Before the Hutt City Council Proposed District Plan – Hearing Stream 9

Under	the Resource Management Act 1991 (the Act)
In the matter of	the Hutt City Council Proposed District Plan (Hearing Stream 9)
Between	**Hutt City Council** Local authority
And	**Tiaki Wai Ltd** (previously Wellington Water Limited) Submitter 422 and Further Submitter F36

Statement of Evidence of Caroline Anne Horrox for Tiaki Wai Ltd (Planning)

Date: 23 November 2026

Introduction

1. My full name is Caroline Anne Horrox. I am employed as a contractor by Tiaki Wai Ltd (**Tiaki Wai**) to provide planning advice and support on a range of district and regional planning related matters. Since 2023 I have been involved in the development of the Proposed Hutt City District Plan (**PDP**) as it relates to three waters infrastructure.

2. This has included review and comment on draft district plan three waters infrastructure provisions pre PDP notification, preparation of both Hutt City Council (**HCC**) and Greater Wellington Regional Council (**GWRC**) designation rollover notice material for three waters designations, preparation of the HCC notice of requirement for new three waters designations, and provision of planning and infrastructure advice to Council officers during the preparation of section 42A reports on matters affecting three waters infrastructure.

3. This statement of evidence relates to Hearing Stream 9 - 'Designations'. I have prepared this statement of evidence on behalf of Tiaki Wai in respect of planning related matters arising from submissions, further submissions and the section 42A report.

4. I have been authorised to give this evidence by Tiaki Wai.

5. For completeness, Tiaki Wai Limited was formerly known as Wellington Water Limited until 1 July 2026. Where I refer to Tiaki Wai in this evidence, this includes work undertaken by Wellington Water prior to 1st July 2026.

Qualifications and experience

6. My qualifications include a Bachelor of Arts and a Master of Science (Natural Resource Management). I have over 25 years of experience in resource management and planning, with roles within state owned enterprise, central government, local government and the private sector. Most of my experience has been associated with infrastructure providers in both a technical planning advisory and management capacity. I am currently self employed as a planning contractor undertaking a range of policy and project related planning work.

Code of Conduct

7. Although this matter is not before the Environment Court, I confirm that I have read the 'Code of Conduct for Expert Witnesses' in the Environment Court

Practice Note 2023 and have complied with it when preparing my written statement of evidence. Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of evidence

8. My statement of evidence addresses the following matters:

    8.1. The Seaview Wastewater Treatment Plant designation (TWAI-01), including archaeological matters and the proposed accidental discovery protocol condition.

    8.2. The Hutt to Wainuiomata three waters pipelines designation (TWAI-08), including the proposed strata designation and vegetation clearance condition.

    8.3. The Esplanade Central Pump Station designation (TWAI-09), including public access and accidental discovery protocol conditions.

    8.4. The Rata Street Water Supply Reservoir designation (TWAI-18), including the need for the designation, the reporting planner's recommendation regarding landowner approval, and the proposed vegetation clearance condition.

    8.5. The Waione Street Water Supply Pumping Station designation (TWAI-12), including the proposed extension of the designation area.

9. This evidence focuses on those matters where I consider further explanation or comment would assist the Hearing Panel. Unless otherwise stated, I generally agree with the findings and recommendations in the Section 42A Report relating to the remaining Tiaki Wai designations and notices of requirement.

10. In preparing my evidence I have referred to the following documents:

    10.1. The publicly notified PDP;

    10.2. The GWRC and HCC rollover notices and the HCC notices of requirement notified as part of the PDP;

    10.3. The Tiaki Wai submission on the PDP;

10.4. HCC's submissions on the PDP 'Summary of decisions requested' document dated 10th July 2025

10.5. The section 42A Hearing Report and appendices prepared for Hearing Stream 9 by Peter McDonald and Sean Bellamy dated 9th November 2026 (**the Section 42A Report**).

Submissions on Tiaki Wai Designations

11. No third-party submissions were received on the three waters designations. The only submission relating to these designations was Submission 422.18 by Tiaki Wai, which supported the retention of the designations in the rollover notices and notice of requirement.

