Attachment 1

CDL Response to Information Requested by the Arataki Expert Panel

The following sets out the Applicant's response to the information requested by the Arataki Expert Panel under paragraph 11 of Minute 3.

1.0 Item A – Either/Or Condition

In relation to the "either/or" condition 14A approach to potential relocation of the Shaggy Range driveway, please comment on the extent to which the driveway relocation option would enhance the provision of a reverse sensitivity buffer (i.e. operate to reduce the potential for reverse sensitivity effects to arise).

1.1 CDL Response

In our view, the alternative masterplan offers a different configuration of the interface but does not result in any material change to the overall effectiveness and suitability of the mitigation measures proposed to manage the reverse sensitivity effects relative to the lodged masterplan.

The alternative masterplan has not been proposed as a "better" option to manage reverse sensitivity effects, but as an optional design pathway to accommodate the relocation of the Shaggy Range driveway should an agreement be reached with the landowner.

The purpose of condition 14A is to provide clear context to any future decision maker that an alternative masterplan for the Arataki development has been anticipated as part of this Application. It establishes the process the consent holder must follow in order to implement the alternative masterplan in the event an agreement with Shaggy Range is reached to relocate their driveway.

Both the lodged masterplan and the alternative masterplan establish an appropriate and effective interface with the adjoining Olive Grove and Shaggy Range operations mitigating any actual and/or potential reverse sensitivity effects. Each option should be assessed on its own merits rather than through a comparative assessment.

The management of reverse sensitivity effects under both the lodged masterplan and the alternative masterplan is addressed below.

1.1.1 Lodged Masterplan

The lodged masterplan provides an appropriate and effective reverse sensitivity interface, as assessed in section 13.3 of the lodged Planning Report and reiterated / updated in the Planning Overview Response Report (dated 20/11/2025).

The combination of a no-build buffer, acoustic fencing, shelterbelt planting (incorporating a needle-leaf shelterbelt species consistent with NZS 8409:2021[1] as introduced in the s53 Response), consent notices, and no complaints covenants is sufficient to mitigate any actual and/or potential adverse reverse sensitivity effects on the adjoining rural properties.

[1] NZS 8409:2021 Management of Agrichemicals – the purpose of this standard is to provide guidance for spray operators, farmers, growers and other users to manage a range of chemicals safely, responsibly and effectively.

1.1.2 Alternative Masterplan

1.1.2.1 Design Considerations

The alternative masterplan confirms how the Shaggy Range driveway can be accommodated within the Arataki Development should it be relocated along the southern boundary of the development adjacent to the Olive Grove.

To assist the Panel in understanding how the alternative masterplan would operate, a suite of supporting drawings has been prepared. These have been prepared to ensure that the alternative masterplan is feasible and can deliver a like-for-like driveway arrangement for Shaggy Range.

The supporting information includes the alternative Masterplan – Scheme Plan (**Attachment 3**), and an Urban Design Drawing Package (**Attachment 4**) which includes lot testing diagrams, and cross sections. This is supported by an Acoustic Memo (**Attachment 5**) and Engineering Memo (**Attachment 6**).

The design constraints influencing the alternative masterplan configuration include:

- The need to maintain safe road geometry on Arataki Road (road locations are fixed).
- Integration with the northern part of the development (lodged version).
- The topography change.
- A like-for-like land area exchange for the driveway.
- Provision of access for farm trucks to the Shaggy Range property.
- Provision of developable building platforms (lot depth and width consideration important to achieve lot testing outcomes).
- The retention of existing significant vegetation on the Shaggy Range landholding, including a large tree.

Through development of the alternative masterplan, refinements to the lot layout have resulted in the removal of one lot, bringing the total number of lots to 170. **Table 1** below provides a summary of key design features of the alternative masterplan and how the alternative masterplan functions at the rural–residential interface.

