

A large, mature tree with dense green foliage is the central focus of the image. The tree has a thick, dark trunk and a wide, spreading canopy of bright green leaves. It is situated in a grassy area, likely a park or a residential street. In the background, there are other trees, a paved road, and some buildings. The word "Amenity" is overlaid in white text on the tree's canopy.

**Amenity**



## Amenity

### Key Issues:

Amenity values refer to the natural or physical qualities and characteristics of an area that contribute to an appreciation of its pleasantness, and cultural and recreational values. For example, in a residential area amenity values might be formed by front garden settings, building setbacks, views, and the quiet environment. The amenity values of urban areas could be adversely affected by unsuitable development. Amenity in rural areas may be compromised by rural activities that generate noise, odour, dust and other effects. In general there is a higher tolerance of the effects of legitimate farming activities. In residential areas, the effects of industrial and commercial activities on amenity values are also expected to be avoided, remedied or mitigated. Are the objectives, policies and anticipated environmental results which seek to maintain or enhance the amenity of both the urban and rural areas of our district being achieved?



### Indicators:



#### Pressures:

- Number of resource consent applications to breach development standards (e.g. daylight admission, bulk and location requirements);
- Number of resource consent applications received for offsite signage; and
- Number of resource consents granted for the removal of notable trees.

#### State:

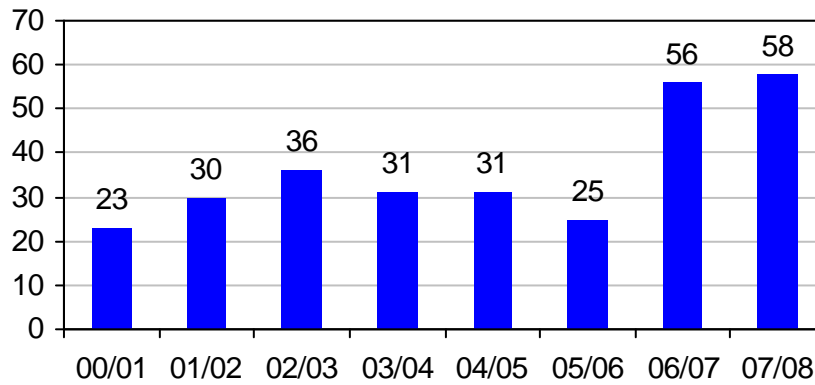
- Number of complaints received concerning amenity values e.g. noise, dust, odour, glare, vibration, chemical/effluent spray drift, signage; and
- Number of scheduled protected trees.

#### Response:

- Number of resource consent conditions imposed to control noise, dust, odour, glare, vibration, spray drift, signage.

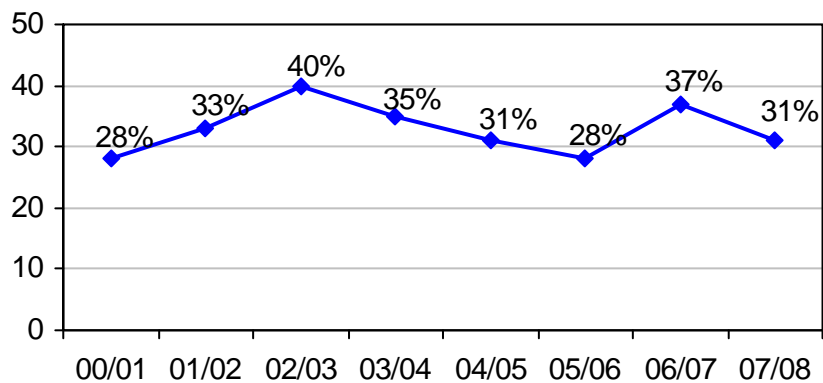
**Results:**

The number of resource consent applications which breach development standards (e.g. daylight admission, bulk and location requirements)



