

Before the Hearing Panel
Appointed by the Timaru District
Council

Under the Resource Management Act 1991 (**RMA**)

In the matter of the Proposed Timaru District Plan

Memorandum of Counsel on behalf of Timaru District Council

Hearing B – Fonterra – Joint witness statement

4 October 2024

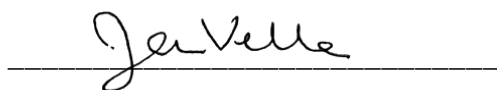
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May it please the Hearing Panel:

Introduction

- 1 This memorandum is filed by counsel for the Timaru District Council (Council) (PDP) in relation to the hearings on the Proposed Timaru District Plan.
- 2 Mr MacLennan's Interim Reply for Hearing B advised the Panel that:
 - (a) the Council and Fonterra were continuing to develop proposed provisions relating to Fonterra's Clandeboye site; and
 - (b) a joint witness statement was expected to be filed by 4 October 2024.
- 3 A joint statement prepared by Mr MacLennan and Ms Tait (planning witnesses), alongside draft planning provisions, is attached at **Appendix A**.
- 4 That joint statement sets out two options for the Clandeboye site:
 - (a) A Special Purpose Zone, preferred by Ms Tait; and
 - (b) A precinct within the General Industrial Zone, preferred by Mr MacLennan.
- 5 A section 32AA analysis has been provided in relation to each proposal.
- 6 The Council is grateful for the Panel's attention to these matters.

A handwritten signature in cursive script, reading "Jen Vella", is written over a horizontal line.

Jen Vella
Counsel for Timaru District Council

APPENDIX A
Joint statement of planning experts

**BEFORE THE INDEPENDENT HEARINGS PANEL
APPOINTED ON BEHALF OF THE TIMARU DISTRICT COUNCIL**

UNDER	the Resource Management Act 1991
AND	
IN THE MATTER OF	Submissions and further submissions in relation to Timaru Proposed District Plan – Hearing B
AND	Fonterra Limited (Submitter 165)

**JOINT WITNESS STATEMENT
Planning**

Dated: 2 October 2024

1 INTRODUCTION

- 1.1 This joint witness statement relates to submissions made by Fonterra Limited (**Fonterra**) on the Proposed Timaru District Plan (**PDP**), requesting the rezoning of the Clandeboye Dairy Manufacturing Site (**CDMS**). The CDMS site is located generally at the intersection of Canal Road / Kotuku Place / Rolleston Road / Milford Clandeboye Road.
- 1.2 The rezoning requests seeks to amend the zoning of the CDMS from General Industrial Zone (GIZ), as notified, to a Special Purpose Zone, specifically the Clandeboye Dairy Manufacturing Zone.
- 1.3 The joint witness conference attendees are as follows:
 - (a) Susannah Tait on behalf of Fonterra.
 - (b) Andrew Maclellan on behalf of the Timaru District Council (**Council**).
- 1.4 Discussions have taken place (largely via Teams) on a number of occasions since Fonterra's appearance at Hearing B on 23 July 2024. Those discussions have culminated in this Joint Witness Statement (**JWS**).
- 1.5 This JWS has been prepared in accordance with sections 9.4 and 9.5 of the Environment Court Practice Note 2023, which relates specifically to expert conferencing. The attendees confirm they have read, and agree to abide with, the updated Code of Conduct for Expert Witnesses included in Section 9 of the Environment Court Practice Note 2023.
- 1.6 This JWS sets out all matters agreed and not agreed by the experts, with an outline of the reasons for disagreement provided where appropriate.
- 1.7 It is assumed that all submitted evidence has been reviewed and understood as a precursor to this JWS.

2 Appropriate provisions for the CDMS

- 2.1 Mr Maclellan and Ms Tait have agreed on a set of provisions that will appropriately manage the activities that exist at, and should be permitted in the future, on the CDMS.
- 2.2 We agree on the wording of an objective and two policies. This objective and policy package provides for the establishment and operation of dairy processing activities while mitigating the effects on the adjoining rural zone. The policies also

recognise that dairy processing activities generate effects to meet their operational requirements, which may have effects beyond the zone.

