

Before the Independent Hearings Panel
at Timaru

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions in relation to
Timaru Proposed District Plan – Hearing E

and: **Fonterra Limited**
Submitter 165

Statement of evidence of Suzanne Patricia O'Rourke

Dated: 23 January 2025

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STATEMENT OF EVIDENCE OF SUZANNE PATRICIA O'ROURKE

INTRODUCTION

- 1 My full name is Suzanne Patricia O'Rourke.
- 2 I joined Fonterra Limited (*Fonterra*) as the National Environmental Policy Manager in November 2021.
- 3 My qualifications and experience are set out in my Statement of Evidence dated 22 April 2024 that I provided in Hearing A in relation to the strategic directions of the Timaru Proposed District Plan (the *Proposed Plan*).¹
- 4 Like my earlier brief, I am not providing this evidence as an expert - but I do have qualifications and 24 years' experience of working in resource management and planning. I have drawn on some of that experience in preparing this evidence.
- 5 I am authorised to provide this evidence on behalf of Fonterra.

SCOPE OF EVIDENCE

- 6 In preparing my evidence I have reviewed:
 - 6.1 the application, reports, evidence and supporting material prepared by all of Fonterra's witnesses; and
 - 6.2 the relevant submissions provided to the Timaru District Council (the *Council*).
- 7 I provided the following evidence in Hearing A:
 - 7.1 an overview of Fonterra, its South Island and Timaru operations;
 - 7.2 the broader strategic and legal considerations; and
 - 7.3 the key changes sought to the proposed Plan to recognise the significance of Fonterra's activities in the Timaru District.
- 8 I also provided evidence at Hearing B relating to future development of the Fonterra manufacturing site based at Clandeboye (*Clandeboye Site*).
- 9 Although it is relevant to Hearing E and should be considered in conjunction with this evidence, I will not repeat the evidence I provided at those hearing streams.

¹ Statement of Evidence of Suzanne Patricia O'Rourke for Hearing A - Overarching Matters, Part 1 - Introduction, General Provisions, General Definitions and High-Level Strategic Directions dated 22 April 2024.

- 10 Pursuant to the PDP, the Clandeboye Site is subject to several overlays the following which are relevant to this Hearing E:
- 10.1 Wāhi Tūpuna overlay (in part) (SASM-5); and
- 10.2 Heritage Item overlay (in part) (HH-I69) and associated Heritage Item Extent overlay) (in part).
- 11 In my evidence for this Hearing E, I will address Fonterra's submissions relating to the Sites and Areas of Significance to Māori (SASM) and Historic Heritage provisions.
- 12 In addressing these matters, I also by way of background provide some brief discussion of Haea te Ata, Fonterra's Māori strategy.

HAEA TE ATA - FONTERRA'S MĀORI STRATEGY

- 13 Fonterra recognises the need to strengthen its relationships with tangata whenua and acknowledges the unique contribution of Te Ao Māori (Māori culture and worldview) to Aotearoa New Zealand.
- 14 To enable this, Fonterra has developed its own strategy, Haea te Ata, which strives to improve our bi-cultural foundations as a New Zealand Co-operative. This is done by focusing on three Pou (pillars); Tangata (people), Taiao (environment) and Tuakiri (identity). Underpinning this approach are the Māori principles of Manaakitanga – to care for people, Kaitiakitanga – to care for our land and environment, and Whanaungatanga – to care for the connectivity between people. Fonterra recognises this kōrero and our shared history in Aotearoa within Te Pou Mātāpuna, a Pou recently installed at our head office in Tāmaki Makaurau (Auckland). The Pou is our commitment to ensuring we continually strive for Kotahitanga (unity) in everything we do.
- 15 At a local level Fonterra Clandeboye site recognise the importance of having a relationship with Kāti Huirapa and Te Rūnaka o Arowhenua on an ongoing basis and are continuing to focus on how to do this. Recently site met with Te Rūnaka o Arowhenua at the marae where an offer to visit the Clandeboye site was made. Further, Fonterra supports the Arowhenua Native Nursery located in Temuka, which provides eco-sourced native plants and undertakes ecological restoration activities. Fonterra Clandeboye have used their services for projects on site, and the local Farm Source team are exploring opportunities to connect the Nursery with local shareholders. Fonterra also supports the Ngai Tahu Rock Art Trust and its ecological restoration of Taniwha Gully, a site of significant cultural importance. Fonterra has provided staff to attend planting days with a total of seven visits taking place over the last two years and some 1,400 plants having been planted.
- 16 Following the submission being lodged Fonterra approached the Aoraki Environmental Consultancy Ltd to understand if further discussions with Te Rūnaka o Arowhenua would assist in progressing the matter. Communication took place over some time regarding this option. However,

it was considered more appropriate that matters be progressed through the District Plan statutory process and so such discussions did not progress past this initial engagement.

