ASSESSMENT OF ENVIRONMENTAL EFFECTS

(Form recommended for residential additions and alterations and minor works)

Basic instructions on how to apply are at the end of this form. For additional help go to: huttcity.govt.nz/apply-online

Adobe Acrobat V11 is required to fill this form online. Download for free: get.adobe.com/reader/

This form provides a suggested template for you to describe your proposal and its possible environmental effects. The information you supply should be as clear and comprehensive as possible – both for the benefit of Council and affected parties who may be invited to make submissions on your proposal if Council notifies your application. You should describe the proposal in detail, identify (and describe in full) all the environmental effects and list any steps you intend to take to control, reduce or eliminate those effects. (The better your assessment, the less likely it is that Council will impose conditions on your resource consent).

You must submit this assessment with your resource consent application. If you do not, Council will write requesting you provide one and will put your application on hold until it arrives. If your assessment is not sufficiently detailed, or if Council otherwise considers it inadequate to determine the environmental effects of your proposal, it is entitled, under the Resource Management Act 1991, to refuse to process your application.

Rule 17.1.1 of Council's District Plan (copy enclosed) sets out the complete list of paperwork required when you submit resource consent.

Address of proposal:

Applicant's details:

Name:

Contact address: *(if different from above)*

1. PROPOSAL

Describe and discuss the proposal in detail. (Use extra pages if there is not sufficient room on this form, see the note above). *(Include, where applicable, what is being built, where on the site it will be built, the size and height of the building, the intended use of building, the intended purpose (example: to work from home, because residential addition is to provide space for office), the number of extra car parks and the size of any earthworks.)*

2. SITE

Describe site, including area, dimensions, topography and any natural or man-made features or any other significant qualities and discuss in relation to the proposal. Attach drawings where necessary. *(Characteristics or qualities of significance could include existing/protected trees and vegetation (indicate any vegetation you intend to remove), coastline, watercourses, any areas known to unstable, prone to flooding, slips or erosion, existing buildings or structures (note size and location), sewage or drainage lines (note location) and position of neighbouring buildings. See rule 17.1.1(f) of the District Plan. Note also whether the site has been used to undertake a hazardous activity or store hazardous substances. This could have resulted in contamination of the soil, and any proposal on the site could automatically require a resource consent.*

3. DISTRICT PLAN BREACHES

Tick **ALL** District Plan rules that the proposal does not comply with.
(See explanation of terms in guidance notes.)

- ☐ Side or rear yard
- ☐ Front yard
- ☐ Recession plane
- ☐ Height
- ☐ Hours of operation
- ☐ Car parking and manoeuvring
- ☐ Building length angles
- ☐ Site coverage
- ☐ Net site area
- ☐ Noise
- ☐ Earthworks height
- ☐ Earthworks quantity
- ☐ Other *(please specify)* .....

Specify degree to which the proposal breaches the above rules:
(See explanation of terms in guidance notes.)

4. AFFECTED PARTIES

List any parties you consider may be affected and identify those who have given their written approval.
*(The approval of **BOTH** owner(s) and occupier(s) is necessary if a property is leased or rented. Each such person must sign approval form (ECR-FORM-250) as well as a copy of your plans. Note here any consultation you have undertaken with neighbours or others.)*

5. ENVIRONMENTAL EFFECTS

In this section you must outline all the adverse effects your proposal is likely to create and steps you intend to take (or have already taken) to lessen those effects.

a) Residential character: *(Describe the character of the neighbourhood and how your proposal will be in keeping with, or change the character of, the area. Is it, for example, mainly low-rise housing spaced far apart, or more built up, with blocks of flats and two-storey houses close together? Is it quiet and leafy or intersected by lots of busy roads and dotted with shops? In that context, does your proposal blend in or stand out?)*

b) Visual impact: *(What will be the visual impact of your proposal on neighbours? What will your neighbours see? Is the building screened by fences or vegetation?*

c) Streetscape: *(How will it appear from the road front? Will its size be proportionate to that of other houses in the street? Will it particularly dominate one neighbour? Is it consistent with the appearance of other buildings in the area when viewed from the street? Will it be, say, clad in weatherboards like its neighbours? Will it look like it was built in the same era as its neighbours? Or will it be quite distinct in appearance?)*

d) Traffic: *(How does it affect traffic visibility, car parking spaces, access and on-site manoeuvring? Will it generate extra traffic, and if so, how much?)*

