

PROPOSED PRIVATE PLAN CHANGE 23

CLYDE INDUSTRIAL ZONE

Recommendation Report of the Hearing Panel of the Central Otago District Council

28 May 2026

CONTENTS

1.0	INTRODUCTION	3
	▪ Report purpose	3
2.0	PROPOSED PLAN CHANGE.....	4
	▪ Rezoning of land	4
	▪ The Hearing Process.....	7
3.0	STATUTORY FRAMEWORK.....	8
4.0	EVALUATION OF KEY ISSUES	9
	▪ Issue 1: Character Effects (e.g. visual effects, noise, residential amenity) ..	9
	▪ Issue 2: Effects on Clyde Cemetery	11
	▪ Issue 3: Effects on the Roading Network	12
	▪ Issue 4: Need for Industrial Land in this Location.....	13
	▪ Issue 5: Availability of Utilities	14
	▪ Issue 6: Soil Contamination and Geotechnical	14
5.0	STATUTORY CONSIDERATIONS	15
6.0	OVERALL RECOMMENDATION	16

APPENDIX 1: Recommended Amendments

APPENDIX 2: Recommendations on Submissions

**Central Otago District Council
Private Plan Change Request 23 (PC23)
Clyde Industrial Zone**

Recommendation Report of the CODC Hearing Panel

Proposal Description:

Proposed Change 23 to the Central Otago District Plan:
Clyde Industrial Zone

Requestor:

Hartley Road Partnership

Hearing Panel:

G Rae – Independent RMA Hearing Commissioner, Chair
Cr T Paterson
Cr M MacPherson

Date of Hearing:

24 March 2026

Hearing Officially closed:

28 May 2026

1.0 INTRODUCTION**Report purpose**

- 1.1 This report sets out our recommendation on submissions lodged with respect to Proposed Private Plan Change 18 ("PC 23") to the operative Central Otago District Plan 2008 ("the Plan").
- 1.2 Independent hearing commissioner Gary Rae was appointed¹ to Chair the Hearings Panel, and to assist it in the hearing of submissions made on the plan change and to make recommendations. The Chair, and the Panel, were delegated authority by the Central Otago District Council ("the Council") as per Section 34 and Section 43A of the Resource Management Act 1991 ("RMA") to recommend whether PC23 should be declined, approved or approved with amendments.
- 1.3 The plan change was initiated by a private developer, Hartley Road Partnership. It seeks to establish a new Industrial Zone at Clyde, by rezoning 5.6 hectares of land at the intersection of State Highway 8 ("SH 8") and Springvale Road from Rural Resource Area to Industrial Resource Area.

¹ Letter of appointment from the Council, dated 3 February 2026

- 1.4 The plan change has been the subject of a section 32 report², consultation with stakeholders, public notification and the hearing process, culminating in our recommendations.

2.0 PROPOSED PLAN CHANGE

Rezoning of land

- 2.1 PC23 proposes to rezone part of a property on the corner of SH8 and Springvale Road (Lot 1 DP 600773) land in the Rural Resource Area to Industrial Resource Area. The remainder of the site would remain in the Rural Resource Area. The site lies immediately to the east of the Clyde township across SH8. Traffic connections to Clyde are provided at Springvale Road intersection, and cyclist and pedestrian connections are available via a State Highway underpass located between the Central Otago Rail Trail facility and Albert Drive.
- 2.2 The proposed zoning change is shown in **Figure 1**.

