

**LAND USE CONSENT APPLICATION LUC18/47378 AND  
SUBDIVISION CONSENT APPLICATION SUB18/47165 –  
PROPOSED FONTERRA FARM SOURCE STORE AND 2  
LOT SUBDIVISION AT 2475 SOUTH ROAD, OKATO**

---

**STATEMENT OF TED WELLS**

**(J Dinnis lay witness)**

**28 March 2019**

---

My name is Theodore Monroe Wells or just Ted Wells.

**Experience**

I am a retired planner and I set out my experience. I do not hold myself out as an expert at this hearing, because I know several people in Okato including the Spencers on Kaihihi Road whom I have often visited over the last 40 years or so.

However I believe my experience can add to the Dinnis's case against this proposal

I hold a degree in Architecture (Hons) from the University of Colorado.

After obtaining my degree, I spent nearly 50 years as an Urban Designer and Planning Specialist working in the United States, New Zealand, Brunei, Samoa and several other countries.

I retired 8 years ago. I have continued my 40 year involvement with both the New Zealand Planning Institute (as MNZPI-Retired) and the American Institute of Certified Planners (as AICP= Honorary Life Member).

I have been involved in drafting 8 district plans during my career, including 4 in New Zealand. The last one in this country was under the RMA for the South Taranaki District Council back in the early 1990s. Previously I was the primary author of the North Taranaki District Plan under the 1977 Town Planning Act, which included the Okato area of Taranaki.

My experience also involves design of new towns, local area strategic plans that have required considering the landscape environment bordering their main roads.

I have also authored several landscape guidelines or plans for local and regional roading networks. My first back in 1975 was for public roads in a District with a population and variety of land uses, very similar to those currently found in the New Plymouth District.

I was the sole planner for the Ministry of Works in Taranaki until it was dis-established, and later I was the consultant planner for Taranaki's State Highways at BECA (who for many years held the contract for providing the same services the NZTA now provides). In these roles, and over more than a decade, I was responsible for making the same judgement calls about proposed developments along Taranaki's State Highway system that the NZTA office in Palmerston North is now making.

I have also written or evaluated for various clients several dozen Assessments of Environmental Effects, including for developments like the one prepared for Fonterra's proposed commercial farm store development south of Okato.

### **Summary of Evidence:**

I believe the true effects of this development on the rural environment are much more extensive than those described by the Applicant. They will be significant and cannot be mitigated by paint, vegetation or minor traffic management techniques. In my opinion, there is ample evidence to suggest that consent should be withheld from this development proposal.

- 1) The Applicant (and in interpreting the AEE, the District Council) has not used a balanced and meaningful method of assessing the environmental effects on the rural landscape and amenity of the proposed development, This includes:
  - a. the construction of a building significantly larger than normally permitted on the proposed sized site in a rural environment,
  - b. the erection of free standing signs that are significantly larger than the size normally permitted,
  - c. the erection of a wall mounted sign that is significantly larger than the size normally permitted and
  - d. allowing a significant reduction in a building's required distance to front and side boundaries.
2. The Applicant (and in interpreting the AEE, the District Council) has not provided a balanced and meaningful method of assessing the cumulative environmental effects of the proposal.
3. The Applicant has not explained why the development cannot meet the distance requirements to the site entrance set out in the District Plan (other than by saying the site is too small).
4. The Applicant has not adequately considered the site's susceptibility to lahars and flood damage.
5. The Applicant has not used a balanced and meaningful method of assessing the safe use of Kaihihi Road as the primary means of public access to the proposed development site.

6. The Applicant has given no obvious consideration to the safety of motorists on either Kaihihi Road or the State Highway in regard to the two petrol pumps mounted directly on the edge of the public right of way at this intersection.
7. The Applicant has given no realistic consideration to the substantial increase in the number of motorists using Kaihihi road who are unfamiliar with the visibility problems south along the highway from the Kaihihi Road/SH45 intersection.
8. The Applicant has not adequately assessed the true impact of allowing large vehicles to turn into the site from the highway.
9. Finally, the application is contrary to the objectives and policies of the District Plan, particularly Objectives 1 and 4 and their relevant policies

I do not believe Fonterra's proposed Farm Store development is able to achieve the purpose of the RMA to promote sustainable management of natural and physical resources. The development cannot meet the tests set out in s104 of the RMA to warrant approval.

