

**BEFORE THE CENTRAL OTAGO
DISTRICT COUNCIL**

UNDER

the Resource Management Act 1991
(RMA)

IN THE MATTER

of the Central Otago District Plan – Plan
Change 23 – Hartley Road Partnership

STATEMENT OF EVIDENCE OF DUNCAN LAWRENCE WHITE

For Hartley Road Partnership (the Requestor)

Dated: 6 March 2026

Statement of Evidence of Duncan Lawrence White

1 Introduction

- [1] My name is Duncan Lawrence White. I hold the qualifications of a Bachelor of Science in Geography, a Diploma for Graduates and a Post Graduate Diploma in Science. Both the latter two qualifications are in Land Planning and Development. These qualifications are all from the University of Otago.
- [2] I have 23 years experience as a planner. I have seven years planning experience with the Manukau City Council, including three years as a subdivision officer processing subdivision resource consent applications, followed by four years as an environmental policy planner undertaking district plan changes, policy development and the acquisition of reserves. For the past 17 years I have lived in Wānaka and worked as a planner for Paterson Pitts Limited Partnership (trading as Patersons). I am the General Manager: Planning for Patersons and am responsible for the planning team across all seven Patersons' offices. Patersons is a land development consultancy that undertakes a variety of rural and urban subdivision, resource consent applications and plan change work, primarily around the lower South Island. Patersons has offices in both Alexandra and Cromwell, as well as in Queenstown, Wanaka, Dunedin, Oamaru and Christchurch.
- [3] The request for Plan Change 23 was prepared by Peter Dymock and reviewed by me. Peter Dymock has subsequently retired so I have prepared this evidence. I am familiar with the site and context and confirm I have visited the site. I am also familiar with the Industrial Resource Area provisions of the Central Otago District Plan as I was the planner that prepared the resource consent application for the Cerise industrial subdivision in Cromwell which extended Old Saleyard Road (CODC resource consent reference RC 230392). That subdivision has many parallels with this site in that it was rezoned to Industrial Resource Area from Rural Resource Area through Plan Change 18 and adjoins the Cromwell Cemetery.
- [4] I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and agree to

comply with it. I can confirm that this evidence is within my area of expertise, except where I state that I have relied on material produced by other parties, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2 Scope of Evidence

- [5] This evidence has been prepared in support of the request from Hartley Road Partnership to change the zoning of 5.62 hectares of Lot 1 DP 600773 (Record of Title 1170203 of 6.6 hectares) from Rural Resource Area to Industrial Resource Area. The remaining 1 hectare in the northern corner of the site where the site includes part of the lower slopes of the terrace riser and the defunct water race is proposed to retain the current Rural Resource Area zoning. The location of the site on the north-eastern quadrant of intersection of State Highway 8 (SH 8) and Springvale Road, Clyde and the extent of the proposed rezoning along with the relationship with Clyde is shown in **Figure 1** and **Figure 2** (below). The site is described in sections 2 and 3 of the Plan Change Request.



Figure 1: PC 23 site location in yellow and black dashed area and proposed extent of Industrial Resource Area is shown with the purple hatch. The

uncoloured area is not subject to this request and so is proposed to remain Rural Resource Area.¹