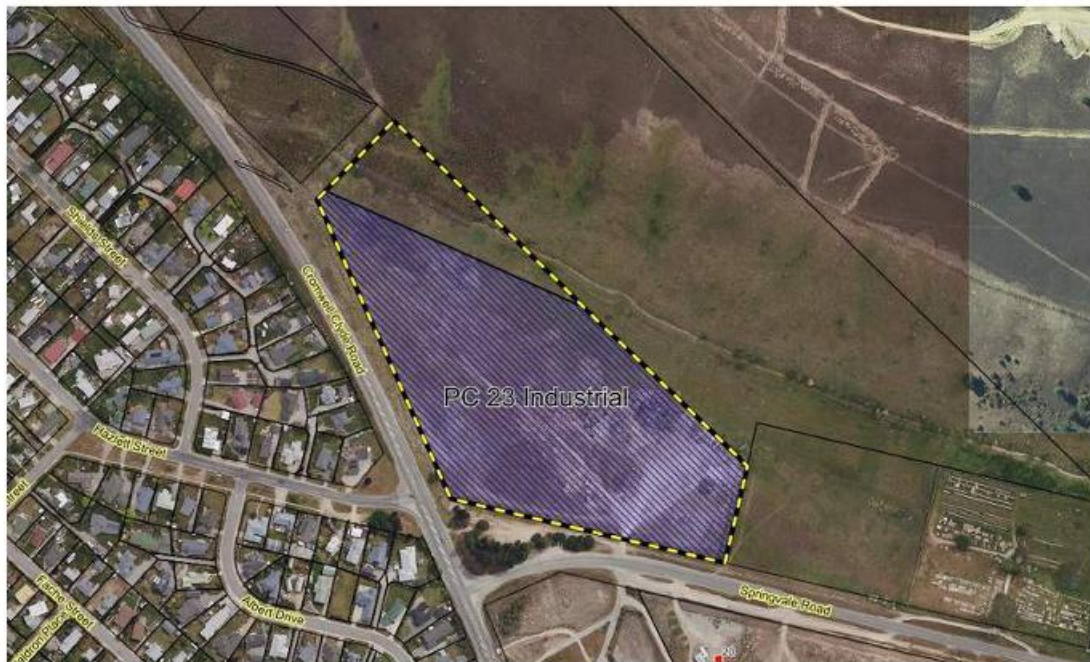


Figure 1: The PC 23 site location in yellow and black dashed area and proposed extent of Industrial Resource Area is shown with the purple hatch. The uncoloured area is proposed to remain Rural Resource Area.

Purpose of the Plan Change

- 2.3 The requestor's Section 32 evaluation report, that accompanied the rezoning request, noted that:

"...there is only 3.8ha of vacant developable Industrial Zoned land remaining in Alexandra and there is no Industrial Zoned land in Clyde. This is insufficient to

² Section 32 of the RMA sets out the requirements for preparing and publishing reports that evaluate the appropriateness of a plan change

provide for the foreseeable demand in the short, medium and long term for Industrial Land in the District.”

2.4 The objectives of the plan change are stated as being:

- *to provide sufficient industrial development capacity to satisfy the reasonably foreseeable demand for such development in the Clyde area as determined by the Economic Assessment;*
- *to retain flexibility to respond to changing market place preferences in an efficient manner;*
- *to locate industrial development in close proximity to Clyde township on a site that ensures that reverse sensitivity and adverse amenity effects on residential land are minimised and that there is no effective loss of highly productive land; and*
- *to locate industrial development on a site that ensures a safe and efficient transport network that integrates well into the existing roading network.*

Options evaluated

2.5 The Section 32 report includes an evaluation of the purpose of the proposal as required by s32(1) to examine the extent to which the proposal is the most appropriate way to achieve the purpose of the RMA.

2.6 The section 32 report states that four options were considered, these being Option 1 (Status Quo); Option 2 (Await Council District Plan review); Option 3 (Request a Private Plan Change that seeks to rezone the site to an existing resource area, subject to modifying the zoning provisions to enable site specific requirements); and Option 4 (Request a Private Plan Change to create an entirely new resource area with bespoke planning provisions).

2.7 The options were assessed in terms of efficiency and effectiveness; environmental benefits/costs; and economic and social/economic benefits/ costs.

2.8 The s32 report concludes that the first two options were not considered appropriate as retaining the zoning would be inefficient requiring ongoing resource consent applications to use the land for industrial activity, and because the District Plan Review has no established timeframe rezoning of the land through that process could be years away.

2.9 Options 3 and 4 were assessed as both being viable, however the conclusion was that Option 4 (rezoning the site for industrial development with bespoke provisions) was preferred.

2.10 The Section 32 Report concluded that:

“ the Economic Assessment Report concluded that ... to provide for the social and economic well-being of the people and community of Clyde and District, a provision for industrial land needs to be made available to address the demand for such land in Clyde (i.e. the objective of the Request). This Request to re-zone the most suitable site for industrial development in close proximity to Clyde (and formerly zoned Industrial) is the most appropriate way of achieving this purpose.

It is therefore concluded that the objectives of the request are the most appropriate way of achieving the purpose of the RMA."

Plan Change provisions (as notified)

2.11 PC23, as notified, proposed the following amendments to the District Plan:

(a) Planning Maps

The proposed rezoning of land, as described above, would require changes to the relevant Planning Maps, as shown in **Figure 1**³.

(b) Access to Roads

Amend Rule 12.7.1.iii: to require that:

- there shall be no access to SH8 from any development or subdivision of the site and no direct access to Springvale Road from any future subdivided lot.
- prior to subdivision and industrial development occurring on the site the SH8/ Springvale Road intersection shall be improved by providing 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 SH8.

