



Resource Consent Application for Land Use

302, 367 and 464 Mt Herbert Road, Waipukurau

The Te Mata Mushrooms Company Limited

17013AP3
9th November 2020



APPLICATION DETAILS

Consent Authority: Central Hawke's Bay District Council

The Applicant: The Te Mata Mushrooms Company Limited.

Address for Service: Stradegy Planning Limited, PO Box 239, Napier 4140

Address for Invoice: PO Box 8137, Havelock North 4157

Site Details:

Street Address:302, 367 and 464 Mt Herbert Road, Waipukurau

Legal Descriptions:Lot 1 DP 427319, Lot 2 DP401209, Lots 1-2 DP 21840 and Lot 1 DP 22481

Activity for which Consent is sought:

Resource Consent is sought to establish, operate and maintain a mushroom compost production activity and associated activities. The proposed activity requires a **Discretionary Activity** land use consent because the activity is either a 'Factory Farm' as defined in the Operative District Plan, or as an activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited and defaults to **Rule 4.8.3(f)**.

A site coverage non-compliance over 464 Mt Herbert Road a **Restricted Discretionary** land use consent under **Rule 4.8.3(a) and Rule 4.8.3(e)**.

The total number of visitor carparks required under Table 1 Minimum Parking Space Requirements is twelve (12), yet two (2) visitor carparks are provided on site, therefore a **Discretionary Activity** consent under **Rule 8.4** is required.

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1. Certificates of title
2. District Plan Map and Compliance Table Performance Standards
3. Site Plan
4. May 2018 Stantec: Traffic Assessment
5. EAM: PSI Assessment
6. EARCON: Acoustic Assessment – Reviewed 20 October 2020
7. AQP: Odour Effects Assessment, updated 9th November 2020

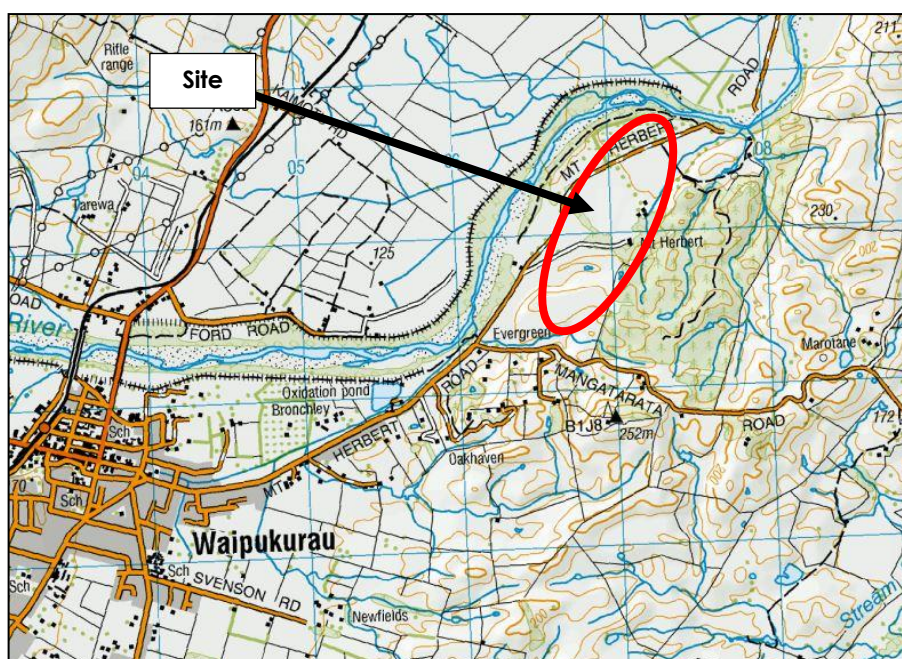
1. INTRODUCTION

The applicant seeks to establish a compost production facility at 464 Mt Herbert Road, Waipukurau.

The applicant searched for an appropriate site to establish a new compost production facility that enables efficient production, is in keeping with the surrounding character and amenity, and avoids adverse effects on sensitive activities beyond the site. The 464 Mt Herbert Road site is a Rural Zone property located at the end of Mt Herbert Road and fulfils these requirements. Refer to **Figure 1** for the general location of the activity.

Figure 1

Figure 1: Location of Activity



1.1 Consents Required

The proposed activity requires a **Discretionary Activity** land use consent under Rule 4.8.3(a) of the Central Hawke's Bay Operative District Plan as a Factory Farm activity. This is because composting is the initial process that comprises a mushroom farm, and a mushroom farm is considered factory farming. If composting on its own is not considered to fall within what is interpreted as a factory farm, then the activity is not provided for anywhere else in the District Plan and it would default to Rule 4.8.3(f) as a **Discretionary Activity** consent under that Rule. Other consents required for the proposed activity under the District Plan are as follows:

- Exceed site coverage (building and hardstand) under permitted performance standard Rule 4.9.1 for part of the subject site (464 Mt Herbert Road only),



An application to discharge odour is to be lodged concurrently with the Hawke's Bay Regional Council.

1.2 Overview

The proposed activity is the process of producing compost and the associated facility and operations. To that end, the production of compost is key part of a factory farm activity and so the Rural Zone Objectives and Policies relating to factory farm activities are considered still relevant. Factory farming activities, and therefore compost production facilities, are encouraged in the Rural Zone provided rural amenity can be maintained. Specific to factory farming, the Rural Zone policies seek to reduce conflict between factory farm operations and other activities; seeking the location of factory farms to be away from urban areas and suggest the use of buffers.

The applicant has considerable experience in the operational requirements of a commercial mushroom farm and risks posed by reverse sensitivity matters. Consequently, the design and site planning of the proposed composting production facility is well informed and reflects this experience. In addition, expert advice on environmental matters such as odour management, transport, and noise is also reflected in the design.

Technical assessments that support this resource consent application include:

- An odour assessment by AQP Air Quality Professionals, 4th November 2020
- An acoustic assessment by EARCON, dated February 2018. This assessment has been reviewed and revised and memo dated 20 October 2020 based on the revised application.
- A Transportation Assessment by TDG (now Stantec) dated April 2018. This assessment supported a previous consent application in 2018/2019 (CHBDC Ref RM 180156). Its consideration of transportation matters is similar to both proposals. The envelop of effects determined under the original proposal has set an extent of effects that the new and current proposal would fall within. Key changes include less [light] vehicles generated by the proposed activity, less carparking on-site, two accesses (similar to Access 1 and 3 from the previous application) instead of seven (7) accesses. To this end, the Stantec Transportation Assessment has not been revised and is relied upon for the purposes of this application given the similarities and use of applicable recommendations.

Overall, it is considered that any actual and potential adverse effects can be either avoided through design of the on-site processes and/or mitigated by way of distance from site and notional boundaries.

The following report has been prepared in accordance with Schedule 4 of the Resource Management Act (**RMA**) and meets the requirements of Form 9. The level of detail provided is commensurate to the scale and significance of effects that the activity may have on the environment.

2. SITE AND SURROUNDS

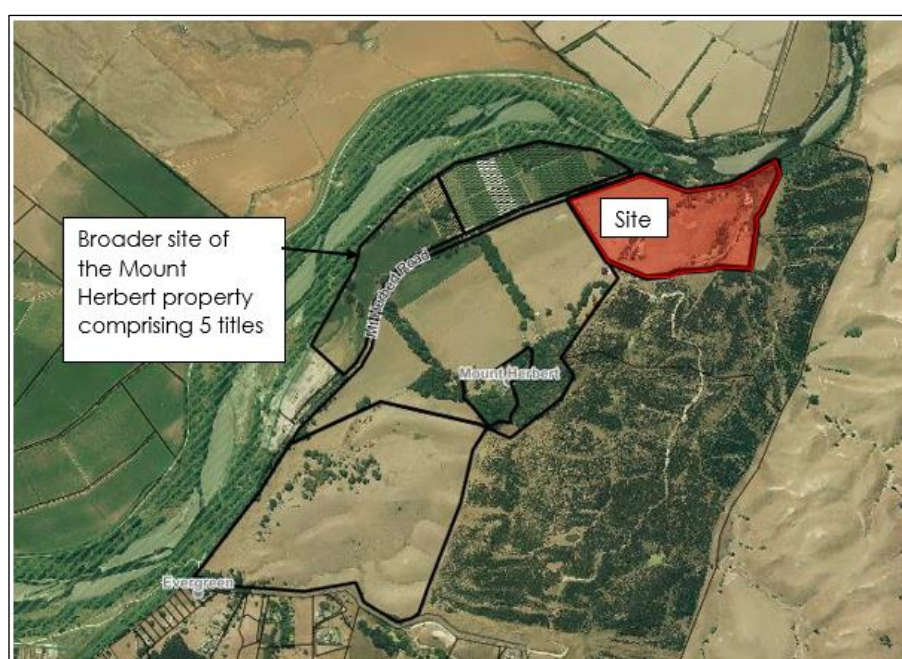
2.1 Subject Site

The subject site is 464 Mt Herbert Road (Lot 1 DP 427319) as shown in **Figure 2** below. Although a separate site in itself, the following includes a description of the overall Mount Herbert property which comprises the following 5 parcels of land held in five separate titles with a total area of 114.9111 hectares (ha)

Legal Description	Area
Lot 1 DP 21840	9.8153ha
Lot 2 DP 21840	10.0113ha
Lot 1 DP 22481	39.4430ha
Lot 2 DP 401209	39.4946ha
Lot 1 DP 427319	16.1469ha
Total Area	114.9111ha

Mount Herbert is a large residential homestead located within the farm block at 302. This house and setting has a separate title (Lot 1 DP 401209) and does not form part of the subject site, yet is owned by the applicant. Certificate of Titles are provided in **Appendix 1**. The site is relatively isolated, as it is located at the end of a no exit road (Mt Herbert) and 'hidden' away due to the topography surrounding it.

Figure 2: Subject Site (464 Mt Herbert Road) and larger Mt Herbert Property (302, and 367 Mt Herbert Road) (Source: CHBDC GIS)





Existing Land use and buildings

The existing use of the site is a pastoral grazing farm east of Mt Herbert Road and river flats to the west of the road. There are two residential dwellings and associated farm utility buildings within the site. These are positioned within the elevated hills, east of the site and described as follows:

- House and farm buildings at the far eastern side of 464 Mt Herbert Road, near the boundary with the Tukituki River esplanade, and
- House and farm buildings at the south-east side of 302 Mt Herbert Road, near the Mount Herbert homestead.

There is an irrigation bore shed close to the road boundary of the site. There are no other buildings on the site.

Road and Vehicular Access

There are existing vehicle accesses to the residential dwellings described above at 302 and 464 Mt Herbert Road. The river flats are accessed from Mt Herbert Road. Mt Herbert Road stops at the esplanade boundary of the Tukituki River.

Services

Water supply to the residential dwellings is rain water. An existing bore and groundwater take supplies the orchard with water as provided for in the water permit from Hawkes Bay Regional Council (ref WP120270T, WP120270a). Further, WP170596T, WP120270Ta, LU170595C enables works to construct a dam in the bed of an ephemeral water body and to take water at high flow and to dam the above water body at 302 Mt Herbert Road.

There is no connection to a wastewater system and existing residential dwellings would have an on-site system.

2.2 Surrounding Environment

The surrounding environment is a mix of rural, industrial and recreational characteristics and amenity.

Mt Herbert road commences from the township of Waipukurau and extends north-east towards the Tukituki River. The character of the road gets increasingly rural as the surrounding land uses move from urban to rural. At the subject site, Mt Herbert Road is a metal road that becomes a recreation track at the termination of the site and beginning of the Tukituki River esplanade. The Tukituki Trail comprises a formed bike track within the Tukituki River esplanade.

North of the subject site is the Tukituki River and its esplanade area, beyond that the land comprises open paddocks and is zoned Rural in the Central Hawkes Bay District Plan (CHBDP).

West of the subject site, and accessed from Mt Herbert Road, is an operational gravel extraction facility. Further south-west, along Mt Herbert Road, is the Waipukurau wastewater

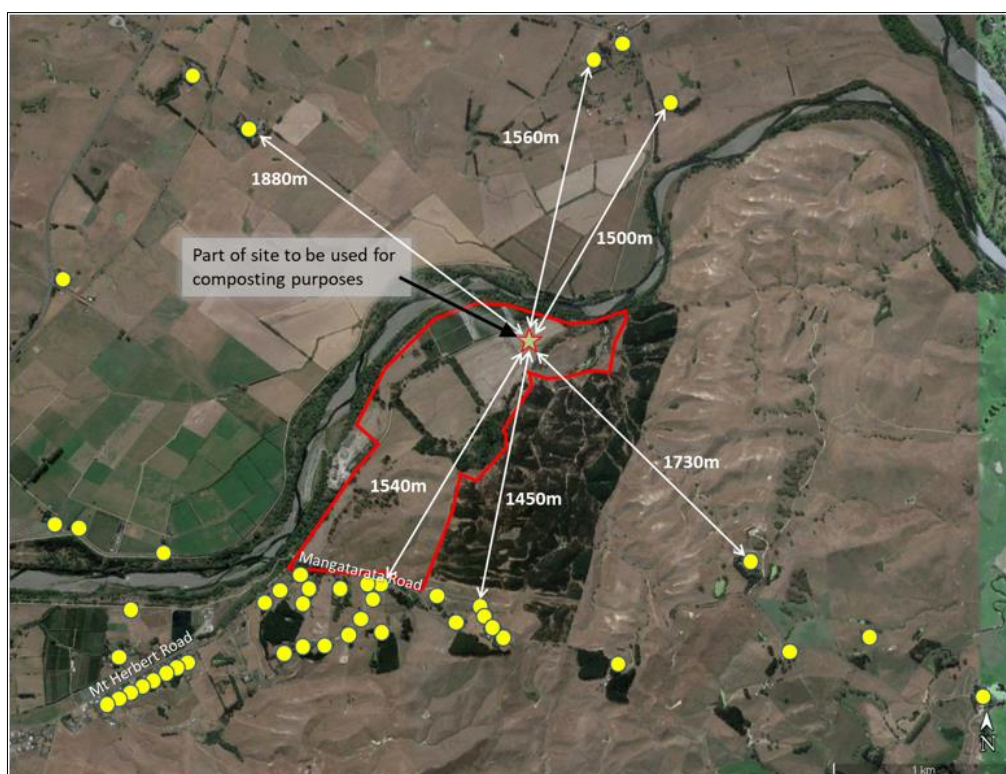
treatment facility. East of the subject site is rolling hill country supporting forestry, and recreational activities.

South of Mangatarata Road are rural residential lifestyle activities, and strips of residential houses that line Mt Herbert Road at the Waipukurau township periphery. The nearest house is approximately 1.4km from the location of the proposed compost facility as shown on **Figure 3** below.

The topography of the area is characterised by a mix of rolling hills, flat pastoral land, and a shallow valley system defined by the Tukituki River and the Waipawa River. The part of the site proposed for the compost and mushroom growing operation is on flat land at an elevation of about 120m above sea level, with the river to the immediate east and north, and rolling hills peaking at 250m above sea level to the immediate west and south. The houses to the south of the site on Mangatarata Road shown on **Figure 3** are located along the higher slopes of these rolling hills.

While a number of subdivision proposals accordance with the minimum lot size framework of the District Plan for the Rural Zone have been obtained, none have been exercised thus the existing environment is as described above.