### **Rural Character and Rural Amenity:**

The very first objective of New Plymouth's District Plan's is;

*"To ensure activities do not adversely affect the environmental and amenity values of areas within the district or adversely affect existing activities"*

The very first policy under this objective is:

*Activities should be located in areas where their effects are compatible with the character of the area.*

Clearly, the matter of protecting existing activities and the character of an area is of paramount importance in the District Plan.

The District Plan then very carefully sets out what it considers "Rural Character" and "Rural Amenity" ending by identifying what can adversely affect "Visual Amenity":

*"VISUAL AMENITY can be adversely affected by activities that reduce the spatial environment, increase the density of built form or reduce visual factors such as vegetation or landform. There are also visual effects from activities that are not associated with a rural land use. This lack of a productive connection can reduce rural amenity, particularly when this occurs cumulatively in the rural environment."*

The fact that a relatively simple development proposal such as the one contained in this application cannot comply as of right with no less than 17 rules of the District Plan indicates to me that the effects of the proposed development on the environment will be considerably more than minor regardless of the seriously ambitious attempts by the applicant to "prove" otherwise.

The rules in a District Plan are not arbitrary. They are an attempt by the District Council to set out how it intends to protect rural areas from incompatible activities in the interests of nearby

occupants of the rural landscape. Even more importantly, the rules are there in an attempt to protect the interests of the general public who are otherwise utilizing or travelling through that landscape.

I do not believe the application adequately explains how the proposed development can mitigate the serious effects it will unavoidably have on rural character and amenity. The application places significant reliance on the historic activities adjacent to the site, yet then suggests it is a “Stand-alone” development.

I do not believe that a large commercial activity can be provided in this locality without seriously degrading the existing rural environment. The proposed farm store site is now a large paddock that cannot be described as anything but rural.

**Photo Simulations:**

I will elaborate on these and other points in a moment, but first I would like to show this hearing a few photos of the existing Farm Store site in Pungarehu. This store is being replaced by the proposed farm store south of Okato at Kaihihi Road. The photos show just what the site around the existing store looks like and gives some indication of what the site area outside the proposed farm store building south of Okato will look like if this development is allowed to proceed.

These are views of the existing Pungarehu farm store site through its main gate along SH 45:





### **Legrand Photo Simulations- Powerpoint**

The 3D photo simulation [**Legrand Simulation Picture A1-000**] demonstrates the large commercial nature of the proposed activity. The minor shrubbery along Kaihihi Road have virtually no effect in hiding the commercial activity going on inside the site.

The boundary fence, the very large building, significant signage, large outdoor storage yard and vehicle movement to and into the site will severely impact the surrounding, largely rural environment.

The simulated 3D Farm Store image [**shown**] is taken from Kaihihi Road. The intersection of this road with the State Highway is just to the left of the picture. Note that the trees that now exist near the corner site on the intersection of Kaihihi Road and SH45 are not shown and are not part of this application but could be removed at any time, making this proposed development potentially even more visible to all those living in or passing through this rural area.

The photo of the Pungarehu Store below is to show just how “clean” the photo simulation above looks compared with what the proposed development will really look like if it is approved and built.



The simulated 3D image **[Legrand A1-002]** is taken within the site just north of the small lot on the eastern corner of the Kaihihi Road/SH45 intersection. If the existing trees on the corner are removed, this perspective, slightly reduced in size, is what motorists will see of the proposed development from the state highway.

The simulated 3D image **[Legrand A1-003]** is of the farm store building from the property boundary along SH45 at the proposed heavy vehicle entrance to the site. This will be the primary unrestricted view of the site by passing motorists on the State Highway if the corner trees are removed.

The simulated 3D image **[Legrand A1-001]** is an elevated view of the proposed building. The image is intended to give an overall impression of the building's scale relative to people and cars.

There are no trees screening shown along Kaihihi Road. I understand this is because a condition of the hotel signing off on the development was that its mountain views from the hotel were not blocked. However, the impact of this "considerate" decision on the rural landscape and amenity is significant.

While the building itself won't be easily seen from the Kaihihi Road/SH45 intersection, all the materials stored in the Farm store yard will act as a sign for the new commercial activity there just as if it were all one giant billboard.

The lack of trees along the Kaihihi Road side of the development also means that the rural views from along Kaihihi Road will be even more severely compromised. This impact is discussed in more depth by others.