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

(c) Landscape screening

Amend Rule 9.3.6.iv: to require a landscaped buffer strip with a minimum width of 10 metres be provided along the boundaries of SH8, Springvale Road, the Clyde Cemetery Reserve and the unformed legal road to the north of the site below an historic water race. This is to be established at the time of initial subdivision and its retention and future maintenance shall be provided for as a condition of subdivision consent to be subject to a consent notice.

A breach of these proposed additions to Rule 9.3.6.iv would be a restricted discretionary activity.

2.12 No changes are proposed to be made to the objectives and policies of the District Plan. The policy provisions in Section 9 of the plan for the Industrial Resource Area will apply to the site.

2.13 In summary PC23, as notified, proposes that the subject site is rezoned to allow for industrial and other activities as per the existing provisions of the District Plan for the Industrial Resource Area, but with some bespoke rules in relation to access to the adjoining roads, and landscape screening of the site.

³ The s42A report recommended amendments to the Planning Map to better align it with the amended provisions as set out at the conclusion of our Recommendation Report.

- 2.14 Several refinements were made by the Requestor in response to submissions and recommendations made in the section 42A report. These are addressed in later sections of our Recommendation Report.

Notification and submissions

- 2.15 The plan change was publicly notified on 16 November 2024, with submissions closing on 17 January 2025 and further submissions closing on 21 February 2025. The s42A Report states that 7 original submissions were lodged, with no further submissions. Four submitters opposed the proposal, and three were neutral.
- 2.16 Submissions in opposition identified effects on residential amenity for nearby residents, such as noise, pollution and loss of property values, effects on the appearance of the entrance to Clyde, and traffic congestion. They also questioned whether there was a need for this land to be used for industrial purposes, referencing the presence of available industrial land in Alexandra.
- 2.17 Two submitters requested specific changes be made to the proposal, as follows:
- The submission from Mr Bailey, Parks and Recreation Manager at CODC, requested specific provisions be included for the buffer plantings and boundary fences along the Clyde Cemetery to be retained in perpetuity, as well as noise restrictions during interments for mourners using the cemetery.
 - NZTA requested that provision be made in relation to the proposed landscaping strip adjoining SH8 to avoid structures or paved areas and avoid vegetation that might shade the highway. NZTA also requested specific upgrades at the SH8 / Springvale Road intersection, and some investigation into whether the existing underpass beneath SH8 will require upgrading or additional signage to serve as a pedestrian/cycle access to the site.
- 2.18 These issues are discussed further under the evaluation of key issues in a later section of this Recommendation Report.

The Hearing Process

- 2.19 The hearing was held on 24 March 2026 at the Alexandra Community House.
- 2.20 Attendances are set out below:
- *Requestor* – Mr Duncan White (planner), Mr Leo van Boxtel (owner's representative);
 - *Submitter NZTA* – Mr Luke Braithwaite (transportation expert – via Teams);
 - *Submitter CODC* – Mr Gordon Bailey (Parks and Recreation Manager);
 - *Submitters* Ms Helen Axby (resident), and Mr Ian Gray (resident);
 - *Central Otago District Council* – Mr Adam Vincent (s42A Reporting Officer – via Teams), and Ms Tarryn Lines (hearings administrator).

Hearing adjournment and Closure

- 2.27 At the conclusion of presentations, the Panel requested that the Requestor provide it with a final set of proposed provisions (rules), and the hearing was adjourned on that day (24 March 2026).
- 2.28 The final set of proposed rules was received on the 16th April 2026. We then directed that the reporting officer, Mr Vincent, and the planner for the Requestor, Mr White, both provide a s32AA evaluation of the changes that had been proposed since the notification of PC23. Mr Vincent was also asked to provide his specific recommendations with respect to submissions. He provided his response on the 18th of May 2026, and Mr White responded on the 25th of May 2026, and included his own s32AA evaluation of recommended amendments since notification of the provisions.
- 2.29 The hearing was subsequently closed on the 28th of May 2026, and the parties advised by e-mail issued by Ms Lines, Council's Hearing Administrator.

3.0 STATUTORY FRAMEWORK

- 3.1 The relevant statutory framework for assessing this proposed Plan Change are set out in the Request documents (at section 6) and in the section 42A report (at section 6).
- 3.2 In summary, this requires an evaluation of whether:
- it is in accordance with Council's functions (s74(1)(a));
 - it is in accordance with Part 2 of the RMA (s74(1)(b));
 - it will give effect to any national policy statement or operative regional policy statement (s75(3)(a) and (c));
 - the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)); and
 - the provisions of the plan change are the most appropriate way to achieve the objectives of the District Plan(s32(1)(b)).
- 3.3 In addition, assessment of the plan change must have regard to;
- any proposed regional policy statement, and management plans and strategies prepared under any other Acts (s74(2));
 - the extent to which the plan is consistent with the plans of adjacent territorial authorities (s74(2)(c));
 - for any proposed rules, the actual and potential effect on the environment of activities including, in particular, any adverse effect (s76(3)); and
 - and take account of any relevant iwi management plan (s74(2A)).

