

Guidance Notes

Completing an AEE



The purpose of this guidance note is to assist you with completing your Assessment of Environmental Effects (AEE) for your land-use 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: <http://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.

Note: Council's District Plan generally provides guidance about the matters that it would consider when a rule of the District Plan is breached. These are included in either the assessment criteria (Section 1.4 of the Plan), underneath the rule itself, and in the relevant objectives and policies. You are required to address each of these matters in your AEE. 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 Wairongomai Loop Road. 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 has been cleared 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 Council Planners 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?
- 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 (i.e. natural hazard area) relevant to your site.

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 / overlay¹.

¹ This is noted on the District Plan Planning Maps.

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 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.



Appendix 1 – Identifying matters to be considered in the District Plan

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 5m from the front boundary of the site.

The rule is as follows:

Rule - Yards – Residential buildings and accessory buildings

3.1.1(iii) Front yard setback – 5m

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual and aural privacy; and
- Reverse sensitivity effects; and
- Outlook for adjoining neighbours; and
- Landscaping; and
- Separation between buildings/Open space character; and
- On-site vehicle manoeuvring and parking.

These matters will be considered in accordance with the assessment criteria in Section 1.4.

Step 2 – Identify the matters that Council will consider for this rule

The matters that Council will consider are often identified in the rule. Note, that in some cases, such as in this example, there are no matters to consider at the end of a rule. In those circumstances, you will need to check the objectives and policies (at the start of the relevant zone chapter), and the assessment criteria in Section 1.4 of the District Plan for guidance on the matters that should be addressed.

Step 3 – Explain how your proposal will address each of these matters in your AEE

For this example, in sections 4 and 5 of the AEE (part C of the landuse consent application form), you would address the following matters from the rule:

- Visual and aural privacy; and
- Reverse sensitivity effects; and
- Outlook for adjoining neighbours; and
- Landscaping; and
- Separation between buildings/Open space character; and
- On-site vehicle manoeuvring and parking.

Step 4 – Check and address the relevant objectives and policies

The relevant objectives and policies for each rule are contained at the end of each rule. You should review these and address these matters in Section 3 of the AEE.

For this example rule, you would consider and address these objectives and policies:

3.5.2.1 – Amenity – Development Standards

Objective O1 – To maintain and enhance a high standard of amenity in the built environment without constraining development innovation and building variety.

Objective O2 – To minimise the adverse effects created by building scale or dominance, shading, building location and site layout.



Policy P1 – To ensure that development in residential and rural areas achieves adequate levels of daylight admission, privacy and open space for development sites and adjacent properties.

Policy P2 – To minimise the effects created by building scale, overshadowing and building bulk in business, industrial and recreational areas.

Policy P3 – To maintain the open space character of residential and rural areas by ensuring that development is compatible in scale to surrounding activities and structures.

Policy P4 – To recognise that the low density urban form in the District's towns contributes to the amenity and character of the area.

Policy P5 – To provide for development within the District in a manner that encourages flexibility and innovation in design and variety in the built form while achieving the anticipated environmental results.

In Section 3 of 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?