In my opinion, the photo of the existing Pungarehu Farm Store and the 3D photo simulations of the proposed development show that the proposed commercial activity will look, feel, sound, smell, act and operate completely incongruously with the surrounding rural environment.

The effects of the proposed development on the rural character and amenity on the surrounding environs will be much greater than "minor" and cannot be satisfactorily mitigated.

## **Landscape and proposed mitigation:**

The Applicant has chosen to use the NZTA's 6 levels of change to assess the impact of the commercial development on the rural landscape. The 6 identified levels of change are reasonably good as far as they go, but the NZTA's guidelines leave out the most important part of any such guidelines. It does not give any examples of what its words mean. This means that what the guidelines say can be widely interpreted.

I have written landscape guidelines specifically for commercial and industrial developments along major roads during my career, so I understand just how widely such limited guidelines can be interpreted to suit an applicant's needs rather than the needs of the community for which they were intended.

For instance the initial assessment of the proposed building in the AEE is that it will have a "moderate-high effect" on the rural environment. It adds:

*"The proposal will form a significant and new element within the landscape and will affect the overall landscape character"*

The Council's landscape architect concurs with this view:

*"I agree with the LVIA that the proposal will have a moderately adverse landscape effect. As a result of the proposed development there would be a change from the existing open character of the site towards an intense built development."*

Yet somehow, with some adroit use of semi-scientific sounding language both the AEE and the Council's Landscape architect seem comfortable in reducing this assessment first to "moderate" as the "sensitivity of the receiving environment" area is then assessed as "moderate" and then to "minor".

*"Although the site is open, visual significance is lessened by the presence of a mix of activities within the receiving environment, as well as screening from planting and landform ."*

and

*"In relation to this assessment a "low to moderate effect" would generally equate to "minor".*

Most people will have heard of the party game where a simple message is whispered into the ear of a person standing in a circle of people, and the message is passed one at a time in a whisper to each person around the circle. The end result is a final message that is nothing like the original message.

A version of this technique has been used repeatedly in this AEE.

A typical example of how this technique has been used in the Farm Store AEE can be seen in the way the impact of the proposed development on the rural environment has been assessed.

The AEE initially said that the proposed development will create a “significant and new element” or a have a “moderately adverse” affect on the rural environment.

Most readers would have assumed from this, that the assessment had taken into account the proposed development’s impact on all of the surrounding environment.

When the AEE writer then added several elements that he or she considered were not included in the initial assessment, such as the petrol station and hotel, the revised assessment might have raised questions in the reader’s mind, but it probably sounded plausible enough not to bother questioning the matter.

If the reader had fully understood that the initial assessment was only comparing the difference between an open field and a huge building and did not take anything else surrounding the site into account, the reader would probably have thought that the writer’s initial assessment of the change in the rural environment should have been initially assessed as “severe” or “highly different” or “not even remotely similar to what is there now”.

In other words the initial assessment of the impact of the proposed site change on the rural environment should probably have been given a “6” under the NZTA’s classification system, not the 3 or 4.

A second semi-logical assessment technique was then used to reduce the assessment of the impact on the rural landscape even further, to a 1 or 2, e.g:

*“In relation to this assessment a “low to moderate effect” would generally equate to “minor”.*

Years of writing AEE’s has allowed some to perfect techniques that creatively manipulate information to suit the interests of their clients rather than the public at large without being obvious about doing it.

In the Proposed Farm Store the information provided to readers is excessive and often repetitive, It relies on simplified charts and maps that subtly favour the client’s interests.

I encourage you to cut through this rhetoric and see the proposal for what it plainly is..

### **The Cumulative Effects of the proposed development.**

The “overseas style” of the Fonterra Farm Store farm store’s AEE is particularly apparent in the application’s assessment of the proposed development’s cumulative effects on the rural environment.

The applicant’s proposed building is considerably larger than the size allowed as of right on the proposed site. The proposed building complies as of right with neither its required front or side

yard. The proposed free standing signs are considerably larger than permitted as of right. The giant wall sign is radically larger than permitted as of right. The subdivision for the development is considerably smaller than permitted as of right.

Seeking permission to break one rule may not pose a serious problem to the integrity of a District Plan by itself, but when many rules are compromised, there is the problem of cumulative effects.