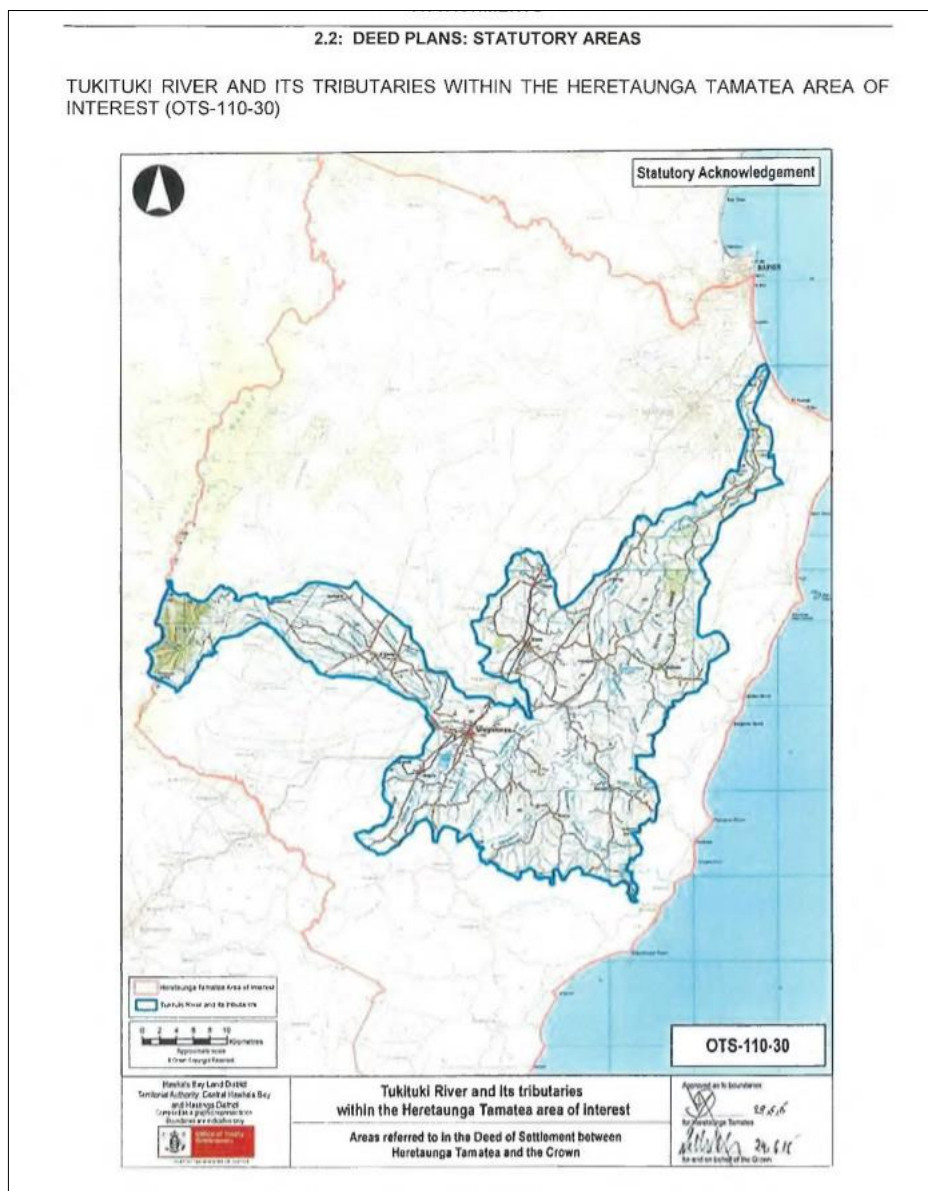
Figure 3: TMM Site (red outline) in relation to nearby residential dwellings (yellow circles), (Source: AQP Report, dated October 2020)



Cultural Values

The subject site is within the Statutory Acknowledgement Area associated with the Tukituki River and tributaries as part of the Heretaunga Tamatea Deed of Settlement, as shown on the Deed Plan OTS-110-30 for Statutory Areas. See **Figure 4** below for a copy of the relevant Deed Plan.

Figure 4: Deed Plan OTS-110-30 for Statutory Areas, Heretaunga Tamatea Deed of Settlement



It is noted that Section 31 of the Heretaunga Tamatea Claims Settlement Bill sets out the application of the statutory acknowledgement and deed of recognition to a river or stream and states:



General provisions relating to statutory acknowledgement and deeds of recognition

Section 31 Application of statutory acknowledgement and deed of recognition to river or stream

- (1) If any part of the statutory acknowledgement applies to a river or stream, including a tributary, that part of the acknowledgement—
- (a) applies only to—
 - (i) the continuously or intermittently flowing body of fresh water, including a modified watercourse, that comprises the river or stream; and
 - (ii) the bed of the river or stream, which is the land that the waters of the river or stream cover at their fullest flow without flowing over the banks of the river or stream; but
 - (b) does not apply to—
 - (i) a part of the bed of the river or stream that is not owned by the Crown; or
 - (ii) an artificial watercourse.
- (2) If any part of a deed of recognition applies to a river or stream, including a tributary, that part of the deed—
- (a) applies only to the bed of the river or stream, which is the land that the waters of the river or stream cover at their fullest flow without flowing over the banks of the river or stream; but
 - (b) does not apply to—
 - (i) a part of the bed of the river or stream that is not owned and managed by the Crown; or
 - (ii) the bed of an artificial watercourse.

While the proposed site adjoins the Tukituki River esplanade, it is on private land and not within the bed of the Tukituki River, or any tributary. However, the proximity of the site to the river may still require consideration of the Statutory Acknowledgement.

The statement of association for each statutory area is set out in the Deed of Settlement Schedule Documents. In relation to the Tukituki River the following statement is made:

Tukituki River and its tributaries within Heretaunga Tamatea area of interest

A narrative exists on the way in which the Tukituki River came into existence. A large lake was located in what is now the Ruataniwha Plains. Two taniwha lived in this lake. On one occasion a boy fell into the lake and the two taniwha fought over their prey. The resulting destruction on the landscape created breaks in the hills through which the lake drained away. One of the channels was the Tukituki River.

After the arrival of the Ngati Kahungunu tūpuna to Heretaunga, the Tukituki River was established as the first boundary between Taraia, who took the land to the west of this river, and Te Aomatarahi who took the land to east and south of the river. The Tukituki is a significant waterway for the hapu of Heretaunga Tamatea. It was used extensively for mahinga kai, and for transporting people and goods.



All along the Tukituki River are signs of occupation and sites that record key events in tribal history. On the lower section of river, there are a number of sites that relate to the actions of the ancient tipuna, Mahu. On the north bank is a white rock, Papaotihi. It is said the rock was once a man who was fishing in the river, but he was turned to stone by Mahu. A little further on is another rock, Tauhou, where Mahu turned another man to stone. Down river near Te Kauhanga pa is another spot touched by Mahu. Here he put a curse on the paepae and people died.

The river mouth was renowned for the abundance of fish species that were taken there. These included; kahawai, patiki, kanae, kataha, kokopu, inanga and tuna. Near the river mouth is Whakamarino where a battle took place at which another iwi was defeated by Tamaiawhitia. The kainga of Haumoana is also located here. Another pa is Te Kauhanga which was occupied first by Taraia I and then Te Whatuiapiti. Further up the river there is a large cliff, Pariwaiehu. Here Te Waka's pa was located, later taken by Hawea.

In the lower reaches of the Tukituki, to the east of Havelock North, the pa Te Korokoro sits on a western bank. From here the river runs below Parikaranga, Te Mata-o-Rongokako, and the smaller peak of Te Hau. Below both these peaks there are pits, terraces and other indications that people once lived here. From the river a track led to the summit of the range.

Further upstream above Kaiwaka on the river's eastern bank looms Kahuranaki maunga, a site of special significance to all hapu of Heretaunga Tamatea. It is said that as he lay dying Te Hapuku asked to be placed at Kaiwaka so that Kahuranaki would be the last thing he saw. This is also the place at which Rongokako, the father of Tamatea-pokai-whenua, is said to have lived.

Some distance upstream an old pa called Ngawhakatatara was located on an island while opposite was a kainga and pa named KurTwaharoa. Other more recently built pa on the Tukituki include Patangata and Tamumu.

Across the Tukituki River from the subject site, a Site of Cultural Significance (ref 230), recorded as a wahi tapu site, is identified on the Central Hawkes Bay District Plan (CHBDP) Map 9. A recorded archaeological site (ref 161) is also located at the northern end of the subject site. These two sites are shown on **Figure 5** below; a snippet of CHBDP Planning Map 9.

The New Zealand Archaeological Association records the site as V22/59 and describes the recorded features as terrace/midden/pit stating:

"A long bluff, terraced on the inland side. A few exposures of midden: fresh-water mussel, fire cracked rock, obsidian, charcoal. 6 terraces, largest 15x3m. Pit 5x4m by .7m deep".

This archaeological site is identified as Area B on the title of Lot 1 DP 427319, with the intent of Consent Notice 8401841.4 to ensure current and future owners are aware of their responsibilities under the Historic Places Act 1993¹. Archaeological site V22/59 is not near any of the proposed activities and is on land higher up and away from the area to be used for

¹ Since superceded by the Heritage New Zealand Pouhere Taonga Act 2014

the proposed composting activities (approximately 70m). Further, the Site of Significance is not within the subject site, but on the other side of the Tukituki River.

Figure 5: Insert of Planning Map 9 (Source: Central Hawkes Bay District Council)

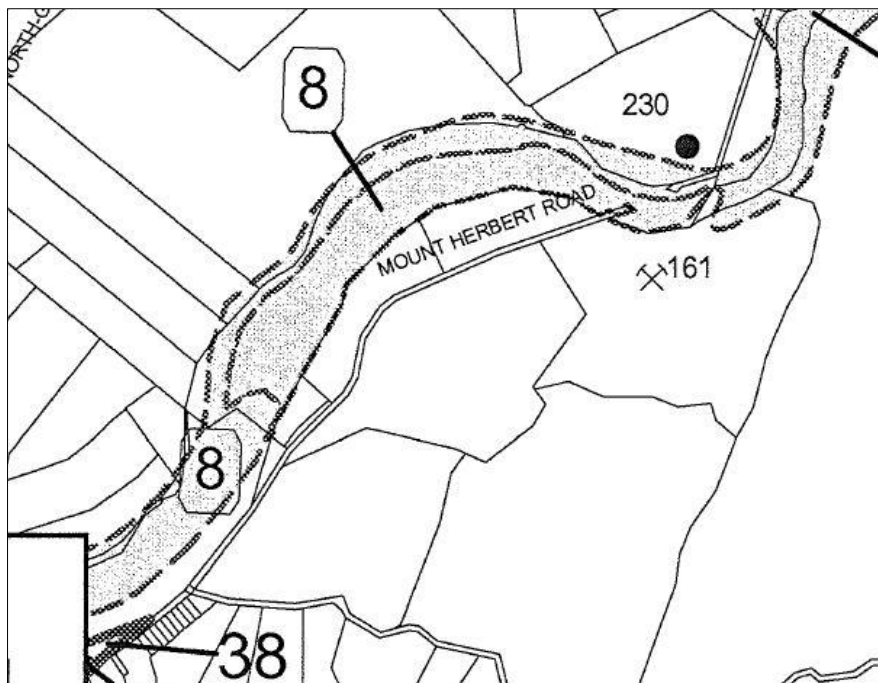
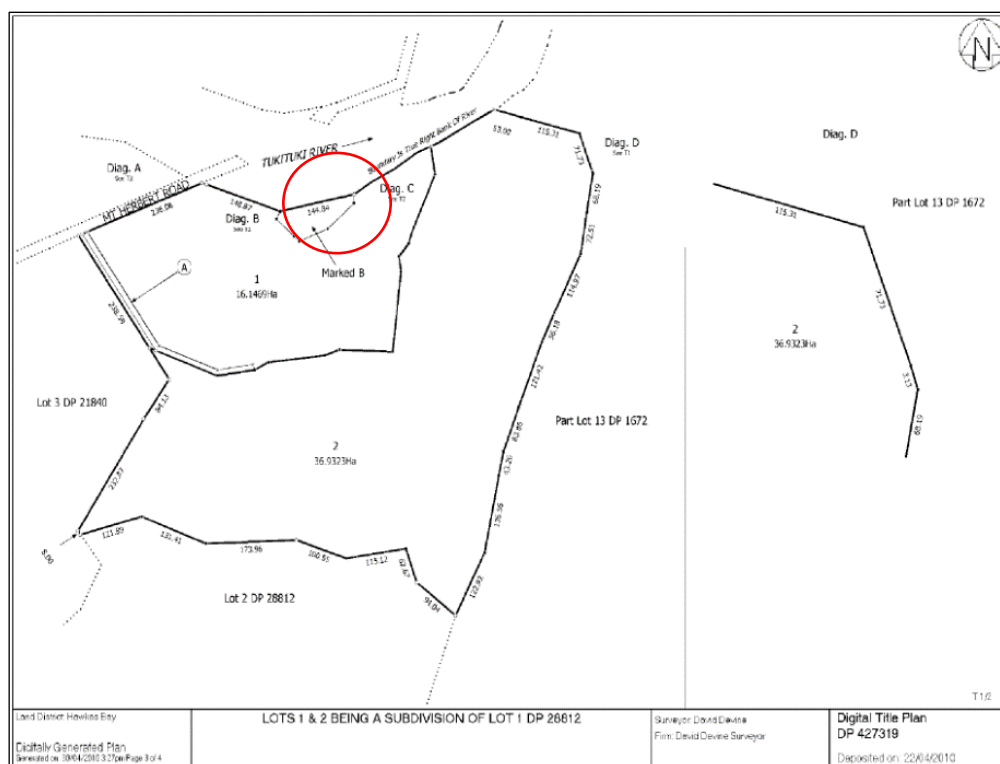


Figure 6: Copy of Lot 1 DP 427319 CT showing Area B (red circle)





Overall, information from the Statutory Acknowledgement Area and District Plan signals that there are cultural values with the Tukituki River to be understood. The extent to which these affect the assessment of this particular proposal is expanded upon below.

3. DESCRIPTION OF PROPOSAL

The proposed activity comprises the establishment, operation and maintenance of a new compost making facility and involves a comprehensive development comprising two buildings, a working yard, access from Mt Herbert Road, manoeuvring on-site for heavy and light vehicles, parking, and associated supporting facilities such as the biofilter, ponds and water storage dam. The establishment of the development requires earthworks and other construction work activities.

Section 3.1 details the scale of the compost production facility, including the proposed buildings and structures, ponds, volume of weekly output, staff numbers, vehicle movements, use of the access points, likely signage, the water storage dam and earthworks.

Section 3.2 explains the processes and activities involved in the production of compost on a commercial scale for use in mushroom farming. In relation to these composting activities, **Table 3** summaries the proposed management and effects mitigation in order to avoid, mitigate and remedy actual and potential odour effects.