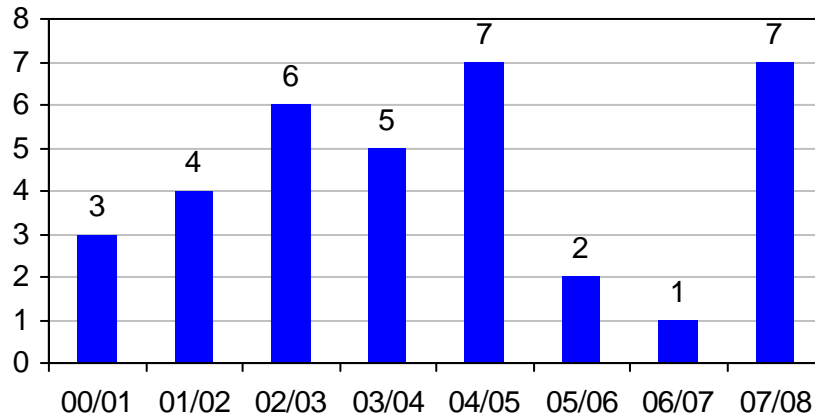
The number of resource consent applications to breach Council's development standards remained relatively consistent between 2000/01 and 2005/06, however, this figure increased significantly in the 2006/07, and 2007/08 years. This increase is likely to be related to the increase in houses being built. The majority of development standards that were allowed to be breached were for resource consents wanting to encroach into boundary requirements.

Percentage of resource consent applications to breach development standards (e.g. daylight admission, bulk and location requirements)



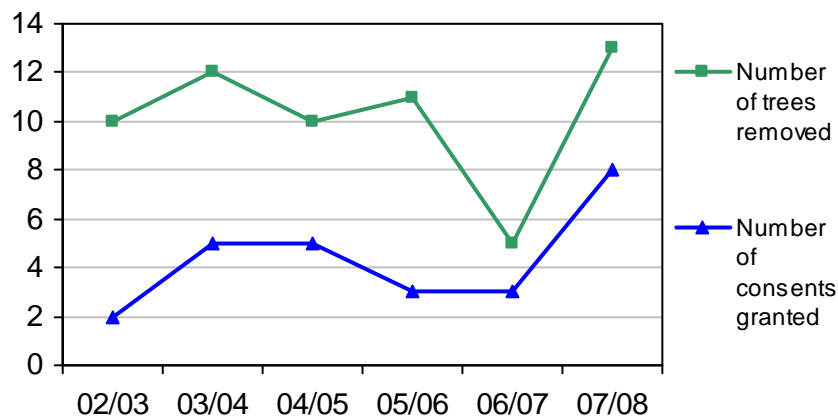
This is the percentage of resource consents approved to breach development standards out of the total number approved.

Number of resource consent applications received for offsite signage



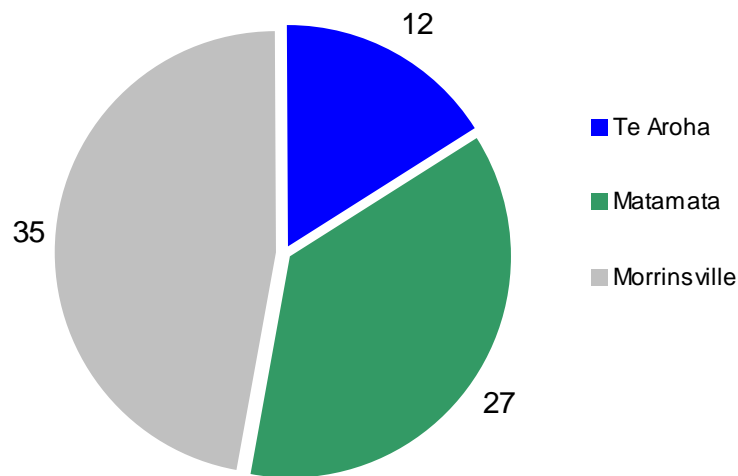
Increased signage and advertising can also impact upon the visual amenity and traffic safety of the environment. However, the number of resource consent applications for offsite signage has remained reasonably low since 2000. There were seven applications received for offsite signage in 2007/08.