Yet despite these things the Applicant's AEE suggests that despite not complying with a large number of rules this doesn't create a cumulative effect that is more than minor because of the following "assessment" of effects:

*"Assessment of Cumulative Effects*

*"The proposal has been assessed in terms of cumulative visual effects. This assessment is based on two types or elements of cumulative effect. Firstly, to what extent the proposed creates a combined effect; that is, where observers are able to see two or more*

*developments from one viewpoint; and secondly, sequential effect, where the observer has to move to another viewpoint to see the same or different developments (e.g., travelling along the road). Within these types the following criteria has been considered;*

- *The susceptibility of the visual receptor to changes in views and visual amenity;*
- *The value attached to the views they experience;*
- *The size and scale of the cumulative visual effects identified;*
- *The geographical extent of the cumulative visual effects identified;*
- *The duration of the cumulative visual effect.*

This excellent but only partial list of useful assessment criteria suggests it has been used.

However, I can see no evidence in the AEE that any of the above criteria has been consistently applied in relation to the number of people who will have to live with the proposed development on a day to day basis. To be specific, not just a few dozen local residents will be affected daily, but thousands of people in their cars will be as well.

The same re-interpretation of "minor" and "less than minor" discussed earlier is used to justify this conclusion. Moreover somehow, literally half of the 6 levels of change identified are considered to be either "minor" or "less than minor" to make this even easier to do.

Perhaps most surprisingly, in the AEE is the following quote:

*"Decision makers in assessing whether an application should be notified must assess whether the adverse effects of the activity on the environment will be more than minor. In relation to this assessment a "low to moderate effect" would generally equate to "minor".*

This has enabled the following statement in the AEE;

*With regard to combined effects, the proposal will not be seen in combination from road users or from private viewpoints with any similar development. This is a very 'stand alone' development and does not tip the site or area into a fundamental change in character. The nature of the activity is rurally based and although the site will become built on, the cumulative effect will remain essential rural.*

To say this proposed development is “rural in nature” is duplicitous. To say that this is a “stand alone” development is contradictory. The main argument for suggesting why the proposed development should be allowed in the location chosen in the first place is specifically because there are multiple “similar” activities like the hotel and petrol station in the same area already.

While I would assert that the petrol station and hotel are historic anomalies that predate any district planning for the area and cannot be considered to set any urban “precedent” to shape the areas future, I would suggest the applicant cannot use this argument here and then use precisely the opposite argument elsewhere in the AEE. i.e:

*“With regard to sequential effects, the new building forms part of a sequence of commercial activity that occurs intermittently along the approaches to Okato. The commercial activities are sporadic, with rural and rural residential actives in between. This proposal continues this process but the sequential effects are not continuous. Furthermore, the bridge across the Stony River just south of the hotel represents the change from Okato and its environs to the broader rural landscape.*

*The cumulative effects of the proposal are considered as 'low'.*

The ‘sequential’ effects may not be continuous at the moment, but they will be if this proposal goes ahead.

The proposed development is no more “rural in nature” than a supermarket or a restaurant. It is a commercial activity selling things that the public want. While the name “Farm Store” may sound like it is appropriate in the rural environment, there is little logic in such an argument if the facts are carefully analysed. Moreover, nearly all “farm stores” are located in urban areas because most farmers “go to town” to get their supplies. In fact I believe this is why the very rurally located Pungarehu Farm Store is being replaced by this one. The new site is nearer “town”.

The first map (below) highlights all the “receptors” that now exist in the vicinity of the applicants proposed farm store site; that is, all the people who might be impacted by the changes to the rural environment that the proposed development will create. The stickers identifying these “receptors” on this map are all very large and equal sized. It is very difficult to tell from the map that two of the round “stickers” are very different from all the others.

Two of them indentify the 2,323 people who will drive through the area daily. The others identify the few dozen individuals in homes or small businesses who live or work in the area.

The mapping technique chosen seriously downplays the profoundly different sized impact on the two different types of “receptors”. It is easy but inaccurate to draw the conclusion from the map that the impact of the development on the 2,323 drivers is the same as the impact on a single business or household.

This is clearly not a reasonable method of comparing the effects of the development either on those who live in or those who pass through the rural area.

The second map (below) leaves the impression that the proposed development is already almost part of Okato and the sites development is simply a small extension to Okato’s current footprint. But on closer inspection this impression is largely made by the juxtaposition of dissimilar data.

