

**BEFORE THE HEARINGS PANEL
HUTT CITY COUNCIL**

UNDER the Resource Management Act 1991

IN THE MATTER of the Proposed Lower Hutt District Plan
Hearing Stream 7: Other Topics

**STATEMENT OF EVIDENCE OF KAAREN ROSSER (PLANNING) ON BEHALF
OF ENVIRO NZ SERVICES LTD – SUBMITTER (323)**

29 SEPTEMBER 2026

1. Introduction

- 1.1 My full name is Kaaren Adriana Rosser.
- 1.2 I am an Environmental Planner with Enviro NZ Services Limited (Enviro NZ). My qualifications and experience are detailed at **Attachment 1**.
- 1.3 My evidence is given on behalf of Enviro NZ in relation to those matters to be heard within Hearing 7 of the Proposed Lower Hutt District Plan (PDP). Within my evidence I have addressed the matters relating to the provision of waste collection, treatment and disposal relevant to the other topics.
- 1.4 I have reviewed the Section 42A Hearing Report ("S42A") completed for the Council by Catherine Nichol for the Earthworks subject, along with the S42A Hearing Report prepared by Sean Bellamy for the Signs subject, and the S42A report prepared by Hamish Wesney for the subdivision topic. I have reviewed the S32 Reports for these topics within Hearing 7.
- 1.5 I am generally familiar with the Lower Hutt area.

Code of Conduct

- 1.6 While this matter is being heard at Council level, I have read the Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note (2023) and I agree to comply with it (as if I was presenting to the Environment Court). I can confirm that the issues addressed in this statement are within my area of expertise and that in preparing my evidence, I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. Scope of Evidence

- 2.1 This statement of evidence will, in the context of Enviro NZ's submission, address the following matters:
 - (a) The background and reasons for the submission points heard at this hearing;
 - (b) Comment on the Hearing Reports in terms of the submission points relating to waste management and its supporting facilities, for the earthworks topic, the signs topic and the subdivision topic.

3. Background and Reasons for Submission

- 3.1 As stated in my evidence for previous Proposed Plan hearings, Enviro NZ Services Limited is the second-largest solid and liquid waste management company in New Zealand.
- 3.2 Enviro NZ owns and/or operates significant portions of the Country's waste management infrastructure including landfills, waste treatment facilities, recycling facilities and waste transfer facilities. Within Hutt City, Enviro NZ operates waste, waste diversion, and recycling collection services within Hutt City. It operates these services from a site in Gracefield Road.

- 3.3 For the topics under this hearing, the submission points relating to the Subdivision chapter should be viewed with the current legislative context of waste infrastructure in mind.
- 3.4 The National Policy Statement for Infrastructure 2025 (“NPS-I”) now recognises waste infrastructure and delivers a number of policies that provide for the benefits of infrastructure while recognising risks. A Council must prepare its district plan in accordance with the NPS-I (s74(1)(ea)). Aligning the District Plan as far as possible in accordance with this document (given the timing of this NPS) will recognise the critical importance of waste infrastructure in the Plan.
- 3.5 The operational networks providing kerbside waste collection should therefore be recognised to allow for the safe, efficient and effective operation of this infrastructure (Policy 2 of NPS-I). This relates to the design of roads and accessways to allow for the safe collection of waste bins.
- 3.6 The following sections deal with each subject discussed in the S42A reports where relevant to the Enviro NZ submission.

4.0 Earthworks

- 4.1 Cleanfill Material Definition - Enviro NZ supported the proposed definition of ‘Cleanfill material’ which was adopted from the National Planning Standards definition list. I support the retention of the notified definition for the reasons given by Catherine Nichol in the S42A report.
- 4.2 EW-S1: Area of Earthworks – Enviro NZ (323.40) sought an increase in the area of earthworks threshold from 500m² per site in any 12-month period in the Commercial and Industrial zones to 1000m². The reporting planner recommends that the submission point is rejected as with other submission points requesting an increase in the threshold, given the lack of evidence to demonstrate that increasing the threshold to between 1000m² and 3000m² would achieve the same level of environmental management as the notified threshold.
- 4.3 Having analysed the location of industrial and commercial zoned sites, the overwhelming majority of industrial and commercial zoned sites are located on the flat valley floor (over 95%). A flat valley floor can support a 1000m² threshold as the risk of discharges is low, provided standard erosion and sediment controls are applied. Other environmental sensitivities, where the flat sites are subject to natural hazards such as flooding, are covered by Rule EW-R6. Earthworks on steep sites require a resource consent under Rule EW-R8. Contaminated sites are controlled by the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (“NESC”). Therefore, I consider that a higher default earthworks threshold can be accommodated without adverse impacts.
- 4.4 The benefit of an increased threshold would reduce unnecessary administrative delays for development on industrial or commercial sites. It would allow the typical larger footprint development or redevelopment on these sites to occur without unnecessary burden. I consider erosion and sediment controls are reasonably standard across the country and must be implemented regardless of a threshold. Greater enforcement will allow good development to proceed without requiring a consent.

