

Before the Independent Hearing  
Commissioner

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

In the matter of A Plan Change request under clause 21(1) of Schedule 1 of the  
RMA by the Rangitikei District Council in respect of the  
Operative Rangitikei District Plan

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**Statement of Evidence Felicity Jane Wallace on behalf of IRO-MAR**

17 June 2020

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## Background

- 1 My name is Felicity Jane Wallace. I hold a Bachelor of Architecture with Honours from the University of Auckland. I am a registered architect and associated member of the New Zealand Institute of Architects. I live and work from our property at 15 Bond Street, Marton, Rangitikei. I speak on behalf of IRO-MAR.
- 2 Whanganui is my home town, and my family have many connections in the Rangitikei area.
- 3 I have practised as an architect for 36 years, and set up my own architectural practice over 30 years ago. My practice has won national and regional awards for our architectural work. I have judged national architectural awards; and lectured and taught architectural design at the University of Auckland, Unitec Institute of Technology, and most recently in 2019 I tutored post graduate architectural students at Victoria University of Wellington.
- 4 With my family, I relocated my architectural practice from Auckland 15 years ago to provide support for my then recently widowed mother, while continuing to work on projects around New Zealand, and building up a service to Rangitikei residents.
- 5 Marton was and is an ideal location for me to work in: it is located centrally, has access to 2 airports, and at one time a railway service. There is little road traffic. It is quiet and there is plenty of space. Marton is an inland town, and we enjoy the experience of seasonal changes more intensely than in coastal cities; We walk to the end of our street and we are in the countryside.
- 6 Marton is easily accessible from other regions; we travel through farm land, we notice when fields are harvested, when gullies flood; when lambs are born.
- 7 One of our children had learning difficulties, and the excellent schooling available in this area was another reason that drew us to our home regions; our sons attended Huntley School and our daughter attended Nga Tawa School, and Whanganui Collegiate School, where my father and sister taught. Our sons went on to Palmerston North Boys High School where their grandfather attended school in the 1940s.
- 8 We chose to move our family and successful city businesses to Marton for these family reasons and because we could contribute skills to this community. Since moving to the District, I have designed many homes within the Rangitikei and contributed to the wellbeing of their occupants. I have studied the landscape, and have developed some knowledge of the history and the environment of Marton and the wider Rangitikei, including the soils, the winds, the patterns of the sun, and the movement of the land.

## Historical Context of Marton and Current Zoning

- 9 Much of the Rangitikei is steep and unstable hill country.
- 10 Tutaenui, renamed as Marton, was settled early owing to accessibility to other regions and the easy rolling contour of the land.
- 11 This land is rare in this region: the Whanganui where I grew up is built on sand, and the land available for farming is largely hill country. The Manawatu is a fertile plain, however floods easily. Palmerston North was originally marshland, and has ground that is very vulnerable to earthquakes. The Rangitikei is home to several of New Zealand's most significant heritage houses, many within a few miles of this stretch of road: Westoe, Woodendean, Maungaraupi, Merchiston, Woodleigh, Lethenty and others. Together they represent an extraordinary wealth of heritage for our region and for our country. Marton developed as a service town for a rural community, and is surrounded by many small farm holdings. Independent farming families live here and have continued to care for the land, through many good and tough years; now many of their children and grandchildren are returning to live here. Job opportunities in New Zealand and around the world have been changing, even before the crisis of Covid 19. A new generation is looking for land based work, in niche or high value agricultural production; the opportunity to buy or build their own home, the ability to be connected, and to stay close to other centres.
- 12 The population of Marton has never been large. The population grew from 339 residents in 1874 to approximately 5000 in 1978. This declined slowly over the next 35 years, however since 2013, the population has increased. The 2018 census showed a population increase of 16% on the previous census.
- 13 In the last 5-10 years, many of the homes in Marton have been purchased by newcomers to the town. They are being refurbished and cared for, and represent hope for Marton's future. Many of these homes border the area proposed to be rezoned. The Council has not provided any indication to these new residents that their new homes may in fact not have a rural outlook, but an industrial one.
- 14 The area of land proposed to be rezoned from rural to industrial borders State Highway 1, and is close to the Kakariki Road junction which is the main road linking Marton with the town of Feilding, another small town with a strongly rural/residential character. These are beautiful roads, characterised by wide expanses, views across crops in fields, distant hills, small pockets of bush, the occasional distinctive and significant heritage home. This is the introduction to the Rangitikei region, which has 18% of NZs Class 1 soils, despite comprising only 8% of NZs land area. The Rangitikei River with it's distinctive white cliffs lies almost immediately to the east of the site, and until recently featured on the RDC branding.

- 15 The site subject to this proposal is productive rural land within close proximity to the Rangitikei River, a natural resource:
- (a) The Rangitikei river lies immediately to the east, and downwind of the proposed site. The river is used for rafting, swimming and picnics. The river provides our closest access to swimming in nature for the residents of Marton.
- 16 Currently Marton is enjoying something of a building boom with large numbers of applications to build new dwellings. New residents *have relocated to Marton in recent years*. They have been attracted by the village atmosphere; the accessibility of services afforded by a rural service town; the fair cost of housing, and especially the quiet rural outlook.
- 17 New businesses have come to Marton and are helping to transform the town. This is a town that is well positioned to thrive after the economic challenges of Covid 19.
- 18 The twentieth Century saw the development and failure of industries that relied on single markets and/or government subsidies; and the associated death of the small towns they swallowed: Marton is only now recovering from the bust that began in the 1970s.
- 19 The legacy of the failure of many industries in Marton during the last decades of the twentieth century, and the departure of passenger rail services, has left a swathe of empty and chemically poisoned land on the south east end of the town. This land has been abandoned and now forms a chemical town belt between the north end of town and the south. Some of this land is council owned and is un-remediated.
- 20 The proposed plan change will trap new residents between this chemical belt, and the proposed new industrial zone: and reinforce a perception that these homes are of lesser value.

### **Proposed Plan and Process**

- 21 The proposed plan change to rezone 217 hectares of rural land to industrial on State Highway 1 near Marton would significantly and irreversibly impact on the quality of life for the residents of the rural service town of Marton, and neighbouring settlements across the river in the Manawatu.
- 22 There is no evidence to demonstrate that this plan change will bring more employment to local Rangitikei residents: to the contrary, the regions farming and horticulture is better placed to create more jobs for locals.

- 23 This proposal has no regard for new residents. They have come, sometimes investing all their resources to build their dream homes. They are regenerating areas of Marton that the Council has neglected.
- 24 Insufficient information and evidence has been produced for this Plan Change by the Council. In particular:
- (a) The proposal as notified did not include a structure plan or vision for the proposed development of the site as an industrial area;
  - (b) The residents of Marton and the Rangitikei, and those affected in the Manawatu have not been provided with information by the Council that would allow a true assessment of the nature, scale and impact of the proposed industrial zone;
  - (c) The proposed zone change was initially advertised on line and in the local newspaper without any indication provided to residents of the implication of such a zone change;
  - (d) We have repeatedly requested information and copies of reports , as per the attached correspondence, and RDC failed to provide these in a timely fashion, or completely ignored requests for information;
  - (e) The supplementary evidence provided by Greg Carlyon on behalf of RDC includes a draft site plan. This appears to be derived from the council response to pre-hearing meetings held by RDC, and in no way represents the wishes of the rural community and town.
  - (f) The minutes of the two pre hearing meetings issued by the council were inaccurate: we attach our records of these meetings which were taken in real time (**Appendix 1**).
- 25 A structure plan would provide a vision for the site, and would invite contribution from residents and ratepayers. This plan needs to show the proposed relationship between the proposed new Marton Town Centre, and the proposed new industrial zone. There has been no vision presented to our community of how these major developments will input on our town.
- 26 We are concerned these plans will require significant funding. The council needs to prepare an annual plan and LTP and demonstrate to the local community, the residents, how these proposals will improve the quality of life and income for Marton residents.

#### **Effect of Proposal**

- 27 The proposed plan change to rezone 217 hectares of rural land to industrial on State Highway 1 near Marton would significantly and irreversibly impact on the quality of life for the residents of the rural service town of Marton, and neighbouring settlements such as Halcombe.