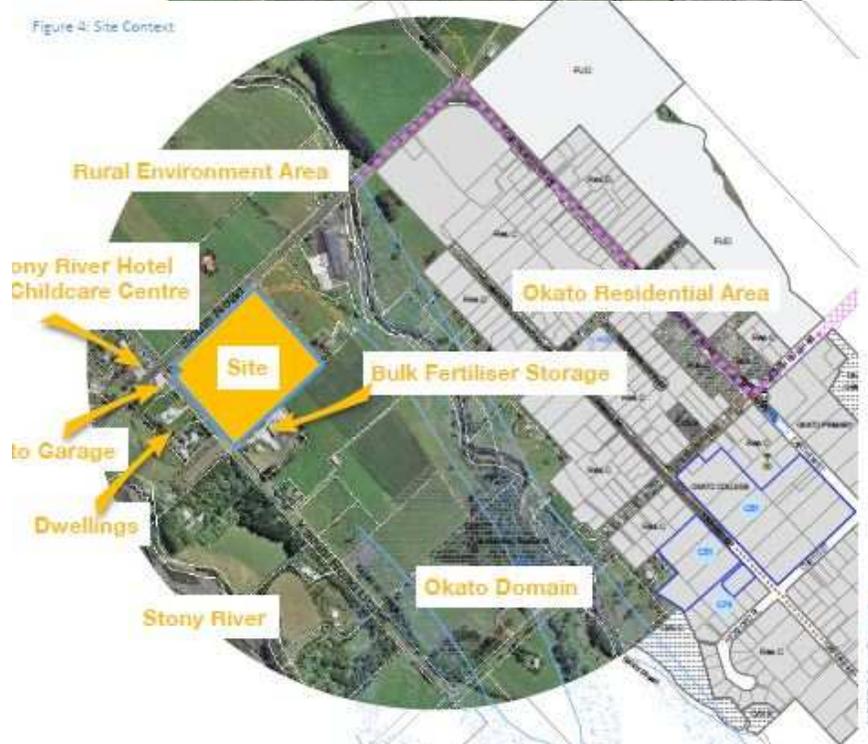
All of the four hectare site affected by the proposed subdivision for the farm store is shown. Because of the delineation of the site it looks like it is almost part of the Okato township itself.