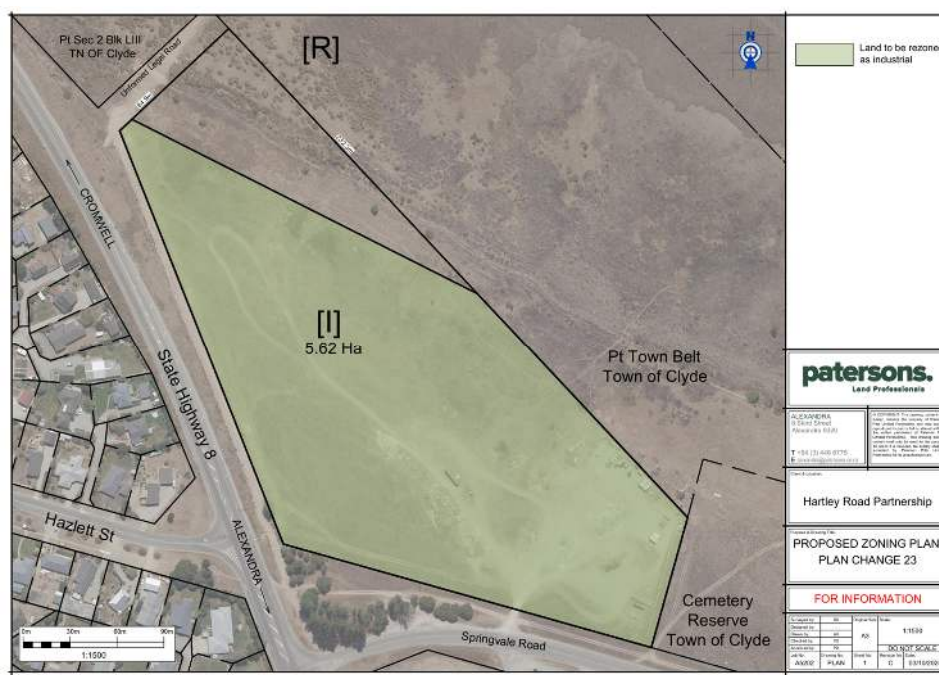


Figure 2: PC 23 proposed extent of Industrial Resource Area is shown green. The uncoloured triangle in the north of the site is not subject to this request and so is proposed to remain Rural Resource Area.²

[6] I agree with the overall recommendation of the Section 42A Report (s42A report)³. As a result I do not intend in this evidence to repeat matters covered in the s42A report, instead this evidence focuses on addressing the consideration of alternatives, benefits and costs associated with the Request. The evidence also considers and responds to the submissions, considers the recommended amendments to the provisions and draws conclusions based on the request, including its supporting documents, and the s42A report.

3 Overview of the Plan Change

[7] The plan change seeks to rezone 5.62ha of Lot 1 DP 600773 from Rural Resource Area to Industrial Resource Area as shown in **Figures**

¹ From CODC GIS Maps – accessed 3 March 2026

² Proposed Zoning Plan – Plan Change 23 – Patersons – October 2024

³ Central Otago District Council - Plan Change 23 – Hartley Road Partnership – Section 42A Report – Prepared by Adam Vincent – 27 February 2026

1 and 2 (above). Lot 1 DP 600773 is 6.6 hectares in area and the remaining 1 hectare in the northern corner of the site is proposed to retain the current Rural Resource Area zoning.

- [8] In addition to the above mapping change the request proposed to make three amendments to the District Plan text in order to recognise resource management issues specific to the application site. Each of these amendments is detailed below.
- [9] The request seeks to make an addition to Rule 9.3.6 (iv) Screening to require a 10 metre wide landscaped buffer within the development along the SH 8, Springvale Road, Clyde Cemetery and the unformed legal road boundaries. Any activity that does not comply with this standard would require resource consent as a Restricted Discretionary Activity under Rule 9.3.3.
- [10] The request seeks to amend the District Wide Rules and Performance Standards in Section 12, specifically Rule 12.7.1. (iii) Access to Rural State Highways and Arterial Roads to provide that there be no direct access from the site or any development on the site or any allotments subdivided from it to SH8 and Springvale Road. The request also seeks to include a rule to provide for a suitable left turning lane from State Highway 8 into Springvale Road. Also included within the request is to add a new rule (Rule 12.7.1 (ix)) to make an activity that does not comply with the above standards a non-complying activity.
- [11] No changes are proposed to the issues, objectives, methods of implementation, principle reasons for adopting objectives, policies and methods and environmental results anticipated in Sections 9 and 12 of the Plan. This request therefore has the effect of applying the existing Industrial Resource Area provisions to the site and applying several site specific rules to achieve desired access and amenity outcomes.

4 Recommendations of S42A Report

- [12] Appendix 1 to the s42A report contains the reporting officer's recommendations. I agree with the recommendation to accept the plan change.

[13] Para 145 of the s42A report poses four questions to determine the appropriateness of the objective of the request:

- Is there an Identified Demand for Industrial Land in Clyde?
- Is an Industrial Zone Necessary to Provide for Demand?
- Is the Site Appropriate for Industrial Use?
- Is the Site Suitable for Industrial Use?