3.1 Proposed Compost Production Facility

The scale and nature of the proposed compost making facility is set out below under the following headings:

- Compost process
- Buildings, Structures and Impervious Surfaces
- Ponds
- Volume of weekly output
- Site Access
- Staff and Visitors on Site and Carparking
- Transport
- Landscaping
- Water storage dam
- Earthworks

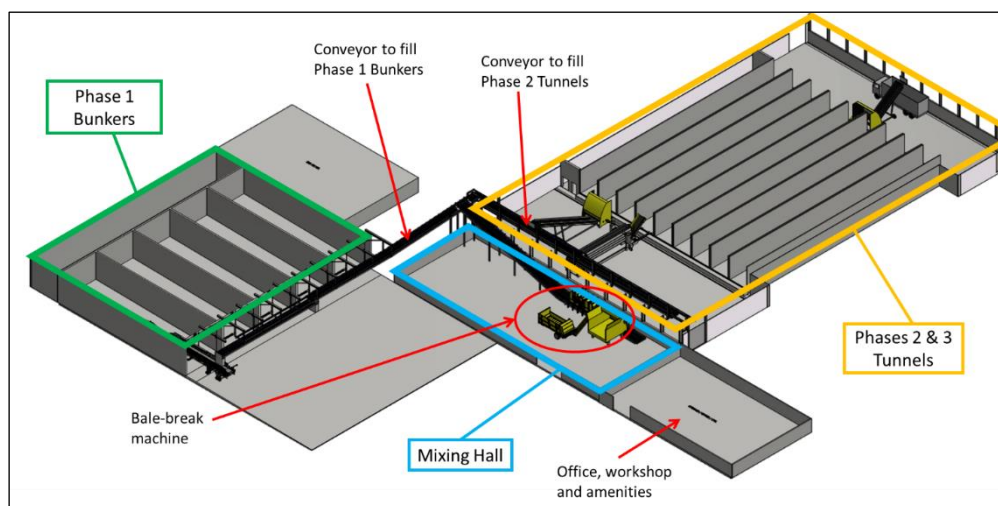
Compost Process

Simply explained, the process of making compost at the site has three phases. Phase 1 takes the raw inputs (chicken litter, gypsum and soaked straw bales) and at the end of this phase, a partially decomposed substrate is formed. The Phase 1 end product is then transported to an enclosed building housing tunnels, and this is where Phase 2 and 3 processes occur. The



final compost that is used as a mushroom growing substrate is completed in the Phase 3 tunnels and ready for departure off site. **Figure 7** below is an example of the way the buildings, working yard and compost making activities work on site – noting that the proposed activity has 5 Phase 1 bunkers and 9 Phase 2 and 3 tunnels so is slightly different to this diagram shown here.

Figure 7: Schematic view of Phase 1 Bunkers, Mixing Hall, and Phase 2 and 3 Tunnels, Source, AQP report, Figure 6



Buildings, Structures, and Impervious Surfaces

The proposed compost production facility at 464 Mt Herbert Road is shown on the Site Scheme Plan by AHA Atkinson Harwood Architects. Some activities are housed in buildings, while others are with open yards.

Buildings

The proposed development has two buildings on site. The largest building, with a GFA of 4,420m² and a maximum height of 9m, houses the Phase 2 and 3 Tunnels, the Mixing Hall, storage, workshop and office space. The second building, with a GFA of 1,540m² and maximum height of 7.5m, houses the Phase 1 Bunkers.

The two buildings are connected by the conveyor and working yard as shown on the Site Plan.

Phase 1 Bunker Building

The Phase 1 Bunker Building is designed with a concrete floor, two concrete walls and insulated panel roof. The end openings are closed with permanent sliding curtain doors when not in use. The Phase 1 bunkers have recessed lines within the concrete floor which act in parallel as both aeration lines and a leachate collection system. Within this building there are five (5) bunkers. The bunker has an air extraction system directed to the biofilter.



Mixing Hall and Phase 2 and 3 Tunnel Building

The activities within the Phase 2 and 3 Compost and the Mixing Hall Building operate under different conditions. The Mixing Hall component is a semi-enclosed building due to the openings for the conveyer from the Phase 1 bunker and also doorways into the working yard. The Mixing Hall is mechanically ventilated via point source extraction hoods.

The Phase 2 and 3 tunnels are contained within a fully enclosed building and mechanically ventilated. There are openings to the building for (1), the transfer of compost from the Mixing Hall, and (2), the loading of the finished product (via automated conveyers) into trucks either within the building or alongside it. The openings to these two parts of the building are noted on the Site Scheme.

The positioning of the two proposed buildings comply with the Rural Zone height, setback and recession plane standards as demonstrated on the Site Scheme Plan and the District Plan Compliance Analysis in **Appendix 2**.

Structures

A biofilter is proposed and is shown on the Site Plan. The Biofilter is a structure with a GFA of 750m².

Impervious surfaces

The proposed activity includes a new accessway and internal road to allow for manoeuvring of heavy goods vehicles and light vehicles in delivering raw materials to the site, and to receive and transport the finished product off site. The proposed access and internal road, including the carparking area, has an area of 5,705m².

In addition, the site will have an open working yard (1,050m²) which is situated between the Phase 1 bunker building and the Mixing Hall.

Finally, there is a straw storage yard (1,500m²) situated to the rear of the site and accessible from the internal road.

The total area of these impervious surfaces is 8,255m², and collectively, the new buildings, structures and impervious surfaces cover an area of **13,425m²**, which is 9% of the 16.1469ha area contained in the underlying title (Lot 1 DP 427319).

Ponds

The site will include two ponds as shown on the Site Scheme Plan. These ponds are the:

- Freshwater runoff pond,
- Phase 1 compost leachate pond ("goodie water").

The goodie water is loaded with organic compounds leached during the composting process. It will be aerated and mixed to maintain aerobic conditions so as to control odour.



The pond will be approximately 4m deep with a 500m² surface area, but will usually operate at lower levels with a surface area of only 240m² (except in extreme rainfall events).

As well as being a by-product of the composting operation, the goodie water is also an input - used to pre-wet the bales as part of the initial composting process. The pond will be topped up with fresh water when needed to maintain supply in this regard.

Volume of Weekly Output

The compost to be made at the facility will be used as a substrate for growing mushrooms (off site). The throughput rate will be up to 900 tonnes (of compost) per week ("TpW").

Site Access

A new vehicle crossing and access to the site is proposed and shown on the Site Scheme Plan. The location of the access is approximately 15m from the existing driveway to the site (which provides access to the residential dwelling to the rear). The vehicle crossing will be used by both heavy and light vehicles and shall have a width of 9m to comply with the Width of Vehicle Crossings Access Performance Standard 8.5.2(e). The design and installation of the vehicle crossing and construction of the accessway will be in accordance with the Performance Standard 8.5.2(a)-(f).

A second access from the existing driveway within the site is proposed for light vehicles to access the site. The existing driveway will continue to access to the Gum Tree Farm Mountain Bike Park, which is situated in the adjoining property to the south-east of the subject site. The proposed vehicle crossing from the driveway to the site will comply with the engineering standards. Wayfinding signs to direct vehicles associated with the compost activity will be installed to avoid any potential misdirection.

The May 2018 Stantec Transportation Assessment was based on a project that had seven (7) vehicle accesses. While this is no longer the case, the assessment and recommendations for Access 1 and 3 from this original report are relevant as they are generally the same for this application i.e. the main access off Mt Herbert Rod is essentially Access 1, and the access off the existing driveway is essentially Access 3.

The key difference from the previous design and the above, is that the existing driveway is only used for light vehicles and not the heavy vehicles. Consequently, the recommendation within the Stantec report to widen the existing crossing to 9m is not proposed/part of this application.

Staff and Visitors on Site and Carparking

The applicant expects up to eight (8) staff to be employed at the site. The number of staff on site is considerably lower than stated in the Stantec/TDG Transportation assessment (128 staff), which was based on an earlier design of the compost facility that had less automation and mushroom growing activities also to be established. The number of carparks required by the District Plan is 1 carpark per two staff, therefore four (4) staff carparks are provided.



The number of visitors to the site at any one time are expected to be up to two (2). The District Plan sets a carparking ratio of 1 visitor carpark to 500m² GFA. Based on the GFA of the proposed buildings, 13 visitor carparks would be required under the District Plan. The provision of 13 visitor carparks would be an underutilisation of land and oversupply of carparking spaces. To this end, two visitor carparking spaces are provided which is a non-compliance addressed in this application. It is acknowledged that the TDG/ Stantec TIA was based on a 100% compliance with visitor carparking and did not assess a visitor carpark shortfall.

The six (6) on-site carparks will be designed and constructed to comply with the Parking Performance Standards set out in Section 8, Transport, 8.5.1(b) – (g), and (i). A condition of consent is anticipated requiring the design and construction of the carparks to be in accordance with these aforementioned standards.

Transport

Traffic

The proposed compost production facility will generate both light and heavy traffic movements. **Tables 1 and 2** below provide information on estimated daily vehicular volumes for an average weekday and weekend day. These tables have been adapted from those originally prepared and produced within the Stantec Transportation Assessment, dated May 2018. The adaption relates to the change made to the number of arrivals and departures of staff as the numbers have changed (as advised by the applicant). Further, the activities that were not related to compost production (Orchard and Vegetable Glasshouse) are no longer part of the application and therefore do not need to be calculated in the expected vehicular activity.

Table 1: Expected Average Weekly Vehicular Activity

Source: adapted from the Stantec Transportation Assessment with updated staff numbers.

Activity	Vehicle Type	Arrivals	Departures	Total
Supply Delivery (for composting activities)	Heavy Goods Vehicle	6	6	12
Composting	Heavy Goods Vehicle	4	4	8
Seasonal Straw Delivery	Heavy Goods Vehicle	12	12	24
Staff	Light Goods Vehicle	8	8	16
Total				60

Table 2: Expected Average Weekend Vehicular Activity,

Source: adapted from the Stantec Transportation Assessment with updated staff numbers.

Activity	Vehicle Type	Arrivals	Departures	Total
Supply Delivery (for composting activities)	Heavy Goods Vehicle	3	3	6
Composting	Heavy Goods Vehicle	2	2	4
Seasonal Straw Delivery	Heavy Goods Vehicle	12	12	24
Staff	Light Goods Vehicle	8	8	16
Total				50



Transport Routes

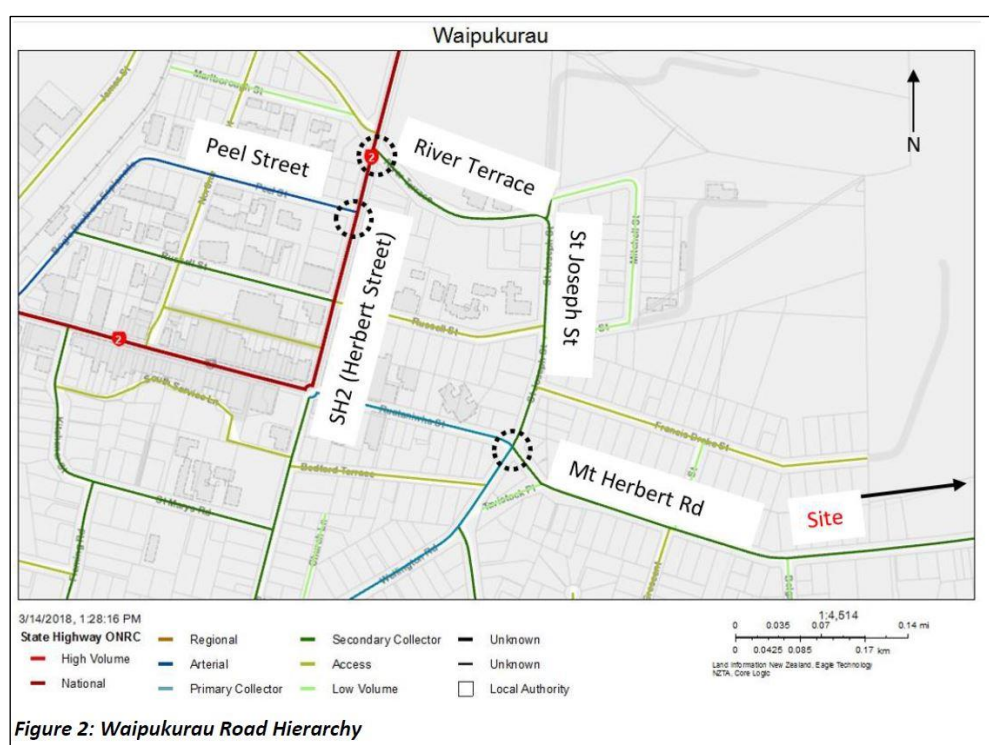
As detailed in Section 1.1 of the Stantec Transportation Assessment, there was consultation with Central Hawke's Bay District Council Land Transport Services Officer to define the study area for the site – and more specifically, the preferred route for heavy vehicles to and from the site. The Council noted that the central business area and main street (i.e. Ruataniwha) in Waipukurau should be avoided and heavy vehicles should rather make use of the following intersections and transport routes:

- Peel Street / Herbert Street (SH2);
- River Terrace / Herbert Street (SH2 2);
- Ruataniwha Street / St Joseph Street / Mt Herbert Road / Wellington Road.

Light and heavy vehicle traffic generated by the proposed activity will use the transport routes and intersections described above.

Figure 2 of the TDG Transport Assessment identifies the above intersections and applicable road hierarchy and is reproduced in **Figure 8** below.

Figure 8 This is 'Figure 2 ' reproduced from the Stantec Transportation Assessment for Mt Herbert proposal



Form and Upgrades to Mount Herbert Road

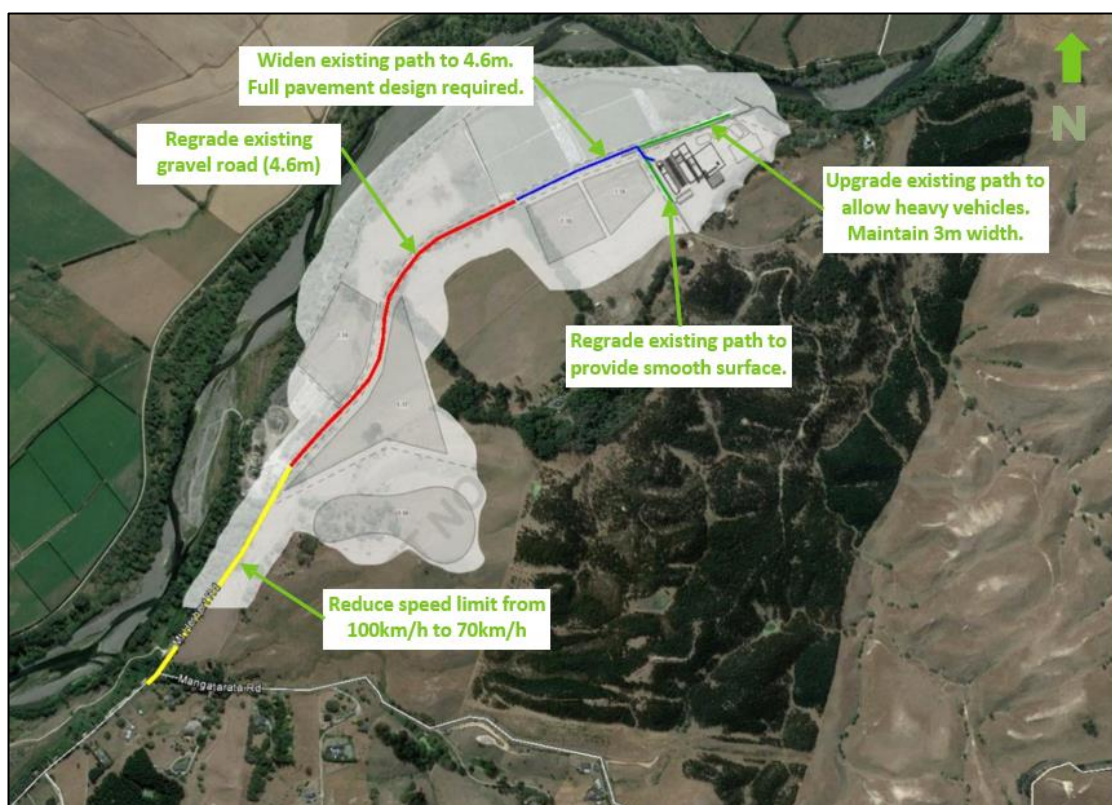
Geometrically, Mount Herbert Road is generally straight with manageable bends along the route. However, the form and function of the road changes as it gets closer to the subject site. For example, from the intersection with Mangatarata Road, the road narrows to single

lane and beyond the gravel extraction activity the road is unsealed. From the gravel extraction plant to an existing orchard access, the road is used by orcharding vehicles, and has a turnaround area. Beyond this area, towards the road frontage the site, the road is less formed.