Table 1: Key design features of the alternative masterplan at the rural-residential interface

Interface	Key design features of the alternative masterplan

Olive Grove Interface (South Boundary)	There will be a 6.5m wide driveway corridor between the Olive Grove's northern boundary and the applicant's southern boundary. The driveway will be owned and maintained by Shaggy Range and the corridor will incorporate:
	• 3.5 – 4.0m wide vehicle access carriageway.
	• Provision of passing bays.
	• Corner chamfer to facilitate vehicle tracking.
	• Landscaping.
	• Four parking spaces.
	• A buffer interface within Lots 162 – 170 positioned north of the driveway and protected by consent notices, comprising:
	  ▪ A 5m wide combined no build area and landscaping strip comprising Leyland Cypress needled tree shelter belt species established by the applicant and protected by consent notice.
	  ▪ 2m high acoustic fencing along the common boundary of the CDL land and the driveway corridor, established by the applicant and protected by consent notice.

Interface	Key design features of the alternative masterplan
	• Retention of a no complaints covenant for these lots. • An overall separation distance of approximately 11.5m from the Olive Grove boundary and the future dwellings within the Arataki development.
Shaggy Range (Eastern Boundary)	There will be an approximately 6.5m wide driveway corridor between the Shaggy Range's existing western boundary and the applicant's eastern boundary adjacent to Lots 158 to 162. The driveway will be in the ownership of Shaggy Range, and the corridor will incorporate: • 3.5 – 4.0m wide vehicle access carriageway. • Turnaround provision around an existing large tree located within the Shaggy Range landholding. • Corner chamfers to facilitate vehicle tracking. • Landscaping, including retention of existing landscaping within Shaggy Range landholding. • Four parking spaces at southern end. • A buffer interface positioned west of the driveway within Lots 158 to 162 protected by consent notices. The buffer interface comprises: ▪ A 5m wide combined no build area and landscaping strip comprising a mix of native tree species established by the applicant and protected by consent notice. ▪ 2m high farm style stock fencing established by the applicant and protected by consent notice. • Retention of a no complaints covenant for these lots. • An overall separation distance of approximately 11.5m between the Shaggy Range boundary and future dwellings. While the revised boundary alignment positions the legal boundary approximately 5m from the future dwelling locations, the inclusion of the driveway corridor and the repositioned landscaping strip ensures the functional interface maintains an equivalent level of separation from existing activities on the Shaggy Range land and mitigation to the lodged layout.

1.1.3 Assessment of Reverse Sensitivity Effects of the Alternative Masterplan

The following assesses whether the alternative masterplan, on its own merits, achieves an appropriate level of reverse-sensitivity mitigation at both the Olive Grove interface and the Shaggy Range interface.

1.1.3.1 Olive Grove Interface

Under the alternative masterplan, the interface incorporates a total separation distance of approximately 11.5 metres between future dwellings and the Olive Grove boundary. This distance is supported by a structured interface buffer that includes:

- a 6.5m driveway corridor;
- a 5m no-build and landscaping strip; and,
- a 2m high acoustic fence, all secured by consent notice.

Together, these elements provide a clear separation interface between proposed residential and existing rural activities.

The relocated Shaggy Range driveway with a legal width of 6.5m includes a gravelled vehicle access lane and associated landscaping. The proposed acoustic fence, needle-leaf shelterbelt, and no-build area are located within the Arataki development lots. Together these provide the key mitigation measures to address potential reverse sensitivity effects including noise, spray-drift and general amenity effects.

Overall, the alternative masterplan achieves an appropriate level of reverse sensitivity mitigation at the rural-residential interface of the Olive Grove site for the following reasons:

Noise

- Noise effects will be appropriately managed by the physical separation of the activities and the 2m high acoustic fence, which will be located along the northern edge of the relocated driveway and the boundary of Lots 162-170. The Acoustic Memo (**Attachment 5**) confirms that predicted sound levels within future residential lots remain within the permitted noise night-time levels of the HDP (the most restrictive noise emission levels).
- As addressed in the Acoustic memo (**Attachment 5**), relocating the fence approximately 6.5m northwards from the lodged masterplan (i.e. 6.5m north of the Olive Grove boundary) would result in only a negligible change in predicted sound levels (+1.5 dB LAeq), which is imperceptible in practice.