*Landscape and Visual Amenity*

- 28 There would be a loss of identity for our township: The area proposed to be rezoned is enormous relative to the size of our small town. People would no longer view Marton as the central town for a farming region: Marton would be sidelined as a desirable place to live and work from;
- 29 The expansive rural views would be interrupted by an industrial block. A buffer zone would act like a fence and accentuate the segregation of our town from the main road.
- 30 The site is highly visible from the Manawatu. The sightlines from Tokorangi Road, and the hills above Halcombe have not been considered in this proposal.
- 31 Many new houses on landscaped blocks in new subdivisions have sprung up on the hills around Halcombe and take in wide views across the Rangitikei toward the proposed industrial site.
- 32 Tokorangi Road is home to families who have farmed the land for generations and plan to pass on their land to their children: if the proposed plan change goes ahead, they will look across to industrial buildings that appear to sit in the middle of wide open country; they will take in this view every time they enter their farm gates.

*Loss of Highly Productive Soils*

- 33 Recently (in February 2020) Professor Sir Partha Dasgupta spoke to Radio NZ about the economics of natural capital: Income is a flow, it is not durable. An asset is durable, and can be bequeathed to descendants. The land of the Rangitikei and the natural environment surrounding our town of Marton is our asset, and our region's asset.
- 34 Professor Sir Partha Dasgupta speaks of the importance of estimating the value of this natural capital and including this in the balance sheet, and how important it is not to be bulldozed by hard economic arguments.
- 35 He talks about the need for pollution taxes, and harm taxes, and how difficult it is to remedy a deteriorating environment.

- 36 The Horizons memorandum from Rebecca Tayler to RDC dated 17 June 2019 states the land proposed to be re-zoned has limited rural utility owing to soil structure deficiencies, seasonal moisture deficiencies and a sub-surface pan which impedes drainage.
- 37 The soils report prepared by Thomas Consulting in June 2019 states the land is made up of Pallic soils ( Argillic Perch-gley Pallis soils) and is classed as Land Use Classification LUC Class 2: this is defined as land with slight limitations for arable use and suitable for cultivated crops, pasture or forestry.
- 38 The detailed soil LUC is classed as LUC 2s2: however, most of the barley and wheat crops in the Rangitikei are on this unit (The Land Use Classification of the Taranaki-Manawatu Region bulletin J R Fletcher 1987): to achieve high levels of cropping or pastoral production, intensive subsurface drainage, and the provision of shelterbelts and irrigation are needed.
- 39 The Proposed National Policy Statement for Highly Productive Land states " in addition to soils quality, the availability of water, supporting infrastructure, the size and cohesiveness of the area, and the climate ( including temperature and frost patterns) contribute to the overall productivity of the land".
- 40 This land is accessible; it enjoys full sun in a moderate climate, and contributes to the productive pastoral landscape. If the land is rezoned to industrial it will be lost to future generations. We are concerned it will never be able to be restored.
- 41 Timber processing plants destroy the ground. They do not need good soil in order to operate.
- 42 The Geonet forecast probability for large earthquake events in Central New Zealand is an average of 30% for M7.0 or greater within the next decade.
- 43 The proposal to develop a central timber processing plant where large numbers of whole logs are transported to one location from different regions creates a vulnerable business proposition. Development of more than one existing alternative timber yards provides backup in the event of a significant seismic event, including the potential impact of a volcanic eruption. Decentralising critical business operations is a more appropriate method of safeguarding our future in New Zealand.

#### *Traffic*

- 44 The level of traffic is unsustainable for our small town, and for our rural roads and small schools. It is hard to comprehend a proposal that seeks to increase the number of vehicle movements from 1650 to over 22,000 within 20 years on Makirikiri Road. Makirikiri Road is a significant small road to the south of Marton.

This road runs past many small farms, and South Makirikiri school: this is a school bus route. The Tangimoana cycle trail makes its way from Marton down Makirikiri Road, and onto Kakariki road, exposing cyclists to the dangers of large numbers of heavy vehicles

- 45 Many of our Rangitikei teenagers learn to drive early; many 16 and 17 year olds gain their provisional drivers license before they leave school; they drive themselves to school and to sports practice; from Taihape to Palmerston North; from Marton to Whanganui. These young drivers will be put at risk with the proposed increase of vehicles, especially heavy vehicles on our roads.
- 46 Our fire service need clear roads to fight fires: our volunteer service people first need to travel to the fire station before they can don their protective gear and crew fire engines: our ambulances need clear roads to take our elderly to hospital in Whanganui. Access is critical for a small town. In rural communities service people and carers often live some distance from work bases.
- 47 New residents often work from other places, such as Palmerston North and Whanganui. They will not welcome large volumes of traffic on our roads. They have come to escape the traffic, to notice the seasons. They link with other businesses and work around the country and internationally from their quiet and productive rural base.

*Welfare of Marton residents*

- 48 Our town is quiet at night and without the moon, very dark: Marton sits within a valley which amplifies the effects of sounds: we hear tui in the morning, kereru swoop past & piwakawaka fan about in the day; the calls of morepork at night. We don't want to lose these precious sounds to industrial noise of peeling logs.
- 49 NZ Standards identify areas in NZ for industrial discharges and atmospheric corrosivity: the proposed industrial zone at SH1 is not within these zones. No assessment has been provided on the impact of the timber processing plants on Marton resident's health.
- 50 Any discharges from the proposed new Industrial zone will be most easily seen and smelt from these sites in the Manawatu, as the prevailing winds are westerly and will take any air pollution across the river.
- 51 Unless the winds change to a southerly; in cold weather the wind turns around and a south easter will blow all the discharges across the town of Marton.



52 We do not want to go to our swimming hole and look across to factories. We are concerned that our clear skies will be polluted.

53 We treasure the dark night sky above our homes in Marton. We know that residents of Bulls on the hills beyond the Central Meat Processing Plant no longer need to put a light on if they get up from bed in the middle of the night: they have lost the darkness of the night. We know that The RDC rules for industrial zones are inadequate to protect our natural environment, and we understand that once lost, this quiet, dark treasure cannot be regained.

#### *Cost to Residents*

54 The residents of Marton would incur significant costs in any plan change; already the RDC has used ratepayers money to fund this proposal without signalling the proposal through the Annual Plan and District Plan so that residents can have the opportunity to have their say. RDC have not got a mandate to proceed with this proposal.

#### **Conclusion**

55 The proposed plan change has little consideration for the quality of life of residents from Marton and the wider Rangitikei. Industrial development of 217 hectares of land to the east of Marton will perpetuate a poisoned legacy that destroys the unity regenerating in our town. Our local history and natural amenities will be damaged as sightlines and connections to our landscape are blocked: the safety of our children and our transport networks will be put at risk for commercial interests that devalue the long term value of our community in a post Covid World.

Dated this 17th day of June 2020

A handwritten signature in black ink, appearing to read 'F Walla', written over a horizontal line.

Felicity Wallace

**Appendix 1 – RDC Pre-Hearing Minutes and Our Records (Including Correspondence with RDC)**

30-10-2019	IRO-MAR Felicity Wallace email to RDC Micheal Hodder
01-11-2019	IRO-MAR Felicity Wallace email to RDC Michael Hodder
13-11-2019	IRO-MAR Felicity Wallace letter emailed to RDC Michael Hodder Including email thread 1-11-2019 email RDC Michael Hodder to submitters 10-10-2019 email late submission NZ Bio Forestry, Wayne Mulligan 04-11-2019 email RDC Michael Hodder to submitters 10-10-2019 email late submission NZ Bio Forestry, Wayne Mulligan
13-11-2019	RDC Michael Hodder email to IRO-MAR Felicity Wallace
18-12-2019	email RDC Michael Hodder to submitters
14-01-2020	email IRO-MAR Felicity Wallace to RDC Michael Hodder
23-03-2020	email letter IRO-MAR Felicity Wallace to RDC Michael Hodder Including IRO-MAR records  IRO-MAR notes from Pre Hearing meeting 2 March 2020 IRO-MAR notes from Pre Hearing meeting 13 March 2020

**Subject:** Re: replace previous: Form 5 Submission by Interested Residents of Marton and the Rangitikei  
**Date:** Wednesday, 30 October 2019 at 4:05:01 PM New Zealand Daylight Time  
**From:** Felicity Wallace  
**To:** michael.hodder@rangitikei.govt.nz

To The Rangitikei District Council  
c/- Michael Hodder

Thank you for the letter of acknowledgement sent Friday 27 September 2019.

Could you please forward copies of the reports noted on page 10 & 11 of the report for Proposed District Plan Change for rezoning at 1165, 1151 and 1091 State Highway 1, Marton prepared by the Property Group:

- Land supply/Demand (Industrial Land Demand + filing 217Ha & Existing Industrial Zoning in the Region) dated July 2019 by Martin Visser BMS (Hons)
- Economic Impact Assessment dated June 2019 by Martin Visser BMS (Hons)
- Soils Economic Output dated 6 June 2019 by Malcolm Thomas B AgEcon

Please also provide copies of the written advice regarding :

- Infrastructure Capacity dated 19 July 2019 by Arno Benadie
- Projected Traffic Volumes dated 4 August 2019 by Martin Visser in consultation with Matthew Elvis.

