

**BEFORE THE HEARING COMMISSIONERS FOR TIMARU DISTRICT COUNCIL
(TDC)**

UNDER the Resource Management Act 1991

IN THE MATTER of the Proposed Timaru District Plan: Hearing B – B1
Rural Zones – B2 Urban Zones

**HEARING DAY STATEMENT OF KAAREN ROSSER (PLANNING)
ON BEHALF OF ENVIRO NZ (FORMERLY ENVIROWASTE LTD)**

23 JULY 2024

1.0 INTRODUCTION

- 1.1 My full name is Kaaren Adriana Rosser.
- 1.2 I hold the position of Environmental Planner with Enviro NZ Services Limited ("Enviro NZ"), which was formerly known as EnviroWaste. My qualifications and experience are detailed at **Appendix 1**.
- 1.3 My statement is given on behalf of Enviro NZ pertaining to those matters in the submission by Enviro NZ covered under Hearing B to the Proposed Timaru District Plan. These matters relate to the General Industrial Zone and the General Rural Zone.
- 1.4 I have reviewed the s42A Hearing Reports ("s42A") completed for the Council by Alanna Hollier and Andrew MacLennan, including the recommended revisions to the plan change provisions. I have reviewed the S32 Report, and the Summary of Submissions document.
- 1.5 I am familiar with the Timaru District.

2.0 EXPERT WITNESS CODE OF CONDUCT

- 2.1 I have I have read the Environment Court's Code of Conduct for Expert Witnesses, and I agree to comply with it as if these proceedings were before the Environment Court. My qualifications as an expert are set out at Appendix 1. I confirm that the issues addressed in this brief of evidence are within my area of expertise.

3.0 SCOPE OF STATEMENT

- 3.1 This statement is in relation to those submission points that relate to the General Industrial Zone and the General Rural zone and comments on each point in turn.
- 3.2 By way of introduction, I provided evidence to Hearing A where I outlined that the submitter, Enviro NZ, is a nationally significant provider of waste management infrastructure. It operates the collection and recycling services in the Timaru District and operates the landfill, resource recovery facility, transfer stations at Redruth and the transfer stations across the district.

4.0 GENERAL INDUSTRIAL ZONE

- 4.1 Redruth Precinct - I confirm that Enviro NZ does not wish to proceed with a new precinct for the Redruth precinct proposed under Submission points 162.9 -162.12. It was put forward in reviewing the existing heavy industry zone to the west of the landfill, whereby a precinct would account for any activities which are permitted in the General Industrial zone (as opposed to the existing Heavy Industry zone) and which might demonstrate reverse sensitivity effects

on the landfill. However, given the designation of the landfill and the layout of the landfill, and the mechanisms of a precinct, it was not considered appropriate.

- 4.2 Policy GIZ-P5 Offensive Trades - With respect to Submission Point 162.13 pertaining to Policy GIZ – P5, I accept Ms Hollier's drafting approach with respect to using the words 'only allowing' consistently through the Plan and support the rejection of the submission point given this plan drafting approach.
- 4.3 Policy GIZ-P6 Other Activities - In relation to Submission Point 162.14, Enviro NZ supported the wording of Policy GIZ-P6 Other Activities, particularly given that reverse sensitivity effects can be pervasive with respect to waste management sites and landfills. I do not support an enablement of supermarkets in the General Industrial zone as the Woolworths submission proposes. The wording of the policy as recommended in the s42 A report will generally support industrial activities, including waste management activities.
- 4.4 GIZ-R3 Convenience stores, restaurants, cafes and takeaway food outlets - Submission Point 162.15 queried the gross floor area for convenience stores, restaurants, cafes and takeaway food outlets as a permitted activity in GIZ-Rule 3. The proposed gross floor area is 200m², and the s42A report recommends that this be retained. The relief in the submission was not stated, however I consider that 100m² is a suitable gross floor area for the following reasons.
- 4.5 I note that many other District Plans have smaller gross floor areas for a similar rule. The Light Industry zone of the Auckland Unitary Plan provides for dairies as a permitted activity up to 100m² gross floor area, with food and beverage outlets up to 120m² as a permitted activity. The appeals version of the New Plymouth District Plan provides for food and beverage as a permitted activity up to 100m². The Wellington City District Plan - Appeals Version requires a Discretionary activity consent for these activities in the General Industrial zone. Under the Dunedin Second Generation District Plan Appeals Version the maximum gross floor area for restaurants is 50m² as a permitted activity.
- 4.6 200m² has the potential to result in a reasonably large restaurant and therefore provide a location for patrons that might otherwise not come to the industrial area, resulting in the potential for reverse sensitivity effects. There have been examples of other Enviro NZ sites where adjacent cafes have resulted in reverse sensitivity effects. A 'garden' café set up next door to a transfer station and complaints were often received as a result. This resulted in significant compliance costs, with resulting reductions in complaints. However, the history of complaints may impact the site when air discharge consents are required to be renewed.
- 4.7 Accordingly, a lower gross floor area threshold of 100m² will allow any larger footprint to be assessed for reverse sensitivity issues.