- 3.4 The s42A report also makes reference to the role of the section 32 report prepared by the Requestor, and notes that any recommended amendments to the proposed provisions following the notification of the plan change request must be evaluated under section 32AA of the RMA. As noted earlier, both Mr Vincent and Mr White provided their s32AA evaluations of the recommended amendments following the hearing.
- 3.5 Our Recommendation Report addresses these matters, commencing with an evaluation of the key issues raised in submissions and evidence.

4.0 EVALUATION OF KEY ISSUES

- 4.1 We have evaluated the evidence and submissions with respect to the following key issues, in the same order as they are addressed in the section 42A report:

- **Issue 1:** Character Effects (e.g. visual effects, noise, residential amenity)
- **Issue 2:** Effects on Clyde Cemetery
- **Issue 3:** Effects on the Roding Network
- **Issue 4:** Need for Industrial Land in this Location
- **Issue 5:** Availability of Utilities
- **Issue 6:** Soil Contamination and Geotechnical

Issue 1: Character Effects (e.g. visual effects, noise, residential amenity)

Issue identification & evidence

- 4.2 Some submitters had concerns at the effects the proposed new industrial zone will have on the unique character of Clyde at its entrance (Collier, Rabbitt, and Axby). Ms Collier was further concerned at the effects on the amenity of the area, including aspects such as noise and vehicle pollution and the resultant effects on land values. Ms Axby provided a further statement at the hearing elaborating on her concerns.
- 4.3 Mr Vincent's evidence, in his s42A Report, acknowledged that this site lies beyond the distinct edge to the Clyde township on the opposite side of SH8. However he noted this area already has some existing built development, including several large industrial buildings around the former Clyde Railhead. He also considered that, as a result of Plan Change 19, the land between the highway and the Clutha River has now all been zoned for different urban purposes, leaving limited room for further expansion. In this context, he considered that changing the zoning of the land will not significantly adversely affect the wider visual character of the township.
- 4.4 He concurred with Mr Mike Moore (who had provided landscape evidence in support of PC23) that appropriate landscaping, supported by appropriately worded District Plan standards, will be sufficient to manage the character and landscape effects of the rezoning of this land to acceptable levels. PC23 includes provisions⁴ that would require a landscaped buffer between any future development of the land for industrial purposes, and surrounding roads and land uses. Mr Vincent noted these are similar provisions to the requirements for landscaping at the edges of the land rezoned for

⁴ Rule 9.3.6.iv.d

industrial development along Old Saleyard Road in Cromwell. Any breach of this rule would be a restricted discretionary activity with Council's discretion limited to, among other matters, the effect on amenity values of adjoining properties and adjoining resource areas.

- 4.5 He recommended some improvements to this rule to provide more certainty regarding the establishment of the landscape strip, and also to provide more detail on proposed landscaping (such as the maximum heights of trees to also maintain safety for motorists on SH8 taking account of NZTA's submission, and the need to provide privacy to visitors to the adjacent cemetery). Mr Vincent also recommended the site be referred to, in the rule, as the "Cromwell Industrial Precinct", to differentiate this from other industrial areas in the district covered by these rules, with the Planning Map to be amended accordingly. Mr White supported this amendment.
- 4.6 Mr Vincent noted that whilst SH8 provides an existing level of noise the proposal would add new sources of industrial noise. He said this would likely be a more consistent noise during normal business hours, with occasional spikes in noise level. He observed that Rule 9.3.5.iii.a would require noise limits be adhered to at any point within the Clyde residential area⁵ which are exactly the same noise limits as in rural areas (under Rule 4.7.6E.a of the Plan). He said whilst the characteristics of the noise would likely change (e.g. it would more likely be year round, as opposed to seasonal, more concentrated to during "business hours", and have different tonal qualities), this is mitigated to some extent by the presence of SH8 which is some 3-5m above natural ground level near the site and will therefore block some of the noise.
- 4.7 Mr White in planning evidence for the Requestor said he concurred with the s42A report's assessment of character and amenity effects in response to matters raised by submitters.
- 4.8 He also noted, and agreed with, the expert landscape evidence from Moore which had concluded:

"industrial 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."

- 4.9 Mr White noted that the landscape mitigation provided for by in the screening provisions (as now amended) are more stringent and definitive and so provide a higher level of screening than those that were considered by Mr Moore. Following the hearing he provided the Panel with a final set of amendments to the provisions taking account of Mr Vincent's recommendations.

