



Ministry for the  
**Environment**  
*Manatū Mō Te Taiao*



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# Managing Rural Amenity Conflicts





District councils encounter frequent conflicts between people who live and work in the rural area about amenity issues – smell, noise, smoke, dust, privacy.

The “look” of many districts has changed significantly over the last few years. These changes have occurred as farmers and growers have responded to varying market demand for their produce and as new agri-business opportunities have developed. Sometimes these changes have introduced new environmental effects into a rural area. Sometimes they have intensified the range of effects that were already present. For example, do any of these scenes sound familiar?

- An existing broiler chicken operation – wants to expand to meet growing demand – surrounded by increasing numbers of small blocks – although the chicken operation has improved, there is strong opposition from neighbours
- An existing market garden on the outskirts of town – surrounding land is subdivided and developed as rural residential blocks – the market garden continues to operate as it always has – there are now complaints from (new) neighbours – they hadn’t expected the smell, noise, truck movements or spray drift
- A vineyard establishes in a pastoral farming area – new spray regimes, bird scaring devices, frost protection machinery – tensions develop about noise and spray drift – with complaints to the council
- A boutique wine area – surrounded by new rural residential blocks – the new block owners hadn’t expected

bird scaring devices and machinery – there are complaints to the council

- A pastoral farming area is progressively subdivided and developed as small blocks (2 to 10 ha) – the new block owners enjoy their slice of rural life – they oppose proposals for further subdivision

Recognising the challenges facing district councils, the Ministry has undertaken a project to identify why these conflicts arise and develop some good practice guidelines for managing the resource management issues involved. District councils and key rural industry groups have contributed valuable information and case studies to the project. The project findings, released as a draft, provided the basis for a nation-wide series of eight workshops hosted jointly by the Ministry and the New Zealand Planning Institute. The suggestions received at the workshops assisted in finalising the report.

The report :

- identifies the factors that contribute to rural amenity conflicts
- suggests techniques to avoid or manage future conflicts and resolve existing conflicts
- sets out the advantages and disadvantages of each technique
- points out some best-practice challenges
- gives examples from current operative and proposed district plans
- will be of interest to RMA practitioners and to district councillors dealing with rural amenity conflicts



## Change can cause conflict

Change is an inevitable part of rural life:

- Rural production activities have to change to meet changing markets and to stay economically competitive
- Subdivision means new people, ideas and activities
- People's values about the rural environment are changing

Rural amenity conflicts often occur where there is:

- a high rate of land use change
- an influx of newcomers to an area
- small block size with people living close to each other
- a high rate of turnover of households in an area

Conflicts arise not only between new rural residential dwellers and rural production activities – but also between different rural producers.

Keep good up-to-date information about the type of changes in the rural area.

Monitor and record:

- changes in natural and physical resources
- economic changes
- changes in rural production and land use
- population changes (numbers and characteristics)
- land subdivision and sales

Periodically anticipate future economic and land use changes.

## The core issue - people's values and expectations

Differences in people's values and expectations are at the heart of most rural amenity conflicts. Managing those conflicts is largely about understanding and influencing people's perceptions and expectations.

Councils need to find out about the values and expectations of rural people and how these change over time.

Use simple information and media strategies to help match people's expectations with the reality of the rural environment.

Undertake regular surveys of rural residents to track changes in people's perceptions of the rural area.

## Existing activities

Existing lawfully established activities are part of the rural environment. The activities, and the effects they cause, contribute to and define the character and amenity of a rural area. It is not reasonable to aim for extremely stringent environmental controls and ignore existing activities.

Working with rural industry and sector groups is often the best way to improve standards.

Be careful to define the rural environment in terms of what actually exists. This means having a good understanding of the rural area's:

- natural and physical resources
- land use practices
- effects of land use practices
- people and their values

Take the initiative and approach rural industry and sector groups to develop codes of best practice as a means of improving environmental standards. Another idea is to approach other councils or Local Government New Zealand.

## Subdivision

Increasing the density of rural settlement increases the potential for amenity conflicts - people and activities locate closer together.

Subdivision is often a good thing – if it is appropriately managed. Councils contemplating relaxed subdivision controls need to consider and plan for the future changes that will be facilitated by subdivision. Those changes include

- additional dwellings, farm buildings,
- driveways, farm tracks, fences, boundary plantings
- changed visual character, diversified land use activities
- new noise sources, additional road traffic
- additional demand for water

If these are not considered, amenity conflict can arise where the standards don't match the "new" subdivision density.

Keep updated records of the numbers and locations of freehold titles available for development. This helps identify areas where intensive patterns of settlement might result in amenity conflicts.

When considering changes to subdivision standards, be sure to also review whether other measures need to be amended eg:

- intensity of vehicle movements per site
- separation distances for buildings
- buffers or setbacks for intensive stock-keeping
- noise

## The countryside – a landscape or a place of production?

Some people view the rural environment as a landscape to be preserved. They expect it to always be clean, green and quiet. Others see the rural environment as a resource to be used and expect some environmental effects to result.

The reality is that the rural environment is a mix of landscape and workplace.

