

Assessment of Environmental Effects



Ohakune, 1910



Previously



Yesterday



Today

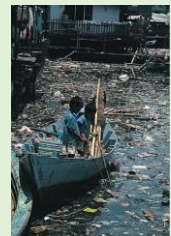


Environmental Awareness

A resurgence of environmental awareness in other countries, particularly developing countries.

Effects of the impact of building development on the environment fundamentally → legislation.

Debate at political, NGO and governmental level and the creation of environmental standards.



RMA development

1972 Stockholm *United Nations Conference on Environment and Development*:

- integrated environmental management
- sustainable development

In 1980, audit of NZ's environmental management (Organisation for Economic Co-operation and Development (OECD)) = need to improve environmental management locally.



AEE

The AEE supported a trend towards better environmental management and included the consideration of people as part of this process.



Historical Context

Early 1980s, a growing appreciation that key environmental legislation:

- Water and Soil Conservation Act (1967)
 - Town and Country Planning Act (1977)
- needed to be reviewed.

New Labour Government began to investigate and implement institutional reform for environmental management at both the national and local government levels.

Single Integrated Resource Management

In December 1988, the government issued a proposal for a single integrated resource management statute that would replace the many existing statutory procedures.

After extensive consultation - the Resource Management Bill was introduced into Parliament in December 1989, but the Labour Government lost power in 1990 before it was passed into law.

Bill Amendments

Bill reviewed and as a result, the minerals section was dropped from the Bill (and enacted separately as the Crown Minerals Act 1991) and other changes made.

A revised Act was passed by Parliament in August 1991.



World's Leading Legislation

RMA repealed 78 statutes and regulations, and amended numerous others, to provide a single piece of legislation for the management of land, water, soil and air throughout New Zealand.



Resource Management Act 1991

Hazardous Substances Section

The Hazardous Substances and New Organisms Act 1996 subsequently replaced the hazardous substances section of the RMA, which never came into force.



Outside of RMA

- Harvesting of fish, shellfish and seaweed stocks (Fisheries Act 1996)
- Logging of indigenous forests on private land (Forests Act 1949)
- Marine pollution from ships and offshore structures (Maritime Transport Act 1994)



“Effects-based” approach

The RMA focuses on managing the effects of activities rather than regulating the activities themselves.



Intervention when activities are likely to result in unacceptable environmental impacts.



What is an AEE?

- Confirms consents required with council.
- Enables council to decide to allow/disallow activity.
- Part of the process of shaping your proposal rather than a task to do once you have all your plans prepared.
- Helps to identify the effects of activity early on in the process and, if necessary, allows you to incorporate measures to reduce any adverse effects.

An AEE

- Identifies with whom you should consult and, if required, from whom you should obtain written approval.
- Provides an accurate and objective statement about the effects of your proposal on the environment.
- Takes into account whether the proposal has avoided, mitigated or remedied any adverse effects on the environment and people.

Defining Environment

Environment includes-

- (a) Ecosystems and their constituent parts, including people and communities; and
- (b) All natural and physical resources; and
- (c) Amenity values; and
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.

Defining Effect

Effect includes-

- (a) Any positive or adverse effect; and
- (b) Any temporary or permanent effect; and
- (c) Any past, present, or future effect; and
- (d) Any cumulative effect which arises over time or in combination with other effects regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) Any potential effect of high probability; and
- (f) Any potential effect of low probability which has a high potential impact.

Inclusion in an AEE?

(unless the council's plan states otherwise):

1. A description of your proposed activity.
2. An assessment of the actual and potential effects on the environment of your activity.
3. Where the above effects are likely to be significant, a description of available alternatives.
4. A discussion of the risk to the environment from hazardous substances and installations.

Other inclusions

5. For contaminants, an assessment of the nature of the discharge and sensitivity of the receiving environment to the adverse effects and any possible alternative methods of discharge, including discharge into any other receiving environment.

6. A description of how the adverse effects may be avoided, remedied or mitigated.

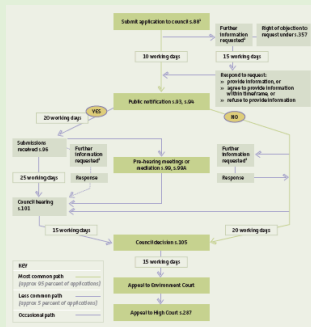
Finally

7. Identification of the persons affected by the proposal, the consultation undertaken, if any, and any response to the views of any person consulted.

8. Where an effect needs to be controlled, a discussion of how it can be controlled and whether it needs to be monitored. Where appropriate, a description of how this will be done and by whom.

Step by Step Guide to AEE Process

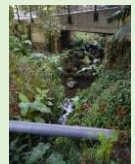
The following slides will lead you through a step by step guide to the AEE process.