12. As a result, the matters addressed in my evidence primarily respond to recommendations and issues raised in the Section 42A Report.

Seaview Wastewater Treatment Plan TWAI-01 (PDP reference HCC-08)

13. The Section 42A Report (paragraphs 291 - 293) discusses both the proposed expansion of the designation envelope and the role of a designation compared with the underlying district plan provisions. No amendments to the proposed designation extent were recommended.

14. In my view, a designation is an appropriate planning mechanism for the Seaview Wastewater Treatment Plant, given the scale, strategic importance and operational requirements of the facility. The expanded designation provides a fit-for-purpose planning framework for the ongoing operation, maintenance, renewal and future improvement of this existing regionally significant facility. In this respect, the designation is also consistent with the direction of the National Policy Statement for Infrastructure 2025, which recognises the importance of providing for the operation, maintenance, renewal and development of infrastructure.

15. The extended designation area contains SAR #56, described in the Operative District Plan (**ODP**) as a midden. As part of the Seaview UV Treatment Upgrade project, Tiaki Wai consulted with both Ngāti Toa Rangatira and Taranaki Whānui regarding the archaeological and cultural values associated with SAR #56. Through that process, Ngāti Toa Rangatira advised Tiaki Wai that they considered the midden to have likely been destroyed by works undertaken in the 1950s, while Taranaki Whānui did not provide any specific comments on Site 56. While I do not

seek to reach any conclusions regarding the current status or significance of Site 56, I consider it appropriate to note this context.

16. In any event, I support the inclusion of an accidental discovery protocol as a precautionary measure to manage the possibility that future earthworks may encounter at Site 56 or other currently unknown archaeological material. An accidental discovery protocol was proposed as part of the rollover notice.

17. The Section 42A Report recommends a minor amendment to the protocol condition, requiring notification of Hutt City. I support this amendment and recommend only minor changes to the drafting for completeness and consistency, as follows:

> *If kōiwi, archaeological material, taonga or evidence of pre-1900 human activity is discovered, work must stop immediately in the vicinity and the requiring authority must contact Council, Heritage New Zealand Pouhere Taonga and mana whenua~~;~~. If human remains are found, the New Zealand Police shall also be contacted. ~~and~~ ~~w~~Work must not recommence until any required authority or approval has been obtained.*

Hutt to Wainuiomata three waters pipelines TWAI-08 (PDP reference WRC 04)

18. This is an existing designation that has been rolled over into the PDP. The rollover notice proposed amendments to the designation envelope to better align the designation extent with the location of the existing water supply infrastructure.

19. The Section 42A Report (paragraph 299) notes that part of the revised designation area traverses the Wainuiomata Hill Road corridor and raises concerns that road works within the designated area may require approval from Tiaki Wai under section 176(1)(b) of the Resource Management Act 1991 (**RMA**). I note that the designation in the ODP also traversed the road corridor.

20. I acknowledge the reporting officer's concern regarding the interaction between designation controls and road management functions. I also note that the relevant water infrastructure is located within a tunnel beneath Wainuiomata Hill where it traverses under the road.

21. In these circumstances, I support the reporting officer's recommendation (paragraph 300) to apply a strata designation where the designation traverses the road corridor as represented in the ‘mapping’ section of the Section 42A Report.

In my view, this appropriately protects the existing water infrastructure while avoiding any unnecessary constraints on future road works.

22. The Section 42A Report (paragraphs 301-302) also notes that part of the designation traverses areas identified as Significant Natural Resources (**SNR**) in the ODP. As a result, the reporting officer recommends the following condition:

> *That if vegetation clearance exceeds 500m² in a 12 month period, areas not subject to permanent clearance must be replanted with native specimens appropriate for the local habitat within 6 months of works completion.*

23. In practical terms, the three waters infrastructure is underground and, for much of its length beneath Wainuiomata Hill, is located within a tunnel. As a result, operation, maintenance and upgrade of the infrastructure is highly unlikely to require vegetation clearance within an SNR.