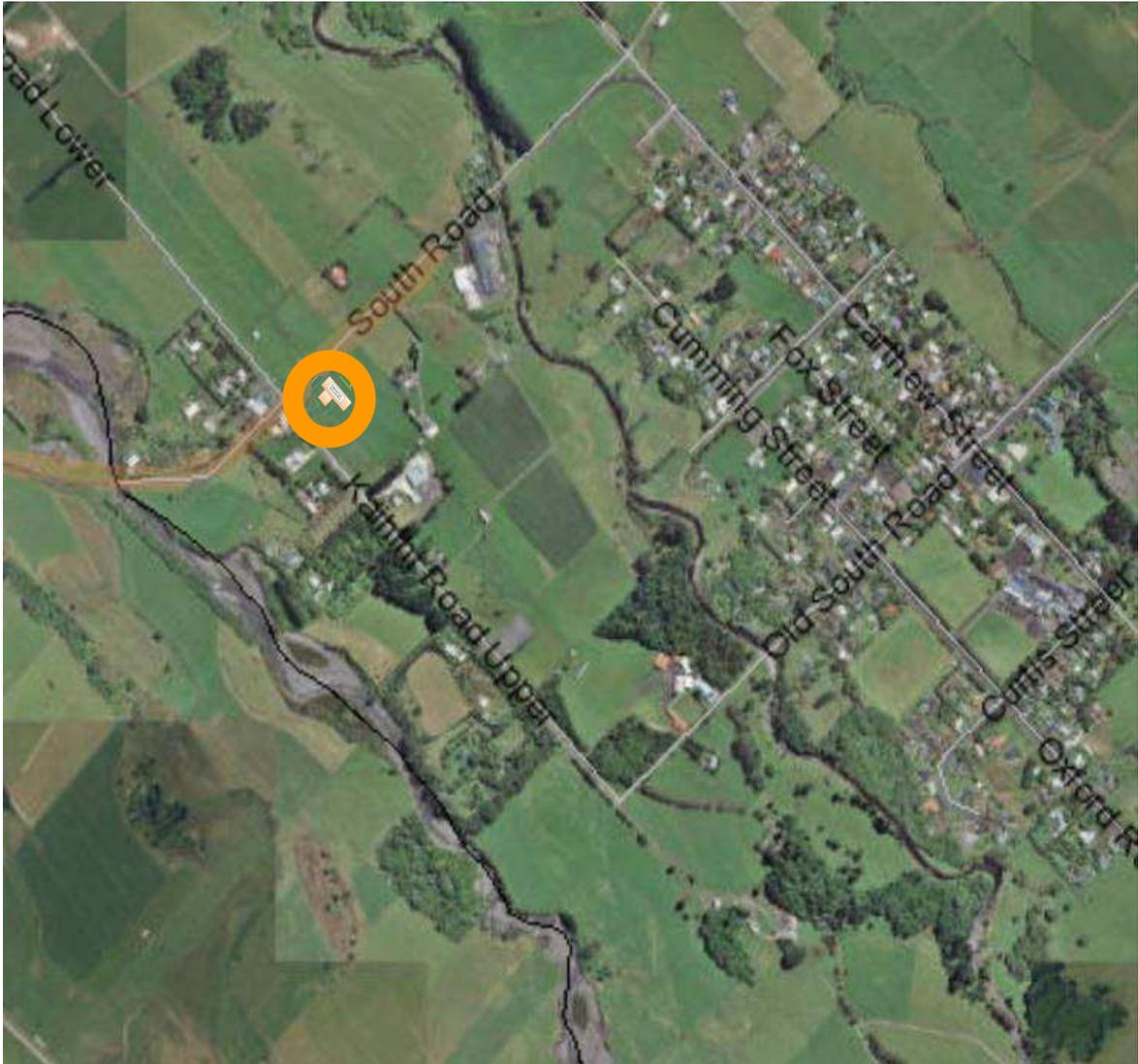


Figure 4: Site Context

In reality the applicant’s site is more than a kilometre from the commercial centre of Okato.

If the applicant was to accurately show the relationship of the proposed farm store development to the town of Okato, an areal photograph with an outline of the proposed farm store building on it would have given a much more accurate indication of the impact it will have on Okato and the public at large. It would have looked like following map:





This part of the AEE seems to ignore the real impact that this development will have on the Okato community. They suggest that scattered commercial activities are appropriate in the peri-urban areas of rural communities, which they are not by any measure of rational planning criteria (or by any efficient use of public infrastructure).

**The problem of water, flooding and Lahars:**

What I believe is a more significant environmental effect is the vulnerability of the development's site to lahars and flooding (from both the Kaihihi River and Stony River catchments). Fonterra's Farm Store AEE only briefly mentions the problem with some carefully chosen words:

*“There are no recorded events in which flooding was an issue in the area and a future building platform will not be susceptible to flooding providing the finished floor level is at least the height of the existing ground and NZS3604 Timber-Framed Buildings requirements are met.*

The AEE words are clearly designed to imply that these matters have been fully considered and there is no likelihood that flooding (or lahars) might be a problem.

Protecting the public from the hazards of lahars and flooding is a complicated and expensive business where mistakes are easy to make. Today the FBT/Ravensdown fertilizer storage and distribution facility would never be allowed where it is now because of the serious downstream pollution it could create should lahars or flood waters carry some of the open piles of fertilizer on site away. Forty years ago when it was established no one thought of such major environmental events. Today they are becoming more and more common.

### **Regarding the proposed subdivision**

The applicant is requesting permission to subdivide the site into two sites, one a half hectare in size and one 3.5 hectares in size.

The Council has spent many years debating the rules for rural subdivision because the original 4 hectare balance provision had led from about 2002 to 2015 to a proliferation of subdivisions. In an attempt to preserve the countryside from so much sporadic semi-urbanisation the balance provision was recently increased to 20 hectares, specifically to guard against such breaking up of the landscape as the Fonterra Farm Store is proposing.

However the applicant has used the small size of the site to justify not being able to meet the minimum distance requirements for the entrance to the site along Kaihihi Road from the SH45 highway intersection. It is a “Greenfield” site and the adjacent land is under the same ownership.

The applicant could meet this and other criteria, but in this proposal has chosen not to.

### **Impacts of proposed development on the public use of Kaihihi Road**

While I understand that under the current interpretation of the Resource Management Act the NZTA’s consent to this application means that any impact on the State Highway network cannot be taken into consideration at this hearing, I believe this should not mean that the public interest in the overall road network should then be entirely dismissed. Among other things, the NZTA’s consent to this application will seriously impact the safe public use of Kaihihi Road which is not covered by the NZTA’s written consent.