Para 152 poses a fifth question relevant for the consideration of the request:

- Could an Alternative Site be Equally Appropriate to be Re-Zoned for Industrial?

Each of these questions is examined in subsequent paragraphs.

5 Is there an Identified Demand for Industrial Land in Clyde?

[14] I agree with the conclusion in para 84 of the s42A report and the Economic Assessment report⁴ (Appendix F to the request) that Clyde does not have any Industrial zoned land, that there is a demand for Industrial land in Clyde and that demand will increase as Clyde grows (as provided for in the PC19 decision and the Vincent Spatial Plan) and Industrial land in Alexandra becomes insufficient in the short to medium term. I agree that there are no more practical or feasible locations for Industrial uses in the Clyde urban area (para 5.4 of the Economic Assessment), in conjunction with the existing industrial storage use of the Contact depot site on the southern side of Springvale Road. This position is different from the view of the private submitters, but is consistent with the s42A report (para 146).

6 Is an Industrial Zone Necessary?

[15] Submitters in opposition have questioned whether the land is necessary to be rezoned to provide for industrial use. This issue has

⁴ Economic Assessment of Proposed Clyde Industrial Zone – Private Plan Change 23 – Central Otago District – Savvy Consulting – September 2024

been considered in the s32 assessment for the Request⁵ (Appendix E to the Request). Section 11 of the s32 assessment concludes that:

- The objectives of the Request are necessary and are an appropriate way to achieve the purpose of the Resource Management Act.
- The Request complies with and gives effect to the objectives and policies of the District Plan and higher order planning instruments.
- The provisions of the Request will be efficient and effective in achieving the objectives of the Request, taking into account their costs and benefits.
- There is no risk of the activity, given that the provisions of the Request manage the effects of the activity or the wider environment and there is no uncertainty in or insufficiency of information about these provisions. There is a risk of not acting because the land and infrastructure resource could be lost to inefficient land uses.

[16] I concur with this assessment and from this consider that the proposed plan change is an appropriate resource management response to the issue.

[17] I also agree with para 147 of the s42A report which concludes: *“I consider that provision of industrial zoned land would be appropriate to provide for demand identified in support of the request [sic]. In my opinion, the current land use zoning for Clyde would not adequately provide for industrial activities to a level anticipated by a dedicated zone.”*

7 Is the Site Appropriate for Industrial Use?

[18] I agree with the conclusion Mr Moore⁶ (p 12 of Appendix K to the request) when considering the landscape effects that overall *“industrial*

⁵ Request for a Change to the Operative Central Otago District Plan – Evaluation under Section 32 of the Resource Management Act 1991 – Hartley Road Partnership – Patersons – October 2024

⁶ Proposed Industrial Zone Plan Change, Corner State Highway 8 and Springvale Road, Clyde – Landscape Effects Assessment Report – 5 June 2024

development will inevitably change the current rural character and will have adverse effects on existing (rural) amenity values. I consider however, that with the mitigation proposed, amenity effects can be acceptably managed and that the change in land use proposed can integrate acceptably, with effects that are no greater than adverse / low-moderate in the medium – long term.”

- [19] The character and amenity effects arising from the Request were raised by submitters. I note the comments in paras 30 – 47 (pp 13 – 17) of the s42A report on this issue. I agree with Mr Moore’s and the s42A’s assessment (para 47 p 17) on this issue that *“development resulting from the request would not have character effects that were unacceptable, or that could not be managed to acceptable levels.”* This is also the conclusion drawn by Appendix D⁷ to the request which concluded (para 13 p 11) that *“the Request will have no significant adverse effects on the environment. Any adverse effects are less than minor, have been recognised and their avoidance or mitigation has been provided for in the Request.”* Indeed, the level of landscape mitigation provided for by the recommended amendments to the screening provisions (discussed in the s42A report and para 44 below) are now more stringent and definitive and so provide a higher level of screening than when those statements were made.
- [20] The s42A report covers the National Policy Statement for Highly Productive Land 2022 (NPS-HPL) in some detail in paras 109 – 117 (pp 33 – 36) as the site includes Land Use Capability 3 (LUC3). This was also covered in the Land Productivity Report⁸ (Appendix L) to the Request. Note that report was completed prior to the January 2026 amendments to the NPS-HPL relevant to LUC3 and urban rezoning of LUC3 land. That report (section 8 p10) considered that *“the topography of a large part of the site and the site’s climate and soils make it suitable highly productive use, the lack of an irrigation and frost fighting water supply means that this productive potential cannot be realised.”*