Stantec recommended the following upgrades and changes to Mt Herbert Road, which are still relevant except for the extent of upgrade at the upper end of Mt Herbert Road as shown by the green line. This is no longer required beyond Access 1 as this part of the road will not be used by the activity.

The upgrades and changes are shown diagrammatically in **Figure 14** of the Transportation Report and repeated here in **Figure 9** of this report:

Figure 9: Upgrades recommended by Stantec (2018). All apply, except for upgrade of Mt Herbert Road shown in green.



Notes:

- **Yellow extent:** reduce the posted speed from 100km/h to 70km/h given that the 5.6m sealed width of Mount Herbert Road is not appropriate to accommodate 100km/h vehicle speeds.
- **Red extent:** Regrade the gravel portion of Mount Herbert Road. This extent is approximately from the quarry to the existing access into the subject site at 302 Mt Herbert Road. The existing width of the road is 4.6m and Stantec considered this sufficient to accommodate the



relatively low volume of vehicles but also wide enough to allow two heavy vehicles to pass one another.

- **Blue extent:** Upgrade the existing portion of Mount Herbert Road from the existing access into the subject site at 302 Mt Herbert Road to the new site access at 464 Mt Herbert Road. This extent goes slightly further than the diagram shows. The existing road will need to be completely rehabilitated as there does not appear to be any supporting pavement layers (base and sub-base layers) along this portion of road. It is from this upgraded road that the new site access will be taken from.
- **Green Extent** (within driveway to 464 Mt Herbert Road): Regrade the existing gravel path from the existing driveway to 464 Mt Herbert Road to the proposed secondary access to the site to provide a smooth surface for light vehicles. A road width of 3m is deemed sufficient.
- **Green Extent** (on Mt Herbert Road, beyond the location of the new access): No longer required as there is no proposed use of this part of Mt Herbert Road.
- Implement roadside approach signage to and from the site for both staff and visitors.

Landscaping

The development of the site includes amenity landscaping along the site frontage and along the eastern and western boundaries for up to 140m. The purpose of this amenity planting is to add to the existing vegetation within the area and demarcate the development area with a planted verge. The proposed landscaping is not designed to entirely screen the site from view, but to soften the outlook towards the proposed buildings from Mt Herbert Road. A condition of consent is anticipated requiring a detailed landscape plan prior to construction.

Earthworks

The construction of the water storage dam/reservoir, buildings, working yards, access and internal circulation of vehicles and the on-site carparking area will involve earthworks. The upgrade to Mt Herbert Road, fronting the site, will also require earthworks. Any construction works, including earthworks, will be managed to avoid and mitigate temporary effects such as dust and noise. Disturbed areas within the site will be reinstated and/or grassed.

3.2 Compost Production Processes, Activities and Mitigation

This section of the application sets out the following information:

- An overview of the composting process
- Times /day/week
- Key Facilities, Biofilter
- **Table 3:** Potential sources of odour from composting, proposed mitigation, potential for odour to cause an offensive or objectionable effect rating

Overview of the Composting Process

Section 3.1 of the Air Quality Professionals (AQP) Report provided in **Appendix 7** provides a succinct explanation of the composting process which is reproduced below.

“Compost is an essential part of the mushroom growing process and is used as part of the substrate that the mushrooms are grown on. Compost consists of straw, chicken



litter and gypsum. The key components of the composting process are described in this section.

Composting occurs in three phases, transforming the raw materials into a medium suitable for growing mushrooms. Phase 1 composting starts with the mixing of pre-wetted straw and pre-mixed chicken litter and gypsum. The mix is then loaded into one of multiple Phase 1 bunkers. During the composting in Phase 1 air is blown through the newly mixed and composting material to maintain aerobic conditions. The bunkers are progressively emptied and filled to facilitate turning of compost via transferring the compost from one bunker to another (known as "bunker-to-bunker transfer"). These bunkers have a concrete floor, two concrete walls and insulated panel roof, and the end openings are closed with permanent sliding curtain doors when not in use. The Phase 1 bunker concrete floors have recessed lines which act in parallel as both aeration lines and a leachate collection system.

The bunkers are operated under a slight vacuum or negative pressure compared to outside air to avoid leaking of odorous air from the bunkers. Foul air within the bunker is drawn from the top of each bunker and treated to remove odour before discharge to atmosphere.

At the completion of the Phase 1 process, the compost is transferred removed from the Phase 1 bunkers and into Phase 2 tunnels. During the Phase 2 cycle, air in the bunker is recirculated at one end of the bunker, and a portion of the air is drawn from the bunker and treated to remove odour. After Phase 2, the compost is transferred to Phase 3, and then is used in the mushroom growing operation.

Phase 1 takes about 12 days to complete, and the whole process from pre-wetting of bales until the compost is ready to grow mushrooms is nearly four weeks. Multiple batches of compost are in various stages of production at any time so that fresh compost is always available for starting the mushroom spawning process."

The above phases are described in more detailed in 3.2 of the AQP Report. The Site Plan shows where the respective facilities are located within the site.

Odour Source and Proposed Mitigation

Table 3 below has been generated from the information from Sections 3.2, 5.1 and 5.2 of the AQP report and provides a description of each part of the composting process, the potential sources of odour and proposed mitigation. The potential odour sources have been given a rating of low, low-moderate, moderate-high and high by AQP. This information demonstrates that with appropriate mitigation in place, all composting activities, no matter what stage or phase, have a low rating for offensive or objectionable odours.



Table 3: Potential sources of odour, mitigation and rating of potential for odour to cause an offensive or objectionable effect

Composting Activity	Actions involved in activity / Potential Odour	Proposed Mitigation	Potential for Odour to cause an offensive or objectionable effect
Bale pre- wetting	<p>Actions</p> <ul style="list-style-type: none"> • Straw bales will be stored on site. • Bales dunked into a sump filled with goodie water² within working yard. • Bales stacked on an aerated pad outside the Phase 1 bunkers for about 9 days. If necessary, the bales may be occasionally irrigated with goodie water during this 9-day period. <p>Potential Odour</p> <ul style="list-style-type: none"> • Odour from bale pre-wetting is generated from presence of goodie water during dunking, bale draining, and supplementary irrigation if required. • The magnitude of odour emissions is highly dependent on the quality of the goodie water. 	<p>Mitigate the potential odour at source</p> <p>The proposed aeration of the goodie water pond will minimise the potential for odour emissions during the bale pre-wetting process, although some relatively minor odour emissions are likely.</p>	Low
Chicken litter/gypsum storage and handling	<p>Actions</p> <ul style="list-style-type: none"> • Chicken litter will be delivered to the concrete pad outside the mixing hall, mixed immediately with gypsum, and then stored in an enclosed bunker within the Mixing Hall. 	<p>Avoid odour effects at source.</p> <p>The best way to minimise odour emissions from chicken litter is to keep the litter dry in storage, which is enabled through this design approach.</p>	Low

² 'goodie water' is Phase 1 compost leachate pond



Composting Activity	Actions involved in activity / Potential Odour	Proposed Mitigation	Potential for Odour to cause an offensive or objectionable effect
	Potential Odour <ul style="list-style-type: none"> Odour may occur if chicken litter and gypsum mix are not maintained in a dry state. 		
Bale Break, mixing and material placement in bunkers	Actions <ul style="list-style-type: none"> Within the Mixing Hall, a semi-enclosed building, a purpose-designed automated bale-break machine will break up the bales, mix in the correct amount of chicken litter/gypsum and water, and then deposit the mixed substrate directly onto a conveyor for transport into one of the five Phase 1 bunkers. Compost is placed evenly into the bunker via a telescopic, automated filling line with a capacity of 200 tonnes per hour ("Tph"). Timing: The process will occur over a period of up to 8 hours between the hours of 8am and 6pm. The process will occur typically 1-2 days per week and will usually occur on weekdays, but may occur at weekends if necessary. Potential Odour <ul style="list-style-type: none"> Fugitive odour emissions from bale breaking when Mixing Hall doors are open, and not captured by the point source extraction. Some odour generated when compost leaves the Mixing Hall on the conveyors and transported to the Phase 1 Bunkers and deposited into a hopper for automatic 	<p>The design of the process and technology used minimises the generation of adverse odour effects.</p> <p>Design of Mixing Hall includes point source extraction above the bale break machine and hopper which will capture most of the odour emissions from the bale break process.</p> <p>Design of the bunker includes an air extraction system will operate at maximum capacity during the filling of compost into the Phase 1 bunkers and remove nearly all of the odour caused by the actual filling activity.</p> <p>Air extracted from the bunkers then passes through a custom designed biofilter.</p> <p>Minimising the generation of odour and the degree of unpleasantness of that odour during the bale break process involves the following:</p> <ol style="list-style-type: none"> Keeping the chicken litter/gypsum mix dry during storage and only accepting chicken litter onto site which has been appropriately stored off-site (i.e. not anaerobic upon delivery). Keeping the recycled water aerobic so that odorous by-products of 	Low



Composting Activity	Actions involved in activity / Potential Odour	Proposed Mitigation	Potential for Odour to cause an offensive or objectionable effect
	filling at the bunker, as the conveyors and hoppers are not covered.	<p>anaerobic decomposition do not accumulate inside the bales.</p> <p>3. Aerating the bales.</p> <p>Operating hours of the bale break process is to be restricted to 8am-6pm on any day to avoid potential odour emissions during stable atmospheric conditions in the early morning and evening.</p>	
First and second turning of compost in Phase 1 bunkers	<p>Actions</p> <ul style="list-style-type: none"> During Phase 1, the compost will be turned twice by removing the compost from the bunker using a front-end loader, mixing the material and adding moisture in the bale break machine, and then immediately returning the compost to a spare bunker via the conveyor system and bunker filling line; this is known as "bunker-to-bunker" transfer. With five bunker operation (for 900 Tpw production) only four bunkers are used for composting and the fifth is kept available for turning operations. <p>Potential Odour</p> <ul style="list-style-type: none"> Some odour will still emitted during the process due to the movement of front-end loaders in and out of the bunker, and from the compost in the bucket on the front-end loader whilst the loader is moving from the bunker back to the Mixing Hall. 	<p>Design of Mixing Hall includes point source extraction hoods over the bale mixing line during bunker to bunker transfer process. This extraction will remove most of the odour caused by the mixing process.</p> <p>Operating hours of the bale break process is to be restricted to 8am-6pm on any day to avoid potential odour emissions during stable atmospheric conditions in the early morning and evening.</p>	Low



Composting Activity	Actions involved in activity / Potential Odour	Proposed Mitigation	Potential for Odour to cause an offensive or objectionable effect
	<ul style="list-style-type: none"> Likely that some of the odour from within the mixing hall will escape as fugitive emissions through the open doorways. 		
Phase 1 bunker	<p>Actions</p> <ul style="list-style-type: none"> The automated bale-break machine (within the Mixing Hall) deposits the mixed substrate directly onto a conveyer for transport to one of the five Phase 1 bunkers. During Phase 1, the compost will be turned twice by removing the compost from the bunker using a front-end loader, mixing the material and adding moisture in the bale break machine, and then immediately returning the compost to a spare bunker via the conveyor system and bunker filling line; this is known as “bunker-to-bunker” transfer.. The process takes about 8 hours, and will be conducted only during the hours of 8am to 5pm at the Mt Herbert site. At the end of the Phase 1 composting period 12 days after initial mixing, the compost will be removed from the Phase 1 bunkers by front end loader and returned to the Mixing Hall. <p>Potential Odour</p> <ul style="list-style-type: none"> Transporting substrate from Mixing Hall to Phase 1 bunkers. The conveyors and hopper will not be covered and therefore there will be some evolution of odour from this source. 	<p>Mitigate the potential odour at source</p> <ul style="list-style-type: none"> Air extracted from the bunkers holding Phase 1 compost will be passed through a biofilter custom-designed for the site by GTL Europe. During the filling process, the Phase 1 bunker air extraction system will operate at maximum capacity and will remove nearly all of the odour caused by the actual filling activity. During the bunker-to-bunker extraction process, the bunker air extraction system will operate at maximum capacity. The mixing hall will be mechanically ventilated via point source extraction hoods over the bale mixing line during the bunker-to-bunker transfer process. This extraction will remove most of the odour caused by the mixing process. However, is it likely that some of the odour from within the mixing hall will escape as fugitive emissions through the open doorways. The odour will be less offensive at the stage it is transferred from Phase 1 bunkers to Phase 2 tunnels, as the compost has completed the most active stage of biodegradation Hours of operation of this process are 8am to 5pm. 	Low



Composting Activity	Actions involved in activity / Potential Odour	Proposed Mitigation	Potential for Odour to cause an offensive or objectionable effect
	<ul style="list-style-type: none"> Some odour will still be emitted during the process due to the movement of front-end loaders in and out of the bunker, and from the compost in the bucket on the front-end loader whilst the loader is moving from the bunker back to the mixing hall. There are likely to be some emissions of odour during the process of removing the finished Phase 1 compost from the bunkers by front-end loader and transferring it back to the mixing hall. 		
Removal of compost from Phase 1 bunkers and transfer to Phase 2 tunnels	<p>Actions</p> <ul style="list-style-type: none"> At the end of the Phase 1 composting period, the compost will be removed from the Phase 1 bunkers by front end loader and returned to the Mixing Hall. Within the Mixing Hall the compost will be turned again using the bale break machine. The compost will then be transported using the same conveyor system into a fully-enclosed building housing the Phase 2 and 3 composting operations. <p>Potential Odour</p> <ul style="list-style-type: none"> Likely to be some emissions of odour during the process of removing the finished Phase 1 compost from the bunkers by front-end loader and transferring it back to the Mixing Hall. At this stage the odour will be less offensive than earlier in the Phase 1 composting 	Operating hours to be restricted to 8am-6pm on any day to avoid potential odour emissions during stable atmospheric conditions in the early morning and evening.	Low



Composting Activity	Actions involved in activity / Potential Odour	Proposed Mitigation	Potential for Odour to cause an offensive or objectionable effect
	period, as the compost has completed the most active stage of biodegradation.		
Phase 2 and 3 of composting	Actions <ul style="list-style-type: none"> The compost will then be transported using the bale break conveyor system into the fully-enclosed building housing the Phase 2 and 3 composting operations. Phase 2 and 3 composting operations will be conducted in tunnels inside a fully-enclosed building. Potential Odour <ul style="list-style-type: none"> No fugitive odour releases to the atmosphere without treatment are expected from this process. 	<p>Avoids the generation of adverse odour effects.</p> <p>All filling and emptying operations for the Phase 2 tunnels will be carried out in an enclosed building with air extracted to the biofilter for treatment. Similarly, all process air extracted from the Phase 2 tunnels will also be extracted and treated in the biofilter.</p>	Low
Removal of end product and transportation off site.	Actions <ul style="list-style-type: none"> Final product is fresh compost ready to cultivate mushroom spores. Compost loaded into trucks within building and/or to the side of the building. Potential Odour <ul style="list-style-type: none"> Process of loading product is mainly carried out within enclosed building. Odours released when loading outside the building are low because the final product does not have objectionable or offensive odour. 	The final product does not have an objectional or offensive odour so any odour released during the loading onto trucks can be incorporated into a typical rural environment.	Low



Composting Activity	Actions involved in activity / Potential Odour	Proposed Mitigation	Potential for Odour to cause an offensive or objectionable effect
Goodie water storage pond (500m ² surface area and 4m deep)	<p>Actions</p> <ul style="list-style-type: none">• The goodie water is loaded with organic compounds leached during the composting process, and the goodie water pond will be aerated and mixed to maintain aerobic conditions.• The aeration design will be similar to the system currently used successfully at the Brookvale Road site, which uses an SAR™ Aerator from Hydro Processing and Mining Ltd (Canada), proven in the field for mushroom composting farms.• The aerator design recirculated recycled water through a land-mounted aerator, with the aerated water returned to the pond. <p>Potential Odour</p> <ul style="list-style-type: none">• Odour emissions from this source are expected to minor, and no additional mitigation measures are proposed.• Dissolved oxygen concentration in the goodie water storage pond will be continuously monitored and logged.	Mitigate the potential odour at source through design of the pond.	Low



4. STATUTORY CONSIDERATIONS

Section 88 of the RMA allows any person to make a resource consent application, provided it is in the prescribed form and includes, in accordance with Schedule 4, an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Schedule 4 of the Act lists those matters that should, and must be included in an assessment of environmental effects, as well those matters that should be considered. These matters are referenced throughout the body of this report confirming that the application meets all the requirements of Section 88.