Spray-drift Mitigation

- Spray-drift mitigation is achieved within the Arataki development through the Leyland cypress shelterbelt, consistent with NZS 8409:2021.
- Additionally, the Olive Grove is required to manage their own spray drift beyond their site boundaries as required by the Hawkes Bay Regional Resource Management Plan (HBRMP). This is achieved through its existing boundary planting, operational practices, and the supplementary row of planting provided by the applicant within the Arataki development. Specific details relating to the application of agrichemicals under Rule 10 of the HBRMP are provided in Section 4 of this response.

Visual separation and amenity

- The 5m landscaping strip along the interface includes Leyland Cypress shelterbelt trees and amenity planting. In combination with the acoustic fence, this establishes an effective visual and amenity buffer. Additional amenity landscaping may also be incorporated within the driveway corridor, subject to agreement with Shaggy Range.
- The wider receiving environment already includes an established urban edge immediately west of Arataki Road, meaning the Olive Grove currently operates within an existing rural-urban transition zone.

Infrastructure and civil design

- The Engineering Memo (**Attachment 6**) confirms that the relocated driveway and revised boundary alignment integrate effectively with the existing civil, stormwater and wastewater design frameworks, requiring only minor refinements.
- The proposed driveway cross-section is workable along its entire length; the vehicle crossing on Arataki Road is compliant; passing bays and livestock truck tracking can be accommodated; and the revised lot and road arrangements require only minor surface shaping and drainage adjustments.
- Stormwater and wastewater catchments remain unchanged under both masterplan options. The Stormwater Management Plan continues to be complied with, and no changes are required to the dry basin design.

1.1.3.2 Shaggy Range Interface

Along the Shaggy Range boundary, the alternative masterplan incorporates a buffer comprising:

- a 6.5m wide driveway corridor within the Shaggy Range landholding;
- a 5m no-build and landscaping strip within Lots 158 to 162; and
- 2m high farm-style stock fencing.

Collectively, these elements establish a defined transition between residential activities and the established rural commercial operations on the Shaggy Range property.

The alternative masterplan achieves an appropriate level of reverse sensitivity mitigation along this interface for the following reasons:

Noise

- The combination of the driveway corridor, fencing, and landscaping and topography provides adequate separation from operational activities on the Shaggy Range site, including general rural activity, vehicle movements, and animal related noise associated with the doggy daycare operation. Noise emission and associated reverse sensitivity effects at this interface has been assessed comprehensively within the Acoustic Report submitted with the substantive application.
- The overall setback and intervening corridor ensure that residential activities are sufficiently distanced from rural operations to avoid unreasonable noise effects.

Visual separation and amenity

- The driveway corridor provides a spatial buffer between residential activities and Shaggy Range operations, including the existing doggy daycare facility.
- The 5m no-build and landscaping strip, planted in specimen trees and amenity vegetation, reinforces visual separation, introduces screening and contributes to a coherent rural-residential interface and appropriately manages amenity effects.
- Additional amenity landscaping can also be incorporated within the 6.5m driveway corridor, subject to agreement with Shaggy Range, providing flexibility to further enhance visual amenity where appropriate.

Infrastructure and civil design

- As set out above, the Engineering Memo (Attachment 6) confirms that the relocated driveway and revised boundary alignment integrate effectively with the existing civil, stormwater and wastewater design frameworks, requiring only minor refinements.

1.2 Summary

Overall, we conclude that the lodged design already achieves the level of mitigation required to avoid reverse sensitivity effects. While the driveway relocation offers an alternative spatial arrangement it does not result in a material changes to the anticipated level of reverse sensitivity effects associated with the Arataki development.