### **Two Questions:**

These questions are:

1. At what physical point does the public interest begin when considering the safe public use of a public road that gains access to a state highway?
2. Under the RMA, does the public at large have the right to question the written consent given by a Government Agency (in this case the NZTA) to a proposed development if members of the public can provide clear evidence that the risks posed to themselves and others by the agency's consent have not been adequately identified and assessed by that agency?

Regarding question #1, I would suggest that the two roads (SH45 and Kaihihi Road) are inextricably linked at their intersection. Access to and egress from the petrol station at the intersection of Kaihihi Road and SH45 opposite the proposed Farm Store, for instance, absolutely cannot be achieved without involving both roads at the same time, either on entrance or on exit. Either way requires a motor vehicle to diagonally cross Kaihihi Road at its intersection with the State Highway at some point in their manoeuvring and also, unavoidably, to directly access the State Highway.

I don't believe the effects of the proposed activity can be assessed other than by considering the intersection of both roads together **which the NZTA has admitted it has not done**. I also suspect that, neither has the District Council's professional roading staff.

In addition, I disagree with how the Applicant, the NZTA and the District Council have assessed the impacts of this application on Kaihihi Road. All appear to think they can assess the application solely from their own positions. They do not appear to have given any obvious consideration to the existence of the two petrol pumps at the corner of SH45 and Kaihihi Road.

There is absolutely no protection of these pumps or of the people using them from errant vehicles coming from either road. The line of the Highway Right of Way (ROW) lies exactly along the outside edge of the concrete stand on which the pumps sit and only metres from the Kaihihi road ROW. Kaihihi Road is inextricably involved in their access and risk to the public.



Such a facility would never be allowed to establish today because of the hazard the fuel pumps pose to the general public. Yet despite the Kaihihi Road intersection being the proposed development's primary means of access and egress, **the two pumps** immediately adjacent to the State Highway and directly accessible from Kaihihi Road, **never received any mention what so ever in the entire AEE**, and no documented consideration by the NZTA.



Note that the vehicle in the photo above (behind the camper van being filled with petrol) is travelling in a posted 100 km zone within metres of the van.

When I pointed this out to the NZTA in Palmerston North, its response was:

*"When considering an application of this nature the Agency is restricted to the proposal in front of us. The Agency cannot impose restrictions on the existing use rights of these sites."*

Of course the Agency cannot impose restrictions on the existing use rights of sites that are not part of an application. However, it can keep a bad situation from getting worse by withholding its consent to an application that will do precisely this. It is the NZTA's obligation to provide a safe highway network for the travelling public. Consenting to an activity that will reduce the safe use of the public road network including the safe use of Kaihihi Road is not in the public interest.

A second example of the Applicant's, the NZTA's and the Council's actions affecting the public's use of Kaihihi Road, was in not adequately considering the **significantly reduced sight distance to the south west from Kaihihi Road** that has in the past contributed to several accidents including the death of a motorcyclist. The sight distance from the Kaihihi Road

intersection to the south west along the State Highway is only 160 metres, only slightly more than half the recommended sight distance for a motorist accessing a State Highway from a local road in a 100 km speed zone.

The Applicant incorrectly suggests the limited sight distance from Kaihihi Road is to the **east** along the highway not to the south-west which is confusing enough to any AEE reader, but then doesn't even suggest a way the problem might be minimised. The AEE goes on to say only that there have been no accidents at this intersection in the last 5 years. The implication to me is that the limited sight distance from Kaihihi Road at this intersection is thus not a problem.<sup>1</sup>

When I pointed out to the NZTA that there was no mention in the AEE of any accident (much less fatal accident) at this intersection even though I knew there had been, the written response from the NZTA was simply to say that there were two minor accidents at the SH45/Kaihihi Road intersection in 1986 and 1987 and the 1991 fatal accident:

*“was between a motorcyclist and a truck with a number of possible factors involved”*

The response did not mention the fact that the truck in the fatal accident was towing a trailer unit from the FBT fertilizer storage facility on Kaihihi Road. As motorcycles are known to speed and take risks the implication was that the accident was the fault of the motorcyclist, not the fault of any visibility problem at the Kaihihi Road intersection.