e) Vegetation: *(Describe the type and amount of vegetation that will have to be removed because of your proposal. Show vegetation you intend to keep and any landscaping you propose - including when you propose to do it.)*

f) Earthworks: *(Describe the visual effects of your earthworks, as well as sediment control measures. See guidance notes below.)*

g) Privacy: *(Will your proposal compromise your neighbours' privacy? Will you, for example, be able to overlook someone in a way that was not possible previously? Changing the placement of a window, or moving it above eye level so it simply admits light may remedy this problem.)*

h) Shading Effects: *(Will the building shade adjoining properties and at what times during the day? Think about how the sun is lower and rises and sets in different places compared with summer and what that will mean in terms of where your building casts shadows.)*

i) Other:

6. GUIDANCE NOTES

a) Definitions of District Plan rules

Side or rear yard: You cannot build nearer than one metre from a side or rear boundary. (Accessory buildings are allowed against them, but with restrictions.)

Front yard: You cannot extend a building closer than three metres to a front boundary. You cannot erect a new building – including a garage with street access – closer than five metres. But the rules are relaxed for hills and historic areas of the city.

Recession plane: To prevent new buildings dominating their neighbours by being too close or too high, councils insist that they fit inside what is called a "building envelope". This is a kind of imaginary construction calculated by drawing a perpendicular line 2.5 metres up from the natural ground level of every boundary, then turning it on a 45-degree angle to meet somewhere over the middle of your lot. No part of your building can protrude through these lines in the air, or recession planes. If part of your design, say the eaves or chimney, juts through a recession plane, you either have to redraw your plans or apply for a resource consent.

Height: On the flat, the height of your house design is measured from the natural ground level to the rooftop. On a hillside, however, two measurements are taken: one from the base of the house to the rooftop (13-metre maximum), and one perpendicular to the side of the hill (eight-metre maximum).

Hours of operation: This is intended chiefly for non-residential resource consent applications, the purpose being to tell whether noise-related restrictions are warranted.

Car parking and manoeuvring: Again, this is intended chiefly for non-residential resource consent applications. Rules vary according to the use proposed.

Building length angles: This rule prevents a long bulky building from being placed too close to a boundary and visually overwhelming its neighbour. If your building is less than 20 metres long, the rule does not apply. If more than 20 metres, the longer the building, the progressively further away from the affected boundary it must be located.

Site coverage: Councils limit the proportion of a lot that you can build on, in order to control housing densities. Typically, this is 35 per cent of the site, though there are lots of exceptions. Excluded from this calculation are decks less than half a metre off the ground. (If a deck has a handrail, however, it is always included.)

Net site area: This is related to the previous point. In deciding how much of your land should be used in the site coverage calculation, Council excludes communal open spaces and parking spaces (in the case of, for example, blocks of flats or cross-leased properties), rights of way and shared driveways.

Noise: This rule concerns noise generated on site, not by visitor or occupant traffic or during the construction phase. Examples where noise might be a consideration span an enormous spectrum, ranging from a childcare centre to a factory and a quarry. This rule is not usually a consideration in residential applications.

Earthworks height and earthworks quantity: Earthworks rules vary from zone to zone (or activity area, as Council calls them). At one end of the scale, no earthworks are allowed; at the other end, earthworks of up to 50 cubic metres or cuts and fills of up to 1.2 metres in height are allowed before a resource consent is necessary. (See also earthworks assessment below.)

b) Definition of environmental effect

The Resource Management Act 1991 defines “environment” and “effect” very broadly, so it is unlikely an activity will have no adverse effects. Essentially, there are two categories: effects that are minor and effects that are more than minor. It seems straightforward enough, but a considerable body of case law has built up over the meaning of these words. In very simple terms, minor means of comparatively small size or importance; more than minor means of some significance.

Why does all this matter, you might ask. Well, if an effect is very small or negligible, you may decide to leave your proposal as it is, or make only slight changes. If an effect is more significant, you may decide to either modify your proposal or introduce measures to deal with the effects. If you choose the second route, you will be either “avoiding”, “remedying” or “mitigating” the effects. These three terms are often referred to in the Resource Management Act 1991. Each takes a different route to addressing an adverse effect so that it is acceptable.

