

## Section 20 - Health and General Amenity

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### 20.1 Introduction

- 20.1.1 The resource management issues addressed in this section have the potential to create a nuisance and detract from the amenity and health of residents and businesses. They include discharges to air, lighting and glare, buildings and sites left in disrepair, and electrical interference. There may be instances where, given the zoning and the surrounding land uses that discharge to air and glare may be tolerated to a higher level, for example in the Industrial Zone and Commercial Zone. It is also anticipated that temporary discharges to air may occur in the Rural Zone that cause minor nuisances, but are essential to the functioning of farming activities, such as the spreading of fertiliser and the keeping of animals. Where these nuisance effects are permanent and continuous in duration and affect dwellings, they should be avoided by careful siting, design, and the use of materials. Choice of location and siting is an important consideration when locating activities that may generate discharges to air and glare. Matters relating to the discharge to air are primarily controlled by the Waikato Regional Council.
- 20.1.2 Buildings and sites that are left in disrepair are not maintained or are unfinished; and where there is an accumulation of disused vehicles and goods, can result in adverse effects on the character of the neighbourhood and detract from the appearance and amenity of surrounding properties. Sites that are not maintained can also present a potential fire and contamination hazard. Council must have the ability to ensure sites are maintained to standards that are in keeping with the zone and the surrounding area.

### 20.2 Resource Management Issues

- 20.2.1 In Rural and Industrial Zones, some effects associated with odour, dust, smoke and fumes can be accepted, provided that a healthy and safe environment is maintained. Farming activities, in particular, can create temporary and/or minor nuisance effects and a degree of acceptance is warranted. The control of some activities, such as intensive farming activities is, however, necessary to reduce actual or potential adverse effects on neighbouring properties.
- 20.2.2 Non-point source air discharges such as domestic heating and vehicle related emissions can cumulatively cause a problem for the quality of the air throughout the District, particularly in relation to carbon dioxide emissions. These adverse effects can vary in scale depending on the duration and/or frequency of the activity causing the effect and whether there is a cumulative build-up of pollution in the area.
- 20.2.3 Inappropriate use or placement of security or operational lighting can generate unwanted glare.
- 20.2.4 Glare can distract road users and may reduce the safety and efficiency of the road network.
- 20.2.5 The use of highly reflective building surfaces, such as mirror glass and the placement of floodlit signs can generate considerable nuisance and distraction to adjoining landowners and occupiers, land uses or to road users.
- 20.2.6 Buildings and sites that are left in disrepair, are not maintained, or are unfinished can have an adverse effect on the amenities of the neighbourhood, and be a detraction from the character and amenity values of the zone.

- 20.2.7 The ability to access the Waikato and Waipā River environments is a key way to provide for a community's health and general amenity.

## 20.3 Objectives and Policies

*Please also refer to the objectives and policies of Part C, Part D, and Part F as relevant.*

### Objective - Air and water quality

- 20.3.1 To maintain and where possible improve existing air and water quality.

*Policy - Contain adverse effects*

- 20.3.1.1 To ensure that activities avoid, remedy or mitigate nuisance effects beyond the boundary of the site and on any water bodies in order to maintain and enhance amenity and a healthy and safe environment.

*Policy - Reduce carbon dioxide discharges*

- 20.3.1.2 Encourage the reduction of discharges, particularly of carbon dioxide, to air from vehicle emissions and heating sources through encouraging development and subdivision to address strategic settlement pattern, urban design and integrated transport objectives, policies and rules.

### Objective - Artificial lighting and reflected glare

- 20.3.2 To avoid, remedy or mitigate adverse effects from artificial lighting and reflected glare from buildings or building materials.

*Policy - Artificial lighting*

- 20.3.2.1 To ensure that artificial lighting is installed and utilised so as to avoid, remedy or mitigate adverse effects on adjoining and adjacent properties and roads.

*Policy - Glare from buildings*

- 20.3.2.2 To minimise reflective glare from buildings.

### Objective - Maintenance of buildings, sites and infrastructure

- 20.3.3 To ensure that buildings, sites and infrastructure are maintained.

*Policy - Maintaining amenity values*

- 20.3.3.1 To ensure that buildings, sites and infrastructure are maintained and do not detract from amenity values or result in any adverse effects on roads.

