

**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 6: Infrastructure

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

7 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 6 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 Infrastructure topic.
- 1.4 I have reviewed the Section 42A Hearing Report ("S42A") completed for the Council by Peter McDonald for the Infrastructure subject, along with the S42A Hearing Report prepared by Peter McDonald for the Transport chapter, and the Three Waters S42A report prepared by Christal Bennett. I have reviewed the S32 Reports for the Infrastructure, Energy and Transport topics within Hearing 6.
- 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 for the Infrastructure topic, along with any other relevant submission points, and the relevant definitions.

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 In general, the submitter is generally supportive of the Proposed Plan but specifically seeks some inclusion of matters pertaining to waste infrastructure within the District Plan text.
- 3.4 My evidence for Hearing 1 discussed the legislative context of waste infrastructure. The evidence discussed how the national approach with regards to waste is now focussed on shifting NZ to a circular economy. This direction is the focus of both The New Zealand Infrastructure Strategy (Rautaki Hanganga o Aotearoa 2022 – 2052 New Zealand Infrastructure Strategy (NZ Infrastructure Commission)) and Waste Strategy (Ministry for the Environment. 2023. Te rautaki para | Waste Strategy) These strategies refer to how NZ can achieve the circular economy goal. The Emissions Reduction Plan was also noted to be relevant as waste infrastructure needs to enable circularity to meet reduction goals.
- 3.5 The Council shall have regard to the Infrastructure Strategy, the Waste Strategy and the Emissions Reduction Plan in determination of the plan provisions pursuant to s74(2) of the RMA.
- 3.6 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 infrastructure in the Plan.
- 3.7 It also noted at Hearing 1 that the Infrastructure definition would be heard in this hearing. This definition is central to the submission points also discussed in this evidence, along with the other definitions relevant to the infrastructure topic. Therefore, I discuss these definitions next given their influence on the submission points on the Infrastructure objectives and policies.

5.0 Definitions

- 5.1 Infrastructure Definition - Enviro NZ sought to amend the definition of Infrastructure to include “*district or regional resource recovery or waste disposal facilities*” (Submission point 323.10) with the amended definition as follows:

has the same meaning as in section 2 of the RMA (as set out below)

- a) *pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy:*

....

- l) *anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.*

m) district or regional resource recovery or waste disposal facilities.

- 5.2 The recommendation by the reporting planner is that the submission point be rejected given that the zone chapters are the best location in the PDP to provide for these waste activities in a way which manages their potential compatibility issues. He also notes that the Infrastructure chapter was not prepared in anticipation of the NPS-I, and any modifications to the Plan to clarify the use of the proposed definition would negatively impact on plan usability.
- 5.3 I disagree with this recommendation.
- 5.4 The New Zealand Infrastructure Strategy refers to infrastructure as *‘Fixed, long-lived structures that facilitate economic performance and wellbeing. Infrastructure includes ‘horizontal’ physical networks (principally transport, water and energy and telecommunications); and ‘vertical’ infrastructure (buildings such as hospitals, schools and prisons). The latter are also known as social assets’*. It categorises waste as economic infrastructure. The strategy particularly focuses on waste, with waste being one of only five objectives of the strategy, where all objectives seek to achieve a thriving New Zealand. The waste objective is to move to a circular economy by *“by setting a national direction for waste, managing pressure on landfills and waste-recovery infrastructure and developing a framework for the operation of waste-to-energy infrastructure”*. In my view, the inclusion of district or regional waste facilities as infrastructure within district plans would align with this national strategy.
- 5.5 The ‘Waste Strategy’ released by the Ministry of Environment in 2023 has a particular focus on waste management infrastructure being in place to achieve a circular economy. It notes at Priority 2.2 that *“waste management facilities and services have not always been included in lists of essential infrastructure.”* It then states that the COVID-19 lockdowns in 2020 quickly showed us that waste management services and facilities are essential and must be able to operate, even when most of our economic and social activity pauses.
- 5.6 If district and regional sites that provide for waste management activities were considered as infrastructure, as provided for in the infrastructure definition amendment, reverse sensitivity to these sites can be minimised, particularly when plan changes bring sensitive activities close to existing waste infrastructure. Waste infrastructure is particularly prone to the adverse effects of reverse sensitivity due to the long life-span and large size of sites and potential adverse amenity effects.
- 5.7 While the S42A report recognises the inclusion of waste facilities in the NPS-I, and recommends adopting the definition for *additional infrastructure* as provided under the NPS-I, it does not adopt a definition for infrastructure that includes waste facilities and prefers to let the zones manage waste facilities, which does not allow for the benefits of the waste infrastructure (at Policy 1 of the NPS-I) to be recognised.
- 5.8 Gaining consent for new waste management facilities can be extremely difficult, particularly if the site handles organic or chemical waste (odour effects need to be controlled). If the facility is proposed to be part of region or district wide resource recovery infrastructure it should have the benefit of those objectives and policies that provide for infrastructure if it supports the reduction of greenhouse gas emissions and provides capacity for urban growth.
- 5.9 Being considered as infrastructure will also align with Goal 2 of the Waste Strategy to provide a comprehensive national network of facilities to support the collection and circular

