

The purpose of this guidance note is to assist you with completing your Assessment of Environmental Effects (AEE) for your landuse consent application. If you do not provide an adequate AEE, your application will not be accepted for processing.

Refer also to the Ministry for the Environment's brochure on completing an AEE at:

www.mfe.govt.nz/publications/rma/aee-guide-aug06/index.html

All applications must include an assessment of environmental effects. This is usually referred to as an AEE. An AEE is a report about the effects that your proposed activity will, or may have, on the environment and the ways in which adverse effects of your activity can be managed.

Effects include:

- **any positive or adverse effect**
- **any temporary or permanent effect**
- **any present or future effect**
- **any cumulative effect that arises over time or in combination with other effects, irrespective of the scale, intensity, duration or frequency**
- **any potential effect that has a high probability of happening**
- **any potential effect that has a low probability of happening, but a high potential impact**

The following sections explain what you should address in each section of the AEE:

1. Description of the Site and its Features

Clearly describe the site and its features. Attach a site plan (refer to site plan requirements) and provide photos of the site. For example, the description may be something like this:

"The 1012m2 rectangular site is located on the northern side of 'X' Road, Te Kuiti. The site rises gently from the road boundary, but towards the rear of the property falls steeply away to a gully below. There is an older style weatherboard cottage located near the road boundary of the site. The remainder of the property is covered in reasonably mature native trees and bush with little undergrowth. A parking area for two cars is available at the front of the site."

Remember to explain whether there are any rivers, streams or drains on the property, how steep the site is, what the soil is like (i.e. is it soft soil, or hard packed? Does it drain freely?), and what is located on neighbouring properties.

2. Description of the Proposal

Describe and discuss the proposed activity in detail. You need to describe your proposal as fully as possible so that the Council can understand what the activity entails. You should attach additional pages or reports as necessary.

For example:

- Tell us what buildings will be erected, what their size (area) will be, and how high they are;
- What will the buildings be used for?
- If there are existing buildings on site, what is happening with them?
- Where on site will the buildings be constructed?
- Will there be any other site improvements – i.e. new vehicle entrances or car parks?
- Will earthworks be required?
- Are you planning to retain any existing vegetation on the site, or plant new vegetation?

3. Assessment of District Plan Objectives, Policies and Rules

Refer to Appendix 1 of this guidance note for an explanation about how you complete this section.

4. Effects on the neighbourhood, and where relevant, the wider community

How will this proposal impact on your immediate neighbours, or the wider community? Questions you should consider (and address where relevant) are:

Character:

- How will this proposal be in keeping with the character of the area?
- How will it change the character of the area?

Traffic:

- What effect will the development have on traffic? Consider and address the following:
 - What amount of traffic will be generated? Will it be noticeably different from what is occurring now?
 - Visibility
 - Car parking spaces
 - Access to the site - is it safe? Where is it located?
- Manoeuvring – can all vehicles that need to visit the site manoeuvre on the site safely? Do vehicles have to reverse onto the road? What measures will you put in place to ensure safety both on and off the site?

5. Any physical effect on the locality, including any landscape or visual effect

Here you need to consider effects such as visual amenity, streetscape, and rural character (if relevant). Also include a discussion on any physical works you intend to do (i.e. earthworks). For example:

Streetscape Effects:

- How will the development appear from the road?
- Is the proposal consistent with the appearance of other development or buildings in the area when viewed from the road?
- How dominant are any proposed buildings? (i.e. will they 'dominate' the street?)
- What improvements are you planning to make to improve the streetscape?

Visual Amenity:

- What visual impact will the proposal have on the surrounding neighbours? (i.e. how will their outlook change)?
- Will there be any loss of privacy for anyone? (Will any buildings overlook other properties?)
- Will any proposed buildings shade any adjoining properties?
- Will the development / buildings be screened in anyway (i.e. fences or vegetation)
- If the development is in a rural area, will there be any effects on rural character? (i.e. the openness and spaciousness of the rural environment?)

You should also check the District Plan Planning Maps to ensure that there are no policy overlays relevant to your site.

If there is a policy overlay relevant to your site, then you need to explain how your proposal addresses the matters that are important to these policy overlays. For example, if you have the policy overlay "Landscape Policy Area" on your property, you need to go to the relevant objectives and policies in the District Plan for landscape policy areas.

6. Any physical habitat disturbance or effects on natural and physical resources (includes cultural values)

This section may not be relevant to your application if you are not proposing to remove significant vegetation/habitat, undertake significant earthworks, or if your proposal is not on the same site as, or close to a historical, archaeological or cultural site / overlay .

If this is the case, please state that there are no effects, and explain why.