On its own merits, the alternative masterplan establishes a functional design response that appropriately mitigates the rural residential interface along both the Olive Grove and Shaggy Range boundaries. It provides a comprehensive suite of measures that effectively avoids or mitigates potential reverse sensitivity effects.

Accordingly, the alternative masterplan achieves an appropriate level of reverse sensitivity mitigation and is suitable for implementation should agreement be reached with Shaggy Range.

2.0 Item B – Assessment of Potential Reverse Sensitivity Effects

Comment on how the Expert Panel should assess the potential reverse sensitivity effects of the project if two alternative approaches to the management of those effects have been offered.

2.1 CDL Response

For consideration of this request, there is both the lodged masterplan and an alternative masterplan which incorporates the relocation of the Shaggy Range driveway alongside the Olive Grove boundary.

From the Applicant's perspective, these two configurations do not represent "best case" and "worst case" scenarios.

The two masterplan scenarios are two acceptable and functional design responses that both achieve an appropriate interface between the proposed residential development and the adjoining rural activities (the Olive Grove and Shaggy Range).

Therefore, we suggest the Panel should assess the two options on their own merit, noting:

- Both options incorporate a comprehensive mitigation package, including setbacks, no-build areas, fencing, appropriately selected landscaping species, and enforceable consent notices and no-complaints covenants.
- The mitigation mechanisms that manage noise, amenity and spray-drift effects are functionally the same in both options in terms of how they manage the reverse sensitivity effects.
- The alternative masterplan simply redistributes the spatial components of the interface. The slight increase in dwelling setback (1.5m) does not translate into materially different amenity, noise or operational effects.
- The acoustic evidence confirms that the predicted noise levels under both options are effectively equivalent, with any differences being negligible.
- The receiving environment already contains established rural urban interfaces, which influence the ability of both the Olive Grove and Shaggy Range operations to increase intensity or generate higher levels of operational noise or spray drift.

Given these factors, the Panel may assess each layout on its own merits, recognising that both achieve a layout that mitigates reverse sensitivity effects. The alternative masterplan provides an additional design pathway should agreement with adjoining landowners be reached.

If the alternative masterplan can ultimately be implemented, the applicant would seek a variation to the consent to incorporate the alternative configuration, and the full extent of effects would be reassessed at that stage.

The purpose of the proposed condition of consent is to clarify that CDL is prepared to adopt the alternative approach if Shaggy Range prefers it and agreement can be reached between the parties; and to provide clear context to any future decision maker that an alternative scheme has been anticipated and planned for in the event an agreement with Shaggy Range is reached.

3.0 Item C – Response to C&M McKenzie Feedback

Provide further commentary on the following response provided to the Bay Planning comment lodged on behalf of C&M McKenzie:

"CDL considers that the buffer proposed is adequate to avoid unreasonable reverse sensitivity constraints while balancing the requirement for efficient land use outcomes."

In particular, comment on whether this is the correct legal test to be applied to the Expert Panel's assessment of the reverse sensitivity issue in the context of FTAA decision making criteria.

3.1 CDL Response

The language used in the Planning Response Report, in response to the Bay Planning comments, reflects the planning judgement relating to reverse sensitivity effects. The Legal Memo included as Attachment 2 addresses this matter in further detail.

It is acknowledged that, all else being equal, the separation distance between the incoming houses and the neighbouring rural activity boundary will affect the extent to which the effects of each activity will be noticed or experienced by the other. If new dwellings were located hard up against the rural boundary, any noise, spray drift, odour or other rural activity effects would be more pronounced at the dwelling. As the setback from the boundary increases, these effects reduce in intensity and regularity. Whether those direct effects raise any risk of reverse sensitivity effects arising is, however, also dependent on other factors such as: the scale of any cross boundary effects; whether those effects are likely to be seen as problematic for the incoming activity; whether complaints are likely to be triggered and, if so, whether and to what extent that might put pressure on the more robust activity to change; and the extent of any constraints that already apply to the more robust activity (e.g.: from other sensitive activities that are already in the vicinity).