Number of resource consents granted for removal of notable trees



Removing trees can have an impact on amenity values. A small number of resource consents have been granted each year for the removal of notable trees. There were 8 resource consents granted for the removal of 13 trees in 2007/08. Of these; six were in Morrinsville, four were in Matamata and three in Te Aroha.

Location of notable trees removed from 2000/01 to 2007/08



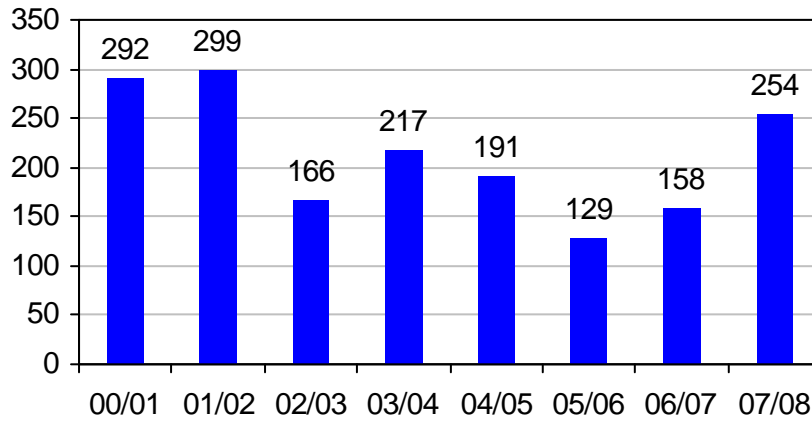
Of the trees that were removed, most were large (over 10 metres tall) introduced species such as silver birch, willow, cedar, oak and elm. Only four native trees were removed between 2000/01 and 2007/08. The majority of these trees were removed from urban areas, where it was considered that the visual impact on the township was no more than minor.

### Results Discussion:

During 2008 Council completed a plan change to amend the tree protection provisions within the Plan. Previously you needed to get a resource consent to remove, or do any major work to any tree over 10 metres in height, this was deemed to be too restrictive. As a result a process was undertaken to identify those trees which added to the amenity of the district and these were added to the schedule of outstanding or significant natural features and trees and other protected items. This plan change aimed to give confidence as to whether or not you would need resource consent to remove a tree and to remove any unnecessary restrictions.

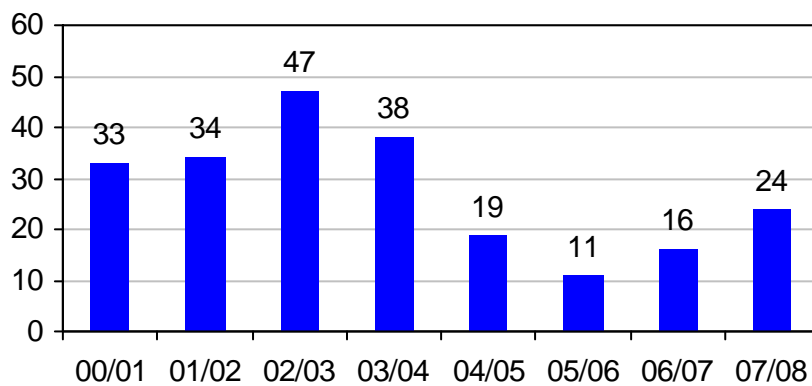
The Development Manual is currently progressing through the statutory procedure. This proposed plan change aims to incorporate the Development Manual and urban design guidelines into the District Plan. This aims to provide a direct link to the Development Manual whilst reducing the bulk and some technical aspects of the District Plan, it also aims to provide consistency across the district while still retaining individuality. The current District Plan includes references to New Zealand Standards which are now out of date and therefore the quality of outcomes achieved could be below current accepted best practice.

Number of complaints received concerning amenity values



Council has received a number of complaints concerning amenity values, the majority of which were about the disturbance caused by loud stereos. In 2007/08 86% (219) of complaints were related to excessive noise, while the remaining 35 complaints were regarding odour or noise from industry or building noise in general. There were no complaints recorded specifically regarding development exceeding minimum standards.