If you are disturbing habitat or you have a historical, archaeological or cultural site or cultural overlay on your property, then you need to explain the effects of your proposal on the habitat or site/overlay. Please note that if you have a historical, archaeological or cultural site on your property, you may need a specialist report to address these aspects. Please speak to a Council planner if you are unsure.

7. Any discharge of contaminants into the environment, including any unreasonable emission of noise

In this section you need to consider and address any discharge of dust or odour, or any noise effects. Explain why you think there are no dust, odour or noise effects.

- Relevant considerations could be:
- Will my proposal generate any noise that may disturb my neighbours?
- Will my proposal generate dust effects? For example, if you are proposing an unsealed, gravel driveway right next to a neighbour's house, will that create a dust nuisance? If so, what can you do about this? Sealing the driveway is one way to mitigate this particular dust effects.
- Will my proposal generate any odour?

8. Any risk to the neighbourhood, the wider community, or the environment through natural hazards, or the use of hazardous substances or hazardous installations

This section may not be relevant to your application if there are no natural hazards (this is noted on the District Plan Planning Maps) on or near your site, or if you are not using or installing hazardous substances.

If this is the case, please state that there are no effects, and explain why.

9. Consultation

In this section explain what consultation you have undertaken, and what the responses have been. If you have consulted with someone, but have not managed to get their agreement to a proposal, then you need to explain this here too. If you have obtained written approval forms, you can reference this here.

If you have not consulted with anyone, then you need to explain why you have not done so.

Step 1 – Identify the rule(s) your proposal does not comply with

For this example, you have proposed to erect a building in the Residential Zone that does not comply with the minimum setback requirement of 1.5m from the internal boundary (the side boundary with your neighbour).

The relevant part of the rule is as follows:

Rule - Conditions for Permitted Activities

8.5.3.1 Buildings

The minimum setback for buildings in relation to the boundary is:

(b) Side Yards and rear yards: 1.5 metres minimum

Step 2 – Identify the activity status for the rule

In this example, as your proposal does not comply with one 'condition' (rule) for a Permitted Activity, the activity is a Restricted Discretionary Activity:

8.5.1.2 Restricted Discretionary Activities

Any activity that does not comply with one or two of the Conditions for Permitted Activities in Rules 8.5.2 and 8.5.3. Discretion is restricted to the subject matter of the Condition that is not complied with.

Step 3 – Identify the matters that Council will consider for this rule

In this example, the matters that Council will consider are limited to the effects of the building being located closer than 1.5m from the boundary. This will include consideration of amenity effects (i.e. your neighbours outlook and privacy, whether any adverse shading occurs, the bulk and scale of your building); and what mitigation you propose (i.e. landscape planting along the boundary).

You also need to check the objectives and policies (at the start of the relevant zone chapter), for Discretionary Activities and the assessment criteria of the Operative District Plan for guidance on the matters that should be addressed.

Step 4 – Explain how your proposal will address each matter in your AEE

For this example, you would address the following matters:

- Visual effects;
- Privacy;
- Outlook for adjoining neighbours;
- Shading;
- Bulk and scale of building; and
- Any proposed mitigation.

Step 5 – Check and address the relevant objectives and policies

The relevant objectives and policies for each rule is contained at the beginning of each Zone chapter. You should review these and address these matters in the AEE.

For this rule example, you would consider and address (at the minimum) these objectives and policies:

Objective 8.3.4 – To ensure that developments within residential areas do not significantly impact on neighbouring properties through loss of sunlight or overshadowing.

Policy 8.4.4. – To avoid, remedy or mitigate adverse effects of noise emissions in residential areas.

Policy 8.4.5. – To avoid, remedy or mitigate the adverse effects of development on neighbouring properties such as shading, and loss of daylight.

Policy 8.4.6. – To encourage the provision of sufficient outdoor open space and access for every household unit.

Note: The policies expand on the matters that are important for Council to consider when determining whether it is appropriate to grant consent for a building closer to a side boundary than the rule allows.

In the AEE, for the rule(s) your proposal does not comply with, you should address whether your proposal meets the relevant objectives and policies. If your proposal does not meet the objectives and policies, what are you proposing to do to mitigate any effect your proposal may have?

E.g. for this example, if the building was a garage, it may not have implications for privacy with your neighbour, but it could be a different situation if your proposal was for the living area of your new dwelling to encroach into the setback with your neighbour. What can you do to mitigate these effects? Can you provide landscaping to help screen the area? What else could you do? (Show any proposed landscaping on your site plan).

It is also useful to explain in your application why you have designed the proposal / building the way you have. For example, did you have any particular reasons you couldn't locate a building in a different location?