The proposed setbacks are considered to be at a point on the spectrum where potential direct effects (and hence reverse sensitivity effects) are sufficiently low that the adjoining rural landowners can continue to operate without a material risk arising of complaints by the incoming residents giving rise to additional constraints on those rural activities, thereby achieving an appropriate overall balance.

The effects at the interface that could feasibly give rise to reverse sensitivity effects have been identified as spray drift from agrichemical use, noise from rural and commercial operations (including harvesting equipment, bird scarers, doggy daycare activities and business park activities) and general rural activity effects such as seasonal peaks in orchard work, vehicle movements and machinery use.

The Olive Grove has consistently sought a 30m setback, mainly due to concerns around spray drift, bird scarer noise, planting adequacy and general operations.

In response, the interface design evolved from a softer transition with permeable fencing to a more robust treatment, including a needled tree species (which has been identified in NZS 8409:2021 as a suitable species which minimises spray drift) and a 2m high acoustic fence along the common boundary.

The Planning Report considered the effects of increasing the setback to 30m and concluded that from a potential effects perspective, there would be no discernible benefit, particularly with the context of the existing residential neighbourhood which already impacts the scale of these rural activities. The increased setback is further considered from an acoustics perspective within the updated Acoustic Memo (Attachment 5) and concludes that an increased setback is not warranted to achieve compliant or reasonable noise environments. Additional details relating to noise effects are described in 4.1.1. of this response.

In summary, increasing the setback would result in a reduction in the number of dwellings delivered, and without any discernible benefits. Therefore, it is considered that the proposed setback is appropriate.

4.0 Item D – Rural Production Activities

Confirm the range of other rural production activities that could occur as permitted or controlled activities on both the Shaggy Range and Olive Grove sites.

4.1 CDL Response

The following sets out the rural production activities that could occur as permitted or controlled activities on both the Shaggy Range and Olive Grove sites under the Hastings District Plan (**HDP**) and the Hawkes Bay Regional Resource Management Plan (**HBRMP**).

4.1.1 Hastings District Plan

The Olive Grove site is within the Te Mata Special Character Area of the HDP. The Shaggy Range Site is within the Plains Production Zone of the HDP. In both zones, the only rural production activity that can occur as a permitted activity on the site is *Land based primary production (excluding forestry)*[2].

Land based primary production is defined in the HDP as meaning:

a. *livestock rearing which is primarily reliant on the underlying land (excludes farming of mustelids); and*

b. *horticulture (including, orcharding, cropping, commercial vegetable production, berry fruit growing, nurseries and greenhouses not falling within the definition of Intensive Rural Production, but not garden centres);*

c. *trees, plants and crops grown in the ground but under cover;*

d. *forestry;*

e. *viticulture*[3]*; and*

f. *directly associated accessory buildings, structures and activities.*

There are no controlled rural production activities that can occur on either site.

Land based primary production land uses are required to comply with the noise standards of the HDP. Rule 25.1.6c provides the following standards for rural zones:

At the notional boundary of any noise sensitive activity on any other site within a rural zone:

- 7am-7pm – 55dBA
- 7pm-10pm – 50dBA
- 10pm-7am – 45dBA

It is acknowledged that the proposal results in a shift of the notional boundary on the site to actual boundaries closer to the Olive Grove and Shaggy Range sites. This matter is addressed in Section 13.3.2 of the Planning Report and in supplementary Acoustics memo prepared by Dcibel Limited (Dcibel) in **Attachment 5**, which concludes that:

> *"Existing activities can continue to operate within their consented or permitted noise limits. In particular, no additional setbacks, bunding, or acoustic fencing are required to ensure a reasonable noise environment for the proposed residential development."*

[2] Rules 8.4.4 TM1 and 6.2.4 PP1 of the Hastings District Plan. It is noted that while forestry is not explicitly excluded within the Plains Production Zone permitted activities, it is provided for as a Discretionary activity by PP28 and is therefore not considered permitted within the zone.