Number of resource consent conditions imposed to control: noise, dust, odour, glare, vibration, spray drift and signage



In a perception survey conducted in conjunction with other territorial authorities within the Waikato Region and the Waikato Regional Council - Environment Waikato (EW) in 2007, 83% of Matamata-Piako respondents were satisfied with the unique or special character of their town.

## District Plan Provisions

### Section 2.4 - Sustainable Management Strategy

**Objective:**

- To protect identified central business areas from activities that are out of character with existing amenity values.

**Policy:**

- To avoid the development of activities which adversely affect the character of the "mainstreet" shopping environment.

**Objective:**

- To enable the orderly and coherent development of processing and extractive industry in a manner that promotes the sustainable management of natural and physical resources in the rural areas.

**Policy:**

- The adverse effects of processing and extractive industries should be avoided, remedied or mitigated in accordance with the amenity values of the adjacent community.

**Anticipated Environmental Results:**

- A reduction in the number of complaints from the public concerning the adverse effects of activities.

### Section 3.1.2 Natural environment and heritage

**Objective:**

- To retain and enhance the varied landscape qualities of the district.

**Policy:**

- The scale, location and design of buildings, structures and activities in outstanding landscape types of the district should:
  - preserve the elements which contribute to its natural character; and
  - not detract from the amenity values of the landscape.

**Anticipated Environmental Results:**

- Visual amenity of significant landscape areas is unchanged or improved (typical performance measure: area of land disturbed by visually obtrusive activities or uses).

### Section 3.5 Amenity

**Objective:**

- To maintain and enhance a high standard of amenity in the built environment without constraining development innovation and building variety.

**Policy:**

- To ensure that development in residential and rural areas achieves adequate levels of daylight admission, privacy and open space for development sites and adjacent properties.

**Objective:**

- To minimise the adverse effects created by building scale or dominance, shading, building location and site layout.

**Policies:**

- To minimise the effects created by building scale, overshadowing, and building bulk in business, industrial and recreational areas;
- To maintain the open space character of residential and rural areas by ensuring that development is compatible in scale to surrounding activities and structures;
- To recognise that the low density urban form in the district's towns contributes to the amenity and character of the area; and
- To provide for development within the district in a manner that encourages flexibility and innovation in design and variety in the built form while achieving the anticipated environmental results.

**Anticipated Environmental Results:**

- Improved public perception of general amenity in the built environment, particularly urban areas (typical performance measure: reduction in number of submissions lodged (and complaints related to) development proposals – see also Section 14: Monitoring); and
- Evolution of a more interesting and varied urban form (typical performance measure: extent to which development applications comply with and exceed minimum standards – see also Section 14: Monitoring).

**Objective:**

- To ensure that the design and appearance of buildings and sites is in keeping with the character of the surrounding townscape and landscape.

**Policy:**

- To encourage a high standard of on-site amenity in residential, business, recreational and industrial areas.

**Objective:**

- To recognise and promote the special urban character of Te Aroha and Matamata and to develop the urban character of Morrinsville.

**Policies:**

- To recognise and enhance the historical character of the built form at Te Aroha;
- To recognise and enhance the open space "garden city" character of the built form at Matamata;
- To achieve a compatible and consistent urban form through the utilisation of design guidelines for special character areas;
- To encourage a varied and interesting built form by supporting initiatives and providing development amenity incentives for comprehensive and innovative subdivision and development design; and
- To maintain and enhance the predominant domestic character of residential areas.

**Anticipated Environmental Results:**

- Maintenance and enhancement of building, site and visual appearance in rural, residential and business areas; and
- Retention of the special heritage character of Te Aroha, the "garden city" character of Matamata and introduction of the mainstreet concept in Morrinsville.

**Objective:**

- To ensure that residences are free from the effects of unreasonable and excessive noise, odour, dust, glare and vibration.