- 17 Fonterra remains committed to working with Te Rūnaka o Arowhenua and sees the relationship as wider than participation in this hearing and other RMA processes.

TRAFFIC

- 18 Fonterra has sought amendments to a number of the transport rules, including limits or proposed exceptions on the requirements for matters such as landscaping and cycle parking (both in the context of a rurally located site where issues such as landscaping and cycle parking have more limited relevance to the site). The majority of these changes are proposed to be accepted by the Officer.
- 19 Fonterra also submitted on TRAN-S7 relating to the need to make specific provision for loading zones. Loading and logistics management form a core part of Fonterra's operations, receiving milk and supplies/equipment to site and then delivering milk powder, cheese and other dairy products to supply lines.
- 20 The nature and function of the Clandeboye site means that the loading spaces are closely integrated with the site's circulation and are not marked. Fonterra does not consider a rule requirement to provide for specific loading sites makes sense or is necessarily workable in for the Clandeboye site, given loading and logistics management are inherently a part of the entire site operation.

SITES AND AREAS OF SIGNIFICANCE TO MĀORI

- 21 In regard to the SASM provisions, Fonterra sought a specific exemption for earthworks at the Clandeboye Site. Under the proposed provisions, a range of works (including upgrade, maintenance or development works necessary for the continued operation of the Clandeboye Site) may require resource consent due to a SASM rule being triggered.
- 22 Fonterra fully appreciates that the Council is required to recognise and provide for sites of significance to Māori from inappropriate subdivision, use and development. Its submissions on the SASM provisions are not in any way meant to reduce the importance of the sites and areas, but simply recognise that an exemption may be appropriate in the context of the heavily modified nature of the Clandeboye Site.
- 23 The exemption sought seeks a way forward that minimises duplication with other relevant provisions, addresses cultural concerns and provides a pragmatic outcome for all plan users. Fonterra also acknowledges there may be other solutions that allow for the recognition of SASM while providing flexibility to undertake works at the Clandeboye Site. Fonterra is open to engaging further to consider and advance potential options that may satisfy the aspirations of both parties.

- 24 The exemption would further help alleviate the heavy consenting burden on Fonterra to enable the continued operation and development of the Clandeboye Site. It would not exempt Fonterra from the requirement to obtain resource consent for the use of natural resource.
- 25 I addressed the consenting burden faced by Fonterra in my evidence for Hearing B.² **Mr Burdett** also set out a full schedule of the resource consents held by the Site in his evidence for Hearing B.³ I will not repeat the evidence provided at that Hearing but highlight:
- 25.1 the Site is currently subject to a total of 53 resource consents, including 18 resource consents issued by the Council.
- 25.2 since resource consent No 102-2016.206, which authorised the development of a significant upgrade to a mozzarella plant was granted in 2017, a further 10 resource consents relating to the Clandeboye Site granted by the Council meaning that, on average Fonterra has needed to apply at least one resource consent per year;
- 25.3 each resource consent requires the commitment of time and cost to Fonterra. For example, there is considerable time and cost involved in preparing an application, liaising internally and gaining business approval, working with Council as the application is processed and reviewing of the decision to ensure Fonterra understands the consent conditions. This has meant that Fonterra is in an almost constant round of resource consenting; and
- 25.4 there is also significant work involved after consents has been granted to ensure compliance with any conditions of consent. The greater the number of resource consents that are granted, the greater the resourcing commitment required by both Fonterra and Council, to manage those consents going forward.
- 26 Overall, the current and proposed policy framework under both the Council and Canterbury Regional Council has created a significant burden at the Site with regards to ongoing resource consenting processes to authorise activity at the site. The amendments are sought to address the administrative burden for all parties involved.
- 27 Fonterra has sought a specific exemption for earthworks at the Clandeboye site due to the heavily modified nature of the site.
- 28 Fonterra reviewed the suite of 18 resource consents held with Timaru District Council to understand how the additional provision would work in practice. Based on this review it was determined that most of the activities undertaken at the site, that required resource consent, involved earthworks of 750m² or more. Examples of types of activities triggering land use consent include the construction of new storage facilities, silos and tanks or the relocation of existing facilities elsewhere on the site. Those types of

² Statement of evidence of Suzanne O'Rourke dated 5 July 2024.

³ Statement of evidence of Ross Burdett dated 5 July 2024.

activities typically require some amount of earthworks to ensure an appropriate foundation is established before works begin. This means there is a high likelihood that future activities at the Clandeboye site would require resource consent to meet the new requirements proposed by the SASM rule.