Please advise when you will have the Geotech and Traffic reports completed for review,

Yours sincerely,

Felicity Wallace

**Interested Residents of Marton and the Rangitikei**  
c/- Felicity Wallace  
15 Bond st  
Marton 4710

**From:** Felicity Wallace <felicity@inspire.net.nz>  
**Date:** Monday, 23 September 2019 at 11:59 AM  
**To:** <info@rangitikei.govt.nz>  
**Cc:** <michael.hodder@rangitikei.govt.nz>  
**Subject:** replace previous: Form 5 Submission by Interested Residents of Marton and the Rangitikei

To the Rangitikei District Council

Attached 7 pages ; Form 5 Submission on the Proposal to Re zone 217 hectares of Rural land near Marton to Industrial.  
This has been updated to include footnotes.  
A hard copy will be delivered to the Marton office this afternoon.

Please acknowledge that you have received this submission.

Yours sincerely

**Interested Residents of Marton and the Rangitikei**

c/- Felicity Wallace  
15 Bond st  
Marton 4710

**From:** Felicity Wallace <felicity@inspire.net.nz>

**Date:** Sunday, 22 September 2019 at 9:29 PM

**To:** <info@rangitikei.govt.nz>

**Subject:** Form 5 Submission by Interested Residents of Marton and the Rangitikei

To the Rangitikei District Council

Attached 6 pages ; Form 5 Submission on the Proposal to Re zone 217 hectares of Rural land near Marton to Industrial.

Please acknowledge that you have received this submission.

Yours sincerely

**Interested Residents of Marton and the Rangitikei**

c/- Felicity Wallace  
15 Bond st  
Marton 4710

**Subject:** Re: Rangitikei District Plan Change - rural to industrial  
**Date:** Friday, 1 November 2019 at 4:15:55 PM New Zealand Daylight Time  
**From:** Felicity Wallace  
**To:** Michael Hodder

Good afternoon Michael,

Could you please email the reports requested in my email to you of Wednesday this week.

Many thanks

Felicity

**Interested Residents of Marton and the Rangitikei**  
c/- Felicity Wallace  
15 Bond st  
Marton 4710

**From:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Date:** Friday, 1 November 2019 at 2:47 PM  
**To:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Subject:** Rangitikei District Plan Change - rural to industrial

Good afternoon

One issue which a number of submissions raised was the lack of detail about the nature of the likely development which would take place on the site.

New Zealand Bio Forestry submitted in support of the proposed new industrial zone. Kim von Lanthen has offered to talk about that organisation's intentions, on a confidential basis, with everyone who made a submission.

The meeting will be held on Wednesday, 6 November 2019, from 2.00 pm, in the Council Chamber, 46 High Street, Marton, but otherwise Council will have no involvement. An independent facilitator will run the meeting.

To help with setting up the room and catering, please let me know whether you are coming or not by 5.00 pm on Tuesday 5 November 2019.

Regards

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

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**Subject:** Re: Rangitikei District Plan Change - rural to industrial  
**Date:** Wednesday, 13 November 2019 at 7:14:12 PM New Zealand Daylight Time  
**From:** Felicity Wallace  
**To:** Michael Hodder  
**Attachments:** Interested Residents of Marton and the Rangitikei FINAL letter 13 November 2019 .pdf

To the Rangitikei District Council and Mr Michael Hodder

Attached letter including attachments regarding the Rangitikei District Plan Change- rural to industrial.

Please acknowledge receipt of all 7 pages attached.

Yours sincerely

Felicity Wallace  
**Interested Residents of Marton and the Rangitikei**  
c/-15 Bond St  
Marton 4741  
027 242 6060

**From:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Date:** Monday, 4 November 2019 at 6:16 PM  
**To:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Subject:** FW: Rangitikei District Plan Change - rural to industrial

Good afternoon

Further to my letter of 1 November 2019. Thank you to those who have already advised their intentions for the meeting on Wednesday.

However, there has been a change of date from the one I advised.

The meeting will be held on Tuesday, 26 November 2019, from 5.30 pm, in the Council Chamber, 46 High Street, Marton. As with the earlier proposed meeting, an independent facilitator will run the meeting.

The purpose of the meeting is the same: to provide detail to submitters to the District Plan Change about the nature of the likely development which would take place on the site. Kim von Lanthén will talk about New Zealand Bio-forestry's intentions. The invitation to the meeting is confined to submitters.

To help with setting up the room and catering, please let me know whether you are coming or not by 5.00 pm on Monday 25 November 2019. My phone number at Council is (06) 327-0085.

Regards

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

**From:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Sent:** Friday, 1 November 2019 2:44 PM  
**To:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Subject:** Rangitikei District Plan Change - rural to industrial

Good afternoon

One issue which a number of submissions raised was the lack of detail about the nature of the likely development which would take place on the site.

New Zealand Bio Forestry submitted in support of the proposed new industrial zone. Kim von Lanthen has offered to talk about that organisation's intentions, on a confidential basis, with everyone who made a submission.

The meeting will be held on Wednesday, 6 November 2019, from 2.00 pm, in the Council Chamber, 46 High Street, Marton, but otherwise Council will have no involvement. An independent facilitator will run the meeting.

To help with setting up the room and catering, please let me know whether you are coming or not by 5.00 pm on Tuesday 5 November 2019.

Regards

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

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13 November 2019

Mr Michael Hodder  
Community & Regulatory Services Group Manager  
Rangitikei District Council  
Private Bag 1102  
Marton 4741

To: The Rangitikei District Council & Mr Michael Hodder

Dear Michael,

**REGARDING THE RANGITIKEI DISTRICT PLAN CHANGE - RURAL TO INDUSTRIAL**

1. On Sunday the 22nd of September 2019, the **Interested Residents of Marton and the Rangitikei ("Submitter")** made a submission to the Rangitikei District Council's notified RMA 1991 Schedule 1 proposed Plan Change process to rezone Rural land to Industrial (it was updated on the 23<sup>rd</sup> of September 2019 to update footnote references). The Submission to Councils' process was received prior to the publically notified close of submission of 5 pm on Monday 23 September 2019. Councils' letter of acknowledgment to the Submitter is dated 27 September 2019.
2. On Wednesday the 30<sup>th</sup> of September 2019 (attached email), the **Interested Residents of Marton and the Rangitikei ("Submitter")** requested a copy of the technical reports referenced in the notified documents (but not supplied) be made available to the submitter? To date, this has not been supplied. The Submitters' request of 30<sup>th</sup> September 2019 for the technical reports referenced in the notified documents is pursuant to the Local Government Official Information Request 1987 ("**LGOIMA**"). Given that the requested reports already exist (and have been relied on by Councils reporting planner as referenced in councils notified plan change s32 report) the Submitter does not anticipate an unreasonable delay in providing them to the Submitter(s). To further delay of the provision of these reports to the Submitter is considered, by the Submitter to be contrary to s 21 of the RMA 1991<sup>1</sup>. Withholding the technical reports that Councils reporting officers have relied on to form their understanding of Part 2 environmental effects of the proposal is viewed as potentially prejudicial and unfair to the submitters under the RMA Schedule 1 process.


