

**BEFORE THE INDEPENDENT HEARINGS PANEL
OF HUTT CITY COUNCIL**

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of the Proposed Hutt City District Plan ("**Proposed
Plan**")

**MEMORANDUM OF COUNSEL ON BEHALF OF WASTE MANAGEMENT NZ
LIMITED REGARDING APPROACH TO HEARING STREAMS**

24 APRIL 2026

MAY IT PLEASE THE PANEL:

1. This memorandum explains Waste Management NZ Limited's ("**WM**") approach to presenting its overall case on the Proposed Plan due to the separation of the Proposed Plan into hearing streams.
2. WM has a significant interest in the Proposed Plan because it directly affects WM's ability to provide essential waste management services to the Lower Hutt community. The Proposed Plan is important because:
 - (a) WM operates critical waste infrastructure in Lower Hutt, including a hazardous waste facility and depot, both at Port Road, the Seaview Refuse Transfer Station, and a proposed resource recovery park at 30 Benmore Crescent. An appropriate planning framework is essential to ensure the continued operation and development of these facilities;
 - (b) The rezoning of 30 Benmore Crescent as proposed by WM in its submission from General Rural Zone to General Industrial Zone will significantly assist in efficient consenting of the resource recovery park, enhancing waste diversion and recycling capacity for the district (and wider region); and
 - (c) It provides an opportunity for waste management facilities and landfills to be appropriately recognised as essential infrastructure, reflecting their essential nature to the economic and social well-being of the district (and wider region).
3. As WM's submission and further submission points on the Proposed Plan will be addressed in different hearing streams, WM therefore intends to present its overall case on the Proposed Plan with legal submissions and corporate evidence at Hearing Stream 8 (Benmore Crescent). Hearing Stream 8 is the most appropriate hearing stream for WM to present its overall case as it directly addresses the rezoning of 30 Benmore Crescent, which is fundamental to WM and the district given its impacts on the consenting framework for the proposed resource recovery park.
4. That said, WM will continue to engage efficiently in relevant hearing streams to address its other submission points, as they relate to all of WM's sites. In making its decisions, we submit that it is important for the Panel to give thought and attention to WM's overall case, notwithstanding the decision to break up the hearing into "hearing streams". WM's submission points on the Proposed

Plan as a whole are obviously related and complementary, and should therefore ultimately be considered by the Panel in a consolidated manner.

5. Should the Panel have any questions regarding this memorandum or considers it appropriate for WM to present its overall case at an alternative stage in the hearing process, WM welcomes the Panel's direction and can accommodate accordingly.

DATED: 24 April 2026



S H Pilkinton / A H Wouters
Counsel for Waste Management NZ Limited