Our Findings

- 4.10 We appreciate the matters raised in submissions and can understand the concern that the proposed zoning will change the character of the site. However, all of the expert evidence we received (planning evidence from Mr Vincent and Mr White, and the landscape evidence from Mr Moore) was in agreement that the character, landscape and amenity effects of the proposed rezoning are acceptable and can be

⁵ On any day 7:00am- 10:00pm 10:00pm- 7:00am the following day 55 dBA L10 45 dBA L10 70 dBA Lmax

further mitigated by appropriate rules that will apply to this zone, in addition to the existing rules in the District Plan that will also apply.

- 4.11 We note in particular that there is already some development in the vicinity of the site on this side of SH8 opposite the Clyde township. Whilst the proposal will expand and intensify development in this location, we accept the expert evidence that these effects can be mitigated and managed to acceptable levels. We are satisfied the rules (as first amended by Mr Vincent and then confirmed by Mr White) will provide an appropriate level of mitigation. The Panel notes that the amended rule now requires the landscape strip to be implemented either at the time of subdivision, or prior to any development occurring on the site. The other performance standards, including those relating to noise, will also apply to particular development through the subdivision and resource consent processes, and will continue to apply for future development in the zone.

Issue 2: Effects on Clyde Cemetery

Issue identification & evidence

- 4.12 Mr Bailey, presenting his submission as Parks and Reserves Manager for CODC, highlighted the proximity of the Clyde cemetery to this site. He considered that users of the cemetery are entitled to dignified privacy and was concerned that the landscape buffer, on its own, may not deliver this. He requested more certainty that the proposed buffer plantings and boundary fence will be maintained in perpetuity, and that there be further provisions for ensuring dignified privacy, including potential for noise or activity restrictions during funeral services.
- 4.13 Mr Vincent, in his s32A report, accepted Mr Bailey's concerns and considered they can be addressed through an amendment to the standard Industrial Zone noise rule so that the cemetery is treated the same as for an adjacent Residential Zone. That is, the noise limits to be applied at any point within a Residential Zone or at the boundary of Designation D68 (Clyde Cemetery) would be on any day between 7:00am-10:00pm 55 dBA L10, between 10:00pm- 7:00am the following day 45 dBA L10, and 70 dBA Lmax.
- 4.14 He also recommended some recommend changes be made to those proposed by the requestor in order to provide more certainty that a certain level of landscaping will be achieved which would provide additional amenity and privacy for visitors of the cemetery.
- 4.15 Mr White agreed with Mr Vincent's recommendations and also made reference to the Cromwell Cemetery, which is adjacent to land that was rezoned Industrial Resource Area through PC18. He said that is subject to the standard industrial noise controls of Rule 9.3.5.iii. He considered the amended provisions as recommended by Mr Vincent are acceptable and will provide even greater control over noise than for the Cromwell Cemetery.
- 4.15 Mr Bailey attended the hearing and we understood that he was satisfied with the amended provisions recommended by Mr Vincent. The amended provisions submitted by Mr White following the hearing confirm these matters.

Our Findings

- 4.16 We consider this issue has been resolved to the satisfaction of all parties. Accordingly we accept the amended provisions on noise and landscaping provided by Mr White.

Issue 3: Effects on the Roding Network

Issue identification & evidence

- 4.17 Concerns were raised by some submitters that the proposal would create safety issues that would result in an increase of traffic and therefore potentially an increase in accidents at the intersection of SH 8 and Springvale Road (Collier, Rabbitt, and Axby). Ms Axby re-iterated her concerns at the hearing.
- 4.18 The PC23 documentation included a traffic assessment by Mr Andy Carr of Carriageway Consulting that addressed the traffic safety implications including historical crash data together with vehicle movements for the site. Mr Carr's conclusion was that the rezoning would not lead to development which would affect the safety and efficiency of the adjacent roading network.
- 4.19 NZTA's submission did not raise any particular concerns regarding a potential for increase in accidents. However it supported the restriction that there be no access direct to SH8; an auxiliary left turn lane from SH8 be provided for; that there are appropriate restrictions on the planted buffer strip so as not to cause shading to SH8. Its submission also requested that the Daphne Hull underpass be further investigated for its suitability to provide pedestrian and cyclist connections to the site from Clyde.
- 4.20 Mr Braithwaite, NZTA's senior planner, reiterated the requirement that no entrance or exit was to be created directly from SH8 and that all mitigation planting was not to exceed a height that would shade the State Highway 8 carriageway or the intersection with Springvale Road between 10:00am and 2:00pm on the shortest day of the year. Overall, he supported the minor amendments to the proposed rules as recommended by Mr Vincent in the s42A report.
- 4.21 Mr Vincent advised of some suggested refinements to the proposed rules, which will provide more precision and certainty regarding access restrictions, and planting heights in the landscape strips. Mr White, for the Requestor, accepted these refinements as reasonable and practical. He further addressed NZTA's query regarding upgrading the Daphne Hull underpass, which provides pedestrian and cyclist access to and from Clyde and the Central Otago Rail Trail without the requirement to traverse SH8. Mr Vincent expressed a reluctance to impose a condition on a third party through the District Plan who is not a party to the proceeding and that any further matters can reasonably be considered either at the time of subdivision (as part of Council's exercise of its control over the provision of access), or in consultation with landowners if the land is developed without subdivision.