24. However, I accept the intent of the condition as a precautionary measure to provide assurance that any substantial vegetation clearance associated with future works would be appropriately remedied.

25. I note that the land subject to the SNR is not owned by Tiaki Wai. The ability to undertake revegetation planting would therefore be dependent on the agreement of the relevant landowner or administering authority. In my view, any revegetation condition should recognise this practical limitation. As such I suggest amendments to the reporting officer's proposed condition as follows:

> ~~*That if*~~ *Where vegetation clearance associated with works authorised by this designation within a Significant Natural Resource (SNR) exceeds 500m² in a 12 month period, areas not subject to permanent clearance must be replanted with native specimens appropriate for the local habitat within 6 months of works completion subject to obtaining the approval of the relevant landowner to undertake the planting.*

Esplanade Central Pump Station TWAI-09 (PDP reference HCC-25)

26. The Section 42A Report (paragraphs 307 - 310) notes that part of the designation area extends across the public walking and cycling path adjacent to the pump station and raises concern that activities within the designated area could be subject to approval from Tiaki Wai.

27. The proposed designation area includes this land because it contains underground operational three waters infrastructure associated with the Esplanade Central Pump Station. The designation is intended to protect that infrastructure from third-party activities that could compromise its operation, maintenance, renewal or upgrade.

28. I acknowledge the reporting officer's concern regarding maintenance of public access along the path. However, I consider it important that the designation protects the infrastructure located within this area. For this reason, I do not support the reduction of the designation as proposed by the reporting planner (paragraph 311 and 'Mapping' section of the Section 42A Report).

29. In principle, I consider that a condition that provides for ongoing public access across the designation area should be sufficient to address the reporting officer's access concerns. The Section 42A Report does not propose specific wording for the recommended public access condition.

30. In my view, any condition should recognise that temporary restrictions on public access may be required from time to time to allow for the operation, maintenance, repair, renewal or upgrade of the infrastructure or emergency works to be undertaken safely. I therefore propose the following condition wording:

> *Public pedestrian and cycle access shall be maintained across the designated public pathway area, except where temporary restrictions are necessary to enable the inspection, operation, maintenance, repair, renewal, replacement or upgrade of the three waters infrastructure, or for health and safety reasons associated with those works*

31. The Section 42A Report (paragraph 314) also recommends a condition for an accidental discovery protocol be attached to the designation.

32. I support this, subject to the same minor drafting refinements to the accidental discovery protocol proposed earlier in my evidence (paragraph 17) in relation to the Seaview Wastewater Treatment Plant designation.

Rata Street Water Supply Reservoir TWAI-18 (PDP reference HCC 35)

33. In paragraphs 350-351 of the Section 42A Report, the reporting planner concludes that a strong case has not been made for the need for the Rata Street Reservoir

designation and considers that obtaining resource consents under the OPD or PDP would be a suitable alternative.

34. I respectfully disagree with this position. In my opinion, 'the need' for a designation is not determined by whether resource consent may be obtainable under the district plan framework. Furthermore, resource consents and designations perform different functions under the RMA. Resource consents generally authorise specific activities or works, whereas a designation provides long-term planning protection for important infrastructure and certainty regarding its ongoing operation, maintenance and improvement.

35. The Rata Street Reservoir designation is sought to provide long-term planning protection for a critical existing asset. The designation does not seek approval for a particular project. Rather, it seeks to recognise and protect existing infrastructure which performs an important public function; providing reliable community drinking water services.

36. In my view, a designation is the appropriate planning mechanism because it provides long-term planning certainty for the operation, maintenance and improvement of that infrastructure and helps ensure that the continued functioning of the assets is not compromised by incompatible third-party activities.

37. I note that both the OPD and PDP recognise the importance of network utility infrastructure and the need to provide for its ongoing operation, maintenance, upgrading and protection. Relevant examples include ODP Objectives 13.1.1, 13.1.2 and 13.1.3, ODP Policies 13.1.1 (a) and 13.1.1 (b) and PDP INF-O1 and INF-P1. I also note that ODP Policy 13.1.3(d) specifically encourages the appropriate use of designations for network utilities that are not already designated.

