

Application for resource consent

Resource Consents Department Under Section 88 of the Resource Management Act 1991

To: Auckland Council
Private Bag 92300
Auckland 1142



You may post or deliver your application to your nearest Auckland Council service centre.

This form provides the council with your contact information and details about your proposal. If you need help completing this form or you are unsure about which form to use, visit aucklandcouncil.govt.nz/resourceconsents where you will find helpful guidance notes, or contact the council on 09 301 0101.

If you fail to complete this form and provide the necessary information, including the deposit fee, your application may not be accepted for processing. See Guidance Note 3.

1. Site location details:

Site(s) to which this application relates is described as:

No: 362 Street: Matakana Valley Road

Suburb: Warkworth

Legal description(s) PT ALLOT 51 PSH OF MATAKANA SO 1044

2. General application details:

This application is for (tick all the boxes necessary to cover the proposal):

District consent

☒ Land use consent (District/City) ☐ Subdivision consent

Relevant district plan section

☐ Auckland Central Area	☐ Hauraki Gulf Islands	☐ Auckland Isthmus	☒ Proposed Auckland Unitary Plan Decisions Version
☐ Franklin	☐ Manukau	☐ North Shore	
☐ Papakura	☐ Rodney	☐ Waitākere	

Regional consent

☐ Discharge permit ☐ Coastal permit ☐ Water permit
☐ Land use consent (Regional) ☐ Other (give details)

Relevant regional plan

☐ Coastal ☐ Sediment control ☐ Air, Land, Water
☐ Farm dairy discharges ☐ Proposed Auckland Unitary Plan Decisions Version

Office use only

Application no(s):

LUC 60311264

Receipt date: 16.11.17

Deposit paid: \$4500-

Consent:

☐ District
☐ Regional
☐ Integrated
☐ Proposed Auckland Unitary Plan Decisions Version

Stream number:

R-1000191050

Is consent required under a National Environmental Standard (NES)?

☒ No ☐ Yes (give details)

3. Additional resource consents required:

3.1 Are any additional resource consent(s) required for this proposal but not being applied for under this application?

☒ No ☐ Yes (give details)

3.2 Advise of any existing consents and the date at which they expire. (Provide consent numbers and an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)).

4. Applicant's details (All invoices will be made out to and sent to the applicant unless otherwise stated in Section 6.):

Applicant's full name

(The name of the consent holder who will be responsible for the consent and any associated costs unless otherwise stated in Section 6)

Last Name:

First name(s):

Last Name:

First name(s):

or

Company/Trust/Organisation: **Three Blokes Limited**

Contact person/All trustee names:

Dean and Kim Munro

Physical address:

362 Matakana Valley Road, Rd 5, Warkworth,

Postcode: **0985**

Postal address: (If different from above)

PO Box 142, Matakana

Postcode: **0948**

Phone (day): **027 283 6448**

Mobile: **021 163 9302**

Email: **deankim@xtra.co.nz**

☐ Please tick if email preferred contact

The applicant is the:

☐ Owner

☐ Occupier

☐ Leasee

☐ Prospective purchaser (of the site to which the application relates) ☐ Other (please specify)

4.1 Name and address of each owner and occupier of land to which the application relates: (If different from above)

Name:

Address:

Postcode:

5. Agent's or consultant's details (All correspondence will be sent to the agent and may also be sent to the applicant unless otherwise stated in Section 6.)

Company: **Terra Nova Planning**

Contact: **Bianca Markham**

Postal address:

PO Box 466, Orewa

Postcode: **0946**

Phone (day): **09 426 7007**

Mobile:

Email: **biancamarkham@tnp.co.nz**

☐ Please tick if email preferred contact

6. Alternative addresses for correspondence and payee of invoices

All correspondence (excluding invoices) sent to:

☐ Applicant

☒ Agent/Consultant

☐ Other (name and address)

Name:

Address:

Postcode:

All invoices made out to and sent to:

☒ Applicant

☐ Agent/Consultant

☐ Other (name and address)

Name:

Address:

Postcode:

7. Description of proposed activity (If insufficient space, please provide on additional pages.):

Proposed manufacturing and sale of timber goods and similar handcrafts on-site, operating in association with a permitted market activity.

8. Other activities

Choose either:

- ☐ There are no other activities that are part of the proposal to which this application relates.
- ☒ The other activities that are part of the proposal to which the application relates are as follows:
(Describe the other activities. For any activities that are permitted activities, explain how the activity complies with the requirements, conditions, and permissions of any Plan or regulation so that a resource consent is not required for that activity under section 87A(1) of the RMA.)

Market activity complying with the permitted standards for markets set out in H19.10.14: operating on a site larger than 1ha, with frontage to Matakana Valley Road, involving the sale of food and beverages, agricultural or horticultural produce and handcrafts not produced on the site, and operating between 7am and 7pm.

9. Pre-application information

Have you had a pre-application meeting with the council regarding this proposal?

- ☐ Yes ☒ No ☐ Copy of minutes attached

Date of meeting: _____

If 'yes', provide the reference number and/or name of staff member: _____

10. Site visit requirements

10.1 Is there a locked gate or security system restricting access by council staff?

- ☐ Yes ☒ No

10.2 Is there a dog on the property?

- ☐ Yes ☒ No

10.3 Provide details of any entry restrictions or hazards that council staff should be aware of, e.g. health and safety, organic farm, measures to inhibit the transfer of PsA-V etc.

11. Notification of your application

Are you requesting that the application be publicly notified?

- ☐ Yes ☒ No

If 'yes', please provide an executive summary below and an electronic version of your application for notification purposes.