[3] Wineries (with some threshold restrictions) can be established as a permitted activity within the Plains Production Zone and the Te Mata Special Character Area if it is carried out on the same site as a fully productive vineyard.

Dcibel were requested to assess the difference between increasing the setback from 10m to 30m. This assessment is included in **Attachment 5**. The assessment confirms that increasing the setback to 30m would reduce predicted noise levels by approximately 8 dBA.

Already, the 10m setback provides for sound levels at the rural-residential interface of 38 dBA LA_{eq} at the receiving interface which is well below maximum night time noise levels. The increased setback is therefore not required to achieve appropriate acoustic levels. Specifically, the Dcibel memo concludes:

> *"from an acoustic perspective, increasing the buffer distance beyond 10m is not required to achieve compliance with the district plan provisions or to ensure an appropriate and quiet acoustic environment"*

In addition, we note that:

- Any farm-related noise sources would almost always occur during the day rather than at night, meaning the more realistic comparative limit is the daytime residential limit between 50 and 55 dBA.
- The modelling used a conservative worst-case assumption placing the noise source 1.5m from the boundary. With the proposed shelterbelt in place, the effective source position will be set back further, resulting in lower noise levels in practice (refer to Schematic Figures 1 to 4 within the Dcibel Memo (**Attachment 5**)).

Note:

For context, the HDP contains a range of rural, plains and special character zones, all with an underlying primary production function. It is noted that the Rural Zone accounts for the majority of land within the district and enables the most intensive farming activities to be undertaken. Within the Rural Zone, Intensive Rural Production is generally provided for as a controlled activity[4]. By comparison, on the Olive Grove and Shaggy Range sites, Intensive Rural Production is provided for as a restricted discretionary activity and/or a discretionary activity dependent on compliance with the relevant Specific Performance Standards.[5]

Intensive Rural Production is defined in the HDP as meaning:

a. *Commercial livestock kept and fed in buildings or in outdoor enclosures on a particular site, where the stocking density precludes the maintenance of pasture or ground cover (but excludes the farming of mustelids); or*

b. *land and buildings used for the commercial boarding and/or breeding of cats, dogs and other domestic pets; or*

c. *mushroom farming; or*

d. *commercially growing crops indoors in pots and/or on a permanent floor.*

4.1.2 Hawkes Bay Regional Resource Management Plan

In relation to the rural production activities on the Olive Grove and Shaggy Range sites, the HBRMP provides for the activities listed in the table below as permitted or controlled.

The purpose of the table is to demonstrate the extent to which the proposed Arataki development could influence the ability of these adjoining land uses to continue operating within the planning framework.

In particular, the table highlights:

[4] Rule 5.2.4 RZ15 of the Hastings District Plan.

[5] Rule 6.2.4 P22 (plains production)

- the range of rural production activities that may lawfully occur on the adjoining sites as permitted activities,
- the performance standards that apply to those activities, and
- whether the Arataki proposal would constrain or alter the ability of those activities to continue operating.

As shown in **Table 2** below, most rural production activities provided for under the HBRMP would remain unaffected by the proposed development. Only activities where performance standards reference boundaries or proximity to sensitive receivers (such as feedlots or feedpads) could be influenced by the introduction of new residential boundaries. Agrichemical use, fertiliser application, stock feed management and animal effluent operations can continue to occur provided they comply with existing regional standards.