management of products and materials. With the increasing emphasis on a circular economy, waste facilities are changing fast and need to adapt to encompass sustainable outcomes.

- 5.10 An example of change in the waste industry is diversion of food waste, along with construction and demolition waste diversion. The Ministry of Environment have signalled that diverting food waste from landfills is of critical importance to reduce greenhouse gas emissions and biogenic methane emissions. While the government have removed the requirement to introduce a food scraps service to all urban areas by 2030, it will continue to support the introduction of these services through the Waste Minimisation Fund¹. Similarly, construction and demolition waste may represent up to 50% of all waste generated and is being targeted for significant reduction. It is therefore important that the District Plan supports waste infrastructure so that the continuation of facilities, and/or new facilities, with the management of discharge effects, is enabled.
- 5.11 While the Wellington Regional Policy Statement adopts the RMA definition of infrastructure, the Appeals Version under Proposed Change 1 has its definition of **Regionally Significant Infrastructure** listing the Silverstream, Spicer and Southern landfills. In addition, the Natural Resources Plan also includes these landfills in the definition for Regionally Significant Infrastructure. It seems an omission that district or regional resource recovery or waste disposal facilities are not therefore identified as infrastructure.
- 5.12 While adding additional infrastructure in the strategic objectives goes some way to recognising waste management facilities, explicit recognition as part of the infrastructure definition would ensure critical waste infrastructure sites have the following:
- Recognition that these sites are often constrained by existing consents and require significant forward planning to enable expansion to service new urban development.
 - Benefit of the infrastructure objectives and policies so that this required increase in capacity can be enabled.
 - Recognition that these sites are often subject to reverse sensitivity.
- 5.13 The alternative would be to include additional infrastructure within the infrastructure definition as per the NPS-I. This would also address the relief sought by Enviro NZ.
- 5.14 Additional Infrastructure - I support the recommendation that NPS-I defined term for “additional infrastructure” be added to the PDP.
- 5.15 Regionally Significant Infrastructure – I support the recommended amendment to the definition to add the Silverstream landfill to the definition but consider that there should be an inclusion for regional resource recovery facilities as per the Enviro NZ submission point 323.15.
- 5.16 An example of a regional resource recovery facility that would reflect such an inclusion is the Capital Recycling materials recovery facility (MRF) in Barnes Street, Seaview. This handles region-wide sorting of kerbside recycling materials. Instead of being treated as a standard industrial yard, its regional role in waste minimisation and environmental benefit would be given explicit weight if considered under the proposed amendment to the definition. This

¹ <https://environment.govt.nz/news/update-on-waste-policies/>

would aid in the managing reverse sensitivity if sensitive activities are proposed in the vicinity.