- 2.3 Through our discussions, the experts considered whether the objective PREX-O1 and policy PRECX-P2 should refer to “mitigating” or “minimising” effects. They determined that “mitigation” was appropriate for the site and ensured that measures were taken to reduce the scale of effects, which is consistent with the recommended standards within the CDMS. They also considered whether “minimise to the extent practical” is appropriate, but considered this would require a more stringent level of effects mitigation than is generally anticipated appropriate for an industrial zone.
- 2.4 When considering how these thresholds have been used in other comparable contexts within the PDP, they note that:
 - i. PORTZ-P2 requires “mitigate as far as practicable”.
 - ii. PREC3-P1 (Washdyke industrial expansion precinct) requires minimise adverse effects on the adjoining residential zone. A provision arising from the encroachment of industrial activities on a residential enclave in Washdyke.
 - iii. There is no explicit reference to either “mitigate” or “minimise” in the objectives and policies of the GIZ, but we consider them to generally direct mitigation, rather than minimisation of effects.
- 2.5 On balance, given that the intent of the provisions is to fundamentally enable the continued operation and development of dairy processing activities on the site, and that the activities on the site are established and form part of the existing environment, the experts consider that the “mitigation” of effects is an appropriate objective and policy direction.
- 2.6 The experts acknowledge this drafting may need to be re-visited following the NOISE hearing given that a Noise Control Boundary is being pursued by Fonterra.
- 2.7 A ‘reverse sensitivity’ policy was included in the provision package submitted as part of Ms Tait’s evidence. Mr MacLennan and Ms Tait agree that this proposed policy can be replaced by amendments to GRUZ-P5 and GRUZ-S4(4).
- 2.8 Ms Tait and Mr MacLennan have agreed that the “Clandeboyne Dairy Manufacturing Building Control Plan” provides a useful tool to assist with articulating the provisions for the site. This plan sets building heights across the CDMS. The 20m, 50m, and 65m height control areas are clustered in the centre of the site. A 9m height control area is also located at 2-10 Kotuku Place,

acknowledging that future building development may occur in this area. The remainder of the CDMS is identified as “Clandeboye Buffer Area”. This area is largely located adjoining the boundary of the GRUZ. In this area, buildings, structures and activities are limited to signage and infrastructure and are required to be setback 5 metres from the zone boundary.

3 Appropriate planning mechanism for the CDMS

3.1 The experts do not agree on the appropriate planning mechanism to embed the CDMS provisions in the PDP.

3.2 Mr MacLennan considers the activities on the site are industrial in nature and are not sufficiently different from the provisions of the GIZ that warrants a special purpose zone. He considers embedding the precinct within the GIZ chapter allows the bespoke requirements of the CDMS to be incorporated into the GIZ, while retaining the notified structure of the PDP. He considers the precinct option removes the need to duplicate the policies of the GIZ related to “offence trade” and “other activities”. In addition, he considers the GIZ objectives, which outline the purpose, character, qualities, use, and development of the zone¹, provide valuable context to assist plan users in understanding the nature of the area.

3.3 Finally, as noted in paragraph 13.2.9 of his s42A report the National Planning Standards state that:

“3. An additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:

a) are significant to the district, region or country

b) are impractical to be managed through another zone

c) are impractical to be managed through a combination of spatial layers”

3.4 While he appreciates a zone creates a simpler planning framework that applies to the CDMS, Mr MacLennan retains the view that it is not impractical to manage the CDMS through the GIZ provisions. Given this, his preference is the precinct option. The provisions, articulated as a precinct within the GIZ, are set out in Attachment A.

3.5 Ms Tait considers that the use of a Special Purpose Zone is still the most appropriate method for achieving the purpose of the RMA. The reasoning for this

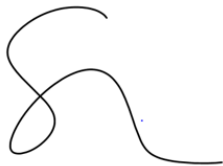
¹ GIZ-O1, GIZ, O2, GIZ-O3

is clearly set out in her evidence in chief (dated 5 July 2024) and her summary statement (dated 23 July 2024). The provisions, articulated as a zone, are set out in Attachment B. It is noted that as a package of zone provisions, two additional policies have been included (that did not form part of the original zone package) to address offensive trades and 'other' activities.

4 S32AA

- 4.1 Ms Tait, within Appendix D of her evidence,^[1] has provided a section 32AA assessment of the provisions submitted with her evidence. The experts consider that this assessment is largely still relevant for the agreed provisions (whether adopted as zone or precinct provisions). As the cost/benefits and efficiency and effectiveness of both options are similar.
- 4.2 Ms Tait retains the view that the special purpose zone is the most efficient and effective method of achieving the objectives and thereby Part 2 of the Act, as set out in Appendix D of her evidence.
- 4.3 Mr MacLennan is of the view that the precinct provisions are the most efficient and effective method of achieving the objectives for the reasons set out in paragraphs 3.2 to 3.5 above.

Signed:



.....

Susannah Tait



.....

Andrew MacLennan

^[1] https://www.timaru.govt.nz/_data/assets/pdf_file/0019/902314/Sub165-Timaru-PDP-Hearing-B-Susannah-Tait-planning.pdf para

Attachment A – Proposed GIZ Chapter with

GENERAL INDUSTRIAL ZONE

Introduction

The General Industrial Zone is applied to areas of the District that primarily contain industrial activities. These activities have significant economic benefits, but can also have adverse effects on the environment. The Zone also recognises and provides for a range of ancillary and other activities that are generally compatible with industrial activities.

Objectives

GIZ-O1 The purpose of the General Industrial Zone

The General Industrial Zone provides for a range of industrial activities and other compatible activities that contribute to the economic wellbeing of the District.

