Speaking Notes – Angela Goodwin

Hutt City Proposed District Plan – Benmore Crescent Precinct

Planning evidence on behalf of Waste Management NZ Ltd

Introduction

1. My evidence sets out the s32AA analysis I have undertaken on proposed provisions for the proposed Benmore Crescent Precinct (Precinct) and assesses the consistency with the Resource Management Act 1991 and planning framework of rezoning the site at 30 Benmore Crescent from General Rural to General Industrial with the Precinct overlay.

2. This statement focuses on those areas where the reporting planner and I differ. These are primarily differences in provisions that should apply in the Precinct. I have also provided an amended set of Precinct provisions in light of my review of the rebuttal evidence from the reporting planner at Attachment 1.

3. Some of the Precinct provisions include reference to a resource recovery park. These provisions reflect the proposed General Industrial zoning of the site and site-specific matters as supported by expert evidence, and are not related to the merits of the separate consent application.

Non-industrial activities – GIZ-PREC1-R7 (grocery stores and supermarkets) and GIZ-PREC1-R9 (residential activities)

4. I initially suggested more restrictive activity statuses for a range of non-industrial land uses within the Precinct. The intent of a higher activity status for selected activities within the provisions was to discourage those activities that typically have higher traffic movements.

5. Roading upgrades and related traffic effects at the site have been consented based on a total of 2,900 movements for the entire site (measured on a seven-day average). The area of zoned land is relatively small. The restrictions therefore sought to discourage activities that are not typical industrial activities and manage a situation where one non-industrial activity generates significant traffic movements, restricting what industrial activities can occur on the remainder of the site.

6. Council's experts consider these changes are not necessary, given the proposed 2,900 traffic movement cap. I note that with reference to the statement of Mr Georgeson, the 2,900 figure is the total of both light and heavy vehicles. The reporting planner considers that there is no justification to treat these activities differently to other industrial zones if the cap is in place.

7. The difference between this site and other industrial zones is that this site has the potential to provide for larger industrial activities (activities that require a greater area of land) that other established zones do not generally have. In my view, this, in combination with the 2,900 vehicle movement cap, provides some justification for additional restrictions.

8. However, the difference between the standard provisions and the more restrictive activity statuses for a range of non-industrial land uses I had proposed is not great. Whilst compared

to the Precinct provisions the General Industrial Zone rules present some additional risk of industrial activities being displaced, this risk is very low.

9. If the Panel is minded to prioritise the consistency and ease of use of the Plan, I have provided an amended set of provisions in Attachment 1 that removes the additional restrictions, aside from residential use and supermarkets.

10. I agree with the reporting planner that the site is not suitable for residential uses, both due to the nature of activities in the zone and natural hazards that impact the site, and note that he generally agrees with a non-complying status for residential activities. I have not removed the additional restrictions on supermarkets as a supermarket tends to generate a high amount of traffic and comparatively has less connection to industrial uses such as trade retail.

Industrial land and resource recovery – GIZ-PREC1-O1, GIZ-PREC1-P1 and GIZ-PREC1-P2

11. I acknowledge the reporting planner's comments around the proposed objective and policies in rebuttal.[1] The intent of the provisions was in no way to displace other uses in favour of a resource recovery park. The provisions do include policies that recognise the role of the site in providing a suitable location for a resource recovery park. This was not intended to prioritise a resource recovery park over any other industrial activity that may seek to establish in the zone; the site is appropriate for General Industrial zoning in its own right.

12. Policy 9 of the NPS-I enables new infrastructure, which includes resource recovery and waste disposal facilities, in all environments. As demonstrated by evidence, there has been a lack of suitable sites for a resource recovery park over the past two decades. The site has characteristics that make it suitable for a resource recovery park.

13. In regard to GIZ-PREC1-O1 the reporting planner considers the reference to waste management facilities should be removed from this objective. I consider that retaining the reference better gives effect to the NPS-I. However, if it were to be removed, I consider the Precinct provisions would remain robust. This is somewhat subject to waste management facilities being removed from the definition of heavy industrial activities and consequential policies. I discuss that further below.

14. GIZ-PREC1-P2 seeks to recognise the suitability of the site for a resource recovery park at a policy level and I understand the reporting planner agrees to the inclusion of GIZ-PREC1-P2 subject to a discretionary activity status.

> *GIZ-PREC1-P2 – Recognise the importance of the Benmore Crescent Precinct in providing industrial land to the city, particularly for activities that need larger areas of land, and for resource recovery and waste management facilities, and the benefits of those activities to the district and region.*

Heavy industrial activities – GIZ-P3 and GIZ-PREC1-P3

> *GIZ-P3 – Avoid heavy industrial activities unless they:*

[1] Statement of Rebuttal Evidence of Brett Osborne dated 4 November 2026 at [5.13]-[5.16].

> 1. *have an operational or functional need to operate at the specific site proposed; or*
> 2. *are managed to have no significant adverse effects different in scale or character to those from activities primarily provided for in the zone.*

15. In the suggested provisions for the Precinct I proposed to exempt waste management facilities from this policy. The background to this is:

- Currently waste management facilities are part of the definition of heavy industrial activity.
- WM seeks that the definition of heavy industrial activity be amended to remove reference to them and this was considered during Hearing Stream 2 where Mr Howie presented corporate evidence about the nature of waste management facilities and differences to typical heavy industrial activities.
- As noted in my evidence, if WM's evidence in regard to waste management facilities is accepted, GIZ-PREC1-P3, the policy I propose essentially exempting waste management facilities from GIZ-P3, is not required.
- If it is rejected, my view is that there needs to be a mechanism in the Plan to exempt waste management facilities from GIZ-P3. On reflection and consideration of the rebuttal evidence, this may be better achieved by a statement under GIZ-PREC1-P2 that states GIZ-P3 does not apply to waste management facilities in the Precinct. This would avoid duplication in regard to other heavy industrial activities.