5.0 Signs

- 5.1 SIGN-S1: Area of a sign - Enviro NZ (323.41) supported this standard for industrial zones on the basis that the size supports business operations and can provide sufficient information on the signs.
- 5.2 As there were no submissions to alter the size of permitted signs in the Industrial Zone, I support the recommendation to accept the submission point of Enviro NZ.

6.0 Subdivision Chapter

- 6.1 SUB-O3 Servicing of Allotments – Enviro NZ requested a change to the objective SUB-O3 (Submission point 323.38) seeking the inclusion of “additional infrastructure” as detailed below:

Development enabled through subdivision is adequately serviced and supported by infrastructure (including additional infrastructure) and the transport network.

- 6.2 The s42A report recommended that the submission point be rejected because the objective is focussed on the servicing of allotments rather than the broader concept of a well-functioning urban environment. He states that “*community infrastructure and other components of a well-functioning urban environment are relevant to subdivision outcomes, these matters are already addressed through the wider PDP framework, including SUB-O1. The addition of "additional infrastructure" would not materially alter the outcome sought by SUB-O3 and is therefore unnecessary.*”
- 6.3 I respectfully disagree with the reporting officer’s interpretation. I consider that omitting 'additional infrastructure' fails to give appropriate effect to the NPS-UD. Clause 3.5(1) of the NPS-UD requires that “*local authorities must be satisfied that the additional infrastructure to service the development capacity is likely to be available*”. Subdivision is the usual mechanism for delivering development capacity and without the proposed amendment, vertical integration with the NPS-UD cannot be achieved.
- 6.4 Relying on the high-level objective such as SUB-O1 also creates a disconnect during assessment of intensive or large-scale subdivisions for processing planners. Objective SUB-O3 acts as a critical gateway provision for down-stream policies and matters of discretion. If this objective is narrowed to core engineering infrastructure, a council processing officer lacks the explicit objective-level directive to evaluate whether a high-density, multi-lot development will place undue strain on infrastructure defined as additional infrastructure.
- 6.5 I also note that the objective requires subdivision must be “adequately serviced **and supported by** infrastructure.” From a logical point of view, if the objective was only intended to govern pipes and wires, the phrase “and supported by” would be entirely redundant.

Therefore, the inclusion of additional infrastructure clarifies how subdivision is supported and gives a better meaning to what is actually required in an urban context.