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<sup>1</sup> **s 21 Avoiding unreasonable delay**

*Every person who exercises or carries out functions, powers, or duties, or is required to do anything, under this Act for which no time limits are prescribed shall do so as promptly as is reasonable in the circumstances.*

3. On the 1<sup>st</sup> November 2019 at 2:47 pm, the **Interested Residents of Marton and the Rangitikei ("Submitter")** received an email from Rangitikei District Council (Mr Michael Hodder) with an attached copy of a letter dated 10 October 2019 from **NZ Bio Forestry Ltd**. The letter is authored by Mr Wayne Mulligan, Managing Director for NZ Bio Forestry Limited and asks that Council accepts its' late submission which is not in the prescribed form
4. The **Interested Residents of Marton and the Rangitikei ("Submitter")** is not advised in Councils' accompanying email whether the Council has accepted the late submission of NZ Bio Forestry Ltd under its' Schedule 1 RMA Process and what, if any considerations the Council has made in reaching its decision to accept the late submission, or whether has sent the submitter an acknowledgement and/or acceptance letter. Pursuant to the Local Government Official Information Request 1987, we request a copy of the original **NZ Bio Forestry Ltd** submission, the date council receipted it inclusive of the cover email to council if the submission was emailed. In addition, any and all correspondence between Council and the submitter, Mr Wayne Mulligan and Kim von Lanthen and/or any other person representing NZ Bio Forestry Limited and related companies.
5. Councils' email of Friday, 1 November 2019 at 2:47 PM does not advise whether Kim von Lanthen represents **New Zealand Bio Forestry Limited** or another entity. We await confirmation from Council on Mr von Lanthens' role in the meeting being arranged by Council for Wednesday, 6 November 2019, from 2.00 pm, in the Council Chamber, 46 High Street, Marton. Please provide the name and credentials of the Independent Facilitator who will run the meeting this Wednesday by return email?
6. Based on the wording of the late New Zealand Bio Forestry Limited submission it is unclear to the Submitter whether the late submitter, NZ Bio Forestry Ltd could gain an advantage in trade competition through their submission and whether NZ Bio Forestry Ltd right to make a submission is limited by clause 6 (4) of Part 1 of Schedule 1 of the Resource Management Act 1991?
7. Supplying all other submitters with New Zealand Bio Forestry Limited late submission in the absence of a summary of decisions requested by persons making submissions on the proposed plan change and all other primary submissions is considered as an unusual approach under a Schedule 1 RMA process. It does not appear to follow Clause 8AA of Schedule 1 which sets out one of the processes by which council may clarify or resolve disputes or matters that arise out of submissions on a proposed plan. It is unusual to arrange pre-hearing meetings between a submitter and other submitters (who do not yet have knowledge of each-others submissions) prior to the RMA1991, Schedule 1, Section 7 Public notice of submissions, s 7 (1) (a) to (e) and close of further submissions. Pursuant to the Local Government Official Information Request 1987, we request confirmation from Council as to who the **Interested Residents of Marton and the Rangitikei** have been provided to? Please advise who, if anyone, from the Council, is intending to attend the meeting and in what capacity?
8. The Submitter cannot envisage any reason why the Council would deem it necessary to withhold the information under sections 6, 7, 8 or 17 of the LGOIMA, but particularly that it would be unnecessary to withhold information under Section 7(2)(g) of LGOIMA to maintain legal professional privilege. There is no known litigation in relation to the Councils proposed plan change at the time of this request

9. Subsequently on 4<sup>th</sup> November 2019 at 6.16pm, **The Interested Residents of Marton and the Rangitikei ( "Submitter" )** received an email from Rangitikei District Council (Mr Michael Hodder) with the same attached copy of a letter dated 10 October 2019 from **NZ Bio Forestry Limited** as noted above (item 3). In this email the Rangitikei District Council ( Mr Michael Hodder) advised that there is a change of date and time for the proposed meeting to be held at the Council Chamber from Wednesday 6 November 2019 to Tuesday 26 November 2019.
10. The Interested Residents of Marton and the Rangitikei advise, that they will send a representative to the meeting planned for Tuesday, 26 November 2019, from 5.30 pm, in the Council Chamber, 46 High Street, Marton.



Ms Felicity Wallace

**Interested Residents of Marton and the Rangitikei**

c/- Felicity Wallace

15 Bond st

Marton 4710

**From:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>  
**Date:** Friday, 1 November 2019 at 2:47 PM  
**To:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>  
**Subject:** Rangitikei District Plan Change - rural to industrial

Good afternoon

One issue which a number of submissions raised was the lack of detail about the nature of the likely development which would take place on the site.

New Zealand Bio Forestry submitted in support of the proposed new industrial zone. Kim von Lanthen has offered to talk about that organisation's intentions, on a confidential basis, with everyone who made a submission.

The meeting will be held on Wednesday, 6 November 2019, from 2.00 pm, in the Council Chamber, 46 High Street, Marton, but otherwise Council will have no involvement. An independent facilitator will run the meeting.

To help with setting up the room and catering, please let me know whether you are coming or not by 5.00 pm on Tuesday 5 November 2019.

Regards

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

*If you have received this email and any attachments to it in error, please take no action based on it, copy it or show it to anyone. Please advise the sender and delete your copy. Thank you.*

NZ Bio Forestry Ltd  
4a Ranikhet Way  
Khandallah  
Wellington  
New Zealand

10 October 2019

The Chief Executive  
Rangitikei District Council  
High Street  
Marton

Dear Sir

NEW INDUSTRIAL ZONE, MARTON

Please accept this late submission in support of the new industrial zone.

Next week we will be releasing privately to local investors information relating to three wood processing plants in the proposed zone.

We have been involving local businesses and iwi in our work. We are keen to share details of these plants with you and the local community but given the commercial sensitivities involved are unable to do so at this time.

Our aim is to make Marton the wood processing centre of the Lower West Coast of the North Island.

We would be pleased to appear at any hearings for the new zone and will share what information we can at the time.

Yours faithfully

Wayne Mulligan  
Managing Director

**From:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>  
**Date:** Monday, 4 November 2019 at 6:16 PM  
**To:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>  
**Subject:** FW: Rangitikei District Plan Change - rural to industrial

Good afternoon

Further to my letter of 1 November 2019. Thank you to those who have already advised their intentions for the meeting on Wednesday.

However, there has been a change of date from the one I advised.

The meeting will be held on Tuesday, 26 November 2019, from 5.30 pm, in the Council Chamber, 46 High Street, Marton. As with the earlier proposed meeting, an independent facilitator will run the meeting.

The purpose of the meeting is the same: to provide detail to submitters to the District Plan Change about the nature of the likely development which would take place on the site. Kim von Lanthen will talk about New Zealand Bio-forestry's intentions. The invitation to the meeting is confined to submitters.

To help with setting up the room and catering, please let me know whether you are coming or not by 5.00 pm on Monday 25 November 2019. My phone number at Council is (06) 327-0085.

Regards

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

NZ Bio Forestry Ltd  
4a Ranikhet Way  
Khandallah  
Wellington  
New Zealand

10 October 2019

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Yours faithfully

Wayne Mulligan  
Managing Director

**Subject:** RE: Rangitikei District Plan Change - rural to industrial  
**Date:** Wednesday, 13 November 2019 at 8:56:18 PM New Zealand Daylight Time  
**From:** Michael Hodder  
**To:** 'Felicity Wallace'

Dear Felicity

I acknowledge receipt of your 7-page letter of 13 November 2019 and am glad that there will be a representative of the Interested Residents of Marton and the Rangitikei at the meeting planned for Tuesday 26 November 2019 at 5.30 pm in the Marton Council Chamber. All submitters to the District Plan Change have been invited to this meeting. As you note in your letter, a summary of submissions has not been published, which means that, to date, the submission from the Interested Residents of Marton and the Rangitikei has not been viewed by anyone outside the Council and its advisers for the Plan Change.

I will discuss the other questions posed in your letter with those advisers, and send a follow-up email after that.

Yours sincerely

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

**From:** Felicity Wallace <[felicity@inspire.net.nz](mailto:felicity@inspire.net.nz)>  
**Sent:** Wednesday, 13 November 2019 7:14 PM  
**To:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>  
**Subject:** Re: Rangitikei District Plan Change - rural to industrial

To the Rangitikei District Council and Mr Michael Hodder

Attached letter including attachments regarding the Rangitikei District Plan Change- rural to industrial.

Please acknowledge receipt of all 7 pages attached.

Yours sincerely

Felicity Wallace  
Interested Residents of Marton and the Rangitikei  
c/-15 Bond St  
Marton 4741  
027 242 6060

**From:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>  
**Date:** Monday, 4 November 2019 at 6:16 PM  
**To:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>  
**Subject:** FW: Rangitikei District Plan Change - rural to industrial

Good afternoon



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To help with setting up the room and catering, please let me know whether you are coming or not by 5.00 pm on Monday 25 November 2019. My phone number at Council is (06) 327-0085.

Regards

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

**From:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>

**Sent:** Friday, 1 November 2019 2:44 PM

**To:** Michael Hodder <[Michael.Hodder@rangitikei.govt.nz](mailto:Michael.Hodder@rangitikei.govt.nz)>

**Subject:** Rangitikei District Plan Change - rural to industrial

Good afternoon

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To help with setting up the room and catering, please let me know whether you are coming or not by 5.00 pm on Tuesday 5 November 2019.

Regards

Michael

Michael Hodder	Community & Regulatory Services Group Manager	
Rangitikei District Council	46 High Street, Private Bag 1102, Marton 4741	
P 06 327 0085	F 06 327 6970	[www.rangitikei.govt.nz](http://www.rangitikei.govt.nz)

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**Subject:** Re: Rangitikei - District Plan Change - rural to industrial - next steps  
**Date:** Tuesday, 14 January 2020 at 5:16:00 PM New Zealand Daylight Time  
**From:** Felicity Wallace  
**To:** Michael Hodder  
**CC:** George Forster, Johan Cullis

Good afternoon Michael

Thank you for your email dated 18 December 2019.