GIZ-O2 Character and qualities of the General Industrial Zone

The character and qualities of the General Industrial Zone comprise:

1. utilitarian buildings, often with large sites, large yard spaces and external storage; and
2. large volumes of light and heavy vehicle traffic; and
3. activities that may generate a range of adverse effects including significant adverse effects; and
4. activities that may operate 24 hours per day; and
5. good vehicle accessibility from major transport routes and centres; and
6. a safe and functional working environment; and
7. buildings and activities that ~~do not compromise~~ maintain¹ the amenity of adjoining Residential and Open Space and Recreation Zones; and
8. landscape planting and screening along road frontages ([excluding the Clandeboye Dairy Manufacturing Precinct](#))² and Open Space and Recreation Zones.

GIZ-O3 Use and development in the General Industrial Zone

Use and development in the General Industrial Zone:

1. is located so that it can be appropriately serviced by infrastructure; and
2. is not compromised by the establishment of sensitive activities; and
3. does not compromise the strategic role and function of any of the Commercial and Mixed Use Zones; and
4. maintains the amenity values of adjacent Residential and Open Space and Recreation Zones.

PREC3-O1 Washdyke industrial expansion precinct

Development in the Washdyke Industrial Expansion Precinct minimises adverse effects on the adjoining residential zone.

PRECX-O1 Clandeboye Dairy Manufacturing Precinct

[The Clandeboye Dairy Manufacturing Precinct provides for the establishment and operation of nationally significant dairy processing activities, while mitigating the effects on the adjoining rural zone.](#)³

Policies

¹ Southern Proteins [140.20], Barkers [179.8], Hilton Haulage [168.11] and North Meadows [190.15]

² Fonterra [165.1]

³ Fonterra [165.1]

GIZ-P1 Industrial activities

Enable a range of industrial activities and associated activities where:

1. ancillary activities are conducted on the same site as the primary industrial activity [\(excluding ancillary activities within the Clandeboye Dairy Manufacturing Precinct\)](#)⁴; and
2. [the activity](#)⁵ does not include residential activities; and
3. they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone.

GIZ-P2 Off-site industrial ancillary activities

Only allow industrial ancillary activities on a different site of the primary industrial activity where:

1. [they are located in the Clandeboye Dairy Manufacturing Precinct, or](#)⁶
2. they are conducted on an adjoining or adjacent site as the primary industrial activity; and
3. they do not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and
4. they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone.

GIZ-P3 Streetscape and amenity values

Maintain the amenity values of the streetscape, the Residential Zones, and Open Space and Recreation Zones, by requiring:

1. [outdoor](#)⁷ storage areas to be screened from road boundaries and Residential Zones [\(excluding the Clandeboye Dairy Manufacturing Precinct\)](#)⁸; and
2. landscaping along road [boundaries](#) frontages [\(excluding the Clandeboye Dairy Manufacturing Precinct\)](#)⁹ and [site](#)¹⁰ boundaries that adjoining¹¹ the Open Space and Recreation Zones; and
3. buildings and structures to be a height and setback that will ensure adjoining Residential zones and Open Space and Recreation Zones:
 - a. have a reasonable standard of sunlight access; and
 - b. are not unreasonably dominated by built form; and
 - c. maintain privacy of adjoining Residential Zones; and
4. buildings to be [of a colour and](#)¹² reflectivity that does not detract from the amenity of Residential Zones.

GIZ-P4 Industrial and trade waste connections

Only allow activities that require connections to the industrial and trade waste system where:

1. there is sufficient capacity within the network to accommodate the additional demand; and
2. the location and design of connections and network extensions do not foreclose the opportunity of other sites in the General Industrial Zone to connect to the system.

GIZ-P5 Offensive trades

Only allow offensive trades to establish in the General Industrial Zone where:

1. the activity is located in a manner that will maintain the amenity values of adjacent zones; and
2. the activity and buildings [is are](#) designed in a way that contains or minimises nuisance effects.

⁴ Fonterra [165.1]

⁵ Kāinga Ora [229.168]

⁶ Fonterra [165.1]

⁷ Silver Fern Farms [172.139] and Alliance [173.135]

⁸ Fonterra [165.1]

⁹ Fonterra [165.1]

¹⁰ Clause 16(2)

¹¹ Clause 16(2)

¹² Z Energy [116.29], Silver Fern Farms [172.150] and Alliance Group [173.146]

GIZ-P6 Other activities

Avoid the establishment of other activities including residential activities unless:

1. there is a functional or operational ¹³ need for the activity to occur in the General Industrial Zone; and
2. the activity is not provided for in another zone; and
3. the activity does not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and
4. the activity would not result in reverse sensitivity effects that may constrain industrial activities.