Please refer to the Standards for submitting documents electronically found at the council's website aucklandcouncil.govt.nz/resourceconsents

12. Mana Whenua cultural values assessment and the Proposed Auckland Unitary Plan Decisions Version (PAUP DV)

12.1 Is your proposal located within a "Site or Place of Significance to Mana Whenua" as identified in the PAUP Decisions Version?

☐ Yes ☒ No

12.2 Is your proposal one of those types of activities where effects on Mana Whenua cultural values are required to be considered?

☐ Yes ☒ No

12.3 If 'yes' to 12.1 or 12.2, have you contacted all the relevant Mana Whenua groups to establish whether their values are affected by your proposal?

☐ Yes ☒ No

12.4 If 'yes', please provide details with your application of all Mana Whenua groups contacted and their responses.

Please note that providing this information with the lodgement of your application will assist in processing your application in a timely manner. If you have not provided the relevant information your application may need to be placed on hold while this information is obtained.

In any case, please note that the council can assist you in determining whether the PAUP DV provisions referred to above apply and, if so, which Mana Whenua groups need to be approached. For more information refer to the "Engaging with Mana Whenua" page at aucklandcouncil.govt.nz

13. Information to be submitted with your application

To satisfy the requirements of Section 88(2) and Schedule 4 of the Resource Management Act 1991 (RMA), please attach the following information to your application:

Accept/Reject

☐ Four copies (including one unbound) of all information, including plans, for all applications. If you are providing a PDF electronic version of all information, only two hard copies are required. Refer to Guidance note 2 for guidance on the preparation of plans.

☐ Application deposit fee – refer to the council's Fees and Charges Schedule. Indicate method of payment below:

☐ Cheque attached
Amount paid \$

☐ Credit card

☐ Customer account
Customer acc/number:

☐ Certificate(s) of Title less than three months old for the site to which this application relates. Attach the title and any consent notices, covenants, easements attached to the title if relevant or affected by the proposed activity.

☐ Locality plan or aerial photo. Indicate the location of the site in relation to the street and other landmarks. Show the street number of the subject site and those of adjoining sites.

☐ Detail(s) of the resource consent(s) being applied for including reference to specific rule(s) and reasons for consent.

☐ An assessment of effects on the environment in accordance with Schedule 4 of the RMA at a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. This may require one or more technical specialist reports. Include a full description of the proposed activity, the effects that may be generated and how these would be managed. For more information refer to Schedule 4 of the RMA and the council's Guidance note 1.

☐ An assessment against the matters in Part 2 of the RMA. This may be included in your AEE or in a separate document. For more information refer to Schedule 4 of the RMA and the council's Guidance note 1.

☐ An assessment against any relevant provisions of a statutory document (e.g. district and regional plans, the PAUP DV, National Policy Statements etc.). This may be included in your AEE or in a separate document. For more information refer to Schedule 4 of the RMA and the council's Guidance note 1.

☐ Include other information required by the relevant section of the operative district plan, an operative regional plan, the PAUP DV, the RMA or any regulations made under that act.

☐ Include details (name, postal and site address) of consultation undertaken (including with iwi) and any responses from persons consulted. For more information refer to Schedule 4 of the RMA and Guidance note 1.

☐ A completed checklist where relevant to your application.

☐☐☐☐☐☐☐☐☐☐☐

14. Additional information – for regional consents or permits only under operative regional plans or the PAUP DV

14.1 Map reference of proposed works:

mE

mN

Use New Zealand Transverse Mercator (NZTM), e.g. 1756730mE 5919740mN.

Ensure that the location of your activity is marked to an accuracy of 10 metres on your location plan. You can obtain your map coordinates and an aerial photo from the Auckland Council GeoMaps (GIS viewer) found on the home page of the council's website, aucklandcouncil.govt.nz

14.2 Please provide the map reference of discharge points if relevant.

Map reference of proposed discharge or take point(s):

mE

mN

Is the discharge/take location on the same property as the application site?

☐ Yes

☐ No

If 'no', complete the details below.

Name or property owner: (If not the same)

Address:

Postcode:

Legal description:

☐ Documentation confirming easement and/or covenants for wastewater, including a certificate of title for the property where the discharge occurs.

If required, also attach land owner approval.

14.3 Give the name of any stream, river or lake (or if the stream is unnamed, state which water body it is a tributary of).

Stream name:

or tributary of:

14.4 Please indicate the duration for which you are requesting a permit (if relevant):

years

15. Signature of the applicant(s) or agent

Please read these notes before signing the application form

Payment of fees and charges

The council may charge the applicant for all costs actually and reasonably incurred in processing this application. Subject to the applicant's rights under sections 357B and 358 of the RMA to object to any costs, the applicant undertakes to pay all and future processing costs incurred by the council. The council may issue interim invoices for applications. If any steps, including the use of debt collectors and/or lawyers, are necessary to recover unpaid processing costs, the applicant agrees to pay all collection costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company, in signing this application the applicant binds the trust, society or company to pay all the above costs and guarantee to pay all the above costs in their personal capacity. Refer to the council's Fees and charges schedule found at: aucklandcouncil.govt.nz/resourceconsents

Note: Some regional permits include ongoing annual charges in addition to the processing fee. These are payable by the consent holder.

Development and financial contributions

When granting consent to certain activities, the council may levy a monetary contribution. Development contributions are levied under the Local Government Act 2002 in accordance with the council's Development Contribution Policy. Financial or reserve contributions are levied under the RMA under the relevant district plan. When such contributions become due, the consent holder is responsible for their payment. Unless otherwise advised, the name and contact address of the person responsible for payment of any contributions will be taken as the applicant.

Alternative contact and address for development and financial contributions:

Name:

Address:

Postcode:

Site visit

By signing this form, if you are the owner of the application site, you confirm that the council may undertake a site inspection.

