of development and subdivision size may be required to ensure new development does not increase population concentration in noise-sensitive areas.

Explanation and Reasons: The intensity, scale and design of subdivision, and buildings within subdivisions, have the potential to cause adverse environmental effects. Reverse sensitivity issues are relevant in determining appropriate density of development and subdivision. The layout, design and density of subdivision should be appropriate to the environment where it is located. New buildings should also be of a similar character to the buildings that exist in that particular environment. The scale, height and setbacks of new buildings also have the potential to adversely affect outlook and privacy of neighbouring activities.

5.4.8 Frontage

To encourage sites to present frontage to the street that is appropriate to the function of the site, is compatible with and enhances the overall character of the streetscape, and does not visually dominate the road.

Explanation and Reasons: This policy is concerned with maintaining an attractive streetscape and elements that define it. The design and appearance of buildings and streets is a valued feature in Whangarei. Protecting the character of these streets is an important aspect of protecting the amenity of the different environments in the District.

5.4.9 Outdoor Living Courts

To encourage each residential unit to be provided with adequate outdoor living space, and to ensure privacy wherever possible.

Explanation and Reasons: Private open space is important for the health and well-being of people, so that outdoor activities can be enjoyed from the privacy of people's own residential properties. Such open space needs to be clearly allocated to each residential unit to create a sense of personal space.

5.4.10 Trees and Vegetation

To retain trees and vegetation (other than trees or vegetation grown for commercial production purposes) that contribute to the amenity values of an environment, unless the effects of removal are adequately remedied or mitigated.

Explanation and Reasons: Trees and vegetation are a significant element in defining amenity values of an area. This policy is particularly concerned with protecting trees and vegetation within the environments of the District that could be compromised through the processes of subdivision and development.

5.4.11 Signs

- a) To ensure signs are located, designed and of a scale that avoids, remedies or mitigates adverse effects on amenity values of the surrounding environment, and should not compromise the safety of vehicles and pedestrians.
- b) To promote the use of clear and unambiguous signage that ensures that members of the public are adequately informed of directions and amenities, irrespective of their travel mode.

Explanation and Reasons: Signs have considerable impact on the visual amenity of an environment and can compromise road safety by being a source of distraction and confusion. It is important to ensure that signs are appropriately designed and located.

5.4.12 Traffic

To encourage vehicle movements and parking demand, where it does not adversely affect the amenity values of the particular environment in which it is located, having regard to the characteristics of that environment and adjacent environments, and the range of activities for which it makes provision for.

Explanation and Reasons: Significant increases in traffic, or changes to the character of quiet roads, can result in significant adverse effects on the safe and efficient functioning of these streets and on the amenity values of the locality. Traffic also results in noise, fumes and dust and can create conflicts where the formation of the road is not sufficient to withstand significant increases in traffic, or to provide for car parking.

5.4.13 Radio Frequency Fields and Electromagnetic Radiation

To ensure that the effects of Radio Frequency Fields and Electromagnetic Radiation are in accordance with the relevant New Zealand Standard.

Explanation and Reasons: Certain utilities and other activities emit electromagnetic radiation that may have a potential effect on some people living near them if they exceed an acceptable public level of exposure (as defined by the relevant New Zealand Standard). Radio Frequency Fields (RF) are produced

by activities involving radio wave transmissions at frequencies of 3 kHz to 300GHz such as broadcasting, mobile phone base station and microwave transmission activities. It is the antennae used for sending the signal which produces the Electromagnetic Radiation (EMR). An acceptable public level of exposure to EMR is established in the relevant New Zealand Standard, which has been thoroughly researched and based upon scientific evidence.

5.4.14 Network Utility Facilities

To ensure that the adverse effects of network utility operations are remedied or mitigated, as far as reasonably practicable, in accordance with the amenity values of the different environments. In the Living and Rural Village Environments, the commercial centres and Open Space Environment, telecommunication and electrical services should be provided underground or by wireless link where practicable. In other environments, undergrounding or wireless links should be encouraged, but where this is not practicable, services should be sited and designed so as to minimise adverse effects on amenity values.

Explanation and Reasons: The location of network utility operations can significantly reduce the visual amenity of an area, particularly in Living and Rural Village Environments, the Coastal Area and areas of Outstanding Landscape and significant ecological value. Such facilities should be sited in visually non-obtrusive locations and levels of mitigation should be appropriate for the environment in which they are located. New technology enables some services to be located underground and, in the case of telecommunication, may allow the service to be provided by a wireless link. Both these options provide an effective method for avoiding visual effects and should be encouraged, where practicable.

5.4.15 Future Environments (Underlying Environments)

To ensure that subdivision and/or development, undertaken in terms of the provisions of the Underlying Environment (of a Future Environment), does not unduly compromise the potential of the permitted future activities considered appropriate for the area in terms of its specified Overlying Environment.

Explanation and Reasons: Each Future Environment contains Overlying and Underlying Environments. The Overlying Environment(s) indicates potential future Environment(s). The Underlying Environment is the existing (or current) Environment at the time that the Future Environment is created. The effects of a proposal proceeding under the provisions of the Underlying Environment need to be assessed and adequately managed to ensure the future identified potential land uses are able to proceed and their associated amenities are not compromised, i.e. noise or odour levels.