⁷ Request for a Change to the Operative Central Otago District Plan – Assessment of Environmental Effects – Hartley Road Partnership – Patersons – October 2024

⁸ Hartley Road Partnership – Request for a Change to the Operative Central Otago District Plan – Land Productivity Report – Paterson Pitts Group May 2024

- [21] On this point I agree with the assessment in the s42A report (para 117 p 36) that *“the request would satisfy the requirements of Clause 3.6(5) of the NPS-HPL. I consider that the request would be undertaken in accordance with the NPS, and would be consistent with Policy 5 as a result. I accept the requestor’s arguments that the site has limitations on its productive capacity that mean re-zoning the site would not be inconsistent with Policy 4. I consider the proposal to be consistent with the provisions of the NPS-HPL.”*
- [22] Based on the above I consider that the land use capability classification of the soil does not preclude the request for an Industrial zoning on the site. This is consistent with the assessment of the s42A report at para 150 (p42).
- [23] Given the consistency of the application with the NPS-HPL and that character and visual amenity effects have been addressed (noise effects are discussed in following paragraphs) I consider that the site to be appropriate for Industrial use and would achieve the purpose of the RMA. This is consistent with para 151 of the s42A report (p42).

8 Is the Site Suitable for Industrial Use?

- [24] Appendix I to the application⁹ is an infrastructure report considering the availability of utilities including wastewater, stormwater, water supply (potable, firefighting and irrigation), power, telecommunications, roading and earthworks. This report concludes that suitable provision can be made for roading, stormwater (through onsite disposal), wastewater, water supply, power and telecommunications to serve future industrial development.
- [25] This assessment is confirmed in para 89 of the s42A report, although para 88 (both p29) notes the Council engineers consider that the water supply to the site should be sourced from the reticulated water network on the western (Clyde) side of SH8. I agree with the s42A report (at para 88) that there are options available for connection to the water

⁹ Hartley Road Partnership – Plan Change Application – Infrastructure Report – Paterson Pitts Group – October 2024

supply network to serve the site and this is a matter for detailed design and possible upgrades at the time the site develops.

- [26] The transport issues and effects associated with the proposed plan change were considered in the Integrated Traffic Assessment¹⁰ (and subsequent further information response) provided as Appendix G to the Request. This report considered (para 9.2 p 21) that the traffic generated by industrial use of the site can be accommodated on the existing road network without capacity and efficiency effects. This differs from the opinions of the private submitters.
- [27] The submission from NZTA seeks amendments to the proposal to prevent vehicle or other access to SH8, control on vegetation planting to avoid shading of the highway carriageway and upgrades to the SH8 / Springvale Road intersection. These matters have been provided for in the amended recommended provisions, which are agreed to, see following paragraphs for further details. NZTA's remaining submission point on requiring further investigation on the SH8 underpass is considered to be able to be addressed through any future development application for the site under the existing rule framework.
- [28] The s42A report also considers the effects on the roading network in paras 63 – 76 (p21 – 26). I agree with the conclusion (at para 74) that the *“increase in traffic will not be so great as to cause significant safety or capacity concerns for the wider roading network”* and *“I consider the wider roading network to have sufficient capacity to accommodate development that would be anticipated if Council were to accept the request.”* This is also covered in para 148 (p42) of the s42A report. I therefore consider the recommended amendments to the plan change provisions are appropriate and address effects on the transport network.
- [29] The Request did not specifically cover noise as this is covered by the standard noise provisions for the Industrial Resource Area contained in Rule 9.3.5.iii. As a result of submissions (primarily that of Mr Bailey) the s42A report has recommended modifications to this rule to provide

¹⁰ Hartley Road Partnership – Private Plan Change Springvale Road, Clyde – Transportation Assessment Carriageway Consulting – May 2024

a site specific rule framework to recognise the amenity effects of noise on the adjacent Clyde Cemetery. These amendments are discussed further in para 42 below.