PREC3-P1 Residential amenity of adjoining Residential Zones

Maintain the amenity values of adjoining Residential Zones by requiring:

1. buildings to be suitably separated from any sites within a Residential Zone; and
2. buildings and activities to be designed, operated, screened and landscaped in a manner that minimises the adverse effects on the adjoining Residential Zones; and
3. safe ingress and egress to the site without compromising vehicle and pedestrian safety in the adjoining Residential Zones; and
4. buildings to be a colour and reflectivity that does not detract from the amenity of Residential Zones. ¹⁴

PRECX-P1 Continued operation and development

Enable the continued operation and development of dairy processing activities and enable buildings and structures, at such a scale, that support the operational requirements of dairy processing activities. ¹⁵

PRECX-P2 Mitigating effects

Mitigate the effects of dairy processing activities within the precinct while recognising that dairy processing activities generate effects and require large scale buildings to meet their operational requirements, that may have effects beyond the zone. ¹⁶

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

GIZ-R1	Industrial activity Trade supplier Laboratories Service stations Motor garage Emergency services facilities Veterinary clinics
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¹³ Transpower [159.99]

¹⁴ Z Energy [116.29], Silver Fern Farms [172.150] and Alliance Group [173.146]

¹⁵ Fonterra [165.1]

¹⁶ Fonterra [165.1]

	<u>Dairy processing activities</u>¹⁷ Excluding any industrial ancillary activity and offensive trades	
General Industrial Zone	<p>Note: Industrial ancillary activity is provided in GIZ-R2 Offensive trades are provided in GIZ-R4</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity and its buildings and structures (excluding fences) are located more than 50 metres from any Residential Zones or Rural Lifestyle Zone; and</p> <p>PER-2 The activity does not require a new industrial and trade waste connection; and</p> <p>PER-3 The activity and its buildings and structures, complies with all the Standards of this chapter.</p> <p>PER-4 <u>In the 9m Height Control Area in Figure X - Clandeboye Dairy Manufacturing Precinct Building Control Plan, the activities are limited to those identified in clauses 2(b) and (c) of the dairy processing activities definition.</u>¹⁸</p> <p>PER-5 <u>In the Clandeboye Buffer Area identified in Figure X - Clandeboye Dairy Manufacturing Precinct Building Control Plan, buildings, structures and activities are limited to:</u></p> <ul style="list-style-type: none"> <u>a. Signage; and</u> <u>b. Infrastructure for rail, roading and parking, wastewater, sewerage, stormwater, water supply, and energy generation.</u>¹⁹ 	<p>Activity status when compliance not achieved with PER-1: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> hours of operation; and noise and vibration; and light spill; and effects on air quality¹⁴¹; amenity from dust and odour;²⁰ length, height and alignment of boundary landscaping and bunds; and landscaping; and privacy. <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> design and location of network extensions; and location of connections; and the volume or loading of discharge; and adverse effect on adjacent residential zoned sites. <p>Activity status when compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the matters of discretion of any infringed standard. <p><u>Activity status when compliance not achieved with PER-4 and 5: Discretionary</u>²¹</p>
GIZ-R2	Industrial ancillary activities	

¹⁷ Fonterra [165.1]¹⁸ Fonterra [165.1]¹⁹ Fonterra [165.1]²⁰ Southern Proteins [140.23]²¹ Fonterra [165.1]

General Industrial Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity and its associated buildings and structures (excluding fences) are located more than 50 metres from any Residential Zone; and</p> <p>PER-2 The activity does not include a residential activity; and</p> <p>PER-3 Any ancillary activity(s) outside the Clandeboye Dairy Manufacturing Precinct:²²</p> <ol style="list-style-type: none"> 1. are located on the same site of the primary industrial activity; and 2. has a maximum combined gross floor area of 15% of the primary industrial buildings on the site; and <p>PER-4 The activity and its associated buildings and structures, complies with all the Standards of this chapter.</p>	<p>Activity status when compliance not achieved with PER-1: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. hours of operation; and 2. the effects of noise and vibration; and 3. light spill; and 4. effects on air quality <u>amenity from dust and odour</u>²³; and 5. length, height and alignment of boundary landscaping and bunds; and 6. landscaping; and 7. privacy. <p>Activity status when compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the necessity to locate the ancillary activity in the General Industrial Zone; and 2. whether the ancillary activity is more appropriate to be located in another zone; and 3. the extent to which the ancillary activity may result in trade distribution effects, or impact on the function of the Commercial and Mixed Use Zones; and 4. the extent to which the ancillary activity adversely impacts on the roading network and road safety; and 5. for ancillary activities not located adjoining or adjacent to the primary industrial activity, matters listed in GIZ-P6. <p>Activity status when compliance not achieved with PER 4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status when compliance not achieved with PER-2: Non-complying</p>
GIZ-R3	Convenience stores, restaurants, cafes and take away food outlets	
General Industrial Zone	<p>Activity status: Permitted</p> <p>Where:</p>	<p>Activity status when compliance not achieved with PER-1: Non-complying</p>

²² Fonterra [165.1]²³ Southern Proteins [140.24]