Our Findings

- 4.22 The submitters' concerns regarding road safety are acknowledged. However, having regard to the expert transport evidence of Mr Carr, and the planning evidence of Mr White and Mr Vincent, it is accepted that the SH8 / Springvale Road intersection upgrades requested by NZ Transport Agency, the access restrictions, and the controls on planting and structures within the landscape buffer strip are appropriate to mitigate the potential adverse effects associated with the increase in traffic movements. On this basis, it is considered that the proposed upgrades and

conditions will maintain the safe and efficient functioning of the roading network and can be appropriately integrated within the existing transport system.

Issue 4: Need for Industrial Land in this Location

Issue identification & evidence

- 4.23 Several submissions (Grey, Young, Rabbitt and Axby) questioned whether there is a real need for additional industrial land in Clyde. They considered there is already adequate industrial zoned land in Alexandra, including some land that has not yet been developed. This was re-iterated by Ms Axby at the hearing.
- 4.24 The PC23 documentation included a report by Ms Natalie Hampson, an economist from Savvy Consulting, which supported the requestor's assertion that more industrial zoned land in or near to Clyde was required, and that this site would appropriately fill that need.
- 4.25 Mr Vincent advised that he supported the conclusions of Ms Hampson's report. He also discussed the ownership that exists with currently zoned industrial land in Alexandra and opined this is essentially a duopoly and will not guarantee the release of zoned land to be used to meet the need identified by Ms Hampson. He said that having another actor in this space would be beneficial to the wider community to enable a wider selection of appropriately zoned land into the future.
- 4.26 Ms Axby also raised concern that the proposed zoning would enable a broad range of activities to establish on the site. Mr Vincent and Mr White agreed with submitters that the proposed framework would provide a wide range of activities to establish in this location. Mr Vincent noted that, should the rezoning be approved, the existing controls in the District Plan would apply to development of this land and that subdivision and/or land use consent processes would be able to manage and assess the specific form and effects of development. He noted that the subdivision layout presented was described as indicative only, representing one potential development outcome, as confirmed by Mr White. He further noted that the anticipated pattern of development and use for the site would differ from that of Cromwell, reflecting its distinct context, but overall he had no concerns at any wider effects from rezoning the land.

Our Findings

- 4.27 The Panel acknowledges the submitters' belief that sufficient land exists to fulfil current demand. However, we accept the expert evidence of Ms Hampson that there is a need for additional industrial land in this general location to meet future demand to serve the local service function.
- 4.28 We also accept Mr White's evidence that this change in zoning will set the framework for future subdivision and development and that this will enable a more considered overall development of the site rather than requiring individual land use consent applications for all development on the land.

Issue 5: Availability of Utilities*Issue identification & evidence*

- 4.29 Whilst there were no submissions lodged in relation to the availability and provision of utilities, this is nevertheless an important consideration for the rezoning of rural land for urban purposes.
- 4.30 From the information provided in the request documents Mr Vincent advised he was satisfied that:
- the site should have sufficient capacity to manage stormwater discharges from future buildings and impervious surfaces to ground within the boundaries of the site, and this would be subject to detailed design work being undertaken at the time the land was developed;
 - Council's Water Services Planning and Policy Manager has confirmed that, in principle, future development could be connected to Council's water and wastewater networks in Clyde;
 - Whilst Council has not considered or agreed to any specific design or location for connections to the network, they did specify that no connection to the 500mm principal water main or 25mm water rider main that run along the boundary of the site would be considered. Instead, connections would need to be extended from the network on the western side of State Highway 8.
 - Chorus and Aurora have provided in principle confirmation that the site could be supplied with telecommunications and electricity connections to their respective networks.
- 4.31 Mr Vincent considered that, overall, the additional development anticipated by the request could be adequately serviced. The exact nature of any service provisions can be determined at the time the land is developed, through the consent processes and liaison with Council and the other service providers.

Our Findings

- 4.32 We are satisfied on the evidence that the site can be adequately serviced for permitted industrial activities, and therefore servicing is not an impediment to the rezoning of the land.