- 6.6 I therefore support the inclusion of ‘*additional infrastructure*’ within SUB-O3.
- 6.7 SUB-P7 (Servicing and Access) – Enviro NZ requested an amendment to the policy P7 (Submission point 323.39) to include an additional clause to P7(4). The amendment was to recognise that new roads and vehicle access created through subdivision often fail to design for kerbside rubbish collection. Constrained street widths combined with parked cars create significant operational hazards for waste collection vehicles. Inadequate turning heads for cul-de-sacs, and cluttered bin locations also cause operational and safety hazards involving pedestrians and cyclists. This can result in kerbside collection being cancelled for certain roads or properties if sufficient safety concerns exist. Accordingly, Enviro NZ sought to recognise this issue with the following amendment:
- ...4. *Require new roads and new vehicle access to sites to meet minimum design standards to:*
- a. *Allow for safe and efficient traffic movements,*
 - b. *Provide for pedestrian amenity, and*
 - c. *Safely accommodate the intended number of users.*
 - d. *Accommodate solid waste management collection.*
- 6.8 The proposed amendment is not supported by the reporting planner, suggesting that specific servicing requirements for waste collection are more appropriately addressed through subdivision design and the access and road standards in the Subdivision chapter, including SUB-S2 (Legal and physical access) and SUB-S3 (Roads), together with the relevant Transport chapter provisions.
- 6.9 Standards S2 and S3 refer back to the: Transport chapter for S2 (Legal and physical access); and to the Infrastructure chapter for S3 for the design of all new roads. Presently the transport chapter only considers waste collection in relation to more than 10 units, however collection problems often occur for developments less than 10 units. Similarly, in the Infrastructure chapter, the road design standard S15 does not mention or consider kerbside waste collection.
- 6.10 I consider that there is currently a deficiency in the Proposed Plan as waste collection should not be classed as ‘just another road user’. They operate at the interface of the carriageway, the pedestrian corridor, and private property on a daily basis. Safety of waste collection impacts the safety of the vulnerable pedestrian and cyclist road users, and should be considered at the design phase. In my view, ensuring that there is a clear policy mandate that refers to waste collection, will allow for its consideration in the design of subdivisions.
- 6.11 If the Panel sees fit to reject the submission point, as per my evidence for the Infrastructure chapter, a future amendment to the District Plan to INF-S15 Road Design would address the relief of the submission point, where an additional clause could state “ *All roads where Council kerbside collection occurs must be designed to provide space for the safe collection of kerbside waste bins*”.

7.0 Conclusion

- 7.1 I support those points which have been accepted within the s42A report.
- 7.2 I consider that a 1000m² threshold for earthworks requiring a resource consent in the Industrial and Commercial zones can be accommodated given the overwhelming majority of industrial and commercial zoned sites are located on the flat valley floor (over 95%). With standard erosion and sediment controls, the risk of adverse environmental impacts is low, and any higher risk sites are covered by rules relating to hazard overlays, etc. The benefit of an increased threshold would allow the typical larger footprint development or redevelopment on industrial and commercial sites to occur without unnecessary burden. Erosion and sediment controls still need to be implemented and better enforcement will provide a greater outcome.
- 7.3 With regards to the subdivision topic for SUB-O3, I consider that omitting 'additional infrastructure' fails to give proper effect to Clause 3.5(1) of the NPS-UD, which requires local authorities to ensure additional infrastructure is available to support development capacity. Leaving additional infrastructure to be considered under strategic objectives like SUB-O1 creates a disconnect for processing planners assessing intensive subdivisions, as they lack a direct, gateway objective to evaluate how the proposal affects those facilities/services defined under additional infrastructure. Furthermore, because the objective mandates that developments be both "serviced" and "supported by" infrastructure, excluding additional infrastructure makes the phrase "supported by" entirely redundant.
- 7.4 Enviro NZ sought to amend Policy P7(4) by adding clause (d) "*Accommodate solid waste management collection*" to ensure new roads and vehicle accessways meet design standards for waste vehicles and to prevent safety issues in bin collection for road users. I consider there is a deficiency in the plan without this additional clause, noting that current transport rules only consider waste for developments over 10 units, despite issues frequently occurring at smaller scales, while the infrastructure road standards completely omit kerbside collection. Waste vehicles are not "just another road user" because they operate at the active interface of private property, pedestrian corridors, and the live carriageway daily. Including this explicit clause ensures the operational requirements of waste collection are integrated during the initial design phase. Alternatively, if the Panel rejects the policy amendment, I suggest a future direct amendment to the road design standards (INF-S15) to mandate safe collection space.
- 7.5 Thank you for your consideration.

Kaaren Rosser

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Appendix 1

Qualifications and Experience

I hold a Bachelor of Science (Earth Sciences) from the University of Waikato and a Post-Graduate Diploma in Natural Resources from the University of Canterbury, along with a Certificate of Proficiency in Planning from the University of Auckland. I am an Associate Member of the New Zealand Planning Institute.

I have over 25 years' experience, which includes both working in local government and the private sector. I have undertaken policy analysis and the preparation of submissions for a wide range of clients as a consultant planner and I have also written precinct provisions for the Auckland Unitary Plan (Clevedon Waterways Precinct). I have advised clients on a wide range of planning matters, but with a particular focus on water and air discharge matters relating to industrial sites and airport infrastructure. I have also processed complex planning applications for Auckland Council including chicken farms and large multi-unit developments.

I currently specialise in waste management sites and processes, undertaking consenting and policy analysis for this specialised sector.