	<p>PER-1 The gross floor <u>area</u>²⁴ of the activity is 200m² or less; and</p> <p>PER-2 The activity and its buildings and structures, complies with all the Standards of this chapter.</p>	<p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
GIZ-R4	Offensive trades, including associated buildings and structures	
General Industrial Zone	Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
GIZ-R5	Any other activity, including associated buildings and structures not otherwise listed in this chapter	
General Industrial Zone	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable

Standards

GIZ-S1	Height in relation to boundary	
General Industrial Zone (excluding the Clandeboye Dairy Manufacturing Precinct) ²⁵	Buildings and structures must be contained within a building envelope defined by recession planes from points 2.5m above ground level at the boundaries of the site when the site boundary adjoins any Open Space and Recreation Zones or Residential Zones or Rural Zones. The method for determining recession planes and any permitted projection is described in APP8 — Recession Planes.	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on privacy and the ability to use outdoor living space; and 2. any impact on solar access to living rooms; and 3. any adverse effects resulting from the bulk and dominance of built form; and 4. any benefits, such as the use of architectural features or steps in the building façade; 5. mitigation measures.
GIZ-S2	Maximum height of buildings and structures	
1. General Industrial Zone	Buildings and structures must not exceed a maximum height of 15m measured from ground level.	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dominance; and 2. overlooking and loss of privacy; 3. mitigation measures.
2. Height Specific Control Area	Buildings and structures must not exceed a maximum height of 35m measured from ground level.	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dominance; and 2. overlooking and loss of privacy; 3. mitigation measures.

²⁴ ECan [183.1]

²⁵ Fonterra [165.1]

3. Washdyke Industrial Expansion Precinct	Any building or structures within 25m of the General Residential Zone boundary must not exceed a maximum height of 10m measured from ground level.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. dominance; and 2. overlooking and loss of privacy; 3. mitigation measures.
4. Clandeboyne Dairy Manufacturing Precinct²⁶	<p><u>Every building or structure will comply with the height limits shown in Figure X - Clandeboyne Dairy Manufacturing Precinct Building Control Plan, except stacks and exhaust vents attached to buildings shall be exempt from the height limits.</u></p> <p><u>Figure X - Clandeboyne Dairy Manufacturing Precinct Building Control Plan²⁷</u></p> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>dominance; and</u> 2. <u>overlooking and loss of privacy;</u> 3. <u>mitigation measures.</u>²⁸
GIZ-S3	Setbacks of buildings and structures excluding fences	
1. General Industrial Zone	<ol style="list-style-type: none"> 1. Any building or structure must be setback a minimum of 5m from any road boundary; and 2. Any building or structures must be setback a minimum of 3m from any boundary with a Residential Zone, Rural Zone or Open Space and Recreation Zone. 	Matters of discretion for non-compliance with are restricted to: <ol style="list-style-type: none"> 1. landscaping; and 2. visual amenity, bulk and dominance of building; 3. mitigation measures.
2. Washdyke industrial expansion precinct	In addition to GIZ-S3.1, any building or structure must be setback a minimum of 18m from the boundary of any site zoned General Residential Zone.	Matters of discretion for non-compliance are restricted to: <ol style="list-style-type: none"> 1. landscaping; and 2. visual amenity effect on the General Residential Zone; 3. mitigation measures.
3. 16 Martin Street, Washdyke, Lot 2 DP 462905	In addition to GIZ-S3.1, all buildings shall be set back a minimum of 9m from the common boundary with 14 Martin Street (Lot 4 DP 51299 and its successor).	Matters of discretion for non-compliance are restricted to: <ol style="list-style-type: none"> 1. landscaping; and

²⁶ Fonterra [165.1]

²⁷ Fonterra [165.1]

²⁸ Fonterra [165.1]

(and its successor)		<ol style="list-style-type: none"> visual amenity effects on 14 Martin Street (Lot 4 DP 51299 and its successor); mitigation measures.
4. Clandeboye Dairy Manufacturing precinct	<u>Where located within the Clandeboye Buffer Area identified in Figure X - Clandeboye Dairy Manufacturing Precinct Building Control Plan, infrastructure will be setback 5m from the zone boundary.</u>	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> <u>dominance; and</u> <u>overlooking and loss of privacy;</u> <u>mitigation measures.</u>²⁹³⁰
GIZ-S4	Building colour and reflectivity	
General Industrial Zone	<ol style="list-style-type: none"> The façade(s) of any building that is visible from and within 50 metres of the General Residential Zone must be painted or finished in a green, grey or tertiary (brown) colour and³¹ have a reflectivity value not exceeding 25%; and Any roof of any building that is visible from and within 50 metres of the General Residential Zone must have a reflectivity value not exceeding 15%. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> visual amenity effects on the General Residential Zone; and any glare effects on the General Residential Zone; mitigation measures.
Washdyke Industrial Area Precinct	<ol style="list-style-type: none"> <u>The façade(s) of any building that is visible from and within 50 metres of the General Residential Zone must have a reflectivity value not exceeding 25%; and</u> <u>Any roof of any building that is visible from and within 50 metres of the General Residential Zone must have a reflectivity value not exceeding 15%; and</u> <u>Except for Emergency Services Facilities, the façade(s) of any building that is visible from and within 50 metres of the General Residential Zone must be painted or finished in a green, grey or tertiary (brown) colour.</u>³² 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> <u>visual amenity effects on the General Residential Zone; and</u> <u>any glare effects on the General Residential Zone;</u> <u>mitigation measures.</u>³³
GIZ-S5	Outdoor storage	
General Industrial Zone (excluding the Clandeboye Dairy	<ol style="list-style-type: none"> Any outdoor storage areas must be³⁵ set back 15m from any boundary that adjoins the Residential Zones; and Any outdoor storage area that is located between 15m to 18m from any boundary that adjoins any Residential Zones must not exceed 	Matters of discretion are restricted to: <ol style="list-style-type: none"> visual amenity effects; and shading on property and public spaces; and noise effects; and lighting effects; and