Issue 6: Soil Contamination and Geotechnical*Issue identification & evidence*

- 4.33 There were no submissions lodged in relation to soil contamination and geotechnical considerations. However these are nevertheless relevant considerations for the rezoning of rural land for urban purposes.
- 4.34 The requestor's preliminary site investigation report (PSI), prepared by Mr Midgely, advises that the site contains contaminants from historic uses such as storage of engine oil, treated timber and waste disposal to land. However, that report concludes predicted concentrations of contaminants are substantially below the relevant human

health criteria for earthworks, commercial or industrial activities. The s42A report advises that the PSI had been independently peer reviewed by Ms Lisa Bond from WSP, which generally agreed 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.

- 4.35 Mr Vincent noted that the provisions of the Industrial Resource Area would potentially allow for more sensitive activities, and if the land were to be used for residential purposes further investigation would likely be required. This may require further resource consents under the NES-CS. Resource consent would also be required under the NES-CS for earthworks if they were to breach Regulation 8(3). However, based on the information provided in support of the request, he considered that this could reasonably be resolved at the time the land is proposed to be developed, and the exact nature of any earthworks was known.
- 4.36 The Requestor's report, from geologist Mr James Stewart, advises that there are no site-specific geotechnical constraints which would preclude the site from being used for industrial development. The report did advise that some further investigation would be needed into stormwater runoff and ponding from the terrace, and the risk of rock roll from uphill boulders, but that these risks can be better assessed at the time the site is developed
- 4.37 Mr Vincent noted that the boulders in question are on Council land, and therefore it is not in the requestor's control whether any boulders could be removed or otherwise modified to prevent rock-roll damaging future development. However, he considered that given the lack of evidence of historic rock-roll identified by Mr Stewart in his assessment this is not a significant concern.

Our Findings

- 4.38 We accept all of the evidence on these matters and are satisfied that there are no site contamination or geotechnical constraints that would preclude Council approving the request.

5.0 STATUTORY CONSIDERATIONS

- 5.1 The relevant statutory consideration are outlined in Section 3 of this Recommendation Report.
- 5.2 We received expert planning evidence from Mr Vincent to the effect that PC23, as amended in terms of the recommendations relating to the bespoke provisions, meets all of those relevant considerations. Mr White, in his planning evidence, summarised the key considerations outlined in the plan change request, including the section 32 evaluation report. He agreed with Mr Vincent's assessment, and overall concluded that PC23 that the statutory tests for assessing a plan change had been met.
- 5.3 We heard no contrary expert evidence and therefore accept and adopt the evidence of Mr Vincent and Mr White on the statutory considerations.
- 5.4 As a further comment it is also pertinent to place this plan change proposal in context. PC23 is to create a new relatively small industrial zone directly adjacent to the Clyde township, to provide for an identified demand for industrial land. Development in this general area has been signalled in the Vincent Spatial Plan. No changes are to be made to the policy framework of the District Plan. The only changes are to rules

regarding vehicle access to the PC23 land, and to provide sufficient landscape screening and amenity for adjacent land uses. The zone will otherwise be managed in terms of the existing rule framework in the District Plan.

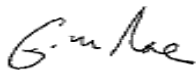
- 5.5 Overall, we are satisfied that the provisions of the plan change, as recommended to be amended, are the most appropriate way to achieve the objectives of the District Plan, it accords with Part 2 of the RMA, and meets all other relevant statutory tests.
- 5.6 We also adopt the s32AA evaluations provided by Mr Vincent and Mr White, as supportive of the amendments recommended to be made to the PC23 provisions following its notification.

6.0 OVERALL RECOMMENDATION

- 8.1 Based on our consideration of all the material before us, including the section 42A report from the Council and its transportation advisor, submissions, evidence presented at the hearing, and following consideration of the requirements of Section 32AA and other relevant statutory matters, our recommendation is that:

- (a) the Plan Change **be accepted** in the form that is presented in Appendix 1;
- (b) that all submissions on the Plan Change be accepted, accepted in part, or rejected as set out in the table in Appendix 2; and
- (c) pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, Council gives notice of its decision on submissions to Plan Change 23.