1. Identify the activities

Fully understanding the environmental effects of an activity is essential for the proper preparation of an Assessment of Environmental Effects (AEE).

You will need to think about your proposal and how it will change the site you intend to use/develop.



2. Conduct a Site Inspection

What does it look like ?

- Natural features
- Adjacent uses
- Physical features

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?
- Archaeological sites ?



3. Talk to Council

Once you have done your homework it is a good idea to talk to someone at the Council. The Council is likely to have pamphlets, checklists and forms to help you prepare an AEE.

If you don't know how to use a regional/district plan, ask the Council staff to help you. A word of warning: some councils charge for information and time spent helping you.

4. Identify environmental effects

An environmental effect is any change to the environment created by an activity.

Includes effects on ecosystems, natural resources (land, air and water), buildings and people.



4: Identify Environmental Effects

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 or low probability



For Example:

- 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 air/water
- use of hazardous substances
- loss of recreational values

Anticipate the Unexpected

Look for specific environmental effects arising from your proposal in combination with the site and its locality.

Once identified, how significant they are likely to be?



Nature, Scale, Intensity, Duration & 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.

5. How do I rank the effects?

A simple, scaled rating should be applied to each effect. E.g if effect is likely to be more than minor, you should consider whether:

- the effect can be avoided?
- the effect can be mitigated?
- the effect can be remedied?

5. Ranking the effects

Activity: building a new house			
Examples of environmental effects	Ranking of effect	Avoid/remedy/mitigate effect	AEE action
Identify possible temporary effects: noise/dust/vibrations/emissions/hazardous substances/odour/land contamination from construction			
Noise from construction	Minor	Noise from construction will be minor due to the distance from the construction site to the neighbouring property.	May need specialist advice on noise levels. Mention in AEE.
Fewer parking spaces on street due to worker vehicles	No effect	The site is large enough to allow parking space for builders on site.	Mention in AEE.
Identify possible permanent effects: visual effects, loss of trees and vegetation, shading neighbouring property, soil stability, privacy, stormwater/sewer capacity, traffic generation, landscape changes, effects on water quality/quantity, cultural/spiritual values on lwi, effects on heritage sites/buildings/structures/objects, pollution, loss of recreational values of land etc.			
Visual effects	Significant	Negative visual effects of the new house on the natural landscape will be mitigated by extensive native planting, softening the appearance.	Need to show landscaping plan in AEE and discuss how visual impacts of the new house will be mitigated.
Loss of trees	Significant	Although some trees will be removed to construct the house, new trees will be planted as part of an extensive landscaping plan. Not all trees will be removed.	Discuss landscaping plan in AEE and show how it will mitigate effects of removing trees.

5. Ranking the effects (cont.)

Shading neighbours property	No effect	The new house and trees will not shade the neighbour's property because of the distance between the two.	Mention in AEE.
Identify possible cumulative effects: change in character, loss of urban vegetation, effects on waterways, landscape, effects on infrastructure etc.			
Change in street character	Minor	Design of the house will be in keeping with the current dwellings.	Describe house and landscaping design. Show pictures of existing street character in AEE.
Disturbance to urban vegetation	Minor	Vegetation will be replanted following construction, therefore having no long term cumulative effects on urban vegetation. Restorative planting will improve the urban vegetation in the area.	Describe landscape design and ability to restore and add to urban vegetation in AEE.

6. Pre- application meeting

An application may be complex if:

- There is something unusual about the site
- Issue pre-existing
- Complicated Technical details

Purpose of the meeting ?

- Agree on information to provide
- Techniques or methods to be used

What's the procedure for the meeting ?

- Depends on Council but usually recorded in minutes and Council may charge

7. Re-evaluate your proposal

Use the AEE process to help design your proposal.



If some environmental effects are significant, you may need to change your proposal to avoid, remedy or mitigate them.



Alternatives

Achieve same goals while considering the environmental effects.

Find better proposal design and better environmental outcomes.



In February 2013, the Northcote Residents Association said that SkyPath shouldn't proceed until there was a walking & cycling link to Takapuna

8. Finalise the AEE

Check you have all the information to draft your AEE. This means you have all the information to:

- accurately describe the activity
- accurately describe the site and locality
- complete your effects checklist, including ranking and discussing how any adverse effects may be avoided, remedied or mitigated

8. Finalise the AEE (Cont.)

- identify any consultation undertaken and its results
- clearly identify any restrictions on the consent where these have been imposed to resolve affected parties' concerns
- (where significant effects are likely to occur) identify alternatives you have considered and why they were rejected
- identify any proposals for monitoring potential and actual effects.

Summary: Remember

Include enough information in your AEE so that the 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.

Summary: 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

AEE Needs to Include (Cont.)

- 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.

References

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- <http://www.rmaguide.org.nz/rma/introduction/approach.cfm>
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