16. I consider waste management facilities should not be subject to GIZ-P3, as I address further below. I note the reporting planner considers such an “avoid unless” policy appropriate for a discretionary activity. Such a policy would in my view be appropriate for non-complying activities, but I agree it may help guide assessment of discretionary activities in some instances. However, WM seeks waste management facilities in the Precinct have a restricted discretionary activity status, and I consider this is appropriate. This is another point of difference with the reporting planner who considers a discretionary activity status appropriate. I address this further later.

17. GIZ-P3 has the effect, at a policy level, of directing that waste management facilities be avoided unless they have a functional or operational need or do not have significant effects different to those of activities in the zone. Applying this policy would in my view be inconsistent with the clear directives of the NPS-I and to a much lesser extent with GIZ-PREC1-P2.

18. The expert evidence presented at this hearing demonstrates that the policy is not necessary to manage any compatibility effects. A resource recovery park is unlikely to have effects that are significantly different to activities permitted in the General Industrial Zone. In most cases, at least operational need would also be demonstrated, but operational and functional need have been subject to a variety of litigation across New Zealand. In this sense, applying the policy to resource recovery parks in the Precinct is inefficient and not the most appropriate way to achieve the purpose of the RMA.

Buildings and structures – GIZ-PREC1-R1

19. The reporting planner has raised concerns over the interaction of GIZ-PREC1-R1 and GIZ-R3. GIZ-PREC1-R1 does duplicate GIZ-R3. My view in drafting GIZ-PREC1-R1 was that GIZ-R3 would not apply in the Precinct. I have proposed an amendment in Attachment 1 to make this clear.

Activity status for waste management facilities – GIZ-PREC1-R4 and GIZ-PREC1-R2

20. I consider a restricted discretionary activity status to be appropriate as the effects of a resource recovery park are well defined. They are not an activity where the effects are highly variable or where there is uncertainty about the nature of the activity or resulting effects. The activity status must also be read in conjunction with the proposed standards, particularly the traffic generation standard. It is not the case that resource recovery parks would only be subject to GIZ-PREC1-R4. The standards essentially broaden matters that need to be incorporated into the design of a resource recovery park, mitigation measures and assessment should those matters not be incorporated.

21. The reporting planner is correct that GIZ-PREC1-R2 is only needed as waste management facilities are carved out of the definition of heavy industrial activity. As discussed during previous hearings, it is my view that waste management facilities should be separately regulated. I consider a restricted discretionary activity status is appropriate as discussed. However, in the event the Panel considers a discretionary activity status more effective, I remain of the view waste management facilities should be separately regulated from heavy industrial activities.

Traffic generation and transport infrastructure – GIZ-PREC1-R13

22. GIZ-PREC1-R13 as I suggest includes a non-complying activity status for activities that do not comply with the rule. This is essentially those that result in traffic movements from the precinct exceeding 2,900 and those that seek to proceed prior to infrastructure being in place. I note that the Council reporting planner's rebuttal evidence considers a restricted discretionary activity status appropriate. A restricted discretionary status may be appropriate for activities that do not meet the 2,900 restriction. However, I consider non-complying status should apply to activities that proceed prior to infrastructure being constructed. This maintains consistency with wider Proposed Plan provisions and national instruments regarding the integration of development with the provision of infrastructure. In the attached document I suggest this amendment.

Landscaping – GIZ-PREC1-S1 and Building colour, signage and lighting – GIZ-PREC1-S2

23. In GIZ-PREC1-S1 I referred to planting “adjacent to the activity proposed”. The reason for this is currently the site is not subdivided. The intent was that if an activity sought to establish on part of the site, the landscape standard would only need to be met for the area of the site the activity sought to occupy, rather than the whole site. In the attached, I suggest some wording to clarify this.

24. GIZ-PREC1-S1 relates to requirements for landscaping. As drafted it excludes ancillary buildings. The standard could be amended to simply refer to 'buildings'. There may be some inefficiency if very small structures are proposed. However, given the structure of the rules and that ancillary buildings are likely to be constructed at the same time as the principal buildings, this risk is not significant in my view. The reporting planner has questioned whether the restrictions on signs in GIZ-PREC1-S2 would apply to those smaller than 2m². The intent is that the 2m² applies only to building-mounted signs. I have suggested an amendment in the provisions to clarify this. I do not consider that matters of discretion are required for GIZ-PREC1-S1 because if the standard is not met, the activity status is discretionary.

25. Consistent with the above I agree that GIZ-PREC1-S2 may be amended to simply apply to 'buildings' rather than 'principal buildings'.

Building setbacks – GIZ-PREC1-S3

26. After consideration of the rebuttal evidence, I suggest increasing the setback for impervious areas and buildings from the centreline of Dry Creek to 15m. This leaves room beyond the 10m planted corridor on each side of the creek for maintenance and access. I note that a building in this area is unlikely due to the Fault Location Area.

Building size – GIZ-PREC1-S4

27. After reflection I agree with the reporting planner that the reference to resource recovery parks in GIZ-PREC1-S4 can be removed.

Water supply – GIZ-PREC1-S5

28. I suggest a minor amendment to GIZ-PREC1-S5 to state the sufficiency of fire-fighting water supplies in the Precinct. In response to the rebuttal evidence, I have also linked GIZ-PREC1-S5 to GIZ-PREC1-R1 so that non-compliance is a discretionary activity.