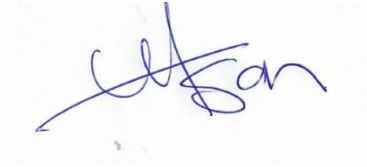
DATED this 28th day of May 2026



GM Rae, Independent Hearing Commissioner, Chair



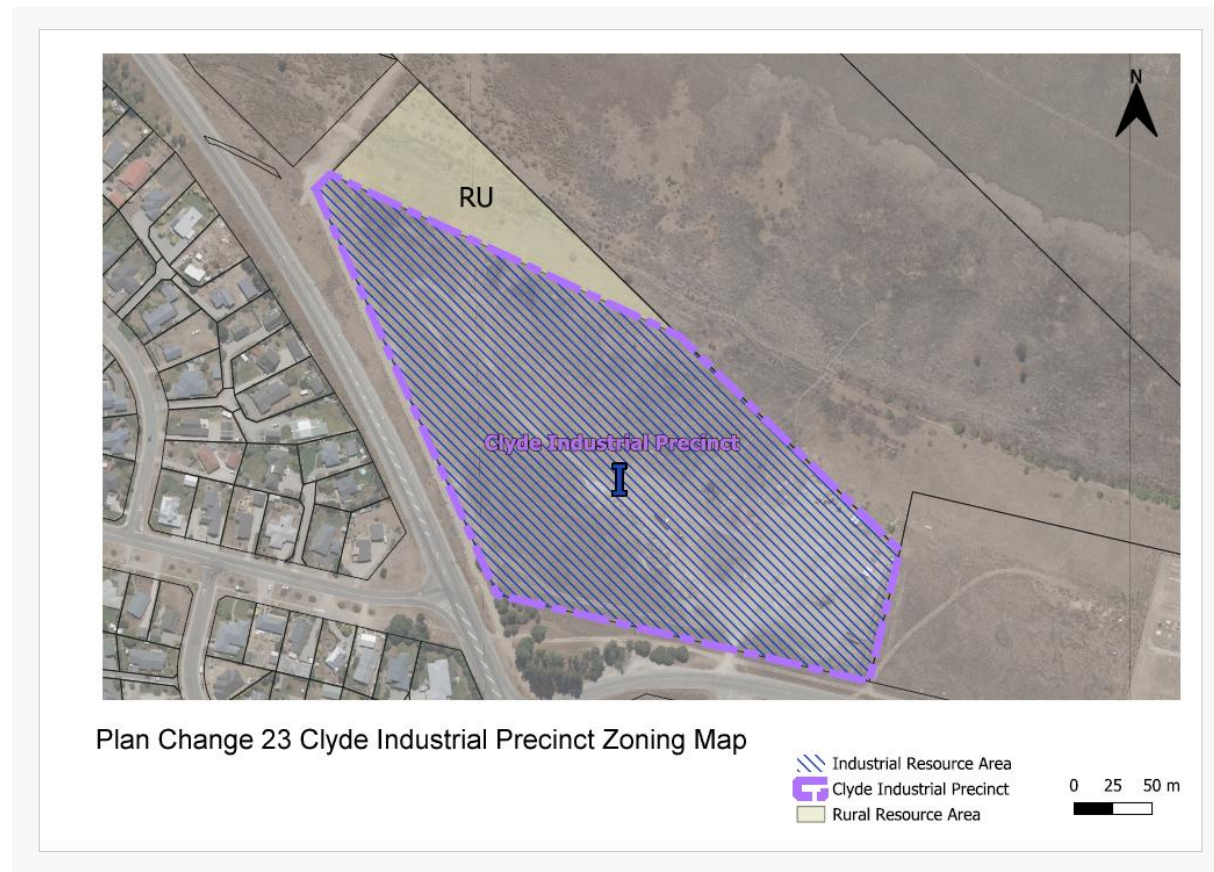
T Paterson, Hearing Commissioner



M McPherson, Hearing Commissioner

APPENDIX 1: Recommended Amendments

Amended Industrial Zone Mapping (changes to be made to Council's GIS Planning Maps)



Amend the relevant Planning Map to show the portion of the site subject to PC23 being rezoned as “Industrial Resource Area”, with an overlay entitled “Clyde Industrial Precinct”.

Amendments to the text of the District Plan

Rule 9.3.6.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.

Rule 9.3.6.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 the Clyde Industrial Precinct, a landscaped buffer strip with a minimum width of 10 metres shall be provided along 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, 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.*

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 in the Clyde Industrial Precinct.*

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

(j) Prior to subdivision or industrial development occurring in the Clyde Industrial Precinct the State Highway 8 / Springvale Road intersection shall be upgraded 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 required under (j) 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).

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 - j is a non-complying activity.

APPENDIX 2: Recommendations on Submissions

Submitter Ref	Further Submitter	Submitter Name	Recommendation
001		Ian Mair	Accept
002		Sonja Collier	Reject
003		Ian Grey	Reject
004		Central Otago District Council C/- Gordon Bailey	Accept in part
005		New Zealand Transport Agency Waka Kotahi	Accept in part
006		Peter Young	Reject
007		Greg Rabbit and Helen Axby	Reject