

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 D – Contaminated Land and Hazardous Substances

**STATEMENT OF EVIDENCE OF KAAREN ROSSER (PLANNING) ON BEHALF
OF ENVIRO NZ (FORMERLY ENVIROWASTE SERVICES LTD) –
SUBMITTER (162)**

25 OCTOBER 2024

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"), formerly known as EnviroWaste. My qualifications and experience are detailed at Appendix 1.
- 1.3 My evidence is given on behalf of Enviro NZ in relation to the Proposed Timaru District Plan: Contaminated Land and Hazardous Substances. Within my evidence I have addressed those matters of the Enviro NZ submission that relate to the Contaminated Land and Hazardous Substances chapters.
- 1.4 I have reviewed the s42A Hearing Reports ("s42A") completed for the Council by Andrew Willis (consultant), including the recommended amendments and responses to submissions.
- 1.5 I am familiar with the Timaru District.

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
 - (b) Comment on the definition relating to Hazardous Facilities with reference to the Enviro NZ submission.

3. Background and Reasons for Submission

- 3.1 Enviro NZ Services Limited (formerly EnviroWaste and referred to as such herein) 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. Enviro NZ also provides waste and recycling collection services for Councils, businesses and households throughout New Zealand.
- 3.3 Enviro NZ operates the Redruth landfill site at 23 Shaw Street, and 55A-55C Redruth Street, Timaru on behalf of Timaru District Council. The site comprises a Class 1 landfill, along with a refuse transfer station, a materials recovery facility (MRF), an organics composting facility, and a regional office. It also operates the remote transfer stations in the district, located near Geraldine, Pleasant Point and Temuka.

4.0 Hazardous Substances Definition

- 4.1 The submission from Enviro NZ (Submission point 162.3) sought to amend the definition of Hazardous Facility to exclude waste transfer stations and disposal facilities from the definition as follows:

means a facility or activity that involves the use, storage or disposal of any hazardous substance, but excludes:

[...]

8. mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests on site.

9. waste transfer stations and disposal facilities.

- 4.2 This amendment to the definition was sought to exclude waste transfer stations and disposal facilities given the minor amounts of hazardous substances they receive as incidental to the receipt of general household and business waste. The transfer stations can only accept domestic quantities of hazardous waste. All hazardous waste received or found is stored in secure bunded locations on site.
- 4.3 Section 6.2.11 of the s42A report discusses the submission point and recommends rejecting the submission point. Mr Willis considers that "Despite the acceptance criteria, in my opinion it would be appropriate for such a facility to be included in the definition of hazardous facilities as HS-R1 would mean that such a facility would not be able to be located in a Drinking Water Protection Zone and would need to manage natural hazards (based on the recommended amendments I have proposed to HS-P4 and HS-R1), both of which I consider reasonable for a waste facility." He also notes that the landfill is designated and activities undertaken in accordance with the designation will not be managed by the District Plan.

5.0 Impact of being defined as a Hazardous Facility

- 5.1 The municipal transfer stations within the Timaru District would fall under the definition of a Hazardous Facility as they aggregate the domestic quantities received and transport these off site below a certain threshold to ensure Health and Safety at Work (Hazardous Substances) Regulations 2017 (HSNO) requirements are met. The Redruth landfill is a disposal facility and therefore would fall under the definition, but as incidental disposal for hazardous substances only.
- 5.2 The transfer stations store collected hazardous substances in cages or storage buildings or containers that are locked and not subject to public use. They meet all HSNO requirements.
- 5.3 I note that, notwithstanding the designation of the sites which is discussed later, that Rule 1, or HS-R1 Use and/or storage of hazardous facility (excluding Major Hazard Facilities), has some recommended changes which narrow the definition for sensitive locations. If a hazardous facility is within a sensitive location or in a Flood Assessment Area Overlay where the storage location is below the floor level specified in the permitted activity standard, then a consent is required for the use and storage of the hazardous substances.
- 5.4 HS-R1 would apply to the Council waste management sites if the storage locations were not within a designation or meeting the designation purpose.

- 5.5 The disposal of hazardous substances at Redruth is in accordance with the Landfill designation TDC-22, however it is arguable whether the storage of hazardous substances for transfer off-site is in accordance with the designation unless the designation conditions are altered to allow for waste management purposes other than the landfill.
- 5.6 All the Council transfer station sites, apart from Pleasant Point, are within Flood Assessment Areas. The Redruth site is also within a Sea Water Inundation Overlay. No sites are within Drinking Water Protection Areas. Therefore Rule HS-R1 requires a resource consent application if the hazardous substance storage location does not meet the designation and below the specified flood level. I concur with the Primeport and TDH submissions that an unnecessary consent burden results if compliance with this rule is required for the small amounts of substances stored.
- 5.7 If the proposed exclusion for waste transfer stations and disposal facilities is considered to be too wide, whereby new waste management facilities would fall outside a risk assessment (if within Drinking Water Protection zones or hazard areas), then I propose an amendment to the exclusion which limits the exclusion to existing municipal waste transfer sites and the Redruth landfill.
- 5.8 The proposed amendment is as follows:
- means a facility or activity that involves the use, storage or disposal of any hazardous substance, but excludes:*
- [...]*
- 8. mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests on site.*
- 9. existing municipal waste transfer stations and Redruth landfill.*
- 5.9 While a resource consent under Rule HS-R1 may only trigger in a handful of circumstances with respect to the existing TDC waste management sites given their designations, on balance I prefer to exclude these sites from the Hazardous Facility definition as detailed above. This would allow the current Council sites to continue operating without requiring an additional consent. This would be more effective and efficient by reducing consenting and compliance costs for the ratepayers of TDC with little risk to the communities in a hazard event given the small quantities of materials stored and their existing certified storage arrangements.
- 5.10 The municipal waste transfer facilities are of critical and strategic importance to the functioning of the Timaru District. Their current hazardous substance storage facilities are secure and the facilities' ongoing operation needs to be certain.

6.0 Conclusion

- 6.1 By way of summary, it is my opinion that the amended changes to the Hazardous Facility definition as detailed in the evidence should be adopted by the Hearings Commissioners.
- 6.2 If defined as Hazardous Facilities, the TDC waste transfer stations would need consent under HS-R1 if not meeting their designation parameters and where the storage was not meeting the permitted standard, which is likely on some sites. However, given the small hazardous substances quantities stored and their current storage facilities, it would be more efficient and effective to exclude these existing waste transfer facilities and the landfill from the definition.

6.3 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 as a consultant planner 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.

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