## 20.4 Rules

*The rules that apply to activities are contained in:*

- (a) *The activity status tables and the performance standards in this section; and*
- (b) *The activity status tables and the performance standards in Parts D Zone Provisions, Part E District Wide Provisions and Part F District Wide Natural and Cultural Heritage of the Plan.*

#### 20.4.1 Activity Status Tables

*There are no activity status tables.*

#### 20.4.2 Performance Standards

*Failure to comply with the performance standards listed below will mean that a resource consent is required for a restricted discretionary activity or a discretionary activity as specified below. The activity will be assessed against the relevant objectives and policies. In the case of restricted discretionary activities, the assessment will be restricted to the matters over which discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*

##### **Rule - Odour, smoke, fumes or dust**

20.4.2.1 No activity shall produce any objectionable odour, smoke, fumes or dust at or beyond the boundaries of the site from which the nuisance emanates.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity, except where the activity has been authorised by way of a discharge consent from the Regional Council.

##### Advice Notes:

1. Attention is drawn to the requirement under Section 15 of the Resource Management Act to comply with any rules in the Regional Plan or Proposed Regional Plan including to obtain consent from the Regional Council to discharge contaminants into the air.
2. In the Rural Zone there will be temporary or intermittent discharges associated with normal farming activities that are not to be considered objectionable.

##### **Rules - Lighting and glare**

20.4.2.2 The maximum level of light spill from artificial lighting from any activity shall be no greater than 10 lux measured horizontally or vertically at or within the boundary of any other site or road; and the artificial lighting shall be conducted so that direct or indirect illumination does not create a nuisance to occupants of adjoining or nearby sites, provided that the following activities are exempt:

- (a) Street lights, navigation lights and traffic signals; and
- (b) Headlights of moving vehicles or vehicles which are stationary for less than five minutes; and
- (c) In the Rural Zone, lighting or glare from vehicles being used for farming activities and agricultural equipment.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity.

Assessment will be restricted to the following matters:

- Adverse effects on amenity values; and
- Adverse effects on road or traffic safety attributable to lighting and glare; and
- Hours of operation; and
- Location and orientation of the light source; and
- Mitigation measures.

These matters will be considered in accordance with the assessment criteria in Section 21.

- 20.4.2.3 No buildings shall be constructed and/or left unfinished and/or clad and/or painted in a manner that results in glare.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

**Rules - Maintenance of buildings, sites and infrastructure**

- 20.4.2.4 All sites shall be maintained so as to preserve the amenity values of the zone and land shall be kept clear of rubbish and noxious plants. Unregistered motor vehicles not being used shall not be stored in public view for more than six months.
- 20.4.2.5 The material from demolished buildings shall be removed and sites shall be landscaped to the satisfaction of Council within one month of demolition, provided that this time limit shall be extended to six months where consent has been granted for the construction of a new building.
- 20.4.2.6 All earthworks or areas of bare earth not being worked for three months or more excluding mineral extraction activities, shall be sown with appropriate ground cover as soon as possible.
- 20.4.2.7 No building shall be so constructed or finished or left unfinished or not maintained so that its function and external appearance would detract from the amenity values of the zone. In the Commercial Zone, this includes the maintenance of verandahs to provide weather protection for pedestrians.
- 20.4.2.8 All sites with an impervious area of greater than 1000m<sup>2</sup> (other than roof areas that drain directly to the stormwater system or to soakage) must install an appropriate stormwater treatment system that adequately treats any actual or potential contaminants and either disposes stormwater to land soakage and/or restricts the discharge rate to the maximum greenfield run off rate for the site unless in accordance with a discharge permit granted by the Waikato Regional Council.

Advice Note: A resource consent may be required from the Waikato Regional Council for the discharge of contaminants.

- 20.4.2.9 All commercial vehicle, machinery or container washdown areas within the urban limits shown on the Planning Maps must be sealed, bunded and roofed and connected to the wastewater treatment system.
- 20.4.2.10 No silt or sediment, or water containing silt or sediment, may be discharged into stormwater pipes, drains, channels or soakage systems from non-farming related earthworks or bare land within the urban limits as shown on the Planning Maps.
- 20.4.2.11 All non-farming related sites within the urban limits where loose material may be carried by vehicles on to public roads in wet weather or at other times shall install and use a wheel wash.

Activities that fail to comply with Rules 20.4.2.4 to 20.4.2.11 will require a resource consent for a discretionary activity.

## **20.5 Assessment Criteria**

### **20.5.1 Controlled activities and Restricted Discretionary activities**

*For restricted discretionary activities the assessment will be restricted to matters over which discretion has been reserved, in accordance with the relevant assessment criteria contained in Section 21. Resource consent conditions can only be imposed over the matters which discretion has been reserved. The relevant assessment criteria are contained in Section 21.*

### **20.5.2 Discretionary activities**

*For discretionary activities Council shall have regard to the assessment criteria in Section 21. The criteria in Section 21 are only a guide to the matters that Council will consider and shall not restrict Council's discretionary powers.*