We consider the timing of the notification of the summary of submissions, and reports to be most unfair. As you are well aware, most people are or have been on their holiday break over the December/January months.

We request that the period for submissions is extended to allow a fair process.

Regards

Felicity Wallace  
**Interested Residents of Marton and the Rangitikei**  
Mob 027 242 6060  
e: [felicity@inspire.net.nz](mailto:felicity@inspire.net.nz)

**From:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Date:** Wednesday, 18 December 2019 at 4:30 PM  
**To:** Michael Hodder <Michael.Hodder@rangitikei.govt.nz>  
**Cc:** George Forster <George.Forster@rangitikei.govt.nz>, Johan Cullis <Johan.Cullis@rangitikei.govt.nz>  
**Subject:** Rangitikei - District Plan Change - rural to industrial - next steps

Good afternoon

At the close of the informal meeting on 26 November 2019 of submitters with representatives of NZ Bioforestry Ltd, there was a commitment from Council to consider the next steps for the proposed District Plan Change.

I am writing to advise that, at its meeting on 12 December 2019, Council decided to proceed to the next phase of the process. This is the public notification of the availability of the summary of submissions and of the call for further submissions. The full text of the notification (to be published in Thursday's District Monitor and the Whanganui Chronicle) and the summary of submissions are attached, together with Form 6. This information, together with all submissions and specialist reports, will be available on the Council website from 19 December 2019.

As a submitter you do not need to make a further submission, but you are entitled to do so, having regard for your own submission and/or submissions made by others, and the specialist reports. h

The closing date for further submissions is 31 January 2020. A date for the hearing has yet to be set.

Please contact me if you have any queries.

Regards

23 March 2020

Mr Michael Hodder  
Community & Regulatory Services Group Manager  
Rangitikei District Council  
Private Bag 1102  
MARTON 4741

Dear Michael


**PROPOSED PLAN CHANGE 1165, 1151 AND 1091 STATE HIGHWAY 1, MARTON  
PRE HEARING MEETINGS 2 AND 13 MARCH 2020**

Thank you for the reports and the minutes which you issued by email on 16 March 2020 (13 March meeting) and as appendix 3 within the section 42A report for which we were given a link to a location on the RDC website emailed to us on Friday 6 March 2020 (2 March meeting).

We would like the following items brought to the attention of the Chair, Jenny Rowan & remedied:

- The issues listed (5) 13 March were **NOT agreed** to by the local authority and the submitters
- There are such significant inaccuracies in the notes issued by Rangitikei District Council, that we are unable to clearly highlight specific items.
- We attach our records of the meetings on 2 March and 13 March 2020 which were taken in "real time."

Yours faithfully



Felicity Wallace

**Interested Residents of Marton and the Rangitikei**  
**c/- 15 Bond Street**  
**Marton 4710**  
**Mob 027 242 6060**  
e: [felicity@inspire.net.nz](mailto:felicity@inspire.net.nz)

### **APPENDIX 3: NOTES FROM PRE-HEARING**

#### **Rangitikei District Council.**

Proposed Plan Change 1165,1151, and 1091 Sate highway 1, Marton.

Rangitikei District Council has notified a change to the district plan under the RMA 1991, submissions closed in 2019, and a hearing is scheduled for Monday 30<sup>th</sup> March 2020.

A section 32 report, submission and further submission are available.

#### **Pre hearing meeting(s).**

On Monday 2<sup>nd</sup> the first of two pre hearing meetings were held in the Rangitikei District council, Marton.

The notes taken by Charles Hopkins from that meeting are attached.

#### **As chairperson, my report under the RMA section 8AA, Resolution of Disputes deals with these matters:**

(5) (a) must identify the matters that are agreed between the local authority and the submitters and those that are not:

#### **No matters have yet been decided between these parties.**

(5) (b) may identify:

- (i) the nature of the evidence that must be called at the hearing by the persons who made the submission:
- (ii) the order in which that evidence is to be heard;
- (iii) a proposed timetable for the hearing,

(c) does not include evidence that was presented at the meeting on a without prejudice basis.

#### **None of these matters have been determined in this first pre hearing.**

**The meeting agreed to a second prehearing meeting to be held on the 13<sup>th</sup> March, 5 pm, Rangitikei District council.**

Jenny Rowan, Facilitator.

Notes from Mr. Hopkins, from the pre-hearing meeting held at the Rangitikei District Council on Monday 2 March 2020.

**Jenny Rowan opened the meeting at 5.04PM.**

**Names of attendees.**

- |                                |                                      |   |
|--------------------------------|--------------------------------------|---|
| • Rebecca Gray - T&J McIlwaine | • William Sinclair                   | • Fraser Auret                              |
| • Randall McIlwaine            | • Carol Sinclair                     | • Marie Marshall                            |
| • Andy Watson – RDC Mayor      | • Robert Gunn, Downs Group           | • Rebecca Tayler, Horizons Regional Council |
| • Peter Beggs – Council CEO    | • David Dean                         |   |
| • Simon, IROMAR                | • Joy Bowra Dean                     | • Greg Carlyon, reporting officer           |
| • Felicity Wallace, IROMAR     | • Kathleen Reardon                   | • Charlie Hopkins, planning support         |
| • Amanda Calman                | • Gretta Mills                       | • Jenny Rowan, independent facilitator      |
| • Kim, NZ Bio Forestry         | • Andrea, solicitor for Auret Racing |   |

**Mitigations committed to:**

1. Reduction of area to be developed
2. Protection and buffering along boundaries
3. Limiting road access to Makirikiri Road

**Further work committed to:**

1. Council to circulate buffer distances
2. Council to form an opinion as to whether Schedule 1 process has been lawful
3. Council to form an opinion as to what the scope of changes are possible, considering that notification has closed

### **Summary of issues:**

1. Traffic load, roading safety, road condition
2. Visual amenity
3. Natural hazards
4. Soils
5. Scale 217 ha or 40 ha
6. Social benefits
7. Bioforestry and plastics
8. Air discharges
9. Noise
10. Consultation and process

### **Next steps:**

1. Council report (section 42A report) due Friday 6 March 2020
2. Next meeting 5PM, Friday 13 March 2020 at Council.

### **Summary of notes:**

Meeting start 5:18PM

- Greg introduced himself and explained his role as the reporting officer under section 42A of the Resource Management Act 1991. The Council report is due Friday 6 March 2020
- There was discussion among the group regarding potential land uses and development plans. Greg explained potential effects and effects management options
- At several times the group discussed the scale of site relative to the township of Marton and whether the current 217ha can be reduced to, for example, 40ha.

- Andy stated that the landowner was in support of the proposal and has signed an MOU about land sale for 40ha. The landowner has a long-term view to sell part of farm depending on demand
- It was noted that there is currently supply of other under-utilised industrial land in Marton i.e. that there is no shortage in supply available
- Andy offered to propose mitigation of limiting development to 100ha, with boundary protection such as boundary along Wings Line, and limiting road access to Makirikiri Road only. Kim says that temporary access may be through Maltroupe. Kim says that NZTA will need to upgrade SH1 turning bays
- Greta stated that there is no definition of problem that is being solved and questioned whether the project is community-led. Andy says that the project is in response to market demand.
- Discussion about production of plastic
- David questioned the economic benefits to retired persons, the benefits to municipal services and local facilities, in relation to demand
- Andy spoke to economic stresses, including in local schools, and the significant rates base that this development would likely contribute. Andy spoke about an increase of rates to the order of \$500,000 and then also extra revenue for tradewaste. Randal expressed concerned about economic well-being and business viability in Marton.
- Robert spoke about business bringing income into town
- Felicity spoke about effects on amenity values
- Kim spoke about forestry supply between Horowhenua, Wairarapa and Taranaki. Marton is well placed in relation to source of logs
- Kim expressed a commitment to working with community to identify effects and management options
- Jenny evidential needs for hearing
- Robert Gunn requested that the plan change be approved with conditions to allow for future planning and management of effects
- Greg explained structure planning



- Group expressed concern about a lack of information through the process
- Felicity questioned about landscape effects on other sites further away. Kim said that industrial land uses could be within sheds or silos to mitigate effects
- Fraser expressed concern about light spill, air discharges (dust) and noise. Marie says the vehicle crossing point to that site is unsafe due to topography. Kathleen Reardon says wings line not in good condition
- Kim clarified that NZ Bioforestry have developed up to 12 plans for the site
- The collective group acknowledged a need for long term planning of threewaters and roading upgrades. Mr Andy Watson offered a condition that state highway improvements would occur before development
- Andy described the difference between rural and industrial zoning under the District Plan and described the difference between a district plan change and resource consenting. Rebecca Tayler described the plan change and resource consent process.
- Gretta asked if the operative District Plan provisions are sufficient to manage effects of this scale. Greg says no, and that extra provisions would be needed
- Greg asked the group whether there could be value derived from engaging in mediation. No consensus was reached.
- Kim says that he has met with Ngāti Apa, and that they are interested in further developing a highly skilled workforce
- Amanda Calman does not oppose conditional to adequate management of effects on roading safety, human health from air discharge and residential amenity
- Council agree to seek legal advice as to whether schedule 1 is met. Jenny asked community whether they want a subsequent meeting? Arranged for Friday 13 March 2020, 5PM at Council
- Council agreed to seek legal advice regarding:
- Schedule 1 process and
- Scope as to the scale of changes that can be made after notification
- Council agreed to advise about buffer distances

Meeting end 8:09PM

## **Rangitikei District Council.**

Proposed Plan Change 1165, 1151, and 1091 State Highway 1, Marton.

