Western Bay of Plenty District Council

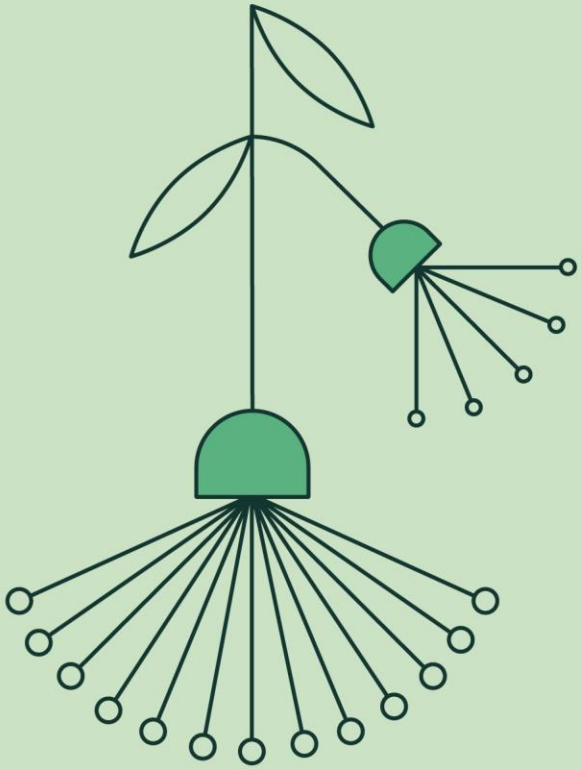
Mā tō tātou takiwā

For our District

Strategy and Policy Committee

Kōmiti Rautaki me Kaupapa Here

SPC23-7
Thursday, 9 November 2023, 9.30am
Council Chambers, Barkes Corner,
1484 Cameron Road, Tauranga



Strategy and Policy Committee

Membership:

Chairperson	Mayor James Denyer
Deputy Chairperson	Cr Richard Crawford
Members	Cr Tracey Coxhead Cr Grant Dally Cr Murray Grainger Cr Anne Henry Cr Rodney Joyce Cr Margaret Murray-Benge Deputy Mayor John Scrimgeour Cr Allan Sole Cr Don Thwaites Cr Andy Wichers
Quorum	Six (6)
Frequency	Six weekly

Role:

- To develop and review strategies, policies, plans and bylaws to advance the strategic direction of Council and its communities.
- To ensure an integrated approach to land development (including land for housing), land use and transportation to enable, support and shape sustainable, vibrant and safe communities.
- To ensure there is sufficient and appropriate housing supply and choice in existing and new urban areas to meet current and future needs.

Scope:

- Development and review of bylaws in accordance with legislation including determination of the nature and extent of community engagement approaches to be deployed.
- Development, review and approval of strategies and plans in accordance with legislation including
- determination of the nature and extent of community engagement approaches to be deployed.
- Subject to compliance with legislation and the Long Term Plan, to resolve all matters of strategic policy outside of the Long Term Plan process which does not require, under the Local Government Act 2002, a resolution of Council.

- Development of District Plan changes up to the point of public notification under the Resource Management Act 1991.
- Endorsement of the Future Development Strategy and sub-regional or regional spatial plans.
- Consider and approve changes to service delivery arrangements arising from service delivery reviews required under the Local Government Act 2002 (provided that where a service delivery proposal requires an amendment to the Long Term Plan, it shall thereafter be progressed by the Annual Plan and Long Term Plan Committee).
- Where un-budgeted financial implications arise from the development or review of policies, bylaws or plans, recommend to Council any changes or variations necessary to give effect to such policies, bylaws or plans.
- Listen to and receive the presentation of views by people and engage in spoken interaction in relation to any matters Council undertakes to consult on whether under the Local Government Act 2002 or any other Act.
- Oversee the development of strategies relating to sub-regional parks and sub-regional community facilities for the enhancement of community wellbeing of the Western Bay of Plenty District communities, for recommendation to Tauranga City Council and Western Bay of Plenty District Council.
- Approve Council submissions to central government, councils and other organisations, including submissions on proposed legislation, plan changes or policy statements.
- Receive and make decisions and recommendations to Council and its Committees, as appropriate, on reports, recommendations and minutes of the following:
  - SmartGrowth Leadership Group
  - Regional Transport Committee
  - Any other Joint Committee, Forum or Working Group, as directed by Council.
- Receive and make decisions on, as appropriate, any matters of a policy or planning nature from the following:
  - Waihī Beach, Katikati, Ōmokoroa, Te Puke and Maketu Community Boards.
  - Community Committee.

Power to Act:

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

Power to Recommend:

- To Council and/or any Committee as it deems appropriate.

Power to sub-delegate:

- The Committee may delegate any of its functions, duties or powers to a subcommittee, working group or other subordinate decision-making body subject to the restrictions within its delegations and provided that any such sub-delegation

includes a statement of purpose and specification of task.

- Should there be insufficient time for Strategy and Policy Committee to consider approval for a final submission to an external body, the Chair has delegated authority to sign the submission on behalf of Council, provided that the final submission is reported to the next scheduled meeting of the Strategy and Policy Committee.