- 5.17 Ancillary transport network infrastructure – Enviro NZ (323.4) sought to amend this definition by the addition of a further clause (j) to include “space for Council kerbside waste bins”.
- 5.18 The reporting planner does not consider that the definition is the place to specify minimum space for kerbside bins, and he does not consider that this clause fits with the other items specified in the definition (which describe fixtures).
- 5.19 The amendment to the definition was not intended to define minimum space but rather allow for the consideration of bin placement in the design of roads for new subdivisions, and road upgrades. Enviro NZ has encountered many instances where poorly designed roads result in the unsafe collection of bins. Road calming features are an example where the features do not consider where bins can be collected, particularly where on-street parking then blocks the only location for pickup. This then makes pickup extremely unsafe when collection trucks are blocking the road to retrieve bins.
- 5.20 Cycle paths are another road feature that can make space for bins problematic resulting in conflict between cyclists and bins, and cyclists and collection trucks. There is evolving practice around the country on suitable cycle path designs to allow for the safe collection of waste bins near or over cycle paths.
- 5.21 I do not consider there is a conflict between the proposed amendment to the definition and its application at INF-R22 rule for ancillary transport network infrastructure. All the standards will not conflict with the amended definition. If the Panel sees fit to reject the submission point, then 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*”.

6.0 Infrastructure strategic directions

- 6.1 INFSD-O1 Integration - Enviro NZ sought an amendment to the objective (323.19), as follows:

Land use and development is integrated with the provision of infrastructure, including transport and three waters services, waste facilities and open space

- 6.2 Notwithstanding the implication of the submission point discussed above on the definition of infrastructure, I accept the recommended amendment to the objective by the reporting planner to include “*additional infrastructure*” in the objective. I consider adding “*additional infrastructure*” addresses the relief sought and makes it clear that infrastructure defined as additional infrastructure under the NPSI and NPSUD needs to be integrated with land use and development.

6.3 INFSD-O2 Coordination - Enviro NZ sought an amendment to the objective (323.20), as follows:

6.4 *The nature, timing and sequencing of new development is co-ordinated with the funding, implementation and operation of necessary transport, additional and other infrastructure.*

6.5 I accept the partial acceptance of the submission point at 3.1.2 of the s42A report to amend the strategic direction INFSD-O2 as follows and agree that the objective is relevant to all infrastructure:

INFSD-O2 Coordination

The nature, timing and sequencing of new development is co-ordinated with the funding, implementation and operation of ~~necessary transport and other~~ infrastructure and additional infrastructure.

6.6 INFSD-O3 National and Regional Significance – Enviro NZ supported this objective on the basis that the Silverstream landfill and regional resource recovery facilities be defined as regionally significant infrastructure under submission point 323.15. Notwithstanding the discussion on the infrastructure definition above, I support the recommended amendments to the objective, and agree that infrastructure of national significance will also be regionally significant.

7.0 Infrastructure Chapter

7.1 Introduction – Enviro NZ requested a change to the foreword (Submission points 323.23a, 323.23b) of the Infrastructure chapter to define that only the objectives and policies of the chapter apply to district or regional resource recovery or waste disposal facilities (including the Silverstream Landfill).

7.2 The s42A report recommended that the submission point be partially accepted where the recommended clarifications define that additional infrastructure is **not** included in the Infrastructure chapter provisions. The reasoning for not including the proposed amendment was that “if the INF chapter objectives and policies (to the extent they apply to resource recovery and waste disposal activities) were retroactively applied to the zone chapters, then this would complicate and potentially undermine the implementation of zone chapter objectives and provisions.”

7.3 While I agree that this approach could make interpreting the zone chapters more complicated, this is no more complicated than, for example, infrastructure structures also defined as buildings. I therefore consider that the proposed change to the foreword by Enviro NZ and to Rule 25 (as the catch-all rule) could be incorporated.

7.4 INF Objectives and Policies – Enviro NZ supported a number of the general Infrastructure Chapter objectives and policies on the basis that the definition for infrastructure included district or regional resource recovery or waste disposal facilities. I support the acceptance of the submission points raised in the S42A report.

8.0 Conclusion

- 8.1 I support those points which have been accepted within the s42A report.
- 8.2 I consider that the strategic objectives referencing additional infrastructure partially addresses the relief sought by the submitter as it recognises waste infrastructure within the definition. However, I consider that the infrastructure chapter could also reference waste facilities or additional infrastructure in the objectives and policies of this chapter. This would align the PDP better with NPS-I and responds to the importance of district and regional resource recovery and waste disposal facilities in the Hutt. These facilities are of critical or strategic importance to the function of the region.
- 8.3 The proposed amendment to the Infrastructure definition will allow the waste facilities to be afforded the support of the higher order strategic framework. This will allow better recognition from reverse sensitivity effects.
- 8.4 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.