Rangitikei District Council has notified a change to the District Plan under the RMA 1991, submissions closed in 2019, and a hearing is scheduled for Monday 30<sup>th</sup> March 2020.

A section 32 report, submission and further submission are available.

### **Pre hearing meeting(s).**

On Monday 2<sup>nd</sup> and 13<sup>th</sup> March, two pre hearing meetings were held in the Rangitikei District council office, Marton.

Notes were taken by Charlie Hopkins and have been made available to the parties.

### **As chairperson, my report under the RMA section 8AA, Resolution of Disputes deals with these matters:**

(5) (a) must identify the matters that are agreed between the local authority and the submitters and those that are not:

#### **The issues generally agreed to where:**

1. Traffic load, safety, road conditions.
2. Visual amenity
3. Natural hazards
4. Soils
5. Scale, 217 ha or 40ha
6. Social benefits
7. Bioforestry and plastics
8. Air discharge
9. Noise
10. Consultation and process.

(5) (b) may identify:

- (i) the nature of the evidence that must be called at the hearing by the persons who made the submission:
- (ii) the order in which that evidence is to be heard;
- (iii) a proposed timetable for the hearing,

(c) does not include evidence that was presented at the meeting on a without prejudice basis.

**None of these matters have been determined but all parties indicated they are preparing to go to a hearing.**

**The parties where advised that the present timetable applied, which was;**

- Evidence to be exchanged by Friday 20<sup>th</sup> March in preparation for a hearing on the 30<sup>th</sup> March.
- District Council (as the project advocate) may provide evidence addressing site layout, set-backs and buffers, process for engaging with NZTA and Kiwirail,
- NZ Bio Forestry LTD may provide evidence about log volume projections, economic supply and demand, site arrangements.

There was concern expressed by parties as to the timeframe bring to tight, and a request to see if that can be amended.

Jenny Rowan  
Facilitator.

## Notes from Charlie Hopkins (13/03/20)

Date: Friday 13 March 2020. 5PM  
Council Chambers

### Attendees

- Jenny Rowan
- Charlie Hopkins
- Greg Carlyon
- Bryony Hall
- Andrew Watson
- Michael Hodder
- Hayden Gould
- Richard Simpson
- Gretta Mills
- Kim von Lanthén
- Lorraine Pearson
- Felicity Wallace, IROMAR
- Simon Loudén, IROMAR
- Randal McIlwaine
- Rebecca Gray
- Fraser Auret
- Nigel Auret
- Marie Marshall
- Andrea, with Auret Racing
- David Dean
- Joy Dean
- Kathleen Reardon
- Robert Gunn
- Howard Walsh
- Samantha Walsh
- Apology: Peter Beggs
- Apology: Gabrielle Ann Keen
- Apology: Hew Dalrymple
- Apology: NZTA
- Apology: Kiwirail

5:08PM

Jenny, introduction

- Gretta, notes that her position in the summary of submissions is incorrect.
- Andrea, asks for delay to hearing to address timeframes
- Greg summarised 42A report, this identifies insufficient information in the site design and assessment of environment effects. Greg runs through Options 1 - 5
- Andrea asks about Ministerial intervention (call-in)
- Greg advises that NZTA and Kiwirail will attend hearing

- Jenny asks about evidential needs, availability of information
- Marie asks if NZBioforestry drops away, would this still go ahead. Andy says that NZBioforestry would not fit into other sites
- Marie says that 10WD is not enough. Greg says that it was lawful as date has been confirmed by commissioner in minute 2, more than 10WD
- All information that council has is publicly available
- Access to the Thomas 2019 report  
<https://www.rangitikei.govt.nz/council/publications/state-of-the-environment-report>
- Jenny, brings conversation to 10WD notice of hearing. Andrea says that experts cannot make it on short timeframes. Greg says that the video call is acceptable.
- Andy says that there are matters within the 42A that are acceptable to council for example setbacks and screening, and limiting of scale. Andy says that this could be by way of overlay. Andy says that the DP is sufficient to manage the effects because it is a restricted discretionary activity. Andy says that the main issue is NZTA and would need NZTA approval.
- Joy Dean, asks whether restricted discretionary activities can be publicly notified. Greg explains a structure plan followed by resource consent process. Greg explains the difference between public and limited notification
- Andy talks about prescription being unnecessary
- Greg identifies that what Council wants, and option 4, are different
- David Dean asks what social benefits are. Greg explains what these are under the RMA
- Kim says 90% likely to go ahead. Reaffirms offer to make it work for the community, listen to the community.
- Andy offered a 100m setback. Fraser says no because of air discharge

6.09pm break

6.31 resume

- Simon asks Kim why 90% likely to go ahead with development. Kim says that is market demand because reliance on China.
- Kim described the nature of other partners are involved. These are related to log processing. Kim mentions PHA plastic manufacture. Plywood manufacturing. Kim has identified Marton because of rail links. Kim agreed to release information to submitters relating to log numbers
- David asked about the difference between 40 ha and 217 ha. Kim says that there will be associated businesses with needs beyond 40 ha. Flow on effects with other businesses. Kim says pines but also eucalyptus.
- Jenny restates the date of 20 March for expert evidence circulation. Simon clarifies that lay evidence is on the day
- Jenny explains the difference between lay and expert evidence. Evidence to be factual and written.

- Andrea says that the list identified on the whiteboard is not exhaustive
- Kim has offered to stay in Marton 14-15 March to hear concerns
- Felicity and Marie say shortage of written information
- Robert Gunn wishes to be heard at hearing

7.05pm END

Actions list

- Expert evidence is due Friday 20<sup>th</sup> March
- District Council (as the project advocate) may provide evidence addressing site lay-out, set-backs and buffers, process for engaging with NZTA and Kiwirail
- NZ Bio Forestry LTD may provide evidence about log volume projections, economic supply and demand, site arrangements

## NOTES

Re f: 1928

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Project : **SH1 plan change**

Date: **2 Mar ch 2020**

Location: **RDC**

Time: **5.00 - @8.30 pm**

Place: **RDC**

Total Pages: **4**

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### **Present:**

RDC: Michael Hodder

Andy Watson Mayor

Peter Beggs CEO

Greg Carlyon (town planner Catalyst Group)

Charlie Hopkins (planner from Catalyst- scribe)

Jenny Rowan Facilitator

Submitters: check RDC minutes

**Jenny Rowan:** started by saying "transparency is the name of the game"

Greg is doing the Section 42 report : this will be on the RDC website by this Friday, 6 March 2020.

**Greg:** RDC is promoting the plan change as an economic development initiative. We need to run through a process. There is a framework to consider. We may have another pre hearing meeting

At this stage:

- Council are advancing a conceptual notion. Preparing to make a plan change.
- Don't need to change the rest of the plan
- Concerns based on the uncertainty.
  - Not necessarily want Bio Forestry
  - There is a reasonable amount of work to do re soils, traffic
  - If conceptual what has to be there
  - Positive effects
  - Broader concerns
- Moving to a place where the application is granted but a significant overlay of regulation required
  - Scheme plan
  - High level design
  - Consents District Council/land use and Regional Council /discharges
  - We have an obligation to the community but also an obligation...?
  - Not Gregs job to resolve issues
  - Screens
  - Sound assessed/Marton is a valley

- Application can't be granted as sought. Needs a much higher level of information to succeed.
- What exactly is the proposal? 30 hectares or 217 hectares?
- A smaller zone is required
  - Pretty colours
  - Have to recommend a decline if can't satisfy the Act\*
- Initially a general proposal
- How plant proposed for the site
- RDC debarking plan and log storage

**Greg:** check the Visser report for buildings over the full 217 hectares

This showed the BioForestry Proposal, not clear to read.