5.0 GENERAL RURAL ZONE

- 5.1 Rule GRUZ-R29 New Industrial activities not listed in GRUZ-21 - In relation to the General Rural Zone, Enviro NZ submitted at Submission point 162.17 that cleanfills and managed fills do not have a consenting pathway in the plan and requested that these types of landfills are a discretionary activity instead of a non-complying activity.
- 5.2 Firstly, I would refer the Commissioners to the point that cleanfills and managed fills should be separately considered as opposed to Class 1 and 2 landfills, as the s42A report just referred to landfills. Class 1 and 2 landfills, in accepting putrescible and general waste, have a much higher level of effects than cleanfills and managed fills. Furthermore, given the life remaining in the existing Redruth Class 1 landfill, I consider that the Plan has appropriately provided for Class 1 and 2 landfills as a non-complying activity given the context of the area.
- 5.3 On reading the submission point, it proposes that cleanfills and possibly managed fills can be provided with a discretionary activity rule, specifically for these activities, as opposed to under GRUZ-R29.
- 5.4 Cleanfill and managed fill activities, unless they 'fill' an existing urban quarry or a large development site, can only be located within the General Rural zone. They often provide for the reverse process of quarrying and can be expected in the Rural environment.
- 5.5 Cleanfills are provided with a definition in the plan. Managed fills are not and it would be necessary to have a definition for a managed fill if this type of landfill were to be considered similarly to cleanfills as the fill definition defines the level of potential contamination. Therefore, I accept the recommendation in the s42A report that managed fills can be considered as non-complying activities under Rule GRUZ-R29 given the scope of the submission point.
- 5.6 However, for cleanfills, the higher bar to obtain consent for a non-complying activity would be difficult to surmount. If the Timaru District experienced sudden growth and urban development, clean fill will be generated during the construction of that development and it must have somewhere to go. Large transport projects are particularly prone to generating large amounts of cleanfill for example. Saying a cleanfill activity is not expected in the zone does not avoid a known anticipated problem. Therefore, a discretionary activity status will allow for this very possible eventuality.
- 5.7 I also consider that a separate discretionary rule for cleanfills meets the objectives and policies of the General Rural zone. GRUZ-P7 would still apply and all strands of the policy would still need to be met. A discretionary activity would better integrate waste infrastructure with development. It would also align with the Canterbury Regional policy Statement, particularly Policy 19.3.3 which states "*Promote an integrated approach to waste management in the region*". It would also align with Policy 19.2.2 Minimise adverse effects of

waste *“Adverse effects on the environment caused by residual waste and its management are avoided, remedied or mitigated”* which GRUZ Policy P7 provides for.

- 5.8 Accordingly, I consider a discretionary activity is appropriate for cleanfill activities.
- 5.9 Thank you for your consideration.

Attachment 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.