Table 2: Permitted or Controlled Activities in the HBRMP

Rule Reference	Detail	Comment
Rule 5 Feedlots and feedpads	The use of land for the purposes of operating a feedlot or feedpad is permitted subject to the following standards: a. Managed to prevent any seepage of contaminants into groundwater. b. The feedlot or feedpad shall be no less than 20 m from any surface water body. c. The feedlot or feedpad shall be no less than: i. 150 metres from a residential building or any other building being part of a place of assembly on another site ii. 50 metres from a property boundary, and iii. 20 metres from a public road. d. Runoff from the surrounding catchment area is prevented from entering the feedlot or feedpad.	On both the Olive Grove and the Shaggy Range sites, the establishment of a feedlot or feedpad is already extremely limited (as is shown in **Figure 1**). As a result of the proposed residential dwellings, the ability to establish a feedlot or feedpad as a permitted activity would be removed. Despite this, given the existing land uses and site sizes of both properties, it is considered unlikely that a feedlot would reasonably be established on these sites.
Rule 10 Widespread application of agrichemicals	Discharge of contaminants into air or onto land, or into water, arising from the use or disposal of any agrichemical is permitted subject to the following standard: a. The discharge shall be undertaken in a manner which does not exceed any rate, or contravene any other requirement, specified in the agrichemical manufacturer's instructions. b. The discharge shall be undertaken in accordance with all mandatory requirements set out in Sections 2, 5 and 6 of the New Zealand Standard for the Management of Agrichemicals (NZS 8409:2004). c. For the ground based application of agrichemicals the following qualifications shall be held at all times:	The proposal does not restrict the ability to apply agrichemical on the site. It is noted that this standard differentiates between effects on public land in scenarios where there are/where there are not shelter belts. A

Rule Reference	Detail	Comment
	i. Every commercial user shall hold a qualification that meets the requirements of Schedule XI for commercial user or be under direct supervision of a person holding the qualification. ii. Every contractor shall be a GROWSAFE® Registered Chemical Applicator. iii. Every employee of a contractor shall hold or be under training for a valid qualification that meets the requirements of Schedule XI for contractor employees. d. Every pilot undertaking the aerial application of agrichemicals shall hold a GROWSAFE® Pilot Agrichemical Rating Certificate. e. The discharge shall not result in any agrichemical being deposited on any roof or other structure used as a catchment for water supply other than in compliance with condition f. Where the discharge is onto land or onto water for the purpose of eradicating, modifying or controlling unwanted aquatic plants: i. Only agrichemicals approved for aquatic use by the Environmental Risk Management Authority may be used. ii. The applications shall not exceed the quantity and concentration required for that purpose. iii. The discharge shall not include disposal to water of any agrichemical. iv. The discharger shall notify: • every person taking water for domestic supply within 1 km downstream of the proposed discharge, and • every holder of a resource consent for the taking of water for public water supply purposes downstream of the proposed discharge at least 1 week before commencing the discharge. g. For aerial discharges, all reasonable measures shall be taken to prevent any discharge of agrichemicals within 20 m of: i. any continually flowing river which has a bed width of 3 m or more, and ii. any lake or wetland. h. Aerial and ground based discharges shall be notified by the property owner, manager or contractor in accordance with the following requirements: i. Where the application is on private land, occurs on any land within 50 m of an adjacent property twice in any 12 month period, and occurs in circumstances where spray drift beyond the property boundary cannot be avoided, a	10m standard for signage is required where shelterbelts are in place. A 30m standard for signage is in place where there is no shelterbelt. It is further noted that standard (j) relates to the application within 50m of an adjacent property boundary rather than specifying a residential building. Therefore, the application of these rules and standards would not change as a result of the proposed residential land use.