**Simon Loudon:**

Council has promoted the plan change owing to a need or lack of industrial land.

Questions the need for such a large amount. SL disputes need.

**Greg:**

RDC are enabling the process. De barking plant.

**Andy Watson Mayor:**

The landowner is in support of this. There is an agreement on the land.

Financial sustainability

Need for growth

Why would not do in another district

Do we have a use for 217 hectares, no.

Some leverage off other businesses.

Boundary hectares.

**Gretta Mills:**

Questions promoting a BioForestry Plant. Not much better than the plastic we have.

Has a share in a forestry block. Most people take the bark off first before transporting the logs.

Questions the feasibility of the proposal.

**Jenny Rowan** felt it was time to bring in Kim von Lanthorn from NZ BioForestry.

"Welcome Kim"

Re Economic Development

Analysis Has the Council had some done?

*Marton was an industrial hub*

*Govt Policy . business changed in the 1980s. Not sure who said this?*

**Kim vL:**

Marton most economic place to move logs from South Taranaki.

Process them



Bi oPl astics- do bi odegr ade.

Made out of resin, made out of wood.

Need a particular community- not rigid in how the logs are processed.

Development will take place over time

Big noxious factory

PLA straws impossible to decompose, just as likely

Evidence

More than minor effects- redo submission

- Traffic
- Natural hazards
- Soils
- Scale 200/340?
- Economic benefits
- Social benefits
- Bioforestry
- More information
- Plan change rules

Je nnyRowanas ked May or Andy W at son

Em ployed Greg to prepare reports

Political constraints on money/Minister Jones

Don't know exact layouts

Andy if said 100 hectares *would that be large enough*

#### **Kim v L an th er n**

Makirikiri Road not enough turning bays SH1

Think ahead and think of all the practical problems

Sheds or ss silos

Visual

One of many plans done- trying to think of how it might work.

A lot of flexibility

No w we get trucks off Makirikiri Ro ad- don' t need ac ces s of f Wings Li ne

Come as a group wanting to make a contribution to the community

Convinced can make a positive role in the Marton community

Don't want to play a part in log trucks coming up a road where children playing

How get trucks off SH1

An existing trucking route

**Rebecca from RDC:** explained the requirements of the District Plan

**David Deans submitter:**.. discretionary

**Amanda Calman:** long term plan said the community wanted jobs

**Kim van Lanther:**

We want to be part of the community

Just before I came to the meeting I was meeting with Ngati Apa

(at Turakina Maori Girls School /new NA base in Marton) Ideal place to train people

But not just about people

Structure plan, specific conditions

**David Deans:**

How considers the scale of the site

**Jenny Rowan** requested RDC get legal advice re whether changing the scale of the application would mean that the Schedule is being followed?

**Greg:** wanted to establish the appetite for mediation

What conditions have teeth/credibility for a new industrial zone

Do believe this is exactly what the community wants ( not sure who said this )

Also

**FW** spoke in response

- District Plan
- Provide details Resource Consent proposal
- Scale
- Specialist reports written by companies engaged by RDC on other projects
- Reports not made available when requested:
  - some submitters were given reports, others not

**Rebecca Gray: (Mitre 10/McIlwaines)**

This region can attract more residents to support our local businesses and schools

**Randal McIlwaine:**

Spoke about the need for more residents and more jobs to support local businesses

**FW:** with respect Randal( McIlwaine- Rebecca's brother) I understand you have moved your family to live in Palmerston North ,

## NOTES

Re f: 1928

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Project : **SH1 plan change**

Date: **13 March 2020**

Location: **RDC**

Time: **5.00 - @7.30 pm**

Place: **RDC**

Total Pages: **10**

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### **Present:**

RDC: Michael Hodder, RDC Community & Regulatory Services

Andy Watson Mayor

Greg Carlyon (town planner Catalyst Group)

Charlie Hopkins (planner from Catalyst- scribe)

Jenny Rowan Facilitator

Submitters: check RDC minutes

Apologies: Peter Beggs CEO

Check RDC minutes

**Jenny Rowan:** started by saying that it would be taken that all had read the planners Section 42 report.

### **New faces introduced:**

**Briony Hall**, Horizons graduate policy analyst

**Richard Simpson**, resident (*Marion developer*)

**Hayden Gould**, resident (*Marion developer with Richard Simpson*)

**Lorraine Pearson** (*may have been at previous meeting?*)

**Jenny Rowan** introduced the pre hearing

"This is an opportunity to resolve any issues".

**Greg:** a number of people have sent apologies

**Fraser Auret:** asked if experts would be able to video link to the hearing as he would be calling overseas experts.

**Andrea Craven**, lawyer for Fraser Auret:

Our view is that the timeline is too short.

We are trying to line up experts

Particularly with the coronavirus, there is every reason to put things back a bit, including the hearing date.

**Greg:** talked about the Section 42 report

Will use as a catalyst for the conversation today.

Jumped directly to the conclusion:

Said Council has brought... a plan change

This has been plagued with inaccurate information

A number of gaps in the assessment

This has created challenge and tension, other views.

Council not deaf to these matters.

Costs and benefits not clearly quantified

On that basis there is a case...

Options: assessed:

Recommends adopting Option 4:

Acknowledges concept development but drives developer to consult with public

If successful provides for details to be resolved with affected parties

P45: couple of drawings showing what 40ha looks like.

"conceptually"

Independent commissioner will make decision.

Options p 42

1. Get a zone ( few controls)
2. Refuse plan change, on basis no case made for it. Greg thinks there is a case but needs more clarity
3. Introduce controls on site, approved move ? 217 ha  
Not enough detail, could generate adverse conditions on community

**Robert Gunn** arrived at this point

4. Deferral Rule/Entire site industrial but deferral policy over.  
Not removed until development plan/masterplan ( in place) for the site. Cant activate until Masterplan prepared (**guess who would prepare this!**)  
Other areas more general/public process.  
There would be similar discussion (to the pre hearings)  
Would include moving from conceptual to concrete  
Ability to appeal.  
If successful, then zone lifted.  
Further Resource Consents would be required eg Horizons, Ngati Apa, Kiwirail, neighbours.

A number of legitimate interests in close proximity.

Landscaping impacts from a distance such as **FW** had mentioned

These would be addressed at the masterplan level.

Diagram 5: south west corner of the site, many effects accrue to parties at the north of the site/ get traffic away from the north.

**Submitter, Lorraine Pearson?**: concern Wings Line by pass.

**Greg**            40ha produces effects that spill over that boundary  
Remainder of the site needs to protect...

**Joy Bowra Dean:** Why did you consider 100ha instead of 40ha?

**Greg:** RDC says that 100ha will be needed  
Case history says that need to internalise effects/no confidence secure into the future

**Greg:** Option 4: significant thought to buffer eg drainage  
Can the site address emissions?  
For Horizons to address.

**Howard & Samantha Walsh** arrived

**Andrea Craven:**

You know that it is an election year  
Express conditions (?)  
What does the Minister of the Environment have to say about this?

**Greg:** A council or a party not going to provide...

**Andrea:** We have real questions about the process, timeliness and...

**Greg:** (Acknowledged that) thinks the process has been lawful.

**David Deans:**

There is nothing in your report that refers to the traffic impact on Marton.  
Why is this?

There will be a 60 min delay to turn onto SH1; and this will be duplicated on the return trip. Traffic will significantly affect this site if it stays at 217ha. Opus does not mention the railway line. If the sidings don't go ahead, even more traffic.

**Greg:** The reason we didn't address the report. Don't think can rely on the Opus report. It takes a relatively theoretical approach and the range of options I've described is best resolved in the masterplan. Bioforestry says needs...  
Apologies: NZTA and Horizons still expressing concerns/not resolved.

*Can we get minutes from the pre hearing meeting with NZTA & Horizons?*

Kiwi rail and NZTA running national infrastructure.  
Kiwi rail are going to be a partner in this project.



**Jenny Rowan : to Andy/Greg**

Where is all the evidence for these people to have a discussion?

**Andy Watson Mayor:**

I think that there are a certain number of things for people to agree on tonight.

Some people don't want the district to change.

It's about job creation/rates creation.

There is evidence that 200 jobs will be created by NZ BioForestry.

Council has taken a conceptual approach.

**Jenny Rowan:**

Unless something has changed is that coming? ( the evidence).

What's your reason for putting forward the plan change?