An example: A quarry makes a big hole in the ground, which can be visually very unattractive. You would “avoid” the effect if you dug the hole in a different place well out of view. You would “remedy” the effect if you undertook to fill it in afterwards. And you would “mitigate” the effect if you planted a screen of trees to hide it from neighbours or passers-by. This gives a small illustration of the different ways in which you might tackle one effect.

c) Permitted baseline

This term has developed through case law and relates to the point of comparison in assessing environmental effects when you propose to do something on your land that is allowed as of right, or without a resource consent. It means that a council cannot assess your proposal against the environment as it exists in its pristine state, but against the environment as it would exist if the land were used in the manner permitted as of right by the District Plan. Thus, if you wanted to build, say, a large factory on a site and you were permitted as of right to build a factory there, Council would be able to consider only those effects generated by that portion of your extra-large factory that exceeded the factory you would be allowed to build anyway. Put another way, it could consider only those effects generated over and above those that are permitted, or in other words, the permitted baseline.

You might find that Council uses this test if your application is a simple one and there are only one or two minor infringements of a permitted activity.

d) Neighbours and consultation

You are under no legal obligation to talk to neighbours about your plans. But it is a good idea for several reasons.

- It can actually reduce costs and delays later on.
- It creates goodwill by alerting people who may be affected by your proposal
- It is an opportunity to invite their feedback and suggestions and deal with concerns or objections.
- It may alert you to effects you had not thought of and you can refine your plans to take account of those new-found problems.
- It may result in neighbours giving their written approval to your plans, and this is more likely to result in your application being processed quickly as a non-notified resource consent.

A word of advice: To be effective, consultation needs to be genuine. You need to keep talking, to allow people adequate time to consider your proposals, to be open to suggestions and to act on them if they are practical and reasonable.

Sometimes neighbours will agree to your plans provided you do something to compensate for a particular effect (say, build a fence or plant some trees to counter loss of privacy). If you agree, you must incorporate such measures into your plans for their approval and signature. Informal or conditional approvals in these situations are not acceptable to Council.

e) Earthworks

If your proposal involves earthworks of any significance, your assessment must discuss the following:
Amenity values: This is about whether earthworks will affect the appearance of the area, and if so, to what extent; whether any scarring will be prominent and whether the site is important as a visual backdrop to the wider area.
Landscaping: Earthworks should not result in any permanent exposure of excavated areas, so you should include details of landscaping or other works intended to lessen any adverse effects.
Existing topography: Discuss the extent of any changes to the existing landscape and natural features. (Your proposal should keep to a minimum any such changes.)
Features of historical or cultural significance: If your proposal will affect features of historical or cultural importance (for example, a burial site or archaeological remains), you must say how, and to what extent, those features will be altered.
Natural hazards: Discuss your earthworks in relation to any erosion, landslip or flooding-prone areas of your site. Excavation work should not increase the risk posed by such hazards to people or property.

7. CHECKLIST *(Tick off before you submit your resource consent application.)*

- ☐ Completed application form
- ☐ Completed assessment of environmental effects
- ☐ One copy of site, building and elevation plans
- ☐ For earthworks, one copy of cross-section and long-section drawings
- ☐ Affected parties approval form(s)
- ☐ Copy of certificate of title *(Copy must be issued no more than three months ago. Include copies of caveats, memorandums of encumbrance and consent notices if registered on the title as interests.)*

Acknowledgment:
Council has used information from the Ministry for the Environment in preparing these notes.

HOW TO COMPLETE AND SUBMIT THIS FORM

Additional information

If there isn't enough room on the form for all the information you wish to give us, please include the additional information as a separate PDF with your application (please state your name, the application address, and the question to which the information refers).

Electronic signatures

Hutt City Council Environmental Consents Division will accept this application form with a digital signature created through Adobe or your existing digital signature. If you click on the pink arrow in the signature box, or choose 'Place signatures' from the tools menu on the right hand side, Adobe will prompt you to add your digital signature, or take you through the easy steps to create one.

How to submit

Once you have completed and added the required signatures, please save it to your computer. You can then submit it with your supporting documentation by selecting 'Apply for it' under the 'Do it here' menu at huttcity.govt.nz.

If you would prefer to post or deliver your application, please print it, and send or deliver it to:
Environmental Consents Division, Hutt City Council, Private Bag 31912, Lower Hutt 5040.

For enquiries, please phone 04 570 6666