Privacy information

The council requires the information you have provided on this form to process your application under the RMA and to collect statistics. The council will hold and store the information, including all associated reports and attachments, on a public register. The details may also be made available to the public on the council's website. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the council. If you would like to request access to, or correction of any details, please contact the council.

Declaration for the applicant or authorised agent or other

I/we confirm that I/we have read and understood the notes above.

If a private or family trust is the applicant, at least two New Zealand-based trustees are required to provide contact details and sign this form.

Applicant's name:

Dean Munro

(DIRECTOR - THREE BLOKES LTD)

Applicant's signature:



Date:

2-9-17

Applicant's name:

Kim Munro

(DIRECTOR - THREE BLOKES LTD)

Applicant's signature:



Date:

2/9/17

Applicant's name:

Applicant's signature:

Date:

Declaration for the agent authorised to sign on behalf of the applicant

As authorised agent for the applicant, I confirm that I have read and understood the above notes and confirm that I have fully informed the applicant of their/its liability under this document, including for fees and other charges, and that I have the applicant's authority to sign this application on their/its behalf.

Agent's full name:

Agent's signature:

Date:



Ref: 11961-1116
16 November 2017

Auckland Council
Private Bag 92300
Victoria Street West
Auckland

Attention: Resource Consents Department

**APPLICATION FOR RESOURCE CONSENT: MANUFACTURE OF HANDCRAFTS
ASSOCIATED WITH A MARKET ACTIVITY, AT 362 MATAKANA VALLEY ROAD.**

Dear Sir/Madam,

We enclose an application for resource consent under s88 of the RMA, seeking land use consent for the manufacture of handcrafts, associated with a market activity, At 362 Matakana Valley Road, Matakana.

This application consists of:

- The formal application form,
- Certificate of Title
- Site Plans
- On-site Wastewater Treatment and Disposal Report,
- Assessment of Environmental Effects Report

Two copies of the application documents are included (including one unbound) and two digital copies on CD.

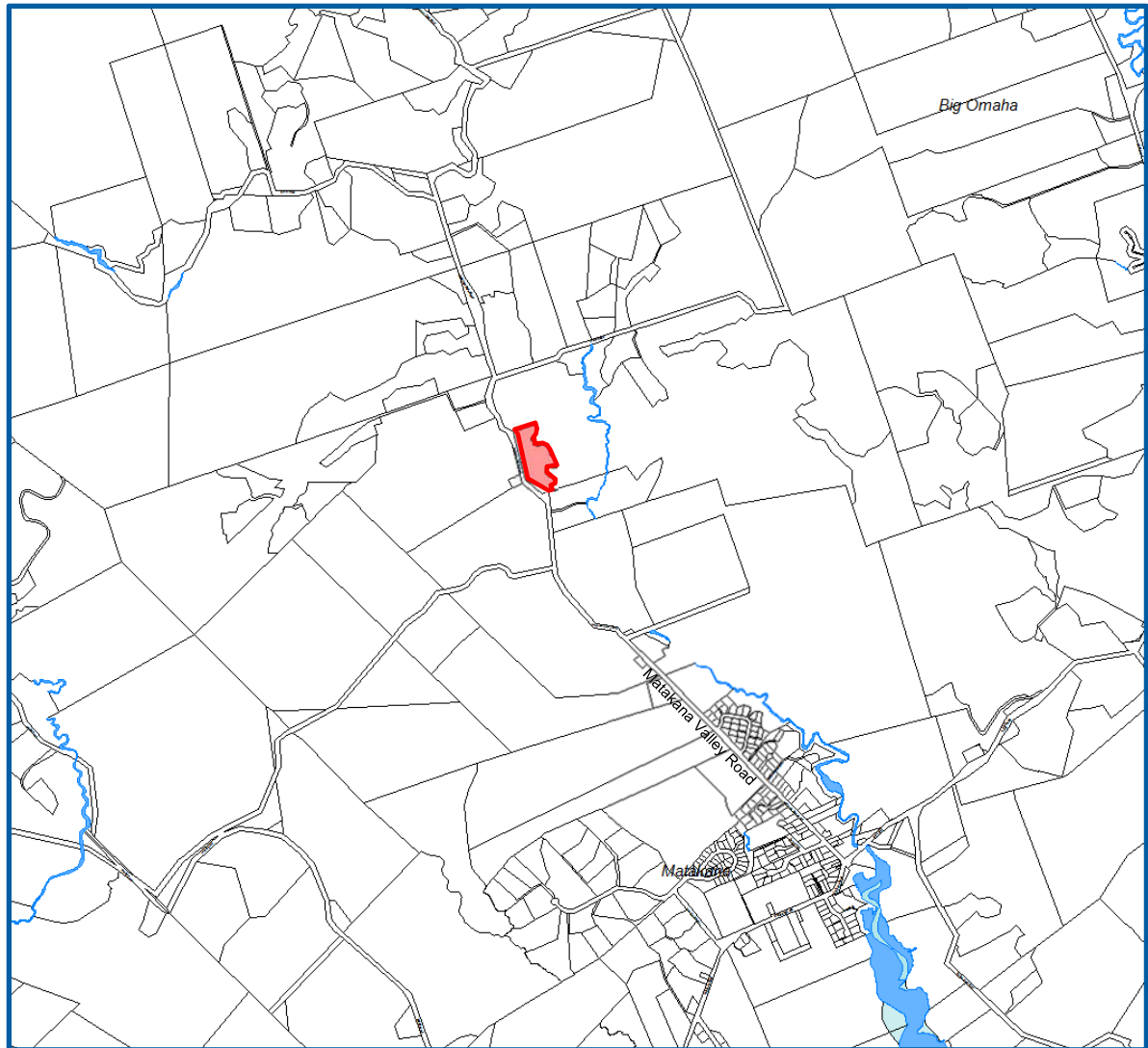
It is proposed that the application be processed as a non-notified application.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "B. Markham".

