

**15****ENVIRONMENTAL QUALITY****15.1****Background**

The Resource Management Act includes a wide definition of the environment. Many aspects of the environment are covered in other Chapters of the Plan. A number of aspects of environmental quality deserve special attention. These include tangible matters such as visual amenity, landscapes, buildings, air, water and soil. There are intangible things such as the social and cultural aspects of our environment and a community's sense of place. Poor levels of environmental quality, such as air pollution, badly designed buildings, inappropriate signage, high levels of noise, inadequate open space and over-intensive development can degrade the quality of life. Upper Hutt enjoys high standards of environmental quality which should be preserved and protected.

**15.2****Resource Management Issues****15.2.1**

***The potential reduction of the City's high standard of environmental amenity as a result of inappropriate development or inadequate protection from activities.***

Without adequate management to maintain or enhance a level of amenity appropriate to an area, the environmental quality of the City could be reduced. This could be as a result of inappropriate signs, lack of open space, high noise levels, over-intensive development and degradation of landscape and visual amenity values.

**15.2.2**

***The promotion of a healthy and safe built environment.***

The environment must be maintained in such a way that people's health is not adversely affected by land use activities. Factors which may influence the health and safety of the community include the design of subdivisions and roads, noise, provision of open space, density of settlement and mitigation of hazards.

**15.2.3**

***Air pollution of the City resulting from discharges.***

The Wellington Regional Council is responsible for the management of discharges of contaminants to air under the Act.

<b>15.3</b>	<b>Objective</b>
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**15.3.1**                    ***The promotion of a high level of environmental quality in the City by protecting amenity values.***

This objective seeks to minimise the effects of activities which can adversely affect the quality of the environment. It also seeks to promote a high level of environmental amenity within the City by appropriately managing the use, development and protection of natural and physical resources.

**15.3.2**                    ***To enable temporary events to occur throughout the City and to manage them appropriately.***

Temporary events are important to the vitality of Upper Hutt and the wellbeing of the community. This objective seeks to provide for temporary events, whilst ensuring that the effects generated are of acceptable levels.

<b>15.4</b>	<b>Policies</b>
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**15.4.1**                    ***To identify and maintain amenity values that the community wishes to protect.***

Amenity values are those features or aspects about an area which enhance it or make it pleasant to be in. They can include access to sunlight, landscaping and visual qualities. They may also include important public features, such as parks and reserves. Activities which can adversely affect the amenities of an area must be managed, while also recognising the rights of individuals to use their own properties and the need for utilities to operate effectively and safely.

A particular concern of the Upper Hutt community relates to the effects of the establishment and use of what are commonly referred to as gang fortifications. These are sometimes accompanied by an increase in anti-social behaviour.

It is Council's view that the adverse effects of these fortifications on the environment, in particular in respect of the social, economic, aesthetic and cultural conditions of the Upper Hutt people and community, and the amenity values of the Upper Hutt environment, are such that these activities should not be permitted. The activity is therefore prohibited anywhere in Upper Hutt City.

The management of areas with distinctive characteristics and environmental qualities forms the basis of the zoning approach used in the Plan. One such area is the Southern Hills Overlay Area which is identified for its landscape and/or visual amenity values and significant

indigenous vegetation. Given the identified values, activities and development within the overlay area require a greater degree of management.

#### 15.4.2

##### ***To promote the maintenance of air quality within the City.***

Environmental quality can be considerably affected by air quality. Upper Hutt, being at the head of a valley, is affected by a 'negative lapse rate' or temperature inversion. This is when warm rising air is trapped under a layer of falling cooler air. This condition means pollutants are easily contained in Upper Hutt's atmosphere.

Under the Act, there is an overlap of functions between the City Council and the Wellington Regional Council in relation to air quality. The Regional Council is charged with controlling discharges of contaminants into air. Discharges may be from a point source, such as a chimney, or from a non-point source, such as an intensive farming operation. The City Council is charged with controlling the effects of the use of land. Such effects may include effects on air quality.

Intensive farming, which includes activities ranging from pig farming to mushroom production, can be a source of nuisance to people. Compliance with Codes of Practice, such as that for pig farming, is encouraged.

