

**BEFORE THE INDEPENDENT HEARINGS PANEL
MACKENZIE DISTRICT COUNCIL (MDC)**

UNDER the Resource Management Act 1991

IN THE MATTER of the Mackenzie District Plan
Proposed Plan Change 21 – Implementation of the
Spatial Plans (PC21)

**STATEMENT OF EVIDENCE OF KAAREN ROSSER (PLANNING) ON BEHALF
OF ENVIROWASTE LTD – SUBMITTER (#108)**

28 FEBRUARY 2023

1. Executive Summary

- 1.1 By way of summary, it is my opinion that the changes sought to the provisions of the Plan Change 21 – Implementation of the Spatial Plans as detailed in the evidence below are appropriate and should be adopted by the Hearings Panel.
- 1.2 Under the Large Lot zone, EnviroWaste sought amendments to the policy P5 and standard S4. EnviroWaste supports the recommended changes to P5 and the standard at clause (4) of LLRZ-S4 which will provide separation distance to industrial activities with the retention of the 20m setback where the zone abuts a General industrial zone. This will minimise the potential for reverse sensitivity.
- 1.3 EnviroWaste submitted that retirement villages consider waste storage as part of their design and supports the s42A recommendation for MRZ-R9 retirement Villages to add waste storage to the matters of discretion, along with the same addition to retirement villages in the Low Density Residential zone.
- 1.4 EnviroWaste sought an amendment to GIZ-O1 so that compatible activities do not compromise the functionality for industrial activities. I do not agree with the rejection of the proposed amendment detailed at Point 177 of the s42A report. The general industrial zone should effectively provide for industrial activities as the main purpose of the zone given their difficulty in locating elsewhere. The current wording gives equal status to ‘other compatible activities’ as to industrial activities. I consider the purpose should clearly prioritise industrial activities to avoid reverse sensitivity effects for these. The change to the zone standard to restrict the size of offices is supported however this should be extended to showrooms.
- 1.5 I support the proposed additional waste management standard outlined in the EnviroWaste submission. The spatial and operational requirements for waste management need to be designed at the start of the development design process, and I do not consider that the Solid Waste Bylaw adequately ensures that this occurs. The proposed standard will ensure that good urban design outcomes will result from medium density intensification promoted by the Plan at the resource consent stage. It will ensure adequate waste storage provision so that residents can properly separate and divert their waste in order to meet waste minimisation targets. The standard will also ensure that collection of waste can be achieved without causing safety concerns within the development and the street.

2. Introduction

- 2.1 My full name is Kaaren Adriana Rosser.
- 2.2 I am an Environmental Planner with EnviroWaste Services Limited (EnviroWaste), which is a part of EnviroNZ . My qualifications and experience are detailed at Attachment 1.
- 2.3 My evidence is given on behalf of EnviroWaste in relation to Plan Change 21 to the Mackenzie District Plan. Within my evidence I have addressed the matters relating to the

provision of waste collection, treatment and disposal relevant to the rezoning and management of the District's residential, commercial and industrial area.

- 2.4 I have reviewed the Hearing Report completed for the Council by Rachael Willox and Liz White (consultant planner), including the recommended revisions to the plan change provisions. I have reviewed the S32 Report, the Summary of Submissions document for Plan Change 21.
- 2.5 I am familiar with the district and have visited the Twizel transfer station.

3. Scope of Evidence

- 3.1 This statement of evidence will, in the context of EnviroWaste's submission, address the following matters:
- (a) The background and reasons for the submission
 - (b) Comment on the Hearing Report in terms of the setback rule for the Large Lot residential zone, proposed amendments to the General Industrial zone, and the proposed waste management standard for the Medium Density Residential zone.

4. Background and Reasons for Submission

- 4.1 In general, the submitter is generally supportive of the notified version of Plan Change 21 but specifically seeks some inclusion of matters pertaining to waste infrastructure within the residential and industrial chapters of the Plan Change.
- 4.2 The government acknowledges that the way that waste is generated and disposed of in New Zealand needs to be addressed to minimise greenhouse gas emissions and to be more sustainable with the resource that is currently being disposed of. The NZ Waste Strategy 2010 is in the process of being updated and new waste legislation will soon replace the Waste Minimisation Act 2008 and the Litter Act 1979. Waste levies for landfills are steadily being increased and many single-use plastics have recently been banned.
- 4.3 Significant work is now focussed on shifting NZ to a circular economy, with addressing waste a key component of that work. EnviroWaste considers that District Plans have a key part to play in enabling and maintaining waste resource recovery and infrastructure.
- 4.4 As waste management specialists and operators of the transfer stations and collection facilities within the Mackenzie district, the continued operation and future diversification of these facilities is necessary to achieve a circular economy. For a region that houses many tourists, consideration of the waste that tourists generate also needs to be taken into account and facilities provided.
- 4.5 As stated in the submission, waste facilities can take significant resources to design, consent and construct to ensure that potential harmful effects of odour, dust, contamination, and noise do not affect surrounding sites or freshwater resources. This often requires specialist equipment and considerable infrastructure. Such sites can be the subject of reverse sensitivity and their establishment and continued operation needs management with a variety of stakeholders. Therefore, ensuring that the zones appropriately provide for waste

facilities through various provisions ensures their ongoing operation, along with the safe collection of material.