The fatal accident, however, was proven in court **not** to be the fault of the motorcyclist but that of the driver of the slow moving truck and trailer unit. The driver was convicted of reckless driving causing death. I would suggest that the limited sight distance at this intersection has contributed to all three recorded accidents and a large number of unreported near misses and “fender benders”.

In my opinion, the primary reason that there have not been more recent accidents officially reported at this intersection is because apart from a few community events a year there are only a handful of motorists using this **short no-exit street** intersection, and they are all now very conscious of the State Highway visibility problems there.

Whenever I have used the Kaihihi Road-SH45 intersection, I have approached it with extreme care because of the limited visibility problem.

The Fonterra Farm Store proposal will **substantially** increase the number of motorist at the Kaihihi Road intersection **who are not familiar** with its visibility hazards.

The New Plymouth District Council's acceptance of the Applicant's suggestion of how right turning north (-east) bound heavy vehicle movement across the highway directly into the proposed Fonterra Farm Store site could be prohibited, is a third concern. The suggested

---

<sup>1</sup> NOTE: The Applicant further confuses the direction of the two roads in question by suggesting in parts of the AEE that the alignment of State Highway 45 in this area is north-south, and in other parts of the report the highway's alignment is east-west. In fact, its alignment is actually northeast-southwest. While the exact direction of the highway's alignment is of only minor concern, some consistency in the AEE on such basic matters would have helped readers better understand the many problems facing the current application

solution will unavoidably have an impact on whether or not farmers, particularly those pulling large farm trailers, will be required to access the farm store via Kaihihi Road.

The Applicant's AEE suggests:

*“in the instance that a delivery truck is coming from the south [west] and wanting to access the proposed site via the [proposed] vehicle access point [directly into the Farm Store site], the driver will be required to continue onto Okato Township and utilise the roundabout within the Okato Township and proceed back along South Road (SH45) before making a left-hand turn into the site.”*

This would mean that all heavy vehicles coming to the site from the south west would have to travel an extra 3 kilometres to reach the site including travelling twice through the 50 Km posted heart of Okato.

The AEE then adds:

*“Detailed design for the entranceway [off the state highway for heavy vehicles heading south] has yet to be undertaken. The detailed design will need to consider how to prevent people from the southern approach turning into the entry point off South Road [SH45]. This will likely be achievable through signage and pavement markings.”*

It is highly unlikely that signs and road markings would ever stop vehicles from using a large entrance to a commercial shop on the opposite side of a public highway without the installation of some barriers, raised medians or other major traffic channelling devices to prevent it. This is particularly true once north bound heavy vehicle drivers know they have to travel another 3 kilometres through the centre of Okato if they don't make the “prohibited” cross highway turn.

The NZTA's late negotiated solution with the applicant (apparently because of my expressed concerns) was to put a locked gate on this site access point and allow only certain vehicles to use it. However, because of where the proposed gate is located, any large heavy vehicle coming from the south would still be able to cross the highway into site and have room to park off the road, even if the gate was locked.

More significantly, if the gate was opened to let a southbound truck into the site, there is nothing that would stop a north bound heavy vehicle from crossing southbound traffic and turning directly into the site entrance as well. I believe the current proposal that assumes that north bound right turning traffic into the development site can be stopped with signs and road paint alone is a seriously flawed one.

This raises a fourth concern over the impact on Kaihihi Road of the NZTA's acceptance of a direct vehicle access to the site for southbound heavy vehicles on the State Highway 45. As the Farm Store site is currently planned, any large southbound heavy vehicle turning left into the site using the SH 45 entrance will quickly discover this manoeuvre is very difficult to make in a single continuous movement because of the limited on site space available.

Under standard minimum vehicle turning radius for heavy vehicles (including the New



I do not believe Fonterra's proposed Farm Store development is able to achieve the purpose of the RMA to promote sustainable management of natural and physical resources. The development cannot meet the tests set out in s104 of the RMA to warrant approval.

Should this application be approved despite these concerns, I believe it would seriously undermine the district planning process and the future ability of the district plan to achieve the rural environment goals and objectives that the people of New Plymouth District have set for themselves.

Thank you for the opportunity to present my views to this hearing.  
In Peace

*Ted Wells*

Ted Wells

1A Newton Street  
New Plymouth 4312 NZ;  
ph: (64 6) 758 9589,;  
[Wellsnz@xtra.co.nz](mailto:Wellsnz@xtra.co.nz)