Some industries, farming activities and other activities may create dust. It is not the intention of the Plan to manage these matters as these are primarily controlled by the Wellington Regional Council. In some cases, the Health Act 1956 may be used to minimise dust nuisance.

Another source of nuisance affecting air quality is the spraying of forests, weeds and crops with pesticides, fertilisers and other chemicals. In the process of spraying, these chemicals can be distributed beyond the site and can potentially adversely affect neighbouring properties and/or people. These matters are primarily under the control of the Wellington Regional Council.

#### 15.4.3

##### ***To promote the development of a safer and more secure environment for the community.***

Part of the environmental amenity of urban areas is dependent on the degree to which pedestrians feel comfortable moving from place to place. Buildings, roads and the network of pedestrian accessways within the built environment can significantly affect the way people feel about where they live and work, and their ease of movement, safety and security. For example, pedestrian amenity is promoted by the inclusion of some protection from the elements in the design of commercial premises. Personal safety and security is also an issue. Promotion of good design is a key method to implement the policy. This also applies to safety and the perception of public safety.

Other Policies within the District Plan impact directly or indirectly on the health and safety of the community, such as those addressed in Chapter 14 (Natural Hazards) and Chapter 17 (Hazardous Substances and Waste Management).

**15.4.4                    *To manage noise emissions to levels acceptable to the community.***

Noise (including vibration) is a significant health and environmental issue, and affects amenity. Noise emissions which are acceptable to the general public are those at levels which do not conflict with normal daily activities, including sleep. Occasional noise is tolerated at much higher levels than continuous noise. The Act requires that the emission of noise does not exceed a reasonable level. Council has responsibility for the management and mitigation of the effects of noise in the City.

The most effective method is to implement performance standards by way of District Plan rules. Such rules are based on community-derived values, rather than individuals' perceptions. For example, the emission of noise from activities which have a legitimate function or established presence in an area, such as tractor noise in a farming area or noise from motor vehicles using roads, is deemed to be 'acceptable'. Conversely, noise from activities which are not an accepted part of the character and functioning of an area will be considered to be unacceptable.

The noise standards in this Plan have been designed with the advice of acoustic consultants. These standards have been developed to suit the specific characteristics of the planning zones in Upper Hutt City. These characteristics include the proximity of noise generating activities to residential areas.

Council also has a role in monitoring information concerning background noise in order to ensure that the noise standards remain appropriate.

Council is also empowered, under the provisions of the Act, to deal with noise which is considered to be unreasonable by enforcement or abatement proceedings or by the use of excessive noise directions.

**15.4.5                    ~~[Removed by Plan Change 45]  
*To avoid, remedy or mitigate the detrimental effects of signs on amenity values and traffic safety.*~~**

~~Signs are a necessary element of the City landscape. They provide information and advertise goods and services. Signs are essential to the economic viability of many businesses.~~

Signs can also be unattractive and distracting to motorists. For these reasons, the number, size and location of signs are managed in this Plan.

Transit New Zealand, as a body responsible for the maintenance of road safety, prohibits any extraneous roadside signs on State Highways. In addition, the Traffic Regulations 1976 and the Transport Act 1962 govern aspects of the design of signs which are visible from major highways.

The structural integrity of signs erected in the City is managed under the Building Act 1991, and all signs must comply with its standards.

Signs are considered more acceptable in business and industrial areas than in rural and residential areas because the activities in these areas need signs to advertise their products and services and because people expect higher environmental amenity standards in Rural and Residential Zones. The environmental character of business and industrial areas is less sensitive to the effects of signs than other areas. Thus, there are stricter rules in the Rural and Residential Zones of the City.

The size and number of signs are controlled in this Plan at the interface between residential and non residential sites to reflect the relatively greater sensitivity of residential activities to the effects of signs.

#### 15.4.6

***To provide for temporary events throughout the City subject to appropriate performance standards.***

Temporary events occur regularly throughout the City and contribute to the social, cultural and economic wellbeing of the community. The Plan provides for these events in a flexible manner that recognises their infrequent nature and limited duration, whilst seeking to manage the anticipated environmental effects.