**Policy:**

- To protect residential and rural amenity by the use of performance standards for noise, glare, odour, particulates and vibration control which generally ensure that generated effects do not exceed background or ambient levels.

**Objective:**

- To provide healthy and safe working, living and recreational environments by avoiding and mitigating the effect of excessive noise, vibration, odour and dust.

**Policy:**

- To ensure that activities in business, rural, industrial and recreational areas avoid, remedy or mitigate generated effects to maintain and enhance a healthy, safe and pleasant environment and take all reasonable steps to internalise any nuisance effects.

**Objective:**

- To recognise the existing character of rural areas and acknowledge that some adverse effects will arise from rural activities that may require management.

**Policy:**

- To reinforce existing mitigation measures, and to encourage those who generate the nuisance effect to maintain and enhance those measures, including separation between industry, public or designated works or intensive farming operations and Residential zones and the notional boundaries about rural residences.

**Objective:**

- To ensure that rural activities which generate minor nuisance effects are not unreasonably compromised by the proximity or actions of neighbouring land users.

**Policy:**

- To avoid, remedy or mitigate significant adverse noise, odour, dust, glare and vibration effects generated by rural activities and other activities in rural areas.

**Objective:**

- To ensure that the effects of chemical and effluent spray application and spray drift are avoided, remedied or mitigated.

**Policy:**

- To avoid the establishment of high polluting industries in the district.

**Objective:**

- To ensure that land use activities are located and sited in a manner that recognises existing transportation routes.

**Policy:**

- To support initiatives aimed at reducing the use of toxic agricultural chemicals and sprays.

**Anticipated Environmental Results:**

- Reduced incidence of nuisance affecting residential, business and recreational areas (typical performance measure: reduction in number of complaints lodged with Council – see also Section 14: Monitoring).

**Objective:**

- To minimise the adverse effects of signage on the character of rural, residential, industrial and business areas.

**Policy:**

- To restrict the number and size of signs in rural, residential, industrial and business areas to avoid cluttering of the landscape.

**Objective:**

- To ensure that signs and business advertising do not compromise visual amenity and traffic safety.

**Policies:**

- To avoid the visual impact and traffic safety impacts of general advertising by adoption of a site dependency criteria for all signage for rural, residential and business areas;
- To utilise design guidelines to ensure that signage is sympathetic to other building forms in special character areas;
- To avoid the adverse effects of advertising in the air space over and above land activities; and
- To ensure that traffic safety is maintained by carefully managing the location and design of any signs visible from arterial and principal roadways.

**Anticipated Environmental Results:**

- Minimal adverse visual amenity and traffic safety effects from signs and advertising (typical performance measures: reduction in number of complaints related to size and location of signs. Reduction in number of arterial road accidents which can be attributed to advertising or signage distractions – see also Section 14: Monitoring).

## Efficiency and Effectiveness

*Are the Plan's objectives and policies the most effective and efficient way to achieve the following anticipated environmental results?*

- *A reduction in the number of complaints from the public concerning the adverse effects of activities;*
- *Improved public perception of general amenity in the built environment, particularly urban areas;*
- *Evolution of a more interesting and varied urban form;*
- *Maintenance and enhancement of building, site and visual appearance in rural, residential and business areas;*
- *Retention of the special heritage character of Te Aroha, the "garden city" character of Matamata and introduction of the Mainstreet concept in Morrinsville;*
- *Reduced incidence of nuisance affecting residential, business and recreational areas; and*
- *Minimal adverse visual amenity and traffic safety effects from signs and advertising.*

Amenity values are natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness and its cultural and recreational values. Having a safe and healthy environment for living, working and recreation is important for Matamata-Piako residents. This involves maintaining generous access to daylight, sunlight and private open space, especially in urban areas. Amenity values can differ in rural areas to those in urban areas, as people in rural areas commonly both live and work on the land, and can be involved in activities that generate noise, odour, dust and other effects. The maintenance and enhancement of amenity values is a particular matter which the RMA requires Council to have particular regard to (see section 7(a) of the RMA).