38. The recent National Policy Statement for Infrastructure 2025 also reinforces the importance of providing for infrastructure and enabling its operation, maintenance, renewal and development, including through planning frameworks that provide certainty for infrastructure providers.

39. Having regard to the role of the reservoir within the wider water supply network, the importance of providing long-term planning protection for this infrastructure, and the benefits of designation as a planning tool, I consider there is a clear need for the proposed designation.

40. The Section 42A Report (paragraph 353) also recommends that the designation not be confirmed unless written approval is obtained from the landowner; the Wesley Methodist Church.

41. By way of background, property arrangement discussions regarding the reservoir site were undertaken between the Wesley Methodist Church and the HCC prior to the transfer of the asset to Tiaki Wai on 1 July 2026. Those discussions contemplated a lease and associated access arrangements but were not finalised prior to transfer.

42. Following receipt of the Section 42A Report, Tiaki Wai has continued discussions with both Wesley Methodist Church and Hutt City Council regarding the proposed designation and the property arrangements associated with the existing reservoir, pipeline and access route located on Church land.

43. Through those discussions, I understand that the Church's primary concerns relate to formalising the property arrangements associated with the site, including a lease and access arrangements.

44. I understand that Wesley Methodist Church is willing to continue engaging constructively to resolve these matters. I also understand that the Church is comfortable with the extent of the proposed designation area on the basis that it is limited to the area reasonably required, and that progress continues to be made towards resolving the outstanding property arrangements.

45. Paragraphs 41 to 44 above, together with the proposed designation plan, were provided to Jotham Kasibante, Finance & Business Development Manager of Wesley Community Action, for review. On 20 November 2026, Mr Kasibante confirmed that the wording represents the position of the Wesley Methodist Church.

46. While I acknowledge the reporting planner's concerns regarding landowner approval, I do not consider that the absence of formal written landowner approval is, in itself, sufficient reason to decline confirmation of the designation. In my view, there remains a clear need for the designation to provide long-term planning protection for these assets. Having regard to that need, together with the current progress on property arrangements and the feedback received from Wesley Methodist Church, I consider there is a sufficient basis for the designation to be confirmed.

47. In the Section 42A Report (paragraph 345), the reporting planner notes that the proposed designation area is partially located within SNR #12 (Eastern Hills Bush) and recommends the inclusion of a revegetation condition.

48. Unlike the Hutt to Wainuiomata Pipeline designation, operation and maintenance of the reservoir and associated access route has the potential to require vegetation clearance within the designation area from time to time. For this reason, I consider the proposed condition to be a reasonable mechanism to provide assurance that any substantial vegetation clearance associated with future works is appropriately remedied.

49. However, as discussed earlier in my evidence in relation to the Hutt to Wainuiomata Pipeline designation, Tiaki Wai does not own the land subject to the designation. The ability to undertake revegetation planting would therefore be dependent on the agreement of the relevant landowner or administering authority. In my view, the condition should recognise this practical limitation.

50. For this reason, I recommend the same amendment to the condition wording set out at paragraph 25 of my evidence.

Waione Street water supply pumping station TWAI-12 (PDP reference WRC-07)

51. The Section 42A Report (paragraphs 303 - 306) considers the proposed increase in the extent of the designation and notes that the expanded designation area includes land beyond the footprint of the existing pumping station. However, the reporting officer does not recommend any changes to the proposed designation extent.

52. As outlined in the rollover notice, the expanded designation area is intended to provide a fit-for-purpose designation envelope that reflects both the existing infrastructure and the land reasonably required for its ongoing operation, maintenance, renewal and future upgrade. In my view, this is consistent with the purpose of a designation and provides appropriate long-term planning certainty for this important piece of water supply infrastructure.

53. I remain satisfied that the proposed extent is appropriate and support the reporting officer's recommendation that the modified designation be confirmed.

Caroline Anne Horrox
23 November 2026