Bianca Markham
Senior Planner

**ASSESSMENT OF ENVIRONMENTAL EFFECTS REPORT IN SUPPORT
OF AN APPLICATION FOR RURAL INDUSTRIES AND PRODUCE SALES,
ASSOCIATED WITH MARKET ACTIVITY AT 362 MATAKANA VALLEY ROAD,
MATAKANA.**



PREPARED FOR THREE BLOKES LTD
REPORT NO 11961
DATE NOVEMBER 2017



**ASSESSMENT OF ENVIRONMENTAL EFFECTS REPORT IN
SUPPORT OF AN APPLICATION FOR RURAL INDUSTRIES AND
PRODUCE SALES, ASSOCIATED WITH A MARKET ACTIVITY**

AT 362 MATAKANA VALLEY ROAD, MATAKANA

Report prepared by:



Bianca Markham
Senior Planner

Reviewed by:



Shane Hartley
Director

Prepared for: Three Blokes Limited

Prepared by: Terra Nova Planning Ltd
Resource Management Consultants
PO Box 466
Orewa Beach
p: 09 426 7007
e: tnp@tnp.co.nz

Report No: 11961
Date: November 2017

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- Figure 1: Plan showing existing and proposed buildings
- Figure 2: Aerial view of site and wider surrounding area
- Figure 3: Aerial view of site and existing development
- Figure 4: View towards the north over the site
- Figure 5: View over the southern entrance to the site

Attachments

- Attachment 1: Certificate of Title
- Attachment 2: Application Plans
- Attachment 3: Wastewater Report

1. INTRODUCTION AND SUMMARY

This Assessment of Environmental Effects (AEE) is in support of an application for land use consent under Section 88 of the Resource Management Act 1991, for the manufacture of handcrafts on site, associated with a permitted market activity, at 362 Matakana Valley Road (Figure 1 below).

Figure 1: Subject site and existing buildings



In summary the key details are:

- The site measures 2.66ha and contains an established sawmill, and a number of existing buildings.
- Two of the buildings in the south of the site, previously used as drying sheds for the timber mill activity, are to be converted into 8 units for a market activity.
- The Auckland Unitary Plan – Operative in Part (AUPOIP) provides for markets within the Rural Production Zone as a permitted activity, provided that the specified standards are met.
- Resource consent for other activities not provided for is permitted activities is sought as a discretionary activity, to provide for the production of, handcrafts (primarily timber-based, or similar) on the site.
- No additional buildings or infrastructure are required to facilitate the discretionary activity; it can be accommodated within the market units.

This AEE concludes that the proposal is consistent with relevant objectives, policies and assessment criteria. It is considered that the proposed handcraft manufacturing activities are complementary to the historic timber mill use of the site, as well as the sale of other goods from the permitted market activity.

The proposal will have no more than minor effects on the natural environment, the amenity and rural character of the surrounding area, or the safety and operation of the surrounding road

network and other engineering infrastructure; therefore satisfying Section 104 of the Resource Management Act (1991).

It is considered that the application can be consented on a non-notified basis.

2. LEGAL AND OWNERSHIP DETAILS

Site Address	362 Matakana Valley Road
Legal Description	Part Allotment 51 Parish of Matakana, Section 1 Survey Office Plan 400726 (CT is ATTACHMENT 1)
Site Owner	Three Blokes Limited
Zoning	Rural Production
Application Status	Discretionary

3. DESCRIPTION OF THE SITE AND SURROUNDING AREA

3.1. Site Description

The application site is located at 362 Matakana Valley Road, approximately 1.5 kilometres northwest of Matakana Village. The site measures 2.6672ha, and is irregular in shape with the eastern boundary adjoining the Matakana River, and the western boundary abutting Matakana Valley Road.

The property has historically been used for timber milling and processing, storage and sales, and there are a number of existing buildings on the site related to the mill activities.

The road reserve in front of the site contains sandstone setts (old road pavers) which are identified as a Historic Heritage Extent of Plan under the operative Auckland Unitary Plan (AUP).

The characteristics of the site are illustrated in **Figures 2-5** below.

Figure 2: Subject site and wider surrounding area

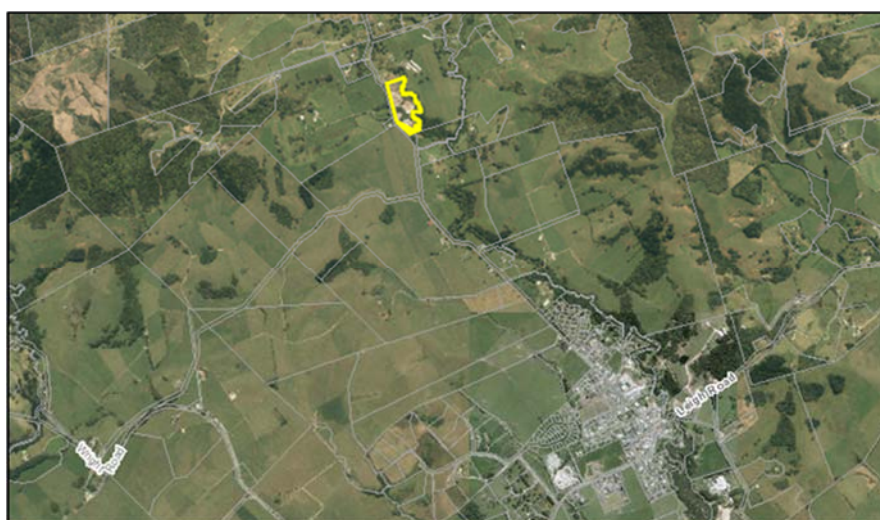


Figure 3: Aerial view of subject site and existing development



Figure 4: View north over subject site and existing development



Figure 5: Entrance to southern area of site, and proposed market building (right)



3.2. The character of the wider surrounding area

Sites surrounding the application site are generally rural-residential properties, with sizes varying between 0.2ha and 30ha. The site to the north and east of the application site was formerly a poultry farm, and contains several disused poultry houses, one of which is now used as a microlight hangar. This farm also contains an airstrip, as well as a residence about 150 metres from the sawmill shed.