Rule Reference	Detail	Comment
	property spray plan shall be prepared at the beginning of each year, or spray season, in accordance with Appendix M4 of the New Zealand Standard for the Management of Agrichemicals (NZS 8409:2004). The plan shall be given upon request to the owner or occupier of any adjacent property, or to a Council officer. ii. Where the application is on private land, signs shall be used to clearly indicate the use of any agrichemicals: • within 10m of public land where there is a shelter belt giving effective protection between the application and the public land, or • within 30m of public land where there is no shelter belt giving effective protection between the application and the public land.	
Rule 11 Fertiliser use	The discharge of contaminants into air, or into or onto land, arising from the storage, transfer or use of fertiliser is permitted if it does not cause any effects which are noxious, offensive or objectionable. Note: The HBRC will accept, as one means of compliance with condition (a), any discharge of fertiliser undertaken in accordance with the Code of Practice for Fertiliser Use (New Zealand Fertiliser Manufacturers' Research Association, 1998).	The proposal does not restrict the ability to undertake this activity
Rule 12 Stock feed	The discharge of contaminants into air, or onto or into land arising from the storage, transfer, treatment, mixing or use of stock feed on production land, including silage is permitted subject to the following conditions: a. Any area in the Heretaunga Plains unconfined aquifer (Schedule Va) or the Ruataniwha Plains unconfined aquifer (Schedule IV) which is used for storing stock feed, including silage, and when there is a potential for contamination of groundwater by seepage of contaminants, shall be managed in a manner that prevents such contamination. b. Any discharges to air shall not cause any offensive or objectionable odour, or noxious or dangerous levels of gases, beyond the boundary of the subject property. c. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner. d. The discharge shall not result in any airborne liquid contaminant being carried beyond the boundary of the subject property.	The proposal does not restrict the ability to undertake this activity (noting that the constraint is limited to the boundary of the subject property (i.e. not to a residential dwelling).

Rule Reference	Detail	Comment
	e. There shall be no discharge within 20 m of any surface water body. f. There shall be no surface ponding in any area used to store stock feed or feed stock, and no runoff of contaminants into any surface water body. There shall be no discharge within 30 m of any bore or well.	
Rule 13 Animal Effluent	The discharge of contaminants into air, or onto or into land, arising from the storage, transfer, treatment, mixing or use of compost, biosolids and other (solid or liquid) organic material for soil conditioning purposes is permitted subject to the following conditions: a. Any area in the Heretaunga Plains unconfined aquifer (Schedule Va) or the Ruataniwha Plains unconfined aquifer (Schedule IV) which is used for storing organic material and when there is a potential for contamination of ground water by seepage of contaminants, shall be managed in a manner that prevents such contamination. b. Any discharges to air shall not cause any offensive or objectionable odour, or noxious or dangerous levels of gases, beyond the boundary of the subject property. c. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner. d. The discharge shall not result in any airborne liquid contaminant being carried beyond the boundary of the subject property. e. There shall be no surface ponding in the area used to store, mix or use the organic material, and no runoff of contaminants into any surface water body. f. There shall be no discharge within 30 m of any bore or well. g. The discharge shall occur no less than 600 mm above the winter ground water table. h. Where material is discharged onto grazed pasture, the application rate shall not exceed 150 kg/ha/y of nitrogen. i. Where material is discharged onto land used for a crop, the application rate shall not exceed the rate of nitrogen uptake by the crop.	The proposal does not restrict the ability to undertake this activity (noting that the constraint is limited to the boundary of the subject property (i.e. not to a residential dwelling).

Figure 1: Existing permitted location for a feedpad /feedlot to be established on the Olive Grove (red) and Shaggy Range (blue) sites under Rule 5 HBRMP.

4.2 Summary

Existing activities on the Shaggy Range and Olive Grove sites can continue to operate within their consented or permitted noise limits. In particular, no additional setbacks, bunding or acoustic fencing are required to ensure a reasonable noise environment for the proposed residential development. The establishment of feedlots and feedpads as a permitted activity would be restricted as a result of the proposed residential land uses. However, given the existing land uses and site sizes of both properties, it is considered unlikely that a feedlot or feedpads would reasonably be established on these sites.

The above summary of permitted activities on the Shaggy Range and Olive Grove sites demonstrates that noise generation is the primary effect that could be constrained as a result of the proposed development. However, the acoustic assessment confirms that the proposed interface design enables existing activities to continue operating without the need for additional mitigation or further setbacks.