HISTORIC HERITAGE

- 29 The amendments sought by Fonterra to the Historic Heritage provisions serve a very similar purpose, to alleviate the already stringent consenting burden on Fonterra and to recognise the regional and national significance of the Clandeboye Site.
- 30 The former Clandeboye School Building located on the opposite side of Rolleston Road to the processing plant is a heritage listed item (Schedule B, HHI-169). The School is owned and used by Fonterra as offices and meeting/training rooms.
- 31 A copy of the original heritage assessment provided to Fonterra as a part of the PDP process is attached in **Appendix 1**.
- 32 Fonterra is currently using the building under resource consent no.7494 was granted to Fonterra in October 2011 to use the former school buildings for offices, meeting rooms, training rooms and a gymnasium. As part of the resource consent approval was also granted to undertake minor external alterations which included refurbishment of part of the existing roof and wall cladding, vegetation removal and erecting stair handrails and internal alterations being ceiling repairs and fire alarm installation. The consent was subject to two conditions which were to ensure the activity was undertaken in general accordance with the application and to authorise the removal of "building J" which had been encroaching on to the road reserve. The activity has continued at the site for the last 13 years and has been compliant with the conditions of its resource consent.
- 33 The buildings remain in a similar state to when they were acquired by Fonterra. It is anticipated that the use of such buildings will continue by Fonterra and that Fonterra will continue to operate within the confines of its current resource consent.
- 34 Fonterra has sought changes to the rules that would allow new buildings, structures and signs (other than official signs), along with associated earthworks, within a Category B heritage setting as a controlled activity.
- 35 Although activity status is relevant, the more fundamental concern of Fonterra is ensuring that an appropriate balance is struck between enabling the adaptive use of heritage buildings (and sites) while recognising their heritage value. In practice other potential uses of the School building (given its proximity to the dairy processing site and rural location) are likely to be limited and thus why some flexibility and a consenting pathway is sought within the PDP to conceivably allow Fonterra to repurpose the building for another appropriate use in the future.

36 The issue of heritage is one where, for its Clandeboye operations, Fonterra recognises a consent process is likely appropriate.

Suzanne O'Rourke

23 January 2025

APPENDIX 1

TIMARU DISTRICT COUNCIL
HISTORIC HERITAGE ITEM RECORD FORM

HERITAGE ITEM NAME 'Linwood type' open-air classroom / former
Clandeboyne School Building

ADDRESS 2 Kotuku Place, Clandeboyne

PHOTOGRAPH



(Dr J Wilson, September 2018)

DISTRICT PLAN ITEM NO. New **HNZ LIST NO. & CATEGORY** n / a
(at time of assessment)

LEGAL DESCRIPTION Part RES 4402

VALUATION NUMBER 2471016100

DATE OF CONSTRUCTION 1929

**ARCHITECT / DESIGNER /
BUILDER** George Penlington, Canterbury Education Board
architect

STYLE 'Linwood type' classroom bungalow

PHYSICAL DESCRIPTION

Single-storey building with butterfly footprint and gabled roof forms. Two staggered classroom wings on a north-south axis are linked by an entrance annex. Grouped multi-paned casement windows. Exposed rafters, bracketed gable ends, classrooms accessed via annex and individual glazed doorways.

MATERIALS / STRUCTURE

Timber framing and weatherboard cladding, corrugated iron.

ADDITIONS / ALTERATIONS

Unknown, if any.

SETTING

The building stands near the south-east boundary of the former school property, which is bounded by Rolleston Road to the south-east and Kotuku Place to the south-west. The large Clandeboyne Fonterra dairy factory is directly to the south, on the opposite side of Rolleston Road. The building can be glimpsed from the roadway but is largely obscured by mature trees. The extent of scheduling is limited to the immediate environs of the former school building, rather than the land parcel as a whole.

HISTORY

Before it became the site of the district's only remaining dairy factory, Clandeboye was a typical small rural service centre. Clandeboye School opened in 1900, once the district had been more closely settled by small and medium-sized farms. The original school building, which was relocated along with the teacher's house from Geraldine Flat, was superseded by another on a different site in 1912. This school building burnt down in September 1928. At that time the roll was 60 pupils and classes were held in the repurposed shelter shed and a marquee after the fire. A new school was opened on 30 May 1929 by TE Gunnion, the Mayor of Temuka. (The teacher's house had burnt down five days earlier). The school remained open until the 2004 review of South Canterbury schools saw it merged with Temuka Primary School on the Temuka site at the beginning of 2005. The Clandeboye school building was subsequently taken over by the dairy company Fonterra for use as a training centre.