**Mayor Andy:** If there is going to be any industrial area where is the best area?

Built on connections

Removing traffic from the centre of town/forestry/location/proximity of networks/prevaling winds.

I thought it was right in the start of the documents?...

I would have to produce that as a report.

**Maree Marshall:**

If BioForestry had not...(approached RDC) would this proposal still be proceeding?

**Mayor Andy:** Prompted by a party of such a scale...

**Michael Hodder:**

Section 32 commissioned a report showing the economic benefits

**Andrea Craven:**

It doesn't comply with Section 32.

**Maree Marshall:**

We were served yesterday with a notice going to a hearing ..**dates**

This is a pre hearing today.

**Greg:**

The Statutory time frames are being met.

**Andrea:**

Are you certain of that?

**Mayor Andy:** Asked questions...notification under the Act 10 working days. 4/10

**Jen ny Row an :** (to Mayor Andy) hav e you still got inf or ma ti on to pr ovi de?

**Greg:** Council at this stage has chosen not to submit expert evidence in Economics.

**Simon Loudon:**

You cited the Thomas report July 2019. Is that in the public domain?  
We have asked to view this...

**Greg:** agreed to email it directly to Simon/IRO-MAR.

**Jen ny Row an :** needs to be legal . Can be chal lenged if we get it wrong.

**Andrea/Fraser Auret:**

No tall our ex per ts are from NZ. Need conf idenc e that they can gi ve  
Evi denc e.

**Greg:** Not uncommon for expert witnesses to call in.

**Charlie:** Does this building have the ability?...

**Greg:** He's from Wellington...

**Mayor Andy:**

There is the potential for some agreement tonight.  
In terms of the options Greg has put on the table/setbacks. Wings Line.  
Could have a 50- 100m setback or a mitigated planting/screening .  
Council would be happy . Council or NZ BioForestry would have a concern  
if had to duplicate this process within a zone....  
Acknowledge work to be done with NZTA, Ngati Apa, Kiwirail... anyone  
within a 200m distance could be involved.  
Would be replicating this process if we went out to the whole community.  
Horizons  
Adequate mechanisms to..  
NZTA would need to sign off roading etc...  
Some submitters might think overlays OK.

**David Deans:** quer ied hei ght of the trees that woul d be pl ant ed.

**Jen ny Row an :**

We are not in a mediation. This is a pre hearing.  
Not here to have too much debate on the issues.  
Are there any items on this list that we could talk about? 5/10

(the list that Charlie has written on a white board at the front of the room)

List on Board as below:

- Consultation, Process, Schedule ( 10 working days)
- Traffic Load & Safety
- Natural Hazards
- Soils
- Scale 40ha v 217ha
- Social Benefits
- Plastics & BioForestry
- Air Discharges
- Noise
- Access to Info

**Joy Bowra - Deans:**

What does a restricted discretionary activity mean? Does this not have to be notified?

**Greg:** discussed significance.

**Mayor Andy:**

We have suggested 2 forms of buffer zone. If we get too prescriptive in terms of an overall site - this is generated by the interested party..road layouts for the rest of the site...we don't know (*what these need to be*) Practicality.... *needs to be taken into account*. Principles of access...NZTA...agreement and effect...

**Greg:** We have a role to hear what people say- heard what the Mayor says and this might have a difference from what Greg is saying and what the Council is saying.

**David Deans:**

What are social benefits?

**Greg:** social benefits could be as a consequence of sustainable business. Ability to have 2 supermarkets instead of ½ a supermarket... Can't see the evidence: Visser's report not conclusive. Industrial development could bring jobs. Are there adverse effects?

**Andrea:** The mayor seems to be advocating a buffer zone.



**Kim V Lanthern:**

I hear your concerns....

**Andrea:** What is the likelihood of this project going ahead?

**Kim v Lanthern:**

Stated there was a 90% chance of the project going ahead.  
We want to develop..as part of the community...have to listen to the  
community...wouldn't do in complete isolation.

**Fraser Auret:**

Do you have any more information on emissions?  
I am a member of this community...if you've got any more information I'd  
like to see it.

**Kim v Lanthern:**

We want you to tell us what you want. If you've got any more questions  
we'd really like to hear them.

**Andrea:** We don't have sufficient detail to ask any questions.  
I think you're a front man without any substance....

**Mayor Andy:** If there was 100m setback would that be OK?

**Fraser Auret:**

I have an existing business...  
I am going the full hog ( *to fight this* )

**Jenny Rowan**

Stop for a cup of coffee, thanked Council for the food provided.

**Break:**

**Simon Loudon:** had a question for Kim

You said that you felt 90% assured that the project would go ahead...why  
do you say that?

**Kim v Lanthern:** this region has a lot of logs coming off it. We are seeing a reduction in  
China's demand. ... beetle problem in spruces..  
Forestry in this region will collapse.  
8 different groups are working hard to make this (project) happen.  
The Government has concerns..a collapse with change in China....  
How can we use timber. Jobs will be different.

We can get better value out of the wood.

To make good money from the tree resource...make sure we put that to good use.

One Mill/harvest the trees: already heavily invested. 3 groups are driving this. A collective group.

Other 2 groups- basic wood processing/sawmilling/traditional process.

A grade structural properties. Contribute to building.

- Wellington EQ rebuild
- Central business district rebuild
- Saw mills/structural produce ( failure of other mills)

Last Group concerned with waste.

Won't get up to the same price with logs as with China

1. Torification: coal out. Make into a pallet /bark waste.
2. Sawdust and other waste. Make PHA dissolves in the ocean.

Log prices are down.

If can get back... get into Bio Plastics market.

Use a brewing process, similar to hops. ( smell?)

Breaks wood down and releases resin.

Scale of PHA production.

One of the biggest plants... get fractures off it.

#### **Simon Loudon:**

Your factory needs 2 other factories. The whole site is going to be an industrial hub. ( complex)

The local logs will be cut and finished with 2032.

*By the time this gets up and running there are going to be 8-10 years and you would have to import product.*

Going to involve a lot more...

#### **Kim v Lanthern:**

This is why Marton is so important. By 2032 the plantings around this whole area/plantings at height... + Santoft.

Log profile at 2032... logs loaded at Dannevirke/Wai nam and go to port... similar distance to Marton.

Continual demand for logs until 2032.

Marton so well placed; a superb rail junction, good land around that junction.

Here to support the industry.

**Simon Loudon:** Why do you think it is 90% approved?

**Kim V Lanthern:**

One of the biggest drivers is the funding from the government.  
If it doesn't happen the log industry will fall apart.

**Simon Loudon:**

Has the government said you must go to Marton?

**Kim v Lanthern:**

We've got funding and we have done modelling and that is available.

**FW:** Can we see that information?

**David Deans:**

You have talked about 30/40ha, have you got any thoughts about the 217ha?

**Kim van Lanthern:**

We need 30/40ha.

**David Deans:**

**Kim van Lanthern:** flow on effects

**Robert Gunn:**

If you were a landowner would you want to go through this process again?

**David Deans:** said he was enjoying the process...

**Kim v Lanthern:** my commitment is ...

Not saying who these people are

**Andrea:** With respect, Kim, your commitment is worth nothing.

*We need to know who the people behind this are*

**FW:** Where is the evidence that constructing a massive timber processing plant is going to save NZ Forestry?

Kim, you have submitted 1 page.

**Jen ny Rowan:** need to exchange the evidence.

To Kim/Mayor Andy: Where are all your submissions?

How are you going to deal with the emissions?

**Andrea:** We will request an extension of time for the hearing.

**Simon Loudon:**

As submitters can we just turn up on the day?  
Is it just expert witnesses?

**Jenny Rowan:**

Kim has to have all the evidence for you to view.  
It is important that you have that written submission.  
Gets recorded but may be missed.  
Must be factual.  
Lay people have as much integrity.  
If find going to the Environment Court have the option to mediate.  
Expert evidence then becomes more important.  
Going into hearing should be prepared to go to the Environment Court.  
Don't be intimidated by this process.  
At the next level need experts.  
RDC : if push this around will need to organise people to come in.  
Will likely need the following RMA experts:  
Traffic  
Noise  
Social Benefits  
Plastics & Bioforestry  
Air Discharge

**Andrea Craven:**

These issues are not the limit.

**Mayor Andy:**

Kim has offered to spend time with people (submitters) over the weekend.

**Howard Walsh:**

Too short a notice to engage experts.

**Jenny Rowan:**

Opportunity to exchange information  
Be ready to go on the 30<sup>th</sup>.  
Arrangements need to be made for you.  
A lot of information people haven't got. The  
court process based on the ....