- [30] As a result of the above considerations I consider the site is suitable for Industrial use and would achieve the sustainable management (s5) purposes of the RMA. This approach is consistent with the s42A report at paras 153 – 156 (p43).

9 Could an Alternative Site be Equally Appropriate?

- [31] Para 152 of the s42A report considers that, given the identified growth of Clyde provided for by PC19 and the Vincent Spatial Plan, the subject site is the most appropriate location for Industrial development to achieve the objectives of the request. I agree and this conclusion is consistent with the findings of the economic assessment (para 5.4) and later discussion in the s42A report (para 155 p43).

- [32] This position is different to comments from the submissions that question why additional Industrial zoning is required and consider this zoning is not suitable for the proposed location. This issue has been responded to in section 5 – 8 (above).

10 Soil Contamination - Raised by the S42A Report

- [33] Paragraph 92 of the s42A report states:

“Mr Midgely’s PSI has been peer reviewed by Ms Lisa Bond, Principal Contaminated Land Consultant from WSP. Ms Bond generally agreed with Mr Midgely’s assessment that based on current sources of contamination it is highly unlikely that there will be a risk to human health if the site were re-zoned to industrial. She did note that the assessment does not look at ecological health metrics, does not consider the proximity of potential contamination from the Clyde Cemetery, and lacks information about the quality control processing of samples taken for XRF testing to ensure they were taken and processed in line with best practice. In terms of the processing of samples, the requestor is invited to provide evidence that they have

followed these best practices, if available. Otherwise, re-testing may be required before the site can be developed.”

- [34] Mr Midgley prepared the soil contamination reporting undertaken for the site (included as Appendix H to the request¹¹). I have sought comment from Mr Midgley on information on the quality control processing of samples to ensure these were taken and processed in line with best practice. On this point Mr Midgley responded:

“As a Principal Environmental Scientist who has assessed hundreds of contaminated sites around New Zealand since 2005, the quality control measures employed during sample collection at the subject site were consistent with best practice methods that I apply to every site that I investigate.

The QA/QC section of the report (Section 4.1.1) specifically states that the sample collection methods were designed to ensure that cross contamination did not occur. The methods are detailed in Section 4, but I reiterate them here for convenience: Each sample was collected using a new pair of nitrile gloves. The equipment (hand trowel) was decontaminated using a triple wash procedure with potable water, Decon 90 solution and deionised water between samples. The samples were placed directly into new ziplock bags and labelled with the name corresponding to each individual sample location. These are considered best practice methods for soil sample collection. Other than agitating the soil within the ziplock bags, to homogenise the sample, no further ‘processing’ of the samples was undertaken by Insight Engineering.”

Note that XRF stands for X-ray fluorescence which is an analytical technique to determine the elemental composition of materials. In this case an XRF machine has been used to determine the elemental composition of the soil samples to determine the level of soil contaminants present in the samples.

¹¹ Preliminary Environmental Site Investigation at the Corner of Springvale Road and State Highway 8, Clyde – prepared by Claude Midgley of Insight Engineering – 27 March 2024

- [35] Mr Midgley has also confirmed the following quality assurance/quality control methodology was undertaken when the samples were analysed:

“An Olympus Vanta field portable XRF was used to collect ex-situ readings of heavy metal concentrations from soil samples provided in snaplock plastic bags.

To collect readings, sample bags were checked for large non-representative debris, e.g., large pebbles or roots, and these were removed from the sample prior to analysis with the XRF. The soil moisture content was periodically assessed using a Lutron PMS714 soil moisture meter to ensure appropriate X-ray absorption. In all cases, soil moisture was less than 20%.

Soil in the bag was gently tamped down to provide a stable, uniform surface at least 1.5 cm thick for the instrument window. One reading was taken from each sampling location, using two beams of 40.0 kV, with analysis times of 20 seconds each. Instrument details are provided in the table below.

XRF instrument checks were undertaken in accordance with e3s’s XRF standard operating procedure. These included checking the functionality of the XRF, performing an energy calibration and checking the calibration of the XRF with two standard reference materials (NIST 2710a and NIST 2711a), and running a silicon dioxide blank at the start and end of the day. The analysis time was monitored, and the integrity and cleanliness of the XRF sampling window was checked throughout the sampling.”

