



Since 1991 and the advent of the Resource Management Act (RMA), resource management practitioners have struggled with the seemingly arbitrary split between 'landscape' and 'amenity'. Both involve human perception of the physical environment, the attachment of values to different locations and places, and the shaping of both values and identity by cultural mores and associations. Yet, one is a Section 6 Matter of National Importance and the other – amenity – has remained the 'little brother' as part of Section 7 addressing Other Matters. This resulting division between these concepts is made to appear even more arbitrary when one looks at the meaning of Amenity Values in the RMA, which describes them as follows:

***Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.***

Arguably, all of these factors are just as relevant to the appreciation of different landscapes and the forging of their identity. Moreover, since the decision *J A Campbell vs Southland District Council* of 1991, it has generally been accepted that amenity values relate to much more than just visual perception of a landscape or environment: they also relate to such factors as noise, lighting, smells and awareness of activity and movement. In other words, they can encompass the full spectrum of sensory factors that contribute to perception and appreciation of an area's character, pleasantness, aesthetic coherence and identity.

So where does the point of division between landscape and amenity actually lie? My own view is that it primarily relates to two matters: scale and the appreciation of identity or sense of place. Whereas landscapes can encompass a wide range of scales – from the most grand and all-encompassing, such as the Southern Alps or Canterbury Plains, to the quite modest – scale at the amenity level focuses much more on human perception of the known, the familiar, even the 'domestic'. Inevitably, this brings into play values associated with more personalised spaces and environments: residential environs, the neighbourhood, the local community and the landscapes that frame and contribute value to those places in all respects. Similarly, identity and sense of place – evolved from the Greek concept of the '*genius loci*' – largely relate to the familiar and known: the idea of a place that offers comfort, succour and aesthetic value derived from a certain harmony of physical elements and their composition.

Unsurprising, therefore, amenity value, as interpreted under the RMA, has long retained a strong connection with residential environs and the values either associated with individual properties or local communities. Naturally, not all places are perceived as being equal in either regard. Some reveal an acute sense of intimacy and connection that is profound, whereas others seem fragmented, disjointed and disrupted – whether because of the outlook and landscape(s) that they are exposed to, or because of noise, activity, and the concatenation of all of the above.

Nor is this focus on residential environs exclusive: Section 7(c) of the Act refers to “*cultural and recreational attributes*”, which also takes us to places that we ‘play in’ and that have cultural meaning. For many New Zealanders, such places will extend from the local playground and domain, or beach, to far-flung fishing spots, while for others it may well encompass the local church, community hall, marae or urupa. Each of these places and spaces will have specific values, from just peace and quiet to an abiding sense of spirituality and historical meaning.

Consequently, even though a basic level of amenity underpins most environments that provide the focus for residential occupation and recreation, amenity values also remain highly specific to individual locations. They encompass both the various attributes, and their composition, that contribute to the sense of identity and place associated with an area – for locals and visitors alike – and the quality of life that this engenders for those occupying or working and playing within it.

In relation to the management of amenity values and effects on them, this situation hardly engenders a great deal of comfort. The sheer variability of amenity values and their site specific, nature makes both the assessment of amenity values and their management fraught with complexity – much like landscape. At a basic level, amenity values are maintained via district plan standards and controls that we are all familiar with: zoning, bulk and location requirements, noise limits and other controls which set out to achieve a minimum level of amenity and to minimise nuisance effects – for residential, open spaces and other sensitive areas.

Beyond this, however, resource management takes us into a world of cumulative effects and nuance: of values and effects that have less to do with measurable thresholds and more to do with the way in which environmental factors – such as noise – contribute cumulatively (in combination with other factors) to changes in the perceived character, demeanour and pleasantness of a particular location and environment. Both the baseline that these existing values and sense of place establish, and the effects that a development proposal might have on them, can only be assessed at an entirely site specific, level. Moreover, as the recent *Blueskin Bay* decision<sup>1</sup> highlighted, the measurement of such values and effects must take into account local perceptions and values – not just those of ‘outside experts’. In other words, engagement with local communities and individuals is a ‘must’; it is a prerequisite to sound decision making in this highly complex arena.

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<sup>1</sup> *Blueskin Bay vs Dunedin City Council* decision ([2017] NZEnvC 150): addressing a wind farm above Blueskin Bay in north Dunedin



Consequently, much as amenity remains continues to be regarded by many as the 'little brother' of landscape, this is not reflected in the importance of amenity values for most New Zealanders. Amenity is indeed fundamental to the day to day quality of life that nearly all New Zealanders enjoy. It is equally critical to the wider values and sense of place that they associate with the various places that they live in, recreate in, and that have cultural, social and spiritual meaning. In other words, they are critical to the well-being of all of New Zealand's communities.

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