Residents place a high value on their residential privacy and consider that generous access to daylight, sunlight and private open space must be maintained. The number of resource consent applications to breach development standards have steadily increased - between 2000/01 and 2007/08 these have more than doubled, from 23 to 58 respectively. Approximately half of these consents to breach development standards were in the residential zone with approximately 40% being granted in the rural/rural-residential zones and the remainder being granted in the industrial or business zones. The majority of development standards that were allowed to be breached were for consents wanting to encroach boundary requirements for buildings.

The observed increase is likely to be related to the increase in houses being built and the total number of resource consents applied for. In 2000/01, 23 out of the 82 resource consents granted were to breach development standards, which is 28%. In 2007/08 58 out of the 187 resource consents were to breach development standards, which is 31%. The number of applications granted to breach development standards has increased substantially, however the percentage of the total number of resource consents applied for has remained reasonably steady. This is the percentage to breach development standards in relation to those applications which need resource consent, when compared to the total number of building consents applied for new buildings the percentage is 22% out of the total number of building consents for new dwellings, which is considered to be minor. Therefore the objective *'to minimise the adverse effects created by building scale or dominance, shading, building location and site layout'* is seen to be effective as there has been minimal change in the percent of resource consents granted.

Having effective objectives and policies controlling amenity improves public perception of general amenity in the built environment. This can be measured by the number of complaints received related to amenity values. The number of complaints have varied considerably over the last eight years, between 129 and 299. This seems to be reasonably high, however noise is included in the total number of complaints with the majority relating to noisy stereos and parties. In 2007/08 86% (219) of complaints were related to excessive noise, while the remaining 35 complaints were regarding odour or noise from industry or building noise in general. There were no complaints recorded specifically regarding development exceeding minimum standards. It is recognised that there are also external factors other than the District Plan affecting the number of complaints such as the changing perceptions overtime of amenity.

Residents can make submissions on notified resource consents regarding amenity. In 2006/07 there were only 7 submissions made on notified resource consents concerning amenity values such as noise, dust, landscaping, building height and setback, effects on privacy and general visual effects. In 2007/08 there were 11 submissions regarding amenity values, concerning the visual impact on the rural amenity, visual effects, odour and noise. The RMA has been amended and now provides for less notification. Matters are now generally dealt with and agreed on through informal pre-consultation rather than through the final submission process.

The reasonably small number of complaints (excluding loud stereos and parties) and small number of submissions concerning amenity effects shows that policies to minimise the effects created by the built environment are effectively achieving the AERs. These policies aim to ensure that residents are free from the effects of unreasonable and excessive noise, odour, dust, glare, vibration, and that they live in a healthy, safe and pleasant environment are being effective.

Council is able to impose conditions on new developments to reduce impacts on amenity. The number of conditions placed on resource consents to control; noise, dust, odour, glare, vibration, spray drift and signage reached a high of 47 in 2002/03. This declined to 11 in 2005/06 and since then it has increased to 24 in 2007/08. Imposing conditions is an effective way of Council ensuring that the objectives, policies and anticipated environmental results are achieved in regards to new developments. Imposing conditions is considered to be the most efficient way of protecting amenity values because developers are required to internalise the cost of mitigating, remedying or avoiding adverse amenity effects. If we had no amenity policies and rules to follow and it was left it up the owner to decide then amenity values could decrease considerably and could potentially be lost forever. Before this plan was put into place there were no real amenity controls in place and dispensation rules were almost never broken under previous legislation. Current legislation allows for more flexibility, based on effects rather than rules.