Section 104 of the RMA requires (subject to Part II of the Act) a consent authority to have regard to the matters in section 104 when considering resource consent applications. Those parts of section 104 that are relevant are set out below:

- a) Any actual and potential effects on the environment of allowing the activity; and
- ab) Any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- b) Any relevant provisions of:
 - i) a national environmental standard;
 - ii) other regulations;
 - iii) a national policy statement;
 - iv) a New Zealand coastal policy statement;
 - v) a regional policy statement or proposed regional policy statement;
 - vi) a plan or proposed plan; and
- c) Any other matter the consent authority considers relevant and reasonably necessary to determine the application.

An assessment of the activities actual or potential effects in terms of Section 104(1)(a) is undertaken in Section 7 of this report, the conclusions of which are considered in relation to notification in Section 8. The relevant provisions of the District Plan in terms of Section 104(1)(b) are considered in Section 9.

Part 2 of the Act contains Sections 5, 6, 7 and 8. Section 5 outlines the purpose of the Act, which is to “*promote the sustainable management of natural and physical resources*”, and the meaning of the “sustainable management”. Sections 6 and 7 contain “matters of national importance” and “other matters”, while Section 8 provides for the principles of the Treaty of Waitangi. Part 2 of the Act is considered in Section 10 of this report where an overall assessment is arrived upon.



5. PLANNING DOCUMENTS

The proposal is subject to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESC) and the Central Hawke's Bay District Plan.

5.1 National Environmental Standard for Assessing Managing Contaminants in Soil

The "National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (**NESC**)" applies to the following '**land use**' activities where they are undertaken on land on which an activity or industry included on the "Hazardous Activities or Industries List" (**HAIL**) has been, is or is more likely than not to have been undertaken;

- The removal of underground fuel storage system and associated soil
- Soil sampling
- Soil disturbance
- Subdivision of land
- Change in land use

The proposed activity introduces a new rural activity to the site and is therefore a change in use. Soil disturbance / earthworks will also occur as part of the proposed development.

A Preliminary Site Investigation (PSI) has been undertaken by EAM Environmental Consultants (refer to **Appendix 5**) over the price of land concerned. The PSI concludes that the land subject to the proposed activities is not 'a piece of land' as described in regulation 5(7) and the NESC does not apply.

5.2 Central Hawke's Bay District Plan

District Plan Zone and Notations

Zone:

- The subject site is zoned **Rural** in the Central Hawke's Bay Operative District Plan (the "District Plan").

Other Notations:

- An archaeological site³ is located on the subject site, as shown on District Plan 9 (refer to Appendix 2). The archaeological site is not listed in Appendix C as a site of cultural significance.

³ District Plan (161 Archaeological site)
Archaeological site recording scheme (Identifier V22/59)



Activity Status

The proposed composting facility is a **Discretionary Activity** under Rule 4.8.3 of the Rural Zone, **either** as a factory farming activity under Rule 4.8.3(a) or as 'Any Other Activity' which is not listed as a Permitted, Controlled or Non-Complying Activity under Rule 4.8.3(f).

The proposed buildings and hardstand associated with the compost facilities on Lot 1 DP 427319 exceed the permitted standard for site coverage (**Rule 4.9.1**), and as such, require a Discretionary Activity consent under **Rule 4.8.4(e)**.

Overall, the proposal is to be assessed as a **Discretionary Activity** under the District Plan.

6. CONSULTATION

In accordance with Schedule 4 of the RMA, an application for resource consent should:

1. Identify the persons affected by the proposal,
2. The consultation undertaken,
3. Any response to the views of any person consulted.

Sections 7 and 8 below demonstrate that the effects on the environment are less than minor, and that no parties are considered adversely affected in terms of Sections 95A and 95B of the Act. To that end, no consultation with immediate landowners has been carried out.

There has been discussion with the Central Hawkes Bay District Council (CHBDC) in the early stages of scoping the proposed activity and understanding of the District Plan.

Consultation with Taiwhenua o Tamatea Inc has been initiated and a meeting was held in which the project was shared. Further, as part of the Provincial Growth Fund (PGF) process it is understood that the CHBDC have informed Taiwhenua o Tamatea Inc of the project also.

7. ASSESSMENT OF ENVIRONMENTAL EFFECTS

The following assessment of environmental effects considers the Permitted Baseline in Section 7.1 and introduces the relevant Assessment Matters from the District Plan in Section 7.2, which are then considered in Sections 7.3 - 7.8.

7.1 Permitted Baseline

In terms of Section 104(2), it is considered that there are effects permitted by the District Plan which the Council may disregard.

The District Plan Rural Zone permits a range of rural and non-rural activities, such as:

- 'farming activities',



- 'forestry activities',
- 'community activities',
- 'commercial activities',
- 'recreational activities', and
- 'some 'factory farming activities'.

All of these activities are subject to the envelop of effects set by the Rural Zone permitted activity performance standards for buildings, noise, signs, access, loading, carparks and other relevant matters.

The permitted factory farming activities are limited to piggeries and poultry farms, the scale of which is set at numbers of housed pigs (2,000) and birds (10,000). Any permitted piggery or poultry farm shall be no closer than 100m to a property boundary.

The range of activities provided as permitted activities allows a mix of activities in the Rural Zone. New buildings, facilities, accesses, increase in traffic on the local road network, on-site car parks, signs and noise generated by permitted activities can all be anticipated in the Rural Zone environment, to the extent that these comply with the performance standards set by the District Plan.

The subject site comprises five parcels of land, each of which could be realistically developed and support any of the activities listed above.

To that end, when considering the nature and scale of actual and potential adverse effects from the proposed development, any effects similar to or arising from the level of permitted development on each property may be disregarded. Here we note that all setbacks and the height of the proposed buildings meet the Permitted Activity standards, while the overall site coverage only just exceeds the 7% limit i.e. site coverage is 9%. Noting that this includes impervious surfaces, we scale of actual buildings can be considered permitted.

7.2 Assessment Matters

To assist the identification and consideration of actual and potential effects on the environment from a proposed compost production facility and associated activities, the District Plan provides a list of assessment matters for a Discretionary Activity 'factory farm' scenario. These are set out below:

14.4 DISCRETIONARY ACTIVITIES IN RELATION TO:

4. Factory Farming - Rural Zone

- a) The degree to which the factory farming operation will be compatible with the character of the surrounding rural area, including the density of and proximity to residential units in the area.*
- b) The degree to which the proposed factory farming operation is likely to lead to odour, dust, noise or health nuisances beyond the boundary of the site, and in particular, the*



technology and management systems proposed to mitigate noise or odour nuisance, including:

- i) the size of the proposed factory farming operation and its associated site;
 - ii) the design of the buildings, facilities, and waste and noise management systems;
 - iii) the management and operation of the waste and noise management systems;
 - iv) waste treatment measures employed;
 - v) odour and noise abatement measures employed.
- c) The degree to which existing or proposed landscaping, including plantings, will shelter and screen the proposed site.
- d) The degree to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.
- e) The degree to which the proposed factory farming operation complies with relevant codes of practices promulgated by industry organisations.
- f) Where a building is to be erected for the purpose of a factory farming operation refer to the assessment matters in 14.2.1 and refer to assessment matters in 14.2.13 for effluent disposal associated with a factory farming operation.

In relation to exceeding site coverage, the District Plan provides the following assessment matters under Section 14.2:

1. Building Coverage - Township, Business, and Rural Zones

- a) The degree to which the proposed buildings:
- will be compatible with the character of the area, including the scale of other buildings in the surrounding area;
 - will overshadow adjoining sites and result in reduced sunlight and daylight;
 - will cause a loss of privacy through being over-looked from neighbouring buildings;
 - will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - will diminish the openness and attractiveness of the street scene;
 - will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building.
- b) The ability of the applicant to:
- provide adequate opportunity for garden and tree planting around buildings;
 - provide adequate vehicle parking and manoeuvring space on site;
 - provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
 - mitigate any adverse effects of increased height or exceedence of the recession planes, such as through increased separation distances between the building and adjoining sites or the provision of screening;
 - mitigate any adverse effects on people affected by the proposal.
- c) Where sewerage reticulation is not available to the site, the ability of the applicant to adequately dispose of effluent, which avoids:
- any potential contamination of groundwater;
 - any potential slope instability problems;
 - any potential odour, noise and vibration nuisance to neighbours;
 - any potential seepage of effluent at ground surface.



- d) *The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.*
- e) *The degree to which alternative practical locations are available for the building.*

In relation to non-compliance with visitor parking and truck and trailer parking, the District Plan provides the following assessment matters under Section 14.5:

- a) *Whether it is physically practicable to provide the required parking or loading spaces on the site in terms of the existing location of buildings, access to the road, topography and utility location.*
- b) *Whether there is an adequate alternative supply of parking or loading spaces in the vicinity. In general on-street parking is not considered an alternative.*
- c) *Whether there is another site in the immediate vicinity that has available parking or loading spaces that are not required at the same time as the proposed activity. In such a situation the Council may require the associated parking or loading spaces to be secured by way of written agreement and adequate signage to inform customers of its availability.*
- d) *Whether the car parking or loading will be unusually low as a result of business practice.*
- e) *Whether a significant adverse effect on the character and amenity of the surrounding area will occur as a result of not providing the required parking or loading space*
- f) *The degree to which the safety and efficiency of the surrounding roading network would be adversely affected by parked and manoeuvring vehicles on the roads.*
- g) *Any cumulative effect of the lack of on-site parking and loading spaces in conjunction with other activities in the vicinity, not providing the required number of parking or loading spaces.*
- h) *The degree to which any reduction in the design characteristics will result in the parking and loading area and/or access and manoeuvring areas being impractical, inconvenient or unsafe to be used by vehicles or pedestrians.*

Overall, using the assessment matters above, the following effects on the environment are grouped and assessed accordingly in Sections 7.3 – 7.10 below:

- Rural Amenity
- Visual
- Noise
- Odour
- Cultural Values
- Recreation Values
- Traffic
- Construction

7.3 Rural Amenity

The proposed composting production facility introduces a new rural-industrial activity to the existing rural area. The existing environment supports a mix of activities including grazing, cropping, forestry, gravel extraction, recreation, and community infrastructure (wastewater facility).



The subject site was specifically investigated by the applicant to avoid conflict with urban areas, existing residential dwellings, lifestyle blocks and other sensitive land uses. Consequently, the subject site is isolated from any existing residential development. Further, the site avoids proximity to any of the Council's strategic residential growth areas for Waipukurau.

Given the existing mix of activities in the wider locality, and general absence of closely located residential activities to the main areas of activity within the subject site, it is considered the proposed composting production facility can be compatible with the character of the rural environment.

The Tukituki River and its esplanade are identified as an Area of Significant Conservation Value (ASCV) and it has high amenity values associated with it. The subject site adjoins the esplanade, yet the proposed composting facility is located on the opposite side of Mt Herbert Road from the river. This separation distance and proposed landscaping along the front and side boundaries is considered to mitigate potential visual effects from public vantage points within the river esplanade such that the area identified as significant will not be affected – certainly not beyond that anticipated by the District Plan through its performance standards.

The nature and scale of proposed buildings and facilities will be rural industrial. The position of the buildings within the site provide a substantial separation from the road. With landscaping to further soften the visual effects of the development, the actual and potential adverse effects on rural amenity are considered to be less than minor.

As demonstrated in the following sections, noise, odour, traffic and visual effects are all managed so that significant adverse effects on rural amenity are avoided beyond the boundary. Any residual effects beyond the site boundary, such as additional traffic on local roads and some infrequent odour beyond the boundary, are considered to be less than minor in the context of a working rural environment.

To conclude, the compost production facility will present a new type of rural industrial activity to the subject site and surrounds. The proposed activities will be compatible with what is provided for within the Rural Zone – with noise, traffic, odour and visual effects being managed so they are either avoided or mitigated. Overall, effects on amenity can be considered less than minor.

7.4 Visual Effects

The nature of the buildings and facilities associated with compost production are industrial, yet fundamentally provide for a rural based activity. These buildings and facilities enable the production of the substrate to grow mushrooms, and therefore belong in the rural environment. The buildings and facilities on site include:

- Mixing Hall and Phase 2 and 3 Tunnels – 4,420m²
- Phase 1 Bunkers (5) – 1,540m²
- Biofilter – 750m²



- Working Yard – 1,050m²
- Straw storage – 1,500m²

The combined area of the buildings, structures and impervious surfaces exceeds the site coverage performance standard of 7% by creating 9% coverage across the 16ha title of land. Aside from site coverage, the design of the buildings complies with the Rural Zone performance standards including maximum height, yard setbacks and recession planes.

The public viewpoints of the subject site and proposed development include the immediate approach along Mt Herbert Road and parts of the Tukituki River esplanade.

The main bulk of the buildings are setback from Mt Herbert for a distance of 50m – 60m. The closest part of the building is the office and store area, which is setback 25m from the road, and has a smaller profile and frontage than the rest of the building. The setbacks assist the bulk of the buildings to appear less dominant to those viewing from Mt Herbert Road and the Tukituki River esplanade. Any views of the new buildings, facilities or development show that the subject site is being utilised for primary industry, albeit in a non-traditional sense. For example, rather than a new woolshed, milking shed, hayshed, grain silos, tanks, stockyards, or other traditional farming or horticultural buildings, the proposed compost facility will comprise outdoor yards, covered processing areas, loading bays, storage areas, a staff room, and carpark.

Landscaping within the site is proposed along the frontage of Mt Herbert Road and along the side boundaries. This landscaping will be of a moderate height (4-8m), with the purpose being to provide a vegetative buffer to soften views of the buildings and facilities as opposed to outright screening. The design of the landscaping has yet to be prepared and a condition of consent requiring a detailed landscape plan to achieve the above prior to construction is anticipated.

In conclusion, the proposed buildings and facilities will change the existing environment, which currently has a few residential and farming buildings on the river flats. Change does not necessarily mean adverse effects however, and in this case, the visual changes generated by the new rural industrial buildings and facilities are positioned within the site so they are not dominant and can be further soften by amenity landscaping on the front and side boundaries. Further, the scale of change is essentially provided for under District Plan development standards and with further landscape softening, visual effects are considered to be less than minor in this context.

7.5 Noise

An acoustic assessment of the proposed activity against the Rural Zone noise performance standards is provided by Earcon, refer to **Appendix 6**. The Earcon Report dated February 2018 assessed the noise performance standards against an earlier proposal that incorporated a composting production facility and mushroom farm activity. This report established an envelope of noise effects that could be reasonably anticipated based on their methodology.



This February 2018 assessment has been reviewed against the revised activity and a memo in **Appendix 6** of this application confirms that the activity will continue to comply with the noise standards of the Rural Zone.

On the basis of Earcon's conclusions, effects in relation to noise can be considered less than minor.