²⁹ Fonterra [165.1]³⁰ Fonterra [165.1]³¹ Z Energy [116.29], Silver Fern Farms [172.150] and Alliance Group [173.146]³² Z Energy [116.29], Silver Fern Farms [172.150] and Alliance Group [173.146], FENZ [131.110]³³ Z Energy [116.29], Silver Fern Farms [172.150] and Alliance Group [173.146]³⁵ Silver Fern Farms [172.151] and Alliance Group [173.147]

Manufacturing Precinct ³⁴	<p>a maximum height of 6m <u>from ground level</u>³⁶; ³⁷and</p> <p>3. Any outdoor storage areas must be fully screened from view at ground level³⁸ by a fence of no less than 2m in height <u>from ground level</u>³⁹ so that it is not visible from:</p> <ol style="list-style-type: none"> any adjoining or adjacent site in the Residential Zones, and any residential unit in the General Rural Zone within 50m of the storage. 	<p>5. dust effects.</p>
GIZ-S6	Landscaping and bund(s)	
<p>1. General Industrial Zone (excluding the Clandeboye Dairy Manufacturing Precinct) ⁴⁰</p>	<ol style="list-style-type: none"> A landscaping strip is required with minimum depth of 3m along any road boundary or boundary of a Residential Zone or Open Space and Recreation Zone; and The landscaping strip required above must be planted with one tree every 15 metres excluding access ways; and Any tree that is planted must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height <u>from ground level</u>⁴¹ of at least five metres at maturity; and <u>All landscaping required in 1., 2. and 3. above shall be:</u> <ol style="list-style-type: none"> The landscaping strip must be permanently maintained; and <u>replaced</u> if any plants die or become diseased, the must be replaced immediately; and <u>undertaken and completed by the end of the first planting season (1 May to 30 November) following any activity being established on the site; or</u> <u>undertaken and completed within 12 months of the activity commencing on the site when an activity commences during the months of October or November.</u>⁴² 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> visual amenity; and maintenance of landscaping; mitigation measures.
<p>2.</p>	<p>In addition to GIZ-S6.1, any development within 50 metres of a boundary with the General Residential</p>	<p>Matters of discretion are restricted to:</p>

³⁴ Fonterra [165.1]

³⁶ Z Energy [116.19], ECan [183.4]

³⁷ Minor correction applied under RMA Schedule 1, Clause 16(2).

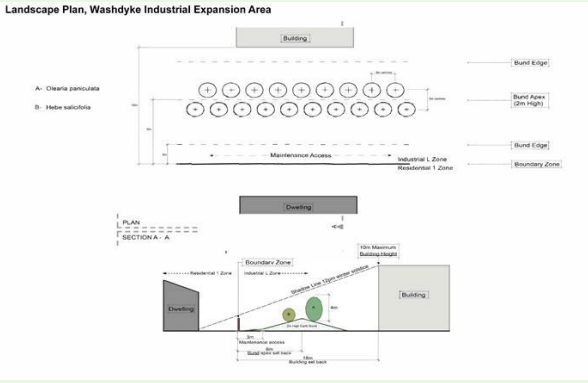
³⁸ Z Energy [116.19]

³⁹ Z Energy [116.19], ECan [183.4]

⁴⁰ Fonterra [165.1]

⁴¹ ECan [183.4]

⁴² Southern Proteins [140.27], Hilton Haulage [168.23], Barkers [179.18] and North Meadows [190.25]