- [36] Paragraph 92 of the s42A report also notes that the assessment does not look at ecological health metrics. This is not correct as para 4.2.1 (p8) of the soil contamination report refers to Ecological Health Criteria and Table 5 on page 10 compares the Predicated Background Concentrations for Ecological Health Criteria against the Investigation Results and notes where the concentrations of contaminants exceed predicted background concentrations.

- [37] Mr Midgley was also asked to respond to comments in paras 92 and 93 of the s42A report about the Clyde Cemetery as a potential source of soil contamination for the subject site. Mr Midgley's comments were:

"The conceptual site model did not incorporate the Cemetery as a potential source of contaminants due to the significant distance from the eastern site boundary (minimum 170 m), as well as the depth below ground at which the contaminants at the cemetery are located (~2 m below ground surface).

Contaminants within the burial sites could theoretically migrate through soil via stormwater infiltration, however the direction of migration would be vertical towards the underlying groundwater. There is no logical physical process that could result in horizontal, or even sub-horizontal (effectively against gravity) migration of contaminants from the cemetery to the subject site.

Given the fact that contaminants at the cemetery are highly unlikely to migrate to the subject site, the Conceptual Site Model (CSM) did not include the cemetery as a source of contaminants. The CSM would therefore be flawed if the cemetery was incorporated as a source of contamination for the subject site."

- [38] I note at para 93 (p30) the s42A report notes that any potential soil contamination from uses on the adjacent cemetery would have to migrate 170m to reach the site. The above comments from Mr Midgely also indicates that he does not anticipate the cemetery as a source of potential soil contamination on the site subject to the plan change.

- [39] These issues relate to the sampling methodology used and conceptual pathways for contamination and do not change the conclusion from Section 7 of the soil contamination reporting (Appendix H to the request) that the testing results are "*considered to be appropriate to demonstrate that the site is highly unlikely to contain contamination impacts that pose a significant risk to human health when undertaking industrial / commercial activities, as well as when excavating soil at the site*". This conclusion is repeated in the Assessment of Environmental Effects of the Request (Appendix D p7 to the request). Given the

above discussion I consider that the current condition of the soil on the site does not preclude the site being rezoned for Industrial purposes. Also, since industrial uses are less sensitive to soil contamination than other uses, the potential (however unlikely) for contamination to migrate from the adjacent cemetery does not preclude the site being rezoned to provide for Industrial uses.

11 Consideration of S42A Recommended Amendments to Provisions

[40] Appendix 1 to the s42A report contains a list of the provisions proposed as part of the request and recommended changes to these provisions in order to address the submissions and achieve the purpose of the plan change. These are listed below with the provisions contained in the request in blue and amendments recommended by the s42A report shown in red. Additions are shown underlined and deletions are shown in strike through. The requestor's amendments to the recommended conditions are shown in green. Comments are provided for each of the provisions.

[41] Rule 9.3.5.iii. Noise

Cross Reference: Policies 9.2.2, 9.2.4

Breach: discretionary (restricted) activity see Rule 9.3.3

- (a) *All activities shall be conducted so as to ensure the following noise limits are not exceeded at any point within any Industrial Resource Area,*

On any day 7:00am- 10:00pm 65 dBA L10

10:00pm- 7:00am the following day 45 dBA L10

85 dBA Lmax

Provided that the following noise limits shall not be exceeded at any point within a Residential Zone or at the boundary of Designation D68 (Clyde Cemetery):

On any day 7:00am- 10:00pm 55 dBA L10

10:00pm- 7:00am the following day 45 dBA L10

70 dBA Lmax

Provided that the above noise limits shall not apply to any temporary activity (as defined).