7.6 Odour

The design of the compost production system emphasises the management of odour effects at source, as well as dispersion through the large subject site. For detail on the composting process and odour management refer to the AQP Odour Report in **Appendix 7**. This covers/outlines the following:

- An understanding of the subject site and surrounding land uses and topography.
- A description and explanation of the proposed composting activities at the subject site.
- A description of potential odour sources from the proposed composting activities, and the mitigation measures to be incorporated in the proposal.
- An explanation of the meteorology conditions important to odour dispersion, and what is relevant to consider for the subject site and surrounds.
- Modelling of the odour dispersion, including methodology, results and conclusions.
- Overall conclusions and recommendations.

The discharge of contaminants to air, that generate adverse odour effects, are environmental matters that are comprehensively assessed in the discharge permit to the Hawke's Bay Regional Council (lodged alongside this application). Notwithstanding the assessment within the air discharge permit, odour effects contribute to the overall effects on the existing amenity values of the rural environment and are considered as part of this land use application as well. The assessment matters from 14.4 above are repeated here and commented on.

- b) *The degree to which the proposed factory farming operation is likely to lead to odour, dust, noise or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate noise or odour nuisance, including:*
- i) *the size of the proposed factory farming operation and its associated site;*
 - ii) *the design of the buildings, facilities, and waste and noise management systems;*
 - iii) *the management and operation of the waste and noise management systems;*
 - iv) *waste treatment measures employed;*
 - v) *odour and noise abatement measures employed.*

Commentary

The following commentary does not repeat matters regarding noise, as noise has been demonstrated to comply with the Rural Zone provisions as stated previously. Instead, the commentary focuses on odour matters. We make the following points:



- The scale of activity allows the applicant to invest in a level of technology for the facility that gives benefits in efficiency, and among other environmental matters, good odour management.
- As summarised in **Table 3** above, specific management and mitigation has enabled a low potential risk of odour rating for each aspect of the process
- The design of the compost production facility using new technology, automation, enclosed and semi-enclosed buildings, and on-site management techniques (known to avoid or mitigate odour generating activities) manages objectionable or offensive odours beyond the boundary of the site.
- In terms of nearby dwellings, Section 6.4.5 of the AQP report provides results of odour analysis and concludes that the potential for offensive or objectionable odour effects to occur at nearby dwellings due to composting operations at the site is less than minor.
- In terms of the Wahi Tapu site Section 6.4.6 of the AQP report provides results of the odour analysis and concludes that the potential for offensive or objectionable effects to occur due to that [from the proposed compost production activity] odour will be less than minor.
- In terms of the Tukituki River Esplanade Section 6.4.7 of the AQP report provides results of the odour analysis and concludes that the potential for offensive or objectionable effects to occur due to that [from the proposed compost production activity] odour will be less than minor.
- In terms of the Hawkes Bay Regional Council's Gum Tree Farm Mountain Bike park Section 6.4.8 of the AQP report provides results of the odour analysis and concludes that the potential for offensive or objectionable odour effects to occur will be less than minor.

7.7 Cultural Values

The following considers the recorded archaeological site (V22/59), the Site of Cultural Significance and the Statutory Acknowledgment matter.

The recorded archaeological site (V22/59) is identified within the site. The archaeological site has six terraces and a pit with a few exposures of middens (freshwater mussel, fire cracked rock obsidian, charcoal).

This area has been identified as Area B on the underlying title and the owners are aware of their responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014. The nearest part of the proposed compost production activity on the site is 70m from the Area B. This is shown on the site plan. On this basis, it is unlikely to be affected. Nevertheless, the earthwork activities carried out during the construction will be subject to an accidental discovery protocol.

A Site of Cultural Significance (wahi tapu) is situated on the opposite side of the Tukituki River to the subject site approximately 370m from the nearest part of the proposed compost production facility.



In addition to the distance across the river channel, the proposed landscaping along the north-east boundary of the site and the concentration of activity on the western side of the site is considered to provide an appropriate level of mitigation from the wahi tapu site in terms of outlook and visual effects.

As discussed under the Odour effects assessment above, potential odour effects at the wahi tapu site have been analysed and Section 6.4.6 of the AQP report. The conclusion is that the potential for offensive or objectionable effects to occur from the proposed compost production activity will be less than minor.

The Tukituki River and its tributaries are a Statutory Acknowledgement Area OTS-110-30, and within the Statement of Association there is a sentence that states '*All along the Tukituki River are signs of occupation and sites that record key events in tribal history.*' This evidenced in the archaeological site and wahi tapu site - signs of occupation. Nevertheless, the proposed compost production facility is distanced from the Tukituki River and these two cultural sites. Further, there are no discharges to land that may affect surface water quality.

Acknowledging the historical occupation along the Tukituki River and the cultural values associated with it, the effects of the proposed compost production activity on the river and wahi tapu site are considered to be less than minor.

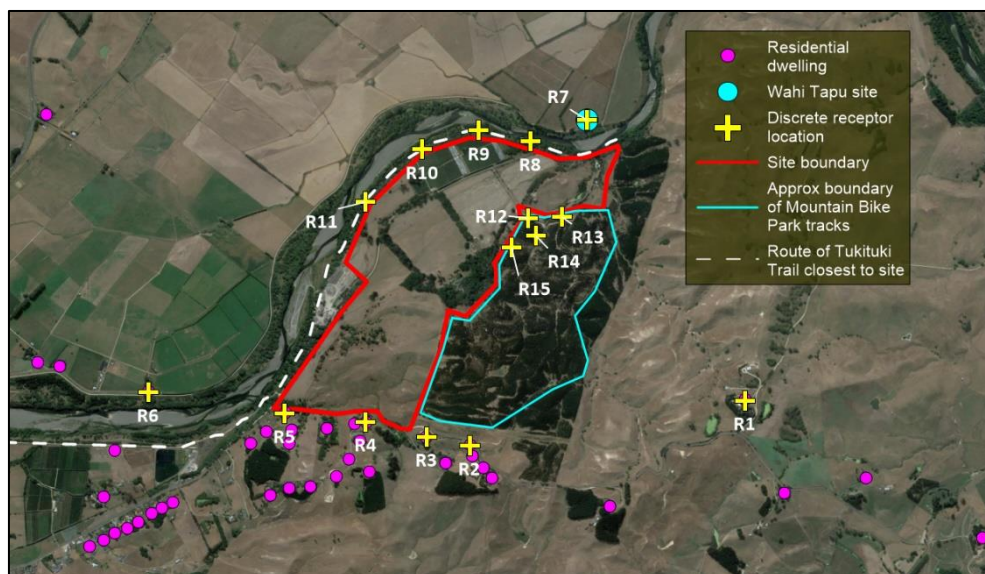
We understand the applicant has met with Taiwhenua o Tamatea Inc and has discussed the proposal with its representatives.

7.8 Recreational Values

The Tukituki River and its esplanade presents a corridor of green space that forms and links to a network of recreation. The Gum Tree Farm Mountain Bike park is nearby and is an additional recreation asset for the region. While the effects of the proposal on both environments have been referred to in Sections 7.4 and 7.6 above, the following gives further consideration to the Tukituki River esplanade.

The assessment presented in the AQP report specifically investigates areas close to the proposed compost processing activity and are shown as Receptors R8 – R11 on **Figure 12** below.

Figure 12: Location of ten discrete receptors used for detailed analysis of model results.
Source AQP Report, Figure 16



These receptors along the Tukituki River Esplanade are not considered to be sensitive receptors, as activities considered to be sensitive to odour are not carried out at these locations. However, the model results show that people using the track for walking, running, cycling etc may notice odour as they pass along the track downwind of the composting facility on a small number of hours per year.

This intermittent and transient recreational use is quite different to a use associated with a residential activity where a dwelling and associated outdoor areas are used consistently and daily however, and this ought to be reflected in the consideration of the FIDOL factors in determining the magnitude of effect.

To that end, while odour may be noticeable, with recreationalists moving through the area instead of lingering at the spot, the impact of the odour is reduced. There is a low probability that a person will be present downwind of the composting site at the same time as the worst case GLCs occur, and the duration of exposure will be very limited. The wider environment which recreationalists use the Tukituki River cycle trails also pass by the wastewater treatment facility and the gravel extraction activity, so the area is not a pristine river environment. Further, cyclists passing rural and industrial activities comprising an element of odour is also not a foreign concept, and examples include the various activities at Awatoto, Napier.

Given the frequency, intensity, duration, the transient the use of the river corridor and overall low probability of recreational users being exposed to an infrequent odour, the potential for offensive or objectionable effects to occur due to that odour is considered to be less than minor. This view is supported by AQP.



7.9 Traffic

Traffic Generation and Relevance and Use of the Transportation Assessment by Stantec (May 2018)

A Transportation Assessment by TDG/Stanec (May 2018) for an earlier resource consent application (RM180156) supported a proposed compost production facility (Stage 1), mushroom farm (Stage 2) and horticultural hub (Stage 3). The May 2018 Transportation Assessment established an envelope of transportation effects based on their methodology.

Key points from that assessment included:

- *The analysis of three key intersections within Waipukurau town centre confirmed that existing traffic volumes are low.*
- *The additional traffic generated by the proposed development during the average weekday AM and PM peak period has a minor impact on the overall performance of these intersections. Mount Herbert Road is expected to increase from 247 veh/h to 420 veh/h in the AM peak hour and similarly 174 veh/h to 347 veh/h in the PM peak. The intersection analysis confirms that this increase in vehicular activity has little effect on capacity.*
- *The increase in heavy vehicle activity is generated by deliveries/ distribution activities to/from the site. These vehicles generally arrive from the north (Napier, Hastings) and the west (Palmerston North). During the AM and PM peak hours the existing road network and intersection can safely and efficiently allow for the increased traffic. Mount Herbert Road is expected to increase from 9 heavy vehicles to 13 heavy vehicles in the AM and PM peak hours (48 heavy vehicles were used in the analysis as a worse case).*
- *The form and function of the existing urban roads are well suited to accommodate the additional vehicular trips from the development. Any adverse effects resulting from the increase in traffic on the safety and efficiency of these roads is considered to be less than minor. No upgrades or changes to the existing intersections are required.*
- *The form and function of Mount Herbert Road beyond the gravel extraction plant requires upgrades to cater for the increase in heavy vehicle activity. Without the upgrades to this part of Mount Herbert Road, the road would deteriorate at an increasing rate than originally designed for and the increase in traffic would result in an adverse effect on the safety and efficiency of this part of the local network. To avoid and mitigate adverse effects, the actions set out in Section 7.6 are required.*

In relation to traffic count data used within the Transportation Assessment, Stantec later confirmed the following:

Table 7 of the Transportation Assessment report includes details of existing two-way traffic volumes for sections of Mt Herbert Road, River Terrace, SH2 and Peel Street.

Earlier at Section 3.4 of the report, it is described that a series of traffic surveys were commissioned at the following three intersections to inform the analysis undertaken:



- SH2 / Herbert Street;
- SH2 / River Terrace; and
- Ruataniwha Street / St Joseph Street / Wellington Road / Mt Herbert Road.

The respective weekday AM and PM peak traffic flows recorded by the surveys at these three intersections are then shown in the diagrams included as Figures 4 and 5 of the report.

The existing two-way traffic flows included at Table 7 are taken directly from these intersection surveys and match the peak hour data mapped in Figures 4 and 5.

As described earlier in the description of the proposal, the application includes majority of the recommendations put forward by Stantec in Section 7.6 of the Transportation Assessment. These recommendations result in various upgrades (grading, widening, formation) to sections of Mount Herbert Road. The upgrades respond to the necessary function of the road for the proposed activity and ensure the safety and efficiency of the road when servicing the various aspects of the compost production facility.

With the nature of the down scaled proposal being well within the characteristics assessed, and the same mitigation proposed where still applicable, the May 2018 Transportation Assessment is still considered relevant to this application and suitable to confirm that the effects of the proposal in relation to traffic matters can be considered less than minor.. Compared the original proposal, key points associated with the down scaled proposal include:

- Staff numbers have reduced from 150/115 week/weekend to 8 week/weekend.
- As a consequence of less staff numbers on site, a reduction in the volume of light goods vehicles as set out in Tables 5 and 6 of the Transportation Assessment.
- Vehicular volumes associated with the orchard and vegetable glasshouse activities (horticulture hub) are no longer relevant as these activities do not form part of the application.
- Similar access points to those identified as Access Points 1 and 3, shown in Figure 12 of the May 2018 report, are proposed as part of this application.
- Access points 2 and 4 – 7 as shown in Figures 12 and 13 of the May 2018 report are no longer part of the proposed activity.

While the proposed activity involves less light goods vehicles, a similar level of heavy goods vehicle movements are anticipated as described and evaluated in the May 2018 Transportation Report.

To that end, the same overall evaluation and recommendations in the aforementioned report remain and are relied upon to support a view that transportation effects will be less than minor.



On-site carparking

Previous Compost and Mushroom Farm, and Horticulture Hub

The May 2018 Transportation Assessment calculates the number of on-site carparks required for staff (1 park per 2 staff) and visitors (1 park per 500m² GFA) based on the District Plan car parking ratios. For the previous Compost and Mushroom Farm, and Horticulture Hub activity 150 staff were anticipated and a GFA of the buildings and working areas was calculated at 31,537m². Based on the District Plan car parking ratios, a maximum of 138 on-site carparks was calculated to comply with the District Plan. This previous scheme included a large carparking area to the rear of the site to provide for this considerable amount of carparking as per the district plan requirements.

Proposed Composting Facility

In relation to this proposal, the District Plan on-site carparking requirements are as follows:

- 12 visitor carparks
- 4 carparks are provided exclusively and shall be made available for staff.
- 5 truck and trailer parks

The proposed facility provides for the 4 staff carparks and two visitor carparks. There are no truck and trailer parks. To this end, the proposed development is different to what is described and assessed in the May 2018 Transportation Assessment and that report is therefore not relied upon for assessing the effects of this carparking non-compliance.

The assessment matters from 14.5 above are repeated here and commented on.

- a) *Whether it is physically practicable to provide the required parking or loading spaces on the site in terms of the existing location of buildings, access to the road, topography and utility location.*
- i) *Whether there is an adequate alternative supply of parking or loading spaces in the vicinity. In general on-street parking is not considered an alternative.*
- j) *Whether there is another site in the immediate vicinity that has available parking or loading spaces that are not required at the same time as the proposed activity. In such a situation the Council may require the associated parking or loading spaces to be secured by way of written agreement and adequate signage to inform customers of its availability.*
- k) *Whether the car parking or loading will be unusually low as a result of business practice.*
- l) *Whether a significant adverse effect on the character and amenity of the surrounding area will occur as a result of not providing the required parking or loading space*
- m) *The degree to which the safety and efficiency of the surrounding roading network would be adversely affected by parked and manoeuvring vehicles on the roads.*
- n) *Any cumulative effect of the lack of on-site parking and loading spaces in conjunction with other activities in the vicinity, not providing the required number of parking or loading spaces.*
- o) *The degree to which any reduction in the design characteristics will result in the parking and loading area and/or access and manoeuvring areas being impractical, inconvenient or unsafe to be used by vehicles or pedestrians.*

The four (4) staff parks are provided for in a small area of carparking immediately next to the office area. This is a better more convenient area for car parking than the previous proposal.



The demand for visitor carparking is only two, as few visitors are anticipated to the site. Should visitor numbers increase in the future, there is sufficient area within the site such that additional carparking can be created if required. This could be provided for via a Review clause.

All parking spaces will be designed and constructed in accordance with AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking.

The design of the on-site movement and use of heavy good vehicles arriving on site is such that there is no demand for truck and trailer parks or car parks. This is because heavy goods vehicles either arrive and collect Phase 3 compost substrate or are delivering other raw inputs. Indeed, the provision for large truck and trailer carparks would be an inefficient use of impervious surfacing, considering there would be no use for these types of carparks.