The nearby Matakana Village, and the surrounding rural and coastal area, is a popular destination for weekend visitors and holidaymakers. In the heart of the village are the farmers' market, boutique shops and cinema, while the wider area contains long-established attractions such as Morris and James Pottery, Matakana Country Park, numerous wineries and fine art studios.

Matakana Valley Road connects Matakana Village with Wellsford and Pakiri over the Conical Peak/Mt Tamahunga range.

4. PROPOSAL

4.1. Overall layout

The proposed site plan has been prepared by Terra Nova Planning and is included as **ATTACHMENT 2**.

A market activity is to be established within two of the existing sheds (with internal renovations to accommodate the activities) located in the south of the site. The markets are to operate from units within the two buildings, with shared lunchroom and toilet facilities for vendors. In accordance with H19.10.14, vendors will be able to sell handcrafts and horticultural or agricultural products, as well as food and beverages.

In addition to the markets activity, it is proposed that vendors will be able to *manufacture handcrafts* on site, including timber based goods, pottery, etc, which may then be sold at the market.

4.2. Traffic and Access

Twenty car parking spaces will be provided (as shown on the Parking Plan included within **ATTACHMENT 2**); ten of the spaces will be to the south of the larger 'market' building and the other ten spaces will be located between the two market buildings. Access to the car parking spaces will be off Matakana Valley Road via the existing vehicle entrance in the southern area of the site.

4.3. Potable Water and Wastewater

4.4.1 Wastewater

A new site wastewater treatment system will be installed for the market activity, with the disposal field in the southern area of the site.

An On-Site Wastewater Treatment and Disposal Report relating to the new treatment system has been prepared by Hutchinson Consulting Engineers, and is included as **ATTACHMENT 3**.

4.4.2 Water

The potable water for the market activity will be rainwater obtained from the roofs of the market buildings.

5. ACTIVITY STATUS

5.1. Markets

Under Table H19.8.1 (A38), markets are a permitted activity, provided that they are able to comply with the standards set out in H19.10.14 below:

H19.10.14. Markets

(1) Markets must comply with all of the following:

- a) must not operate on a site of less than 1ha;*
- b) must not be located on a rear site;*
- c) must be limited to the sale of food and beverages, agricultural or horticultural produce, or handcrafts; and*
- d) must operate between 7am and 7pm daily.*

5.2 Activities Not Provided For

The manufacture of handcrafts and similar goods and their sale at the markets activity *are not specifically provided for* within any of the activities set out in Table H19.8.1, though the proposed activity contains aspects of both rural industries (using primarily raw materials derived from rural production activities), and produce sales (handcrafts made on site).

Under C1.7, any activity that is not specifically classed in a rule as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity is a **discretionary activity**; unless otherwise specified by a rule for an overlay, zone, precinct or Auckland-wide rules.

5.3 Overall Activity Status

The overall activity status of the consent is a **discretionary activity**¹.

6. RELEVANT RMA STATUTORY PROVISIONS

Resource consent for the proposed activity is required by virtue of Section 9 RMA. Section 9 relates to the use of land and states (in summary) that no person may use land in a manner that contravenes a district or regional rule unless allowed by resource consent, or a number of other specific situations (which do not apply in this case).

In consideration of this resource consent application the following sections of the RMA are also deemed to be relevant

6.1 Relevant RMA Considerations

- Section 104 – Consideration of applications.
- Section 104B – Determination of applications for discretionary or non-complying

¹ The scope and intent of these rules have been discussed and agreed with Auckland Councils Practice and Training Team

activities.

- Section 108 – Conditions of Resource Consents.
- Sections 95, 95D, and 95E – When public notification of consent applications is required/is not required, when deciding if effects are likely to be more than minor, and when deciding if a person is an affected person.
- Schedule 4 – Assessment of Effects on the Environment.

These matters are all subject to Part 2, which sets out the purpose and principles of the Act.

7. ASSESSMENT CRITERIA

The specific AUP assessment criteria relevant to the assessment of the proposal are identified below. An assessment of the relevant criteria is included within the Section 8 –Assessment of Actual and Potential Effects on the Environment- below.

It is considered that this, together with the S104(1)(b) assessment of objectives and policies, provides sufficient consideration of the relevant assessment criteria while avoiding undue repetition.

The relevant assessment criteria considered in the following Fourth Schedule of Effects are:

7.1. Activities Not Otherwise Provided For ‘Discretionary’ -Market

There are no assessment criteria for discretionary activities not otherwise provided for in the AUPOIP. For the purposes of assessment, the relevant criteria for ‘all restricted discretionary activities’ set out in H19.12.2 are:

H19.12.2 Assessment criteria	
(1) all restricted discretionary activities:	 b) whether noise from fans, ventilators, heaters, or other machines, or from on-site activities can be adequately mitigated; c) whether the design and location of the buildings, and the associated traffic avoid, remedy or mitigate adverse effects on the road network or traffic safety.