5.0 Residential Zones

- 5.1 EnviroWaste sought to amend LLRZ-P5 to address the potential for reverse sensitivity where the Large Lot Residential zone abuts the General Industrial Zone. We accept the proposed clause (4) of the policy which states “the potential for reverse sensitivity effects to arise in relation to adjoining industrial areas is minimised.” The proposed drafting encapsulates the issue and will help to ensure that development in the industrial zone is consistent with the purpose of the zone.
- 5.2 In relation to above, EnviroWaste sought to retain the existing 20m setback for the adjacent Residential zone be retained to ensure avoidance of the encroachment of sensitive activities next to areas where light industrial activities can be located. EnviroWaste supports the acceptance of the submission point and the proposed clause (4) of LLRZ-S4 which maintains this setback.
- 5.3 EnviroWaste sought amendments to MRZ-R9 retirement Villages to include waste storage as a matter of discretion for retirement villages. We support the acceptance of the submission point by the Planner. In my experience, large-scale developments need to have the waste management storage designed at the start, as the storage needs to be accessible for residents and collection vehicles, screened and designed in advance to reduce odour for waste materials stored. If not designed at the start, it may be difficult to find an appropriate storage location.

6.0 General Industrial Zone (GIZ)

- 6.1 EnviroWaste sought an amendment to GIZ-O1 as follows:

“The General Industrial Zone provides primarily for industrial activities and other compatible activities that do not compromise the functionality of the zone for industrial activities, as well as activities that support the functioning of industrial areas.”

I do not agree with the rejection of the proposed amendment detailed at Point 177 of the s42A report. The general industrial zone should effectively provide for industrial activities as the main purpose of the zone given their difficulty in locating elsewhere. Industrial activities are discretionary or non-complying in any other zone. The current wording gives equal status to ‘other compatible activities’ as to industrial activities. I consider the purpose should clearly prioritise industrial activities.

- 6.2 Alternatively, the purpose statement could delete reference to compatible activities. In this manner the main purpose for industrial uses retains primacy. The proposed relief is:

‘The General Industrial Zone provides primarily for industrial activities ~~and other compatible activities~~, as well as activities that support the functioning of industrial areas.

- 6.3 EnviroWaste sought an amendment to GIZ-P1 as follows:

“Enable a range of industrial activities and activities ~~of a similar scale and nature to industrial activities~~ complying with GIZ- R3 and R4, to establish and operate within the General Industrial Zone.”

6.4 I concur with the planner that referring to a rule is not best practice for plan drafting. However, it remains that reverse sensitivity from non-industrial activities is a real issue for sites operated by EnviroWaste. Some non-industrial activities put pressure on operations such as refuse transfer stations by requiring these activities to comply with a higher level of amenity that could reasonably be expected in an industrial zone, and can compromise their ongoing operation. An example of this is a large trade supplier, which includes selling plants with a garden café, setting up adjacent to a refuse transfer station. The café users frequently complain of odour in certain wind conditions as they are sensitive to the effects of industrial activities. This is a scenario that is possible with the permitted activities listed within the proposed General Industrial zone.

6.5 While we understand the co-location of activities within a small town, in my opinion the zone should still reflect the primary function of the zone. Trade suppliers and storage facilities should be restricted discretionary in the zone, with discretion restricted to matters of reverse sensitivity. However, we acknowledge that this amendment is out of scope and would have to be considered at a later plan change.

6.6 Given the above, an alternative amendment is suggested to Policy 1 as below which would generally only provide for the permitted activities:

“Enable a range of industrial activities, and permitted activities of a similar scale and nature to industrial activities, to establish and operate within the General Industrial Zone.”

6.7 EnviroWaste proposed amendments to GIZ-R4 Ancillary Activities which proposed limits to the size of ancillary activities. I support the acceptance of the amendment to office areas, however, I consider it should also apply to showrooms to ensure the primacy of industrial activities within the zone. Not complying with the 30% or 100m² limit will allow consideration through a discretionary activity application to determine whether it is consistent with the purpose of the zone and whether reverse sensitivity effects are likely to arise.