The Plan seeks to protect the amenity and heritage values of our towns from the effects of unsuitable development. The Plan recognises the contribution of some special amenity values and heritage characteristics to the wider amenity of the district. Objectives and policies concerning the design and appearance of buildings and sites keeping with the character of the surrounding townscape and landscape and recognising and promoting the special urban character of our towns appear to be being effective. In a Perception Survey conducted in conjunction with other local territorial authorities within the Waikato Region and EW in 2007, 83% of Matamata-Piako respondents were satisfied with the unique or special character of their town. The Te Aroha Character Area is a zoning placed on the central businesses area in Te Aroha effectively requiring you to gain resource consent to undertake any alterations deemed more than minor redecoration, repair and/or insignificant alteration. These rules are effective as over the last eight years there have only been four resource consents applied for and granted to modify scheduled buildings within the Character Area. These related to altering the appearance of buildings by the addition of signage and decks. Only one new building has been granted consent to be constructed within the Te Aroha Character Area during the period 2000/01 – 2005/06. However two consents were granted in the 2006/07 financial year to develop structures in the Te Aroha Character Area. One structure was a covered outdoor area for a hotel and the other was a garage. There were no consents granted in 2007/08 to construct buildings within the Te Aroha Character Area.

The garden concept for Matamata is being retained and this concept is being picked up for urban design of new developments within the town, along with urban design principles. For example this is occurring in the Banks Road and Precinct F (Station Road) developments.

Increased signage and advertising can impact on visual amenity and traffic safety. The number of resource consents received for offsite signage has varied between one and seven over the last eight years, with an average of four per year. This is considered to be a reasonably low number, and in 2006/07 and 2007/08 there have been no complaints recorded related to signage. Therefore one can conclude that the requirements are effectively achieving the anticipated environmental result of 'minimal adverse visual amenity and traffic safety effects from signs and advertising'. This result is successfully achieved through the implementation of policies to restrict the number and size of signs to avoid cluttering of the landscape and this is implemented through effective regulatory rules.

In 2008 Council completed a plan change to amend the tree protection provisions and add significant trees to the schedule for our towns. The objective of the plan change was to provide a level of protection for notable trees without being unnecessarily restrictive. This has been effective as it meets the objectives and policies of the Plan and ensures that the requirements of the RMA are met. The registering of trees gave residents the opportunity to 'buy into' the protection and provides more certainty as to whether a resource consent is required.

The Development Manual is currently progressing through the statutory procedure. This proposed plan change aims to incorporate the Development Manual and urban design guidelines into the Plan. This aims to provide a direct link to the Development Manual whilst reducing the bulk and some technical aspects of the Plan. It also aims to provide consistency across the district while still retaining individuality. The current Plan includes references to New Zealand Standards which are now out of date and therefore the quality of outcomes achieved could be below current accepted best practice. This in turn could affect community wellbeing. This change is effective as the individual Council supplement to the Development Manual allows for features specific to the district, whilst being efficient as it is a region wide approach to development matters This will result in greater consistency and ease for applicants working within different districts.

## Summary

Anticipated Environmental Results Amenity	Achieved?  ☺ - Achieving → - Progress towards achievement ☹ - Not achieving ? - Not monitored
A reduction in the number of complaints from the public concerning the adverse effects of activities	☺ (Reduced from 2000, but increased from a low in 2005/06)
Improved public perception of general amenity in the built environment, particularly urban areas	→ (This could be ☺ if we had some baseline data to show 'improvement' against)
Evolution of a more interesting and varied urban form	→ (Applications for breaches to standards appear limited in range and number)
Maintenance and enhancement of building, site and visual appearance in rural, residential and business areas	☺
Retention of the special heritage character of Te Aroha, the "garden city" character of Matamata and introduction of the mainstreet concept in Morrinsville	☺
Reduced incidence of nuisance affecting residential, business and recreational areas	☺ (Reduced from 2000, but increased from a low in 2005/06)
Minimal adverse visual amenity and traffic safety effects from signs and advertising	☺
Establishment of increasing number of innovative and comprehensive residential development with generous amenity provision	?
Longer term improvements in environmental health and safety due to reduced rural nuisance and improved management of agricultural spray usage and application	?
Visual amenity of significant landscape areas is unchanged or improved	?
Increase in number of trees planted in the district by Council and private landowners	?