8. ASSESSMENT OF ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT: RMA S104(1)(A)

The following assessment of effects specifies effects relevant to the proposal, which addresses relevant RMA Fourth Schedule matters, and matters for consideration under relevant assessment criteria included in **Section 7** above.

In summary, it is considered that the effects of the proposal are acceptable in terms of the Fourth Schedule of the Act and relevant regional and district plan assessment criteria, and will not result in more than minor adverse effects.

8.1. Any effect on those in the neighbourhood and, where relevant, the wider community including any socio-economic and cultural effects

The proposal will have no more than minor effects on surrounding neighbours or the wider community, as the proposed works are subsidiary to the permitted market activity.

No additional buildings or structures (other than renovations) are required to facilitate the activity - the manufacturing of handcrafts being carried out within the market buildings - and there will be no additional persons on the site involved in manufacturing, as vendors will make their own goods to sell (i.e. will already be on the site as part of the market activity).

Parking is provided at a rate of 1 per 25m², in accordance with the transport parking rate for "All other retail" in Table (E27.6.2.4 (T58)). Twenty car parking spaces will be provided as shown on the attached plan (**Attachment 2**).

One of the car parking spaces will be able to be used as a loading space mainly at "after public hours" times; during public admission hours, parking space used for loading would normally be occupied a visitor to the site loading a purchase, and in any case parks are considered unlikely to be fully occupied at most times. The number of the deliveries to the market activity / handcraft manufacture is anticipated to be low.

8.2. Any physical effect on the locality, including any landscape and visual effects

There will be no physical effects on the locality as a result of the proposed goods manufacturing on site; the activity will be contained within (renovated) existing buildings, and does not require any additional structures extending building footprints.

8.3. Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity

The proposal will not have any adverse effects on the natural environment; there are no ecological habitats, sensitive ecosystems, or areas of significant vegetation in the subject area of the site, and there will be no changes to the existing environment.

8.4. Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present or future generations

The proposal will have no adverse effect on natural and physical resources that would limit the ability of the land to be used by future generations (i.e. long-term effects). There are no identified cultural or archaeological items identified on the site.

8.5. Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants

The proposed activity will not result in the discharge of any contaminants into the environment, and it is not anticipated that the handcrafts manufacturing will result in noise levels greater than those provided for under the AUPOIP noise and vibration rules (i.e. 55dBA during daytime hours) outside of the site boundaries. It is noted that the site has historically, and is still, operated as a timber mill with associated timber processing, which would typically be expected to generate higher noise levels than what will occur with the proposed light market goods manufacturing.

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

The proposed activity will not result in any additional risk to the neighbourhood, wider community, or environment. The application does not propose any hazardous installations, nor the use of any hazardous substances.

The proposed new wastewater system and disposal field will adequately treat and dispose of the wastewater discharge from the activity; and is unlikely to have any discernible effects beyond the site.

8.7. Conclusion

The proposal readily demonstrates a less than minor level of adverse effects on the environment on the basis of the above discussion.

9. RMA S104(1)(B) – CONSIDERATION OF APPLICATIONS

Section 104(1) of the Resource Management Act 1991 states (in summary) that an authority considering an application for resource consent must have regard to effects on the environment, and the relevant provisions of any national and regional policy statements and plans, proposed plans and any other matter the authority considers relevant.

In the assessment of this application, it is considered that the Council should have regard to objectives and policies within the following sections of the Auckland Unitary Plan:

- All Rural zones
- Rural Production Zone (H19)
- Natural Hazards (Chapter E36)

The following analysis considers the relevant objectives and policies of the AUP sections identified above. These are summarised below:

	Objectives	Policies
All Rural zones (H19)	H.19.2.1 – general rural (1) Rural areas are where people work, live and recreate and where a range of activities and services are enabled to support these functions. (2) Rural production activities are provided for throughout rural area while containing adverse environmental effects on site. (3) Elite soil is protected, and prime soil is managed, for potential rural production. (4) Rural lifestyle development avoids fragmentation of productive land. H19.2.3 – rural character, amenity and biodiversity value (1) The character, amenity values and	H19.2.2 – general rural (1) Enable activities based on use of the land resource and recognise them as a primary function of rural areas. (2) Require rural production activities to contain and manage their adverse environmental effects on-site to the fullest extent practicable. (3) Enable rural production activities on elite and prime soil and avoid land-use activities and development not based on, or related to, rural production from locating on elite soil and avoid where practicable such activities and development from locating on prime soil. (4) Enable and maintain the productive potential of land that is not elite or prime soil but which has productive potential for rural production purposes, and avoid its use for other activities including rural lifestyle living except where these are provided for or

	Objectives	Policies
	biodiversity values of rural areas are maintained or enhanced while accommodating the localised character of different parts of these areas and the dynamic nature of rural production activities. (2) Areas of significant indigenous biodiversity are protected and enhanced. H19.2.5. – rural industries, rural commercial services and nonresidential activities (1) Rural production activities are supported by appropriate rural industries and services. (2) The character, intensity and scale of rural industries and services are in keeping with the character of the relevant rural zone. (3) The rural economy and the well-being of people and local communities are maintained or enhanced by social, cultural and economic non-residential activities, while the area's rural character and amenity is maintained or enhanced. (4) Industries, services and non-residential activities of an urban type and scale unrelated to rural production activities are not located in rural zones. ...	enabled by Policy H19.2.2(5). (5) Enable a range of rural production activities and a limited range of other activities in rural areas by: (a) separating potentially incompatible activities such as rural production and rural lifestyle living into different zones; (b) avoiding or restricting rural subdivision for activities not associated with rural production in areas other than those subdivision provided for in E39 Subdivision – Rural; (c) managing the effects of activities in rural areas so that; (i) essential infrastructure can be funded, coordinated and provided in a timely, integrated, efficient and appropriate manner; and (ii) reverse sensitivity effects do not constrain rural production activities. (d) acknowledging that, in some circumstances, the effective operation, maintenance, upgrading and development of infrastructure may place constraints on productive land and other rural activities; or (e) providing for tourism and activities related to the rural environment. (6) Recognise that a range of buildings and structures accessory to farming and forestry, and other operational structures for rural production activities are an integral part of rural character and amenity values. ... H19.2.4 - rural character, amenity and biodiversity value (1) Manage the effects of rural activities to achieve a character, scale, intensity and location that is in keeping with rural character, amenity and biodiversity values, including recognising the following characteristics: (a) a predominantly working rural environment; (b) fewer buildings of an urban scale, nature and design, other than residential buildings and buildings accessory to farming; and (c) a general absence of infrastructure which is of an urban type and scale. (2) Recognise the following are typical features of the Rural – Rural Production Zone, Rural –