The purpose of the RMA is not to "preserve" the rural environment as a landscape. RMA plans have to manage the effects of activities. There must be a resource management reason for any controls and plans should not pick winners by favouring particular land uses.

Resource users should confine their adverse effects within their own sites. Adjoining owners should not be expected to suffer adverse effects. Where all reasonable measures have been used to avoid, remedy, or mitigate adverse effects within a site, some spillage of effects across boundaries may be justifiable.

There is qualified support for imposing restrictions on activities for reverse sensitivity reasons (eg to prevent future complaints against a nearby existing and legitimately-established activity). All reasonable measures must first be taken to manage adverse effects within the existing activity's site.

Debate with the local rural interest groups the quality of rural amenity the district plan should seek :

- Should this be determined by the amenity conditions created by existing activities?
- Is that good enough?
- Is a higher standard appropriate?
- Will the standards enable usual rural production activities to continue to operate in accordance with current best practice for those activities?

Once the district plan standards are agreed, clearly and consistently tell the community (particularly newcomers) what quality of amenity is going to be accepted in the rural environment.

If the district plan standards reflect the rural environment as a working environment, the district plan and council should say so.

Buffer zones can be used in some circumstances for reverse sensitivity reasons – buffers around pork production or poultry production farms are examples of this.

## Maori perspective of “amenity”

It is clear that Maori see the environment as a whole entity and do not “box” it into separate components like “landscape” or “air quality” or “noise”. All aspects of the environment are considered holistically with care of the environment exercised as kaitiakitanga.

The Act clearly requires councils to recognise and provide for the interests of Maori (sections 6, 7, and 8). There is no one standard way of doing so. The nature of land, water and other taonga will be different throughout the country and the exercise of kaitiakitanga will also vary.

Establish and maintain workable relationships with tangata whenua to enable ongoing dialogue - the only way to properly understand the perspectives of Maori is to go to Maori and talk about these issues.

## Robust community process

Councils that are managing rural amenity issues well have robust on-going communication with all of the diverse interest groups in their rural community.

Poor community process can contribute to creating amenity conflicts and results from:

- not correctly identifying all interest groups in the rural community (including new ones)
- not engaging with those interest groups early enough in developing district plan policies
- making assumptions about what the community values or doesn't value
- trying to rush consultation and plan-making

Undertake basic research on amenity issues – but don't leap to the policy conclusion without first consulting key community interest groups.

Involve community interest groups early in any policy formulation.

Nominate staff/councillors to keep in contact with key community interest groups and develop a relationship over time.

Host forums of rural interest groups to discuss issues.

Have someone from the council (staff or councillor) attend regular meetings of rural producer groups or interest groups to stay in touch with issues and maintain channels of communication.

## Roles and relationships: TAs and RCs

Responsibility for managing rural amenity is split between district and regional councils. Air quality and incidents involving odour, dust, smoke and spraydrift account for many rural amenity conflicts. There is considerable scope for overlapping roles and confusion between district and regional requirements.

Maintain regular contacts with the regional council at councillor and staff level to ensure they each have a thorough understanding of how the other is managing amenity issues.

Host regular regional and district forums for discussion of rural amenity issues amongst other matters.



## Voicing the council's approach

If councils genuinely want to manage rural amenity conflicts, they need to do more than just have some rules in a plan. Rural amenity conflicts are often about a mismatch of people's perceptions of the rural environment. Sometimes people just expect the wrong things compared to the reality of plan provisions.

Councils can influence and correct the perceptions and expectations people have about the rural environment using targeted communication strategies

More effective use could be made of Land Information Memorandums (LIMs).

Actively communicate the council's intended approach to rural amenity to the community.

Use a deliberately-planned communication strategy which could include newsletters, information sheets, regular media articles, meetings with rural residents and attending meetings of rural producer groups.

Prepare brief information sheets or pamphlets for distribution to new or prospective rural residents describing:

- the types of land uses common in the rural area
- the environmental effects that result from typical existing activities that will be accepted by the council
- people's obligations in a rural area (water, septic tanks, weeds, pests)

Attach the information sheet to all rural LIMs.

Encourage people to obtain LIMs – make it easy and quick and help land agents and prospective buyers be aware of the range of activities in the zone.

Keep regular contact with land agents and encourage them to promote the importance of LIMs.

Copies of the full *Managing Rural Amenity Conflicts* report are available in hard copy for \$15 from the Publications Officer, Ministry for the Environment, PO Box 5041, Wellington, phone (04) 917 7493, email [publications@mfe.govt.nz](mailto:publications@mfe.govt.nz). Electronic copies can be downloaded for free from the Ministry's web site at [www.mfe.govt.nz/about/publications.htm](http://www.mfe.govt.nz/about/publications.htm)

The report has important links to other projects the Ministry has in progress including:

- The Quality Plans project
- Landscape and Rural Subdivision (report published July 2000)
- Analysis of Options for Odour Evaluation for Industrial or Trade Premises
- Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions
- Urban Amenity
- Environmental Performance Indicators

Information about these other projects is available from the Ministry for the Environment phone Head Office (04) 917 7400, South Island Office (03) 365 4540, Northern Regions Office (09) 913 1640 or visit our web site at [www.mfe.govt.nz](http://www.mfe.govt.nz).

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