

PREPARING AN ASSESSMENT OF EFFECTS

Fully understanding the environmental effects of an activity is essential for the proper preparation of an AEE. You will need to think about your proposal and how it will change the site that you intend to use/develop.

1. Identify the activities for the site that need a resource consent and describe them

Even if you already own and live on the site, you will need to think about its physical limitations and locality. For example, is the site flat or sloping? Are there any significant trees or vegetation? Are there any unusual features? What is on the neighbouring properties? Is there access to Council services?

2. Talk to staff at Council

Once you have done your homework it is a good idea to talk to someone at Council. If you don't know how to use the District Plan, ask the duty planner to help you.

3. Identify the environmental effects

Understand the environmental issues arising from your proposal. An environmental effect is any change to the environment created by an activity. This includes effects on ecosystems, natural resources (land, air and water), buildings and people. Environmental effects can be:

- Positive or negative
- Temporary or permanent
- Past, present or future
- Cumulative (occur over time or in combination with other effects)
- Of high probability
- Of low probability but high impact

Some examples are:

- Increases in traffic
- Soil erosion
- Changes to the character of the street or landscape
- Noise

- Silt run-off
- Blocked views
- Shading
- Degradation of historic or cultural sites
- Vegetation loss
- Decreases in water quality/quantity
- Loss of privacy
- Odour
- Visual impact
- Changes to coastal processes
- Discharge of contaminants into water/air
- Use of hazardous substances
- Loss of recreational values

An AEE should anticipate the unexpected. You need to look for specific environmental effects arising from your proposal in combination with the site and its locality. Once you have identified the actual and potential effects, you should consider how significant they are likely to be. You should also use the above list to help you consider the nature of the effects as well as their scale, intensity, duration and frequency.

For example, an extension to an existing building may result in the following effects:

- Temporary effects (while the extension is being built) – dust, noise and fewer parking spaces
- Permanent effects – loss of privacy, shading, visual effects and the loss of significant trees
- Cumulative effects – change in street character and loss of urban vegetation

4. Re-evaluate your proposal

Use the AEE process to help design your proposal.

You may decide that some environmental effects will be significant and that you need to change your proposal to avoid, remedy or mitigate them.

You should then think about alternative ways to achieve the same goals while considering the environmental effects each alternative may have. This process can result in a “win-win” situation, with better proposal design and better environmental outcomes.

“Avoid”, “remedy” and “mitigate” are terms used in the Resource Management Act. Each represents a different way of addressing an adverse effect so that it is acceptable.

For example, adverse visual effect of a quarry:

- You would “avoid” the visual effect if you did not quarry, or the quarry was located out of sight.
- You would “remedy” the visual effect if you filled in the hole.
- You would “mitigate” the visual effect if you planted trees around the hole.

All three actions may address the adverse effect, but all three outcomes may not be acceptable to the community. It is the role of the AEE to work out whether an effect needs to be addressed, and the best way of doing this.

5. Finalising the AEE: what do I need to include?

The amount of information should correspond to the scale and significance of the effects.

You need to include enough information in your AEE so that Council can evaluate your proposal. The amount of information should correspond to the scale and significance of the environmental effects that may be generated by your proposal.

Some proposals will require more detail and analysis than others. For example, adding a carport onto the side of a house is likely to require much less information and detail than a multi-storey development in an area that is valued for its natural attributes.

Your AEE needs to include:

- A full description of the proposal, including the site and locality (including a site plan and plans of your proposal)
- A description of the environmental effects, including the significance and nature of the effects (address specific environmental effects that you have identified as well as referring to

issues identified in the district and/or regional plan)

- A description of alternatives to avoid, remedy or mitigate any significant environmental effects
- An assessment of any risks to the environment that may arise from hazardous substances and/or the discharge of contaminants
- A record of any consultation, including names and views of people you talked with
- A discussion of any effects that may need to be controlled or monitored, how the control or monitoring will be carried out and by whom.

You should also check the Fourth Schedule of the Resource Management Act 1991. This is a guide to the matters that should be included and considered when preparing an AEE.

Consultation with affected parties

Getting the public involved at an early stage in a proposal for an activity has numerous benefits including:

- Ensuring the public have correct information about the proposal, and are less likely to react based on misleading information;
- The public are a source of a considerable amount of local knowledge and this information may be relevant in the decision-making process;
- That it will reduce objections to the proposal in the later stages of the project where it will become more costly to resolve. Allowing the public to contribute to the design and location of a proposal early on will reduce the likelihood of opposition later on;
- The resource consent processing time will be shorter, due to fewer objections and appeals, resulting in cost and time savings.

Ultimately the public is another source of information and your AEE will be more robust if it contains as much relevant information as possible.

What else do I need to consider?

Use the District Plan to identify what your AEE will need to address.

The Plan should help you to identify what you need to put in your AEE. You should use the Plan

to help you understand how important the issues arising from your proposal are likely to be.

Status of activities in Plans

The status of the activity will also make a difference to what you should include in your AEE.

Controlled and restricted discretionary activities - Council can only consider matters listed in its Plan when deciding whether to grant your resource consent. Your AEE should focus only on the matters in the plan.

Discretionary or non-complying activities - You need to consider fully all the environmental effects you have identified arising from your proposal (these are not limited by what is in the Plan). You are therefore likely to need a more substantial AEE.

Complex applications

For more complex applications, you may need to get specialist advice. There are a number of professionals who can assist in preparing an AEE, such as engineers and resource management consultants. Council staff may be able to tell you if you need specialist advice and who would be best to help you.

- What happens if I don't prepare a good AEE

It is NOT acceptable to state in your AEE that there are NO environmental effects.

It is important that you provide Council with a well-prepared AEE. Otherwise, Council may:

- Not accept your resource consent application
- Turn down your resource consent application
- Impose a lot of conditions on your resource consent
- Ask you for more information, delaying the time taken to process your application
- Commission someone else to review your application at a cost to you

If your application has been accepted, but the quality of information is found to be seriously deficient, your resource consent may be declined. This is because Council needs to have a good understanding of what the effects of your proposal may be before it can make a decision.

It is important therefore, that this information is included in your application. If your application is declined because of a lack of information, you are able to submit your resource consent application again with the adequate information.

When earthworks are involved

Specific matters that MUST be addressed if you are applying for a resource consent that involve earthworks:

Amenity Values: the extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which the earthworks will cause unnecessary scarring and be visually prominent. Consideration must be given to adverse effects on visual amenity values, and the value of the site as a visual backdrop to the city.

Landscaping: the extent to which replanting or rehabilitation works are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas.

Existing Natural Features and Topography: the extent the proposed earthworks will alter the natural topography. Earthworks in these activity areas should be designed to retain the natural topography and protect natural features.

Historical or cultural significance: the extent to which the proposed earthworks will affect adversely land and features which have historical and cultural significance.

Natural Hazards: consideration should be given to those areas prone to erosion, landslip and flooding. Excavation should not increase the vulnerability of people or their property to such natural hazards.

Further information is available on the Ministry for the Environment website at: www.mfe.govt.nz/rma