HISTORICAL AND SOCIAL SIGNIFICANCE

The 'Linwood type' open-air classroom at the former Clandeboye School has historical and social significance for its association with the Clandeboye community, past teachers and pupils of the school and, more generally, the development of the open-air classroom and the influential Open-Air Schools' League (OASL) founded by Professor James Shelley and others in Christchurch in 1924. The Clandeboye school building is one of relatively few survivors of the many small country school buildings once found throughout Timaru district. Apart from the school few other traces, besides the 1915 hall and the dairy factory, remain of this rural village.

CULTURAL AND SPIRITUAL SIGNIFICANCE

The 'Linwood type' open-air classroom at the former Clandeboye School has cultural value as a demonstration of inter-war educational philosophy and practice. The design was intended to create a healthy and constructive learning environment for children at a time when older educational buildings and practices were being challenged as outdated and unhygienic.

ARCHITECTURAL AND AESTHETIC SIGNIFICANCE

The 'Linwood type' open-air classroom at the former Clandeboye School has architectural significance as an open-air classroom designed by Canterbury Education Board architect George Penlington. Penlington (1865-1932) was born and educated in Akaroa before training in the Public Works Department and joining the Canterbury Education Board as a draughtsman in 1900. In 1904 he was appointed architect, remaining in that position until his retirement in 1931. Penlington is best known for his design of the Christchurch Teachers' College (Peterborough Centre, 1924-30) and Hagley High School (1924). In the later 1920s Penlington designed buildings in timber, largely for financial reasons, although the 1931 Hawkes' Bay earthquake was to validate the structural wisdom in doing so. A classroom erected at Temuka in 1926 was Penlington's response to the OASL's open-air classroom, first introduced at Fendalton Primary School in 1924. The 'Temuka type' was then replicated at other Canterbury schools during a period when the two open-air classroom models (Fendalton & Temuka) were pitted against each other in regional discussions about modern school design. The OASL criticised the Temuka type for 'watering down' the Fendalton model, whereas supporters considered the Temuka type to be more flexible and workable in its design. A modification to the 'Temuka type' was made at Linwood in 1929 and this was the model adopted at Clandeboye and Winchester (1930).

TECHNOLOGICAL AND CRAFTSMANSHIP SIGNIFICANCE

The 'Linwood type' open-air classroom at the former Clandeboye School has craftsmanship value for the quality of its timber construction and detailing. The builder is currently unknown.

CONTEXTUAL SIGNIFICANCE

The 'Linwood type' open-air classroom at the former Clandeboye School has contextual significance as a local historic feature within the grounds of the former primary school. It is also significant for its relationship to other Canterbury classroom buildings that adopted the 'Temuka/Linwood type', which was pioneered in South Canterbury.

ARCHAEOLOGICAL AND SCIENTIFIC SIGNIFICANCE

As the school building post-dates 1900, its site may have limited potential archaeological values.

SUMMARY OF HERITAGE SIGNIFICANCE

The 'Linwood type' open-air classroom at the former Clandeboye School has overall significance to Clandeboye and Timaru district as a whole. The building has historical and social significance for its association with past teachers and pupils of the school and the development of the open-air classroom and cultural value as a demonstration of the educational philosophy that led to the development of the open-air classroom type in the later 1920s. The former Clandeboye School building has architectural significance for its design by George Penlington and craftsmanship value for its timber construction and detailing. The former Clandeboye School building has contextual significance as a local historic feature that represents the historic development of the settlement and in relation to other open-air school buildings in Canterbury. As the former school building post-dates 1900 its site may have limited potential archaeological values.

HERITAGE CATEGORY

B

REFERENCES

- *Temuka Leader* 7 May 1912, p. 3; 14 June 1928, p. 1; 9 August 1928, p. 2; 6 September 1928, p. 3; 8 September 1928, p. 3; 8 December 1928, p. 3.
- *Press* 29 January 1929, p. 7; 31 May 1929, p. 4; 15 June 1929, p. 4; 17 April 1930, p. 8; 23 August 1930, p. 14.
- *Evening Post* 27 May 1929, p. 13.
- *South Canterbury Times* 9 August 1899, p. 3.
- *Otago Witness* 25 September 1912, p. 47.
- Archives New Zealand.
- MN Williams 'Building Yesterday's Schools: An Analysis of Educational Architectural Design as Practised by the Building Department of the Canterbury Education Board from 1916-1989' University of Canterbury, Christchurch, 2014.
- <https://www.beehive.govt.nz/release/final-decision-south-canterbury-schools>
- https://www.parliament.nz/resource/en-nz/QWA_01717_2007/2b28f179822d00052eca86c48e25b5bec7e3b3e0
- <http://www.stuff.co.nz/timaru-herald/news/297674/Watlington-school-site-still-not-sold>



Extent of scheduling, limited to immediate setting of the building, 2 Kotuku Place, Clendeboye.



Land parcel as a whole.