Washdyke Industrial Expansion Precinct	<p>Zone must provide a landscaped bund within 15 metres of the boundary with the General Residential Zone in accordance with the following:</p> <ol style="list-style-type: none"> 1. the apex of the bund must be located no closer than 8 metres from the boundary of the General Residential Zone; and 2. the bund must be two metres high <u>from ground level</u>⁴³; and 3. the bund must be planted with vegetation that: <ol style="list-style-type: none"> a. Is in accordance with the Landscape plan, in Figure 20 – Landscape plan, Washdyke Industrial Expansion Area. b. is no less than 1.8m <u>from ground level</u>⁴⁴ at the time of planting; and c. reaches a minimum mature height of 3m <u>from ground level</u>⁴⁵ and does not exceed a maximum mature height of 4m <u>from ground level</u>⁴⁶; and d. is spaced at no more or less than 3m between plants; and 4. the bund and landscaping must be established prior to development commencing; and 5. a grassed maintenance strip of not less than three metres <u>in width</u>⁴⁷ must be provided directly along the boundary with the General Residential Zone. <p>Figure 20 – Landscape plan, Washdyke Industrial Expansion Area</p> 	<ol style="list-style-type: none"> 1. adverse effects on properties in the adjoining Residential zone.
3. Seadown Road, Washdyke	<p>In addition to GIZ-S6.1, a single line of Podocarpus totara must be planted parallel with and for the entire length of the northern boundary of Lot 2 DP 337699 (and its successor). The plants must be</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. adverse effects on Lot 2 DP 69264 (and its successor).

⁴³ ECan [183.4]

⁴⁴ ECan [183.4]

⁴⁵ ECan [183.4]

⁴⁶ ECan [183.4]

⁴⁷ RMA Schedule 1, Clause 16(2) amendment to correct minor error.

Lot 2 DP 337699 (and its successor)	spaced five metres apart and be 1.8 metres high <u>from ground level</u> ⁴⁸ at the time of planting.	
GIZ-S7	Building orientation	
Washdyke Industrial Expansion Precinct	For development within 25m of the General Residential Zone boundary, the long axis of any building that exceeds 30 metres in length shall be orientated generally north-south so that it does not run parallel with the General Residential Zone boundary.	Matters of discretion are restricted to: 1. dominance; and 2. overlooking and loss of privacy.

Note:-

[1] The control on air quality should be limited to measures to ensure that any air discharge does not cause an objectionable or offensive effect on adjacent residents. Note that the Regional Plan addresses air discharges.

• *A range of dust control measures may be considered including (but not limited to):*

- *Watering;*
- *Surface improvement, including but not limited to chemical stabilisation, compaction, application of gravel and sealing of surfaces (taking into account costs-benefit issues);*
- *Surface maintenance;*
- *Vehicle speed controls;*
- *Not overloading trucks;*
- *Covering trucks;*
- *Wheel wash facilities;*
- *The location of activities within the site and their orientation in relation to prevailing winds and sensitivity of the downwind receptors;*
- *The presence of buffer distances to the site boundary and to sensitive land uses;*
- *Contingency measures;*
- *The implementation of a dust management plan.*

• *A range of odour control measures may be considered including (but not limited to):*

- *Storage and handling methods of odorous materials;*
- *Odour containment and treatment methods;*
- *Process control;*
- *The location of activities within the site and their orientation in relation to prevailing winds and sensitivity of the downwind receptors;*
- *The presence of buffer distances to the site boundary and to sensitive land uses;*
- *The implementation of an odour management plan; and*
- *Contingency measures.*⁴⁹

⁴⁸ ECan [183.4].

⁴⁹ Southern Proteins [140.23]

SCHED16A- Schedule of Precincts Layer

SCHED16A - Schedule of Precincts Layer		
Unique Identifier	Name	Zone located
PREC8	PREC8 - Waihi School Precinct	General Rural Zone
PRECX	PRECX - Clandeboye Dairy Manufacturing Precinct	General Industrial Zone ⁵⁰

Planning Maps

Amend the Planning maps to include the Clandeboye Dairy Manufacturing Precinct over:

<i>Legal description</i>	<i>Title</i>	<i>Owner</i>
Rural Section 38157	CB33A/494	Fonterra
Lot 1 Deposited Plan 81114, Lot 2 Deposited Plan 73281, Section 1 Survey Office Plan 19658 and Section 1 Survey Office Plan 20203	CB48B/18	Fonterra
Lot 3 Deposited Plan 75226	CB43B/752	Fonterra
Lot 4 Deposited Plan 61673	CB36C/844	Fonterra
Lot 1 Deposited Plan 73281	CB42D/494	Fonterra
Section 2 Clandeboye Settlement No 2	572735	Fonterra
Lot 2 Deposited Plan 75226	CB43B/751	Fonterra
Lot 4 Deposited Plan 75226	CB43B/753	Chorus New Zealand Limited
Lot 1 Deposited Plan 69140	CB40B/539	Timaru District Council
Lot 1 Deposited Plan 51498	CB32F/632	Timaru District Council
Part Reserve 4402	245494	Fonterra
Lot 4 Deposited Plan 450527 <i>Partially included in rezoning request.</i>	572737	Fonterra

⁵⁰ Fonterra [165.1]