Overall the provision of staff and visitor on-site carparks is sufficient and the location of the carparks within the site are convenient. No adverse effects are anticipated on the local road network as a result of less visitor carparks, and no truck and trailer carparks.

Loading

The May 2018 Transportation Assessment is not relevant to the current proposal, as there was an expectation that compliance with the relevant District Plan Transportation standards for loading would be confirmed via the certification approach.

The District Plan requirements do not appear to be applicable to rural environments, or activities such as a factory farm. Nevertheless, the proposed internal access has been designed with turning circles that allow for heavy vehicles up to the size of a B-Train (two semi-trailers) unit and provides for the loading and unloading of materials and product.

The loading of final product and unloading of raw materials to the site is provided by way of the site access, internal roads and maneuvering. The demand for trucks and truck and trailer units to enter, manoeuvre, stop and load/unload product and raw materials has been provided for on-site and will not generate adverse effects on the safety and efficiency of the local road network.

7.10 Construction

Construction effects such as noise, dust and traffic management are temporary in nature, a reality of new development and can be managed through industry best practice and standard conditions of consent. Nuisance effects associated with construction can be managed by incorporating the following into the construction activities:

- A Construction Management Plan will be prepared,
- Hours of operation will be limited to daytime/working hours, being 7.30am-6.00pm Monday-Saturday
- Construction activity will be undertaken in accordance with the New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise".



In conjunction with the temporary duration of such effects, these initiatives will ensure that overall, effects with regard to construction will be less than minor.

8. NOTIFICATION

There is no presumption in the RMA itself as to whether or not an application will be notified and a consent authority has discretion in determining whether or not notification is necessary. This assessment is primarily governed by Section 95A and Section 95B of the RMA.

8.1 Section 95A Assessment – Wider Environmental Effects

Section 95A of the RMA considers the need for public notification and sets out four steps in a specific order to be considered in determining whether to publicly notify.

In terms of Step (1), public notification has not been requested, Section 95C pertaining to notification in the event that further information is not provided under Section 92 is not applicable, and the application is not being made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

In terms of Step 2, none of the circumstances precluding notification are applicable.

Moving to Step 3, notification is not required by a rule in a Plan while the effects of the proposal have been demonstrated in Section 7 of this report to be less than minor or minor on the wider environment.

Lastly, as no special circumstances are considered to apply public notification is not required under any of the pathways in Section 95A.

8.2 Section 95B Assessment – Effects on the Local Environment and Particular Parties

While public notification is not necessary, any effects of the proposal on the local environment and upon particular parties must still be considered. This is addressed through Section 95B of the RMA.

In terms of Step 1, being outside the CMA we understand there are no protected customary right groups or customary marine title groups in terms of Section 95B(2).

With respect to Section 95B(3) the site may be within (or at least adjacent to) land that is the subject of the Statutory Acknowledgement Area associated with the Tukituki River and tributaries as part of the Heretaunga Tamatea Deed of Settlement (as shown on the Deed Plan OTS-110-30 for Statutory Areas).



Objectives 36 and 37, and Policies 64 of the RRMP have also been considered alongside our review of the Statements of Association with the Statutory Acknowledgment Area in determining the scale of effects on tangata whenua.

Objective 36 sets out to protect and where necessary aid the preservation of waahi tapu (sacred places) and tauranga waka (landings for waka). Objective 37 sets out to protect and where necessary aid the preservation of mahinga kai (food cultivation areas), mahinga mataitai (sea-food gathering places), taonga raranga (plants used for weaving and resources used for traditional crafts) and taonga rongoa (medicinal plants, herbs and resource).

The proposed activities involve air discharges, with no change to the water resource of the Tukituki River, or the use of places along the river. The proposal is not expected to compromise the preservation tauranga waka, mahinga mataitai, taonga raranga, taonga rongoa or mahinga kai.

Effects of odour have been specifically considered, particularly in regard to the wahi tapu site (the listed site of significance) and determined to be less than minor. On this basis, effects on the persons to whom the statutory acknowledgement is made are considered less than minor.

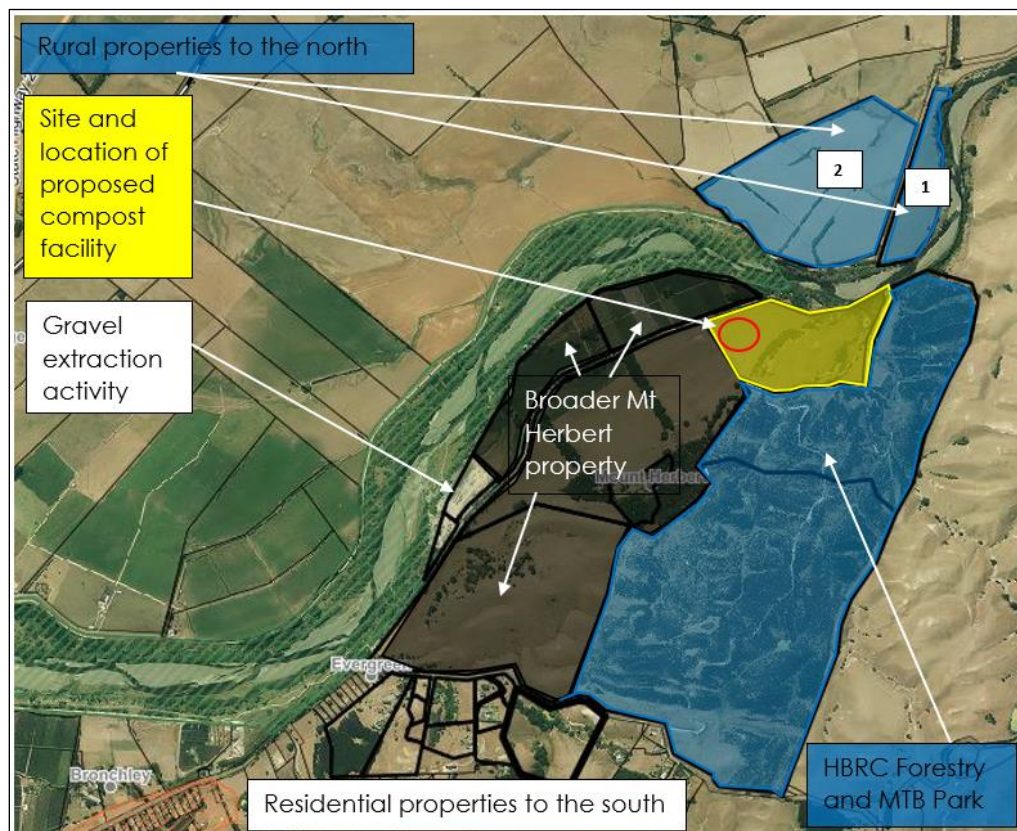
None of the matters precluding notification apply in terms of Step 2.

Having disregarded land adjacent to the subject site for the purposes of Section 95D(a)(ii), that land is now returned to under Step (3) of Section 95B, which requires the consent authority to determine, in accordance with Section 95E, whether there are any affected parties.

Section 95E states that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

Land adjacent to the subject site is identified in **Figure 13** below, with an assessment of effects on those parties following. Although not in a Section 95B context, additional properties are also identified and considered.

Figure 13: Subject site (yellow) and adjacent properties. The Tukituki River is situated between the site and adjacent rural properties



Rural Properties to the north

This group of properties includes:

1. A 6.8ha property off Tapairu Road, immediately next to the Tukituki River (Lot 6 DP 525885).
2. A 29ha property at Tapairu Road (Part Tarewa A1 Block)

These rural properties are situated beyond the Tukituki River and are identified as being adjacent to the site because they are the nearest parcels of land. These rural properties do not have residential dwellings or other sensitive uses on them - except the identified wahi tapu site may extend into property 1 and 2 (identified above). Given the assessment made in Section 7 of this application, the actual and potential adverse effects on the above rural properties are considered to be less than minor because of the following rationale:

- The proposed activity complies with permitted noise levels set in the performance standard 4.9.11.
- With respect to the wahi tapu site (ref 230) the potential odour effects at this locality are less than minor (refer to Section 6.4.6 of the AQP report).
- The increased use and upgrade of Mt Herbert Road will not adversely affect the use of Ford Road, Tapairu or Kaimotu Road.



- Noting the location, bulk and height of the buildings themselves can be considered permitted, the potential visual effects of the proposed buildings and facilities are mitigated through distance, relative isolation within the subject site and the proposed landscaping on the front and side boundaries of 464 Mt Herbert Road.
- The exceedance of site coverage does not generate adverse effects from building dominance, privacy or shading on nearby houses or other rural buildings. The contribution to site coverage, includes areas of hardstand associated with the biofilter, straw storage, internal road, on-site maneuvering, carparks and working yard. It is considered that the concentration of buildings and areas of hardstand can be accommodated within the site without generating significant adverse effects on surrounding amenity.

The Forestry and Recreation Block (the Gum Tree Farm Mountain Bike Park)

This property is situated at 302 Mangatarata Road (Lot 2 DP 28812 BLK XV Waipukurau SD) and extends back into the rear section of 464 Mt Herbert Road (Lot 1 DP 427319). It is a rural property, currently in forestry and also used for mountain biking tracks.

With reference to the assessment made in Section 7 of this application, the actual and potential adverse effects on those occupying or using the property at 302 Mangatarata Road are considered to be less than minor for the reasons as summarised below:

- The proposed activity complies with permitted noise levels set in the performance standard 4.9.11.
- Cyclists using recreational areas in rural areas can expect rural odours and activities to be part of the environment that they are within. Passing rural and industrial activities comprising an element of odour is also not a foreign concept, and examples include the various activities at Awatoto, Napier.
- The use the Gum Tree Farm Mountain Bike Park by recreational cyclists is a transient use, rather than a permanent one.
- The proposed measures to avoid and mitigate significant odour effects from the proposed compost activities are wide ranging including the design of the facility, through to on-site management and hours of operation Section 6.4.8 of the AQP report provides results of the odour analysis and concludes that the potential for offensive or objectionable odour effects to occur will be less than minor.
- Any potential odour at the property would be infrequent and a short duration.
- There are sections of Mount Herbert Road that require upgrades to ensure the increase in traffic avoids adverse effects. With the upgrades in place, the effects on the local road network (and its users) are less than minor.
- There are positive effects from the road upgrades for those using the road to get to the entrance of the Gum Tree Mountain Bike park.
- Noting the location, bulk and height of the buildings themselves can be considered permitted, the visual effects of the proposed buildings and facilities are considered to be appropriately managed by way of setbacks from Mt Herbert Road and proposed landscaping along the front and side boundaries.
- The exceedance of site coverage does not generate adverse effects from building dominance, privacy or shading on nearby houses or other rural buildings. The



contribution to site coverage, includes areas of hardstand associated with the biofilter, straw storage, internal road, on-site maneuvering, carparks and working yard. It is considered that the concentration of buildings and areas of hardstand can be accommodated within the site, without generating significant adverse effects on rural amenity.

- While the proposed compost production facility introduces a new type of rural industrial activity to the subject site and surrounds, the proposed activities will be compatible with what is provided for within the Rural Zone and noise, traffic, odour and visual effects can be managed so they are either avoided or mitigated.

The Tukituki River Esplanade

The Tukituki River and its esplanade is considered to be part of the wider environment given it presents a corridor of green space and recreation that links to a network of recreation, rather than a having a stationery presence like an adjoining property. Taking a conservative approach however, specific consideration is given to this geographic feature and its potential users as adjoining land. With reference to the assessment made in Section 7 of this application, the actual and potential adverse effects on those occupying or using the Tukituki River esplanade are considered to be less than minor for the following reasons: :

- The proposed activity complies with permitted noise levels set in the performance standard 4.9.11.
- Cyclists using recreational areas in rural areas can expect rural odours and activities to be part of the environment that they are within. Passing rural and industrial activities comprising an element of odour is also not a foreign concept, and examples include the various activities at Awatoto, Napier.
- The use the river esplanade by recreational cyclists is a transient use, rather than a permanent one.
- The proposed measures to avoid and mitigate significant odour effects from the proposed compost activities are wide ranging including the design of the facility, through to on-site management and hours of operation. Section 6.4.7 of the AQP report provides results of the odour analysis and concludes that the potential for offensive or objectionable odour effects to occur will be less than minor.
- Any potential odour at the river esplanade would be infrequent and a short duration.
- There are sections of Mount Herbert Road that require upgrades to ensure the increase in traffic avoids adverse effects. With the upgrades in place, the effects on the local road network (and its users) are less than minor.
- There are positive effects from the road upgrades for those using the road to get to the Tukituki River.
- Noting the location, bulk and height of the buildings themselves can be considered permitted, the visual effects of the proposed buildings and facilities are considered to be appropriately managed by way of setbacks from Mt Herbert Road and proposed landscaping along the front and side boundaries.
- The exceedance of site coverage does not generate adverse effects from building dominance, privacy or shading on nearby houses or other rural buildings. The contribution to site coverage, includes areas of hardstand associated with the



biofilter, straw storage, internal road, on-site maneuvering, carpark and working yard. It is considered that the concentration of buildings and areas of hardstand can be accommodated within the site, without generating significant adverse effects on rural amenity.

- The proposed compost production facility introduces a new type of rural industrial activity to the subject site and surrounds. The proposed activities will be compatible with what is provided for within the Rural Zone and, noise, traffic, odour and visual effects can be managed so they are either avoided or mitigated.

Although not adjacent, and essentially considered in regard to Section 95A rather than Section 95B, the following provides specific consideration of the gravel extraction activity and residential properties to the south of Mangatarata Road.

The Gravel Extraction Activity

An existing gravel extraction activity operates at 302 Mt Herbert Road. This 2.8ha property adjoins the subject site to the south-west. With reference to the assessment made in Section 7 of this application, the actual and potential adverse effects on those at 302 Mt Herbert Road are considered to be less than minor for the following reasons:

- The proposed activity complies with permitted noise levels set in the performance standard 4.9.11.
- There is no sensitive activity (residential dwellings, marae, childcare, schools) located at the property, and therefore the odour effects are less than minor.
- The form and function of the existing urban roads are well suited to accommodate the additional vehicular trips from the development. No upgrades or changes to the existing intersections are required. Potential adverse effects resulting from the increase in traffic on the safety and efficiency of these roads are considered to be less than minor on the local environment.
- The provision of parking on site meets the needs of the activity and does not generate adverse effects.
- The potential visual effects of the proposed buildings and facilities are mitigated through distance, relative isolation within the subject site and the proposed landscaping on the front and side boundaries of 464 Mt Herbert Road.
- The exceedance of site coverage does not generate adverse effects from building dominance, privacy or shading on nearby houses or other rural buildings. The contribution to site coverage, includes areas of hardstand associated with the biofilter, straw storage, internal road, on-site maneuvering, carpark and working yard. It is considered that the concentration of buildings and areas of hardstand can be accommodated within the site, without generating significant adverse effects on surrounding amenity.