	Objectives	Policies
		Mixed Rural Zone and Rural – Rural Coastal Zone and will generally not give rise to issues of reverse sensitivity in these zones: (a) the presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops, plantation forests and farm forests; (b) noise, odour, dust, traffic and visual effects associated with use of the land for farming, horticulture, forestry, mineral extraction and cleanfills; (c) the presence of existing mineral extraction activities on sites zoned as Special Purpose – Quarry Zone; (d) accessory buildings dot the landscape, particularly where farming activities are the dominant activity; and (e) activities which provide for the relationship of Mana Whenua to their ancestral land and taonga. ... <i>H19.2.6. – rural industries, rural commercial services and nonresidential activities</i> (1) Enable rural industries and rural commercial services only where they have a direct connection with the resources, amenities, characteristics and communities of rural areas. (2) Manage rural industries, rural commercial services and other non-residential activities to: (a) avoid creating reverse sensitivity effects; (b) contain and manage adverse effects on-site; and (c) avoid, remedy or mitigate adverse effects on traffic movement and the road network.

9.1 Assessment

The proposal is consistent with the objectives and policies set out above.

The proposed activity is subsidiary to the permitted market activity, and is complementary to the existing rural production (timber mill) use of the site; it is anticipated that handcrafts made on site will primarily be wood based, such as furniture pieces, serve ware, ornaments etc., relating to the historic and ongoing timber mill activities occurring in the north of the site.

The proposal will not restrict or conflict with rural production activities occurring in the surrounding area.

	Objectives	Policies
Rural Production Zone (H19)	(1) A range of rural production, rural industries, and rural commercial activities take place in the zone. (2) The productive capability of the land is maintained and protected from inappropriate subdivision, use and development.	(1) Provide for a range of existing and new rural production, rural industry and rural commercial activities and recognise their role in determining the zone's rural character and amenity values. ...

9.2 Assessment

The proposal achieves the objectives and policies above; the activities will be in keeping with the existing and emerging character of the Matakana Township to the south, providing a unique retail / commercial experience while recognizing and maintaining the rural production values of the site.

	Objectives	Policies
Natural Hazards (E36)	(1) Subdivision, use and development outside urban areas does not occur unless the risk of adverse effects to people, property, infrastructure and the environment from natural hazards has been assessed and significant adverse effects are avoided, taking into account the likely long-term effects of climate change. ... (3) Subdivision, use and development on rural land for rural uses is managed to ensure that the risks of adverse effects from natural hazards are not increased and where practicable are reduced. (4) Where infrastructure has a functional or operational need to locate in a natural hazard area, the risk of adverse effects to other people, property, and the environment shall be assessed and significant adverse effects are sought first to be avoided or, if avoidance is not able to be totally achieved, the residual effects are otherwise mitigated to the extent practicable. (5) Subdivision, use and development including redevelopment, is managed to safely maintain the conveyance function of floodplains and overland flow paths. (6) Where appropriate, natural features and buffers are used in preference to hard protection structures to manage natural	(1) Identify land that may be subject to natural hazards, taking into account the likely effects of climate change, including all of the following: ... (b) flood hazards; ... (2) Investigate other natural hazards to assess whether risks to people, property or the environment should be managed through the Plan or otherwise. (3) Consider all of the following, as part of a risk assessment of proposals to subdivide, use or develop land that is subject to natural hazards: (a) the type, frequency and scale of the natural hazard and whether adverse effects on the development will be temporary or permanent; (b) the type of activity being undertaken and its vulnerability to natural hazard events; (c) the consequences of a natural hazard event in relation to the proposed activity; (d) the potential effects on public safety and other property; (e) any exacerbation of an existing natural hazard risk or the emergence of natural hazard risks that previously were not present at the location; ...

	Objectives	Policies
	hazards.	(h) the design and construction of buildings and structures to mitigate the effects of natural hazards; ... (j) site layout and management to avoid or mitigate the adverse effects of natural hazards, including access and exit during a natural hazard event; and (k) the duration of consent and how this may limit the exposure for more or less vulnerable activities to the effects of natural hazards including the likely effects of climate change. (4) Control subdivision, use and development of land that is subject to natural hazards so that the proposed activity does not increase, and where practicable reduces, risk associated with all of the following adverse effects: (a) accelerating or exacerbating the natural hazard and/or its potential impacts; (b) exposing vulnerable activities to the adverse effects of natural hazards; (c) creating a risk to human life; and (d) increasing the natural hazard risk to neighbouring properties or infrastructure. ... (16) In rural areas, avoid where practicable locating buildings accommodating more vulnerable activities in the 1 per cent annual exceedance probability (AEP) floodplain and manage other buildings and structures so that flood hazards are not exacerbated. ... (21) Ensure all development in the 1 per cent annual exceedance probability (AEP) floodplain does not increase adverse effects from flood hazards or increased flood depths and velocities, to other properties upstream or downstream of the site. (22) Required the storage and containment of hazardous substances in floodplains so that the integrity of the storage method will not be compromised in a flood event. (23) Provide for flood mitigation measures which reduce flood-related effects and provide for the reconstruction of culverts and bridges where those measures do not