7.0 Waste Management

7.1 At p64 of the s42A report the waste management standard proposed by EnviroWaste for the Medium Density Residential Zone (MRZ) encompassing bin design, access and kerbside deployment is discussed and not accepted. The proposed standard also required amendments to MRZ-R1 and to be considered as a matter of discretion. The proposed standard is as follows and would apply when more than unit is proposed on a site.

1. Where individual bins are used, a minimum storage space for bins of 1.4m² per dwelling is provided (note: communal bins – refer to Solid Waste Bylaw). The bins must be visually screened, be accessible for residents to get to the kerb without stairs or steep gradients.
2. Where kerbside collection is employed, a kerbside space of 1m per dwelling is available without impeding the footpath.

Activity Status were compliance not achieved: RDIS

Matters of discretion are restricted to: RES – MD9 Waste Management

- 7.2 I do not agree with the s42A report that the management of waste is sufficiently dealt with by the Mackenzie District Council Solid Waste Bylaw 2021. While the bylaw requires multi-unit developments (for additional dwellings on a site) to submit a Development Waste Management and Minimisation Plan, there is no timing specified for this plan. It is very likely that this is submitted once the development is built, which in my opinion is too late. Site sizes of 200m² are very tight, with all the urban design elements needing careful planning to ensure that good design and functionality results. Therefore, attention needs to be paid to waste storage design at the resource consent stage.
- 7.3 While I am aware that Twizel, Tekapo and Twizel urban areas are not in any way similar to Auckland, I do consider that recent intensification undertaken in Auckland provides multiple examples where poorly thought-out waste design have had a big impact on the quality and functionality of residential developments, and led to unsafe street environments when pedestrians and cyclists cannot navigate around bins.
- 7.4 The recent intensification Plan Change 78 of the Auckland Unitary plan has introduced a waste management standard for which the rationale is explained in the extracts from the s32 report attached at Appendix 2. The conclusions from monitoring multi-unit developments is that the spatial and operational requirements for waste management need to be designed at the start of the development design process. Poor or no consideration for waste management on intensive sites can lead to complaints from road users (pedestrians, cyclists and vehicles), site occupants, and neighbouring properties that their safety and amenity is being impacted. Two examples are provided below at Figure 1 and Figure 2.



Figure 1 – bin locations forcing pedestrians to the carriageway

- 7.5 I therefore consider the proposed waste standard to be appropriate as it provides a spatial dimension for the three bins that normally get collected through Council contracts. It also

requires accessibility for the bins to be taken from the dwelling to the street. This would mean not having to transport bins through dwellings, across steep ground or downstairs.

- 7.6 Screening of bins will assist with exposure to wind and the resulting safety to residents, amenity of the streetscape and within multi-unit developments.
- 7.7 While the bylaw specifies that the bins can be 0.5m apart on the kerb it does not deal with the number of bins between vehicle crossings. Long sites may have multiple dwellings for a narrow site width. The proposed standard fills this gap by providing a 1m kerb width for bins within each household that would need to be picked up on collection day. If the kerb width is insufficient, then on-site collection will be needed. The spatial requirements of on-site would then be assessed through the resource consent process.



Figure 2: Bins areas without screens and stair access.

- 7.8 The other impetus for a waste management standard is that inadequate waste storage provision directly impacts residents' ability to properly separate and divert their waste. This has direct impacts on meeting the targets in the Mackenzie District Waste Management and Minimisation Plan and in reducing greenhouse gas emissions.

8.0 Conclusion

- 8.1 I support those points which have been accepted within the s42A report.
- 8.2 I consider that the General Industrial objectives and policies need to give primacy to the industrial activities as their establishment in other zones is difficult given the lower level of amenity from the industrial activities. Reverse sensitivity to industrial activities (including

waste facilities) from other activities should be recognised and given prominence in the industrial zone by carefully managing the types of activities that can establish within the zone.

- 8.3 The proposed waste management standard, will in my opinion, ensure that good urban design outcomes will result from medium density intensification promoted by the Plan, by designing for waste at the beginning of the development design process. It will ensure adequate waste storage provision so that residents can properly separate and divert their waste in order to meet waste minimisation targets. The standard will also ensure that collection of waste can be achieved without causing safety concerns within the development and the street.
- 8.4 Thank you for your consideration.

Kaaren Rosser

Kaaren.rosser@environz.co.nz

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 20 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 and I have also written precinct provisions for the Auckland Unitary Plan. 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. I have also processed complex planning applications for Auckland Council including chicken farms and large multi-unit developments.

Appendix 2

Extracts from the Plan Change 78 – s32 report – Residential and Business Zones (attached)