5.4.16 Future Environments (Overlying Environments)

To ensure that when the nominated Overlying Environments of Future Environments come into effect, by way of resource consents related to a Comprehensive Development Plan, the proposed land uses meet the relevant requirements of the nominated Overlying Environment by:

- Using appropriate measures to avoid, remedy or mitigate reverse sensitivity effects i.e. from noise, dust, visual obstruction or other effects generated from any existing (or potential) adjoining land uses;
- Making use of and, where practicable, enhancing existing infrastructure and/or ensuring that new infrastructure is compatible with existing systems, including roading networks and bulk services utilities such as sewer and storm water;

- Maintaining or enhancing water quality and storm water management, and providing appropriate public access linkages.

Explanation: The effects of a proposal proceeding under the provisions of the Overlying Environment need to be assessed to ensure they meet the requirements of the nominated Environments, and in particular, meet all servicing and infrastructural requirements, plus avoid, remedy or mitigate any generated effects from existing or potential adjoining land uses.

5.4.17 Activities Demanding High Amenity Values

To ensure that activities are not permitted or acknowledged in areas where they may be adversely affected by existing land uses; or have adverse effects on (including compromising and restricting) existing land uses.

Explanation and reasons: As competition for land increases, and as land uses evolve, issues of reverse sensitivity become increasingly important. Allowing subsequent sensitive activities to be located next to established or new industrial activities or important physical infrastructure like airports, can result in significant adverse environmental effects, and is not consistent with the overriding need to promote the sustainable management of natural and physical resources.

5.5 Methods

5.5.1 Regulatory Methods

- Identification of different Environments on the Planning Maps (Policies 5.4.1 and 5.4.4-6).
- Environment Rules relating to the location, type, density and effects of activities (Policies 5.4.1 to 5.4.14).
- Subdivision Rules relating to the intensity, design, location, size and layout of allotments (Policies 5.4.1-2 and 5.4.7).
- Resource consent conditions (Policies 5.4.1, 5.4.2 and Policies 5.4.7 to 5.4.14).
- Roading hierarchy and associated rules (Policies 5.4.7 and 12).

5.5.2 Other Plans and Legislation

The Regional Policy Statement for Northland, Northland Regional Coastal Plan, Regional Air Quality Plan and Regional Water and Soil Plan (Policies 5.4.1 to 5.4.14).

The Building Act 2004 (Policies 5.4.1 to 5.4.14).

Production, implementation and review of Reserve Management Plans under the Reserves Act 1977 (Policies 5.4.1 to 5.4.14).

Gazetting and classification of protected areas owned by council under the Reserves Act 1977 (Policies 5.4.1 to 5.4.14).

The New Zealand Coastal Policy Statement (Policies 5.4.1 to 5.4.14).

5.5.3 Information, Education and Advocacy

Liaison with the Northland Regional Council, Department of Conservation and adjacent territorial authorities (Policies 5.4.1 to 5.4.14).

Educate and inform resource users of the effects of activities on amenity values (Policies 5.4.1 to 5.4.14).

Provide guidelines on design and location of buildings and suitable locations for activities (Policies 5.4.1 to 5.4.14).

5.5.4 Council Works and Services

Purchase, development and maintenance of parks and reserves (Policies 5.4.6 to 5.4.10).

Planting of trees (Policies 5.4.3 to 5.4.7 and 5.4.10).

Supply of street furniture and street lighting (Policies 5.4.3 to 5.4.7).

Development of a city cycling network (Policies 5.4.3 to 5.4.7 and 5.4.12).

5.6 Anticipated Environmental Results

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangarei District Council Monitoring Strategy.

- Land use and development is consistent with the preservation and/or enhancement of amenity values appropriate to each particular Environment: Living, Business, Airport, Port and Open Space.
- Conflict between incompatible activities in regard to amenity values (particularly on Environment boundaries) is avoided, remedied or mitigated.
- The amenity values of the Living Environments are maintained and/or enhanced, including community coherence and neighbourhood aesthetics.
- The amenity values of the Open Space Environment are maintained and/or enhanced to enable public appreciation and enjoyment of these places, both active and passive.
- The amenity values of the Whangarei Town Centre/Town Basin, along with other suburban and rural retail centres, are maintained and/or enhanced so as to ensure an attractive shopping and leisure environment.
- The following effects of land use and development are appropriate to the relevant Environment and do not create a nuisance to other land users: noise, odour, dust, smoke, light spill, glare, shading, traffic, privacy, visual, spray drift, radio frequency fields and electromagnetic radiation.

Revision and Sign-off Sheet

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11 July 2008	JL	5.4.11 Signs	Plan Change 41 addition approved by Council	9 July 2008	PW
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Editor

France Prevost (FP)
Jan Lucas (JL)
Allie Miller (AM)

Editor Position

Team Administrator Policy Division
 Support Assistant District Plan(AM)

Approved By

Paul Waanders (PW)
Melissa McGrath

Approver Position

Policy and Monitoring Manager (PW)
 Manager District Plan (MM)