- (b) *Where any new activity locates within any part of the Industrial Resource Area and that activity includes any noise sensitive activity, the activity or any building associated with the noise sensitive activity shall be sited, oriented and constructed so as to ensure that habitable spaces within the building shall be adequately isolated from any noise source on another site. Adequate sound isolation shall be achieved by siting and constructing the building to achieve an indoor design sound level of 45 dBA Lmax within any habitable room where the exterior noise source is within any Industrial Resource Area. The indoor design level shall be achieved with windows and doors open unless adequate alternative ventilation means is provided, used, and maintained in operating order.*

- [42] I agree that if additional noise controls are considered necessary to avoid or minimise noise effects on the Clyde Cemetery then it would be preferable for that control to be a rule in the District Plan as suggested in in paras 51 and 55 of the s42A report (p18 and 19 respectively), as opposed to any other mechanism. I also note that the Cromwell Cemetery is adjacent to land that was rezoned Industrial Resource Area through PC18¹² and that the land rezoned to Industrial Resource Area through PC18 is subject to the standard industrial noise controls of Rule 9.3.5.iii. Noise ie a daytime standard of 65 dBA L10 and a maximum of 70 dBA Lmax. I note the s42A report (at para 55 p19 and para 60 p 21) seeks further comments from the submitter (Mr Bailey) on this issue. Once Mr Bailey's preferences are understood I can comment further on this issue.

¹² Plan Change 18 – Cromwell Industrial Zone Extension – Decision of Central Otago District Council following Acceptance of Recommendation Report of the Independent Hearing Commissioner – 25 October 2023

[43] **Rule 9.3.5.iv. Screening**

Cross Reference: Policies 9.2.2, 9.2.4

Breach: discretionary (restricted) activity see Rule 9.3.3

- (a) *All site boundaries adjacent to Residential Zones or Business Resource Areas, shall have a solid fence of not less than 2 metres in height.*

Such fencing shall be erected to adequately mitigate:

- 1. Any adverse visual effects of the site or activity.*
- 2. Any adverse effects of noise, dust or lightspill emitted from the site.*

PROVIDED THAT

a. Any fencing shall not impede visibility on roads or at access points and intersections.

b. All fencing shall be maintained, at all times, in a tidy condition.
b. The perimeter of any open space (excluding carparking or service courts) associated with any residential activity adjacent to any industrial or trade premises shall be screened in a manner that mitigates the visual impact of any adjoining activity.

c. On all site boundaries adjacent to State Highway 6 a landscaped strip of not less than 10 metres in width shall be provided. The strip shall not be paved or have any structures erected on it (including fences) and shall create the opportunity for landscaping to provide visual enhancement or screening. Landscaping shall not impede traffic visibility or shade State Highway 6 and shall be maintained in a healthy and tidy condition at all times. Provision shall be made for the landscaped strip on the plan of subdivision for Lot 2 DP 346988 and landscaping shall be established along the entire landscaped strip at the time of subdivision. The retention and future maintenance of the landscaping in the landscaped strip shall be provided for as a

condition of subdivision consent that is to be subject to a consent notice.

d. Within ~~lot 1 DP 600773~~ the Clyde Industrial Precinct, a landscaped buffer strip with a minimum width of 10 metres shall be provided along~~side~~ the boundaries of State Highway 8, Springvale Road, the Clyde Cemetery Reserve and the unformed legal road to the north of the site below an historic water race. The entire landscape strip shall be established at the time of initial subdivision or development of the site and its retention and future maintenance shall be provided for as a condition of subdivision consent that is to be subject to a consent notice. The landscaped buffer strip must not be paved or have any structures erected on it. Landscaping must form a visual screen of the subdivision or development that, at a minimum, meets the following performance requirements:

1. In relation to the Clyde Cemetery, must include species that will achieve a minimum height of 4.0m when mature and must be sufficiently dense that, when mature, it will block direct line of sight measured horizontally at any point from ground level to 1.8m above ground level between the cemetery and industrial development within the Clyde Industrial Precinct.

2. In relation to State Highway 8 and Springvale Road, must be maintained to a height that avoids shading of the carriageway of State Highway 8 between 10:00 and 14:00 hours on the shortest day of the year.

- [44] For the reasons discussed in para 18 (above) I agree with the proposed amendments to this rule. I consider these provide more certainty for the design outcomes required to be achieved by the landscaping, timing for the implementation of the landscaping, increased screening for amenity when viewed from surrounding roads or the Clyde Cemetery, and will be designed to avoid shadowing of the SH8 carriageway. The amended wording also provides for these outcomes and the ongoing maintenance of the screening (and

maximum vegetation heights) to be secured as a consent notice condition on subdivision to ensure these outcomes are enduring.

[45] The design and screening standard is higher than anticipated when Mr Moore completed his landscape assessment, ensuring that earlier establishment of the plantings and more comprehensive screening will result in a consequently lower level of landscape effects than assessed.

