
REPORT 5
(1215/52/IM)

SUBMISSION TO THE DISCUSSION DOCUMENT 'WASTE MINIMISATION IN NEW ZEALAND'

1. Purpose of Report

To seek agreement to a Wellington City Council Submission on the Ministry for the Environment discussion document 'Waste Minimisation in New Zealand'.

2. Executive Summary

The Ministry for the Environment (MfE) seeks feedback on proposed policy to implement the Waste Minimisation Act 2008 (Act) and to revise New Zealand's waste policy to make New Zealand more resource efficient and to protect the environment. The closing date for receipt of submissions is 15 May 2009.

The MfE seeks feedback on its proposals to:

- revise targets for the New Zealand Waste Strategy 2002 (NZWS)
- identify products that are priorities for product stewardship
- set criteria for the use of the waste minimisation fund
- monitor waste and waste minimisation
- improve the operation of the waste levy.

The Council plays a significant role in waste minimisation and management within the city and the implementation of the Act has considerable implications for the Council's operations.

The proposed submission is generally supportive of the intent of the proposals but offers a number of recommendations for consideration.

3. Recommendations

Officers recommend that the Committee:

1. *Receive the information.*
2. *Agree that the submission on the 'Waste Minimisation in New Zealand' discussion document, attached as Appendix 1, be forwarded to the Ministry for the Environment for their consideration.*
3. *Authorise the Chief Executive and the Environment Portfolio Leader to make any amendments necessary as a result of the decisions of this committee, prior to the submission being forwarded to the Ministry for the Environment.*

4. Background

The Waste Minimisation Act (Act) creates a new legislative framework, and provides local authorities with new tools and responsibilities, for managing and minimising waste in New Zealand.

The discussion document 'Waste Minimisation in New Zealand' seeks feedback on proposals to:

- revise targets for the NZWS
- identify products that are priorities for 'product stewardship', where responsibility for managing and minimising waste begins when a product is produced and lasts through to its ultimate end
- set criteria for funding projects that promote or achieve waste minimisation
- monitor waste and waste minimisation
- improve the operation of the waste levy.

A summary of the discussion document is attached at Appendix 2.

The discussion document has been considered by Council officers from the CitiOperations, Infrastructure Planning, Infrastructure Performance, Climate Change, Public Health, Compliance, Parks and Gardens, and Council Controlled Organisations business units.

A further report on the Waste Minimisation Act 2008 will be considered by this Committee on 4 June 2009. This report will focus on the funding, operational and organisational impacts of the legislation.

5. Discussion

The discussion document narrows the focus from the intended broad outcomes of the Act to more specific areas for immediate and mid-term attention. The Council's submission (Appendix 1) includes a number of specific recommendations which are summarised as follows:

5.1 *Revising targets for the New Zealand Waste Strategy*

The NZWS sets Government's policy to minimise waste. The discussion document proposes revised targets to incorporate the requirements of the Act into the NZWS and drive effective action.

Council's proposed submission recommends that the Government should:

- provide early guidance and resourcing to local authorities to support nationally consistent monitoring and data collection, and to assist waste management and minimisation planning at the local level
- provide councils with more information on the national tracking system for hazardous waste, and its potential impact on local authorities
- provide councils with clarity on the process through which contaminated sites will be assessed and prioritised, and responsibility for site investigation and management allocated

- ensure appropriate priority is given to the safe and hygienic disposal of waste
- bring forward the timeframes for some targets.

5.2 Identifying priorities for product stewardship schemes

The discussion document proposes that three products - agricultural chemicals, used oils and refrigerant gases - be fully investigated to see if a mandatory product stewardship scheme is justified.

Of these three, prioritisation of agricultural chemicals could have the greatest potential for impact on the Council. However Council currently operates prudently in this area; selecting, storing, using and disposing of all chemicals appropriately. Officers are supportive of the MfE's choice in products because of their potential to prevent harm to the Wellington environment, but the submission also proposes that:

- a mandatory product stewardship scheme should be investigated for the packaging industry, a major contributor of avoidable waste in Wellington and New Zealand. Industry efforts to establish a voluntary scheme have yet to prove effective for this waste stream
- the MfE should encourage the mercury-containing bulbs and electronic waste (e-waste) industries to engage in voluntary schemes on the basis that, if necessary, the MfE will implement mandatory product stewardship schemes for these products. Officers identify these wastes as significant and urgent in Wellington because of:
 - their potential to cause harm in the environment, including in regard to landfill resource consent conditions
 - the difficulties in their safe treatment and disposal
 - the ease with which a disposer can include such items with their general waste.

5.3 Identifying funding criteria for the Waste Minimisation Fund

The discussion document proposes a set of criteria for assessing applications to the Waste Minimisation Fund. Officers support the criteria proposed, but would see benefits from including weighting and priorities within the criteria.

To ensure that funds are not fully committed, and that capacity remains for potential new initiatives officers recommend that project funding should be time bound, for set up purposes, or for specific aspects of a project only.

It is also recommended that the potential to deliver environmental, economic or social co-benefits should be included as a criterion.

Each project would need to be considered on its individual merit and in regard to its potential contribution to the national and regional matrix of provision.

Council's submission recommends that the MfE consults further on the complex issue of criteria prioritisation and notes that the Council would welcome the opportunity to contribute further as part of this process.

5.4 Monitoring waste in New Zealand

Regulations are proposed requiring landfill operators to collect compositional data on waste disposed at landfills.

Officers advise that the Council's existing data catchment is expected to reflect closely the new MfE requirements. Currently this information is used to inform operational decisions, annual planning and policy review processes.

The Council submission requests MfE to provide clear guidelines to identify under what circumstances, if any, a landfill may be exempt from supplying data on the composition of waste disposed to landfills. This recommendation relates to a number of small landfills in other jurisdictions which are still in operation but which are unsupervised and would be very difficult to regulate.

5.5 Improving the operation of the waste levy

The Act imposes a levy of \$10 per tonne of waste. Landfill operators are required to pay this levy from 1 July 2009. The levy is currently planned to apply to all waste disposed of at landfills, including material used for environmental management purposes such as cover material sourced on site.

Officers advise that transporting cover material sourced on site to the weighbridge before using it would be impractical. The draft submission recommends that material sourced on site for environmental management purposes should be exempt from the levy and that everything that is received by a landfill, including material imported for environmental management purposes should be levied.

6. Conclusion

The MfE has provided the Council with an opportunity to make a submission on the discussion document. This report seeks the Committee's agreement to Council's submission, attached as Appendix 1

Contact Officer: *Ken Bowater, Senior Policy Advisor*

Supporting Information

1) Strategic Fit / Strategic Outcome

The proposal is consistent with the Council's strategic outcomes 4.3, 4.5 and 4.6.

2) LTCCP/Annual Plan reference and long term financial impact

No direct financial implications have been identified for this report.

3) Treaty of Waitangi considerations

No Treaty of Waitangi issues or opportunities has been identified in the drafting of this report.

4) Decision-Making

This is not a significant decision as defined under the Council's Significance Policy.

5) Consultation

a) General Consultation

Public consultation is not required for this proposal. All relevant Council business units have been consulted in preparation of this submission and other Wellington operators have been made aware of the opportunity to submit.

b) Consultation with Maori

No issues of concern specifically to Maori have been identified.

6) Legal Implications

Legal advice has not been received for this report.

7) Consistency with existing policy

This report recommends that the attached submission be forwarded to the Ministry for the Environment and is consistent with the Council's Solid Waste Management Plan 2003.