Definitions

<u>Dairy processing activities</u>	<p><u>means:</u></p> <ol style="list-style-type: none"><u>1. The processing, testing, storage, handling, packaging or distribution of product associated with dairy processing; and</u><u>2. Any ancillary activity, limited to:</u><ol style="list-style-type: none"><u>a. Infrastructure for wastewater, sewerage, stormwater, water supply and renewable energy generation.</u><u>b. Any laboratory or facility for research and development related to the dairy processing activity.</u><u>c. Any office or facility required for the administration and management of the dairy processing activity, and the marketing, sales, and distribution of dairy products.</u>⁵¹
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⁵¹ Fonterra [165.1]

Figure X - Clandeboye Dairy Manufacturing Precinct Building Control Plan



Attachment B - Proposed Special Purpose Zone

New definition:

Dairy processing activities are defined as:

1. *The processing, testing, storage, handling, packaging or distribution of product associated with dairy product.*
2. *Any ancillary activity, limited to:*
 - a. *Infrastructure for wastewater, sewerage, stormwater, water supply and renewable energy generation.*
 - b. *Any laboratory or facility for research and development related to the dairy processing activity.*
 - c. *Any office or facility required for the administration and management of the dairy processing activity, and the marketing, sales, and distribution of dairy products.*

Proposed Special Purpose Zone – Clandeboye Dairy Manufacturing Zone

Introduction

The Clandeboye Dairy Manufacturing Zone is located northeast of Temuka. The site supports dairy farming activities both regionally and nationally and relies on its rural location to ensure that there is sufficient and suitable land available to support the dairy processing activities. Due to its strategic importance, it is important that the site is able to continue to operate and develop, while acknowledging the potential for impacts on the surrounding rural activities due to the scale of its operations and nature of effects. The form of development is managed by an Outline Development Plan.

Objectives	
CDMZ-O1	Purpose of the Clandeboye Dairy Manufacturing Zone
The Clandeboye Dairy Manufacturing Zone provides for the establishment and operation of nationally significant dairy processing activities, while mitigating the effects on the receiving environment.	
Policies	
CDMZ-P1	Continued operation and development
Enable the continued operation and development of dairy processing activities and enable buildings and structures, at such a scale, that support the operational requirements of dairy processing activities.	
CDMZ-P2	Mitigating effects
Mitigate the effects of dairy processing activities within the zone, while recognising that dairy processing activities generate effects and require large scale buildings to meet their operational requirements that may have effects beyond the zone.	
CDMZ-P3	Offensive trades
Only allow offensive trades to establish in the Clandeboye Dairy Manufacturing Zone where: <ol style="list-style-type: none">1. The activity is ancillary to dairy processing activities; and2. The activity and buildings are designed in a way that contains or minimises nuisance effects.	
CDMZ-P4	Other activities
Avoid the establishment of other activities, unless: <ol style="list-style-type: none">1. there is a functional need for the activity to occur in the Clandeboye Dairy Manufacturing Zone; and2. the effects of the activity are mitigated within the Clandeboye Dairy Manufacturing Zone; and3. the activity is not provided for in another zone; and4. the activity does not compromise the purpose, viability and function of any of the Commercial and Mixed Use Zones.	

Rules		
CDMZ-R1 Dairy processing activities		
CDMZ	Activity status: Permitted Where: PER-1 The activity complies with all the standards of this chapter. PER-2 In the 9m Height Control Area on the Clandeboye Building Control Plan in CDMZ-SCHED1, the activities are limited to those identified in clauses 2(b) and (c) of the <i>dairy processing activities</i> definition. PER-3 In the Clandeboye Buffer Area identified on the Clandeboye Building Control Plan in CDMZ-SCHED1, buildings, structures and activities are limited to: a. Signage; and b. Infrastructure for rail, roading and parking, wastewater, sewerage, stormwater, water supply, and energy generation.	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
		Activity status when compliance not achieved with PER-2 and PER-3: Discretionary
CDMZ-R3 Any other industrial activity, including offensive trades		
CDMZ	Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
CDMZ-R4 Any other activity		
CDMZ	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
Standards		
CDMZ-S2 Setbacks		
CDMZ	Where located within the Clandeboye Buffer Area identified on the Clandeboye Building Control Plan in CDMZ-SCHED1: infrastructure will be setback 5m from any zone boundary.	Matters of discretion for non-compliance with are restricted to: 1. landscaping; and 2. visual amenity, bulk and dominance of building; 3. mitigation measures.
CDMZ-S3 Maximum height		
CDMZ	Every building will comply with the height limits shown in the Clandeboye Building Control Plan in CDMZ-SCHED1, except stacks and exhaust vents attached to buildings shall be exempt from the height limits.	Matters of discretion are restricted to: 1. dominance; and 2. overlooking and loss of privacy; 3. mitigation measures.

CDMZ-SCHED1 Building Control Plan

Legend	
	Outline Development Plan Boundary
	Height Control Area - 65m building height
	Height Control Area - 50m building height
	Height Control Area - 20m building height
	Clandebye Buffer Area - 15m building height
	Height Control Area - 9m building height




Scale: 1:8,000 @ A3
Data Source: grip.co.nz