Adverse effects relating to noise are managed through appropriate noise limits that allow flexibility for a range of event activities, whilst also limiting the duration of amplified music events.

The majority of temporary events occur on public land or on legal roads. In addition to using the District Plan provisions the Council will also continue to control the effects of temporary events through its role as manager of these public spaces.

<b>15.5</b>	<b>Methods</b>
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**Air quality**

- 15.5.1** Encouragement of the implementation and use of efficient equipment, systems and methods which minimise emissions.
- 15.5.2** Encouragement of the use of Codes of Practice, such as for pig farming or for agrichemical users.
- 15.5.3** Consultation and co-ordination with the Wellington Regional Council in developing and implementing the Regional Air Quality Plan for the Wellington Region.
- 15.5.4** Liaison with relevant industry groups. This may assist in identifying potential sources of air pollution at the pre-development stage.
- 15.5.5** Abatement and enforcement procedures under the Resource Management Act 1991, the Health Act 1956 and other relevant legislation.

**Healthy and Safe City**

- 15.5.6** District Plan rules specifying minimum standards to support a healthy and safe living environment.
- 15.5.7** Council encouragement of design which contributes to the safe movement and security of pedestrians.
- 15.5.8** Other activities of Council, outlined in the Annual Plan and the activities of the Safer Community Council.

**Noise**

- 15.5.9** District Plan rules setting noise standards.
- 15.5.10** Abatement and enforcement procedures under the Resource Management Act 1991.
- 15.5.11** Research and consultation to determine ambient noise levels in different parts of the City and to review noise standards to protect environmental quality.

### Signs

- 15.5.12** ~~[Removed by Plan Change 45]  
District Plan rules setting standards to manage the effects of signs on amenity and the safe and efficient operation of the roading network (including the State Highways).~~
- 15.5.13** ~~[Removed by Plan Change 45]  
Promotion of good design and appropriate location of signs.~~
- 15.5.14** ~~[Removed by Plan Change 45]  
Consultation with relevant authorities (for example, the New Zealand Historic Places Trust), requiring authorities (for example, Transit New Zealand) and local groups.~~

### Amenity

- 15.5.15** District Plan rules setting standards to protect adjacent properties from adverse shading effects.
- 15.5.16** District Plan rules prohibiting gang fortifications because of their adverse effects on the environment.
- 15.5.17** District Plan rules setting standards to control activities within the Southern Hills Overlay Area, to protect, maintain or enhance the identified values of the area.

### Temporary Events

- 15.5.18** District Plan rules setting standards to manage the effects of temporary activities.
- 15.5.19** Enforcement procedures under the Resource Management Act 1991.
- 15.5.20** Promotion of appropriate locations for temporary events to ensure that the venue can accommodate the event.

## **15.6 Anticipated environmental results and monitoring**

The following results are expected to be achieved by the objective, policies and methods of this Chapter. The means of monitoring whether this Plan achieves the anticipated environmental results are also set out below.

<b>Anticipated environmental results</b>	<b>Monitoring indicators</b>	<b>Data source</b>
An acceptable level of air quality throughout the City	Resource consents and type and effect on air quality issues  Consultation - community initiatives	Council records
A built environment which supports the health and safety of the City's residents	Resource consents and type and effect on health and safety issues  Consultation and community initiatives	Council records
An acceptable level of noise throughout the City	Effectiveness of conditions of consents and methods used in managing the adverse effects of noise  Effects of noise on the environment	Council complaints register  Ambient noise level testing  Community opinion
The maintenance of amenity values as appropriate to particular areas of the City	Complaints and enforcement proceedings  The adequacy of conditions of consent in different situations  Consultation and community initiatives	Council complaints register  Council resource consent records
The accommodation of a wide range of temporary events that cause acceptable levels of environmental effects	Number and type of consents  Effectiveness of conditions of consents and methods used in managing the adverse effects of temporary events  Effects on the noise environment  Complaints and enforcement proceedings	Council records  Monitoring of resource consent conditions