	Objectives	Policies
		create or exacerbate flooding upstream or downstream or otherwise increase flood hazards. (24) Enable the planting and retention of vegetation cover to enhance amenity values, green linkages and ecological values in floodplains as long as it does not create or exacerbate flooding upstream or downstream or otherwise increase flood hazards. (25) When considering mitigation of flood hazards where buildings are located in floodplains, promote measures such as use of water resistant materials and flood-proof utility connections to increase resilience to flood damage. (26) Construct accessways, including private roads, so that flood hazard risks are not increased. (27) Enable the construction and maintenance of flood mitigation works to reduce flood risks to people, property, infrastructure and the environment. (28) Take into account any authorised earthworks or drainage infrastructure which avoids, remedies or mitigates flood hazards when assessing proposed subdivision, use or development.

9.3 Assessment

The proposal is consistent with the objectives and policies above; as set out in the Wastewater Report prepared by Hutchinson Consulting Engineers (**ATTACHMENT 3**), the wastewater disposal field is proposed to be at a level of approximately RL 22.15, above the level of the 20 and 100 year flood plains. As noted above, the wastewater system will cater for the wastewater runoff from the activity.

Details of the finished floor level of the portion of the 'second' existing market building located within the floodplain will be provided as part of the building consent for the proposed renovations.

10. SECTION 95A – E: EFFECTS AND CONSULTATION

10.1 Statutory Matters

Section 95A gives a Council discretion to decide whether to publicly notify an application or not. However an application must be publicly notified if:

- the activity will have, or is likely to have, adverse effects on the environment that are more than minor;
- the applicant requests public notification of the application; or
- a rule or national environment standard requires public notification.

Section 95B provides that if an application is not publicly notified, a council must decide if there are any affected persons (or affected whole orders) in relation to the activity.

10.2 Sections 95A and 95D – Public Notification

In determining whether to publicly notify an application, Section 95D specifies a Council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor. In making this decision, a council:

- must disregard any effects on persons who own or occupy:
 - the land in, on or over which the activity will occur; or
 - any land adjacent to that land;
 - may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect (i.e. council may consider the “permitted baseline”);
 - must disregard an adverse effect that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion;
 - must disregard trade competition and the effects of trade competition;
 - must disregard any effect on a person who has given written approval to the application.

10.3 Special Circumstances (Section 95A (4))

Section 95A(4) states that a council may publicly notify a proposal if it considers that special circumstances exist, notwithstanding that a rule or national environmental standard precludes notification and the applicant has not requested notification.

10.4 Public Notification Summary

Accordingly, it is considered that the application should not be publicly notified.

10.5 Sections 95B and 95E – Limited Notification

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under Section 95E, a council:

- may disregard an adverse effect of an activity on a person if a rule or national environmental standard permits an activity with that effect (i.e. council may consider the “permitted baseline”);
- must disregard an adverse effect that does not relate to a matter for which a rule or environmental standard reserves control or restricts discretion;
- must have regard to every relevant statutory acknowledgement made in accordance with a statute set out in Schedule 11 of the Act.

Having regard to the above provisions and assessment of environmental effects carried out above, which found that the adverse effects of the proposal will be less than minor, it is considered that the application should not require limited notification.

11. SECTION 108 RMA: RECOMMENDED CONDITIONS IN RESPONSE TO POTENTIAL ADVERSE EFFECTS

In order to ensure that potential adverse effects are avoided, mitigated or remedied, the following conditions are suggested:

1. That development proceeds in general accordance with:
 - a) The Assessment of Environmental Effects Report titled '*Assessment of Environmental Effects Report in Support of an Application for Rural Industries and Produce Sales, Associated with a Market Activity, at 362 Matakana Valley Road, Matakana*' by Terra Nova Planning Ltd, job number 11961, dated November 2017,
 - b) Plans:
 - Proposed Site Plan at Matakana Sawmill, prepared by Terra Nova Planning, dated October 2017,
 - Proposed Markets at 362 Matakana Valley Road, Matakana, dated October 2017, prepared by Terra Nova Planning and
 - Proposed Parking Plan at 362 Matakana Valley Road, Matakana, prepared by Terra Nova Planning dated November 2017.
 - c) Wastewater Report titled '*On-Site Wastewater Treatment and Disposal Report for the Proposed Development at 362 Matakana Valley Road, Matakana (Pt Allot 51 PSH of Matakana SO 1044)*' prepared by Hutchison Consulting Engineers dated November 2017,

12. CONCLUSION

This assessment of effects, including an assessment against the matters set out in the Fourth Schedule of the Resource Management Act, concludes that the adverse effects resulting from the proposal are no more than minor

It is considered that the application is acceptable in terms of the requirements of the Resource Management Act and specifically Sections 104, and Part II of the Act, as the proposal is fundamentally consistent with (and not contrary to) the objectives and policies of the Auckland Unitary Plan where applicable, and satisfies the relevant activity assessment criteria.

Any potential adverse effects can be avoided or mitigated by the application of conditions recommended in the Assessment of Environmental Effects Report, and Council's own additional conditions.

On this basis, it is considered that consent to the application should be granted, with appropriate conditions.

ATTACHMENT 1
Certificate of Title

Scanned Separately

ATTACHMENT 2

Application Plans

Scanned Separately

ATTACHMENT 3
Wastewater Report

Scanned Separately