[46] These changes will also achieve the outcome of Submission point 1 from NZTA's submission as modified by para 65 of the s42A report.

[47] **Rule 12.7.1.iii. Access to Rural State highways and Arterial Roads**

See Schedule 19.7

In addition to the requirements of i and ii above design and construction of access to rural State highways and arterial roads shall comply with the following standards:

(a) The access shall be sealed to the same standard as the adjacent road carriageway.

(b) Where the speed limit is 100 kph, spacing between accesses shall be not less than 200 metres (regardless of the side of road on which they are located), and no vehicle access shall be constructed within 100 metres of road intersections AND spacing between intersections (ie road intersections) shall be not less than 800 metres.

(c) Except as provided for in d. below, width of vehicular access ways at the property boundary are to be no greater than 6 metres.

(d) Heavy vehicular accesses shall be designed and constructed to:

i. A minimum width of nine metres.

ii. Carry the volume and weight of traffic likely to use the access.

iii. Ensure heavy vehicles do not have to cross the road centre line when making a left turn.

iv. Ensure the surface is constructed to the same standard as the adjacent road carriageway.

v. Have sufficient width to accommodate the swept path of the largest vehicle anticipated to use it.

(e) Driveways shall not be parallel to and level with roads within 20 metres of the road reserve.

(f) Figures 12.2 and 12.3 establish the minimum design standards for access determined by activity type.

(g) Access to State highways shall be to Transit New Zealand design specifications.

(h) There shall be no vehicle or other access to State Highway 8 from any development or subdivision of Lot 1 DP 600773 in the Clyde Industrial Precinct and no direct access to Springvale Road from any lot subdivided from Lot 1 DP 600773

(i). There shall be no more than one point of vehicle or other access from the Cromwell-Clyde Industrial Precinct to Springvale Road.

(j) Prior to subdivision and or industrial development occurring on Lot 1 DP 600773 in the Clyde Industrial Precinct the State Highway 8 / Springvale Road intersection shall be upgraded improved by providing:

1. An auxiliary left turn lane for traffic turning left off State Highway 8, with the details of the design being in general accordance with Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections; and

2. A wide shoulder adjacent to the auxiliary left turn lane under (1), extending into Springvale Road to provide safe left turning for cyclists.

3. A painted median such that the view to the right from Springvale Road is not obscured by a vehicle slowing in the left turn lane on State Highway 8 (that may otherwise obscure a following straight through vehicle)

[48] I have reviewed these changes, the associated justification in paras 63 – 74 (pp 21 – 25) and consider these to achieve the purpose of the request and achieve the outcomes of the request, address the traffic safety concerns raised by submitters Ms Collier and Mr Rabbit / Ms Axby as well as submission points 2 (in the changes to h), 3 (in the changes to j(1 – 3) of the NZTA submission. I therefore accept these recommended amendments.

[49] **Rule 12.7.1.ix. Breach of Standards**

Any activity that does not comply with the standards stated in Rule 12.7.1.iii.h–i j shall be considered as is a non-complying activity.

[50] This is a minor wording change that I am comfortable with.

12 Conclusions from Request, S32 and S42A Reports

[51] The Request has been assessed against the provisions of section 32 of the Resource Management Act 1991. Both the request and the s42A report conclude that:

- The Request complies with and gives effect to the objectives and policies of the District Plan and higher order planning instruments (RMA s32(1)(a)).
- The provisions of the Request will be efficient and effective in achieving the objectives of the Request, taking into account their costs and benefits (RMA s32(1)(b)).
- There is no risk of the activity, given that the provisions of the Request as modified by the s42A report manage the effects of the activity or the wider environment and there is no uncertainty in or in sufficiency of information about these provisions. There is a risk of not acting because the land and infrastructure resource could be lost to inefficient land uses.

[52] The statutory tests for a plan change have been outlined in the Request and the s42A report. I concur with these assessments.

[53] Subject to discussion at the hearing on the proposed noise rule (Rule 9.3.5.iii. Noise) that the plan change including the recommended rules discussed in section 11 (above) and in the s42A report be accepted.

Duncan White

Dated this 6th day of March 2026