Residential Properties to the south

This group of properties includes:

- 4 Mangatarata Road, 0.5ha (Lots 49-50 DDP 354 BLK XV Waipukurau SD).
- 14 Mangatarata Road, 5.8ha (Lot 6 DP 14323 BLK XV Waipukurau SD)
- 22A Mangatarata Road, 0.4ha (Lot 4 DP 531809)



- 22B Mangatarata Road, 0.5ha (Lot 3 DP 531809)
- 22C Mangatarata Road, 0.4ha (Lot 2 DP 531809)
- 22D Mangatarata Road, 3.4ha (Lot 1 DP 531809)
- 32 Mangatarata Road, 2.5ha (Lot 1 DP 363555)
- 44 Mangatarata Road, 0.5ha (Lot 1 DP 402935)
- 44A Mangatarata Road, 1.1ha (Lot 1 DP 381744)
- 44B Mangatarata Road, 1.6ha (Lot 2 DP 402935)
- 44D Mangatarata Road, 1.5ha (Lot 3 DP 402935)
- 44E Mangatarata Road, 2.0ha (Lot 4 DP 402935)
- 44F Mangatarata Road, 0.6ha (Lot 5 DP 402935)
- 74 Mangatarata Road, 8.4ha (Lot 10 DP 14323)

This cluster of lifestyle properties range in size and all access from Mangatarata Road. Some sections are developed with residential dwellings while some are vacant. These properties are identified as being adjacent to the site because they are immediately opposite the southern end of the subject site on Mangatarata Road. Given the assessment made in Section 7 of this application, the actual and potential adverse effects on the above properties are considered to be less than minor because of the following:

- The proposed activity complies with permitted noise levels set in the performance standard 4.9.11.
- Section 6.4.5 of the AQP report provides results of the odour analysis and concludes that the potential for offensive or objectionable odour effects to occur will be less than minor.
- The form and function of the existing urban roads are well suited to accommodate the additional vehicular trips from the development. No upgrades or changes to the existing intersections are required. Potential adverse effects resulting from the increase in traffic on the safety and efficiency of these roads are considered to be less than minor on the local environment.
- The provision of parking on site meets the needs of the activity and does not generate adverse effects.
- The potential visual effects of the proposed buildings and facilities are mitigated through distance, relative isolation within the subject site and the proposed landscaping on the front and side boundaries of 464 Mt Herbert Road.
- The exceedance of site coverage does not generate adverse effects from building dominance, privacy or shading on nearby houses or other rural buildings. The contribution to site coverage, includes areas of hardstand associated with the biofilter, straw storage, internal road, on-site maneuvering, carparks and working yard. It is considered that the concentration of buildings and areas of hardstand can be accommodated within the site, without generating significant adverse effects on surrounding amenity.

Conclusion

In considering the single and groups of properties above, the actual and potential adverse effects generated by proposed compost production activity are less than minor on persons at the identified parcels of land.



On the basis that no further special circumstances apply in terms of Step 4, the application may therefore be processed on a non-notified basis without the need for the approval of any specific parties.

9. RELEVANT OBJECTIVES AND POLICIES

In accordance with Section 104(1)(b) of the RMA, a consent authority must, subject to Part 2 of the RMA, have regard to the relevant provisions of any statutory plans and policy statements. This includes any relevant provisions of:

- i) National Environmental Standards (**NES**)
- ii) Other regulations
- iii) National Policy Statements (**NPS**)
- iv) The New Zealand Coastal Policy Statement (**NZCPS**)
- v) Regional Policy Statements or proposed Regional Policy Statements (**RPS**)
- vi) A Plan or Proposed Plan

The National Environmental Standard for Assessing Managing Contaminants in Soil has been addressed in Section 5.1. There are no other regulations that are relevant to this land use consent application. Likewise, there are no National Policy Statements that are relevant.

The Hawke's Bay Regional Resource Management Plan (**RRMP**) comprises the RPS and regional planning provisions, excluding coastal matters. The District Plan is to give effect to the RPS and therefore the Central Hawke's Bay District Plan is the primary document to be considered. Nevertheless, policies in the RPS pertaining to odour are considered in Section 9.2.

9.1 Central Hawke's Bay District Plan

The relevant objectives and policies for the proposal are contained within the following District Plan Chapters and considered below:

- Rural Zone (Chapter 4)
- Tangata Whenua (Chapter 3.1)
- Transport (Chapter 8)
- Utilities (Chapter 10)
- Signs (Chapter 11)

Chapter 4: Rural Zone

The relevant Rural Zone objective is 4.2.1, which is repeated below.

4.2.1 Objective - Rural Amenity and Quality of the Environment

A level of rural amenity which is consistent with the range of activities anticipated in the rural areas, but which does not create unpleasant conditions for the District's rural residents; or adversely affect the quality of the rural environment.



To achieve the above objective, the policies set out in 4.2.2 provide direction when considering new development. In summary, Policy 4.2.2-1 encourages a wide range of land uses and land management practices in the Rural Zone, while maintaining rural amenity. To protect the amenity and environmental quality of the Rural Zone, Implementation Method (1) references the provision of performance standards. Further, Policies 4.2.2-4 and 4.2.2-5 direct the use of buffers between factory farming and other activities to avoid or mitigate adverse odour effects, and encourage factory farming away from urban areas.

The direction provided by the relevant policies is considered to be consistent with the logic and approach to identifying the subject site and designing the proposed compost production facility. The supporting expert assessments for noise, odour and traffic demonstrate that actual and potential adverse effects are either avoided at the source, or mitigated through distance, and in relation to traffic – an upgrade to the road.

Chapter 3.1 Tangata Whenua

The relevant Tangata Whenua Objective is 3.1.2-2, which is repeated below.

Recognition of the importance of the relationship of the Tangata Whenua, their culture and traditions, with their ancestral lands, waters and sites, in the management of these resources within the District.

Policies set out in 3.1.3 largely refer to process and procedures between Council and Tangata Whenua to ensure consultation, involvement and information is shared to Tangata Whenua in relation to matters they may be interested in. Rural Zone Policy 4.2.2-8 encourages the protection of wahi tapu and other taonga by facilitating consultation between landowners and the Tangata Whenua should developments be proposed where values occur.

In relation to the values of importance to Tangata Whenua, an archaeological site (No 1614) is recorded on the subject site. The record shows the archaeological site to be located within an elevated knoll to the east of the proposed compost facility. The extent of the area identified on the consent notice on the underlying title is shown on the Site Plan. No earthworks or other disturbances at or near the recorded archaeological site are proposed, with a separation distance of at least 70m. Beyond the subject site, on the opposite side of the Tukituki River is a wahi tapu site, recorded on the District Plan as Site No. 230.

While these identified sites are not in the immediate vicinity of the proposed activity, their presence is acknowledged as being part of the wider environment. To this end, specific consideration has been given to them in the assessment of this proposal and the applicant has contacted Taiwhenua o Tamatea Inc in order to meet and discuss the proposed activity with them. The acknowledgement of the potential values and actions taken to consult with local Tangata Whenua are considered to be consistent with the above Objective and Policies.

⁴ A long bluff, terraced on the inland side. A few exposures of midden: fresh-water mussel, fire cracked rock, obsidian, charcoal. 6 terraces, largest 15x3m. Pit 5x4m by .7m deep



Chapter 8 Transport

The relevant Transport Objective is 8.1.2, which is repeated below.

Efficient use of the District's existing and future transport system through the maintenance and improvement of access, ease and safety of pedestrian movement.

In summary, the Policies in 8.2.2 direct the provision, design, and construction of onsite parking, access and loading to ensure the amenity, safety and efficiency of the local road network can be maintained. The proposed development provides for safe and efficient access to the site, practical areas for loading and unloading, and sufficient carparking to provide for staff and visitors. To that end, the proposal is consistent with the above objective and relevant policies.

Conclusion

The evaluation of the relevant District Plan objectives and policies demonstrates that the proposed compost production facility is in keeping with the Rural Zone given the mix of activities allowed to operate in that environment. The site selection and avoidance of urban areas is consistent with the District Plan. Acknowledging the subject site has potential cultural values - albeit separated some distance from the area to be developed and initiating consultation with Tangata Whenua gives regard to the policies of the District Plan. The proposed development is consistent with the relevant Objectives and Policies.

9.2 Regional Resource Management Plan

Regional Policy Statement

The Hawkes Bay Regional Council's (HBRC) Regional Resource Management Plan (RRMP) sets high level objective (Objective 16) and Policy (Policy 8) within Chapter 3.5 of the RPS Section. The direction given is to avoid or mitigate off-site impacts or nuisance effects arising from the location of a potentially conflicting new land use. Policy 8 gives greater direction on what factors will be considered in a discharge of odour to air.

Chapter 3.7 Management of Organic Material identifies the issue of nuisance and adverse effects on humans, property and the environment due to the poor management and utilisation of organic material derived from primary processing industries. There is recognition of the re-use of organic material (which is often generated from the primary production activities) as an alternative to disposal to landfill. Yet, in reusing organic material such activities do not result in any adverse effects on humans or the environment (Objective 20). Policy 11 refers to the use of non-regulatory methods around good practice for reuse of organic material. Whereas Policy 12 provides direction on regulatory method to manage effects from the use of organic material.

Policy 12 has two clauses. Clause (a) directs activities that generate discharges into air from the use of organic material (such as compost) are provided for where effects on the environment are avoided or minimised. The design of the compost production facility aims at avoiding and minimising any adverse objectionable or offensive odour effects generated



by the activities. Clause (b) directs that HBRC may request a management plan is prepared where the circumstances are such that:

- (a) organic material is sourced from industrial or trade premises
- (b) there are residential properties in close proximity to the activity
- (c) large volumes of organic material are being stored and/or used
- (d) the organic material is likely to be malodorous in nature
- (e) nutrient loadings may exceed the natural uptake rate by grass or crops
- (f) the groundwater resource is particularly susceptible to contamination e.g. on the Heretaunga Plains unconfined aquifer, or on highly permeable soils
- (g) when organic material is stored in a position where it can potentially enter a surface water body.

The proposed compost production facility will have a purpose built facility, with high level of enclosure and automation, combined with on-site management to avoid generating significant objectionable and offensive odour at source, and a large site within which residual odour can be diffused so that potential for objectionable and offensive odour beyond the boundary is managed and the risk of adverse effects considerably reduced.

Regional Plan Objectives and Policies

Chapter 5 of the Regional Resource Management Plan contains the Regional Plan Objectives and Policies. Objectives 39, 39b, and 39c relates to the maintaining ambient air quality with respect to managing air quality within identified airsheds and outside of these areas, while Objective 39a is that a standard of local air quality is maintained that is not detrimental to human health, amenity values or the life supporting capacity of air. Policy 69 contains environmental guidelines and standards that activities affecting air quality are to be managed in accordance with. In terms of odour, Guideline 1 states "There should be no offensive or objectionable odour beyond the boundary of the subject property". Based on the above, the proposal is expected to achieve this environment guideline.

Commentary

The consideration of odour effects for the proposed activity has been aimed at managing offensive and objectionable odour beyond the site boundary, with careful consideration of effects on neighbouring residential dwellings, cultural and recreational areas. The AQP report is the technical guidance that underpins the odour effects assessment and concurrent odour discharge application that has been lodged with HBRC.

In summary, the proposed compost production facility can operate at the Mt Herbert site and avoid land use conflict by managing odour sources at the site and within the broader Mt Herbert property as it is a large property, relatively isolated from neighbours, it is a purpose-built facility, and appropriate on site management will be built in to the operation and maintenance of the facility.



10. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The assessments contained in Sections 7 and 9 of this report are subject to the matters contained in Part 2 of the RMA, which contains Sections 5, 6, 7 and 8.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources and is supported by Sections 6, 7 and 8 of the RMA. Sections 6 and 7 contain the "matters of national importance" and "other matters" respectively and Section 8 provides for the principles of the Treaty of Waitangi. These sections are hierarchical and provide for a different level of consideration to be given to each.

The matters of national importance listed in Section 6 include:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights:*
- (h) the management of significant risks from natural hazards.*

The subject site adjoins the Tukituki River esplanade, yet the natural character values of the subject site are low as it is currently a pastoral grazing farm. The buildings and facilities are to be well setback from Mt Herbert Road therefore separated from the river esplanade.

The subject site is not an identified outstanding natural feature or landscape, and there are no areas of significant indigenous vegetation or known habitats of indigenous fauna.

The proposed development may increase the current level of public access to Tukituki River due to the road improvements to Mount Herbert Road. There are no known customary protection rights within the subject site.

There is recognition and provision for potential cultural values associated with the wider environment in which the proposed activity sits. The applicant has met with Taiwhenua o Tamatea Inc and discussed the proposal with representatives.



Other than the archaeological site identified on the site, there are no other known historic heritage values to be protected on the site.

In terms of natural hazards, according to the Hawke's Bay Natural Hazard Property Report, the site is characterised by the following hazards:

- Earthquake Amplification
- Flooding
- Moderate Earthflow

The applicant is aware of these risks, and noting non-residential nature of the proposal, it is planned to address these through minimum floor levels (if required) and geotechnical assessment at the time of building consent.

The 'other matters' listed in Section 7 relevant to the proposal include:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values:*
- (f) maintenance and enhancement of the quality of the environment:*

The proposed development is an industry best isolated from urban development. The buildings and facilities are industrial, yet no different from other industries that are best suited to rural environments. This development can operate alongside the traditional type of farming and horticultural activities typically located within a rural environment. The building setbacks and proposed landscaping shall avoid significant adverse effects on rural amenity. The scale of the proposed compost facility means it can be cost effective to incorporate the latest design and best practice techniques in the composting system; therefore minimising adverse effects from odour.

The proposed compost production facility will have positive economic and social effects on the local community.

No other matters of Part 2 are specifically relevant.

In summary, the nature, scale and location of proposed development is considered to achieve the purpose and principles of the RMA and deserving of consent.

11. CONCLUSION

In summary, the proposal will result in less than minor effects and will not be contrary to the relevant Objectives and Policies of the District Plan, or any of the other statutory documents referred to in Section 104(1)(b).



Furthermore, having considered the proposal subject to Part 2 of the RMA, it is not expected to compromise the principles and purpose of the Act, and is subsequently considered deserving of consent pursuant to Sections 104 and 104B of the Resource Management Act 1991.

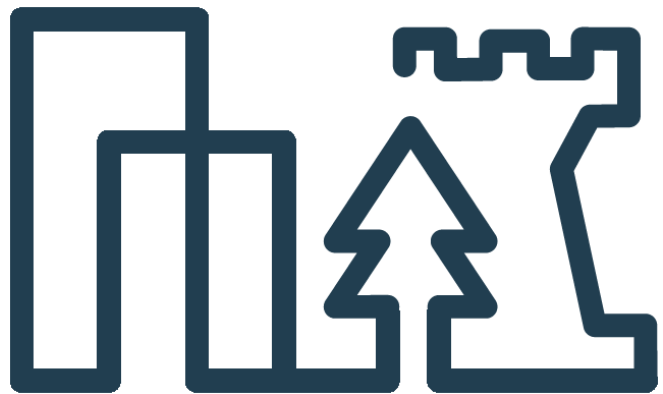
Appendix 1

Certificate of Title



Appendix 2

District Plan Map and Performance Standard Compliance Assessment



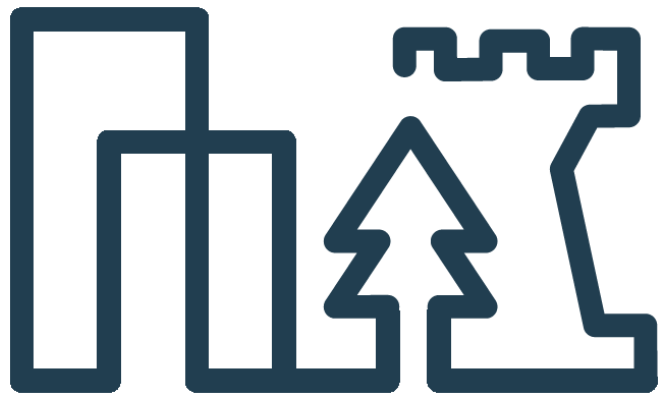
Appendix 3

Site Plan



Appendix 4

TDG/Stantec: Transportation Assessment



Appendix 5

EAM: Preliminary Site Investigation Assessment



Appendix 6

EARCON: Acoustic Assessment and follow up Memo



Appendix 7

AQP: Odour Effects Assessment