Notice is hereby given that a Strategy and Policy Committee Meeting will be held in the Council Chambers, Barkes Corner, 1484 Cameron Road, Tauranga on:
Thursday, 9 November 2023 at 9.30am

Order Of Business

1 KARAKIA

Whakatau mai te wairua	Settle the spirit
Whakawātea mai te hinengaro	Clear the mind
Whakarite mai te tinana	Prepare the body
Kia ea ai ngā mahi	To achieve what needs to be achieved.
Āe	Yes

2 PRESENT

3 IN ATTENDANCE

4 APOLOGIES

5 CONSIDERATION OF LATE ITEMS

6 DECLARATIONS OF INTEREST

7 PUBLIC EXCLUDED ITEMS

8 PUBLIC FORUM

9 PRESENTATIONS

10 REPORTS

10.1 ADOPTION OF THE DRAFT WASTE MANAGEMENT AND MINIMISATION PLAN FOR CONSULTATION

File Number: A5772994

Author: Charlotte McGirr, Policy Analyst

Authoriser: Rachael Davie, Deputy CEO/General Manager Strategy and Community

EXECUTIVE SUMMARY

1. The purpose of this report is for the Committee to determine if any changes should be made to the draft Waste Management and Minimisation Plan, and to adopt the draft Waste Management and Minimisation Plan for public consultation.

RECOMMENDATION

1. That the Policy Analysts report dated 9 November 2023 titled 'Adoption of the draft Waste Management and Minimisation Plan for Consultation' be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That, with consideration of the Waste Assessment 2022, the draft Waste Management and Minimisation Plan be amended in accordance with section 50(3) of the Waste Minimisation Act 2008.
4. That the draft Waste Management and Minimisation Plan and accompanying Statement of Proposal, Waste Assessment and submission form be adopted for public consultation between 10 November 2023 and 10 December 2023.

BACKGROUND

2. It is a requirement under the Waste Minimisation Act 2008 that Council must have an operative Waste Management and Minimisation Plan (WMMP). This plan must be reviewed and publicly consulted on every six years.
3. The plan outlines the objectives, methods and funding sources for Council's solid waste activities. It will also provide an overview of what actions we will investigate, develop and possibly implement over the next six years.
4. Under the Waste Minimisation Act 2008, Council receives funding from the waste levy administered by the Ministry for the Environment. Having an operative WMMP is a critical requirement for Council to receive this funding.
5. Another key component to receive wasty levy funding includes the completion of a Waste Assessment every six years. The purpose of this assessment is to report on

how Council has delivered on the actions set out in the current WMMP as well as identifying current issues and recommendations to inform the next WMMP review. This assessment was completed and adopted by the Policy Committee on 14 June 2022.

KEY CONSIDERATIONS

6. The Waste Assessment completed in 2022 identified key issues to inform this WMMP review. This included:
   (a) Reliance on waste infrastructure located outside of the District;
   (b) Noticeable quantities of recyclables and food waste in general waste bins;
   (c) A lack of proactive engagement with local iwi;
   (d) Specific waste streams require more attention; and
   (e) Significant national initiatives underway.
7. The New Zealand Waste Strategy was announced in March 2023. The updated strategy has a focus on achieving a more circular economy for waste and provides direction to government, businesses and communities in order to achieve this.
8. The Strategy outlines a number of responsibilities and expectations for Council. These include but are not limited to:
   (a) Aligning our Waste Management and Minimisation Plan with the Strategy;
   (b) Collaborating with other councils to progress circular economy opportunities;
   (c) Supporting local community groups and organisations with their initiatives to reduce waste;
   (d) Work with behaviour change programmes to support waste-related activities;
   (e) Consider waste management infrastructure within planning and consenting processes;
   (f) Identify and manage vulnerable landfills and contaminated sites;
   (g) Monitoring and reporting on the amount of waste being diverted from landfill.
9. The proposed draft plan builds on the 2017 Waste Management and Minimisation Plan, with new actions created in response to the outcomes of the Waste Assessment 2022, pre-engagement feedback and to align with the New Zealand Waste Strategy 2023.

SIGNIFICANCE AND ENGAGEMENT

10. The Local Government Act 2002 requires a formal assessment of the significance of matters and decisions in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community

and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.

11. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

12. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance. There is a legal requirement to engage with the community under section 44 of the Waste Minimisation Act 2008, and the proposed actions in the draft plan will have district-wide impacts that may be of high community interest. However, any significant proposals contained within the draft WMMP will be subject to further investigations, community consultation and consideration of cost before they are implemented.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

13. When preparing, amending or revoking a Waste Management and Minimisation Plan there is a legal requirement to engage with the community under section 44 of the Waste Minimisation Act 2008. This consultation must use the special consultative procedure set out in section 83 of the Local Government Act 2002 and in doing so, must notify the most recent waste assessment with the statement of proposal.

14. Consultation is planned to run from 10 November 2023 to 10 December 2023. This timeframe enables the consultation period to be completed prior to the end of the year and provides the opportunity to register to speak on 14 December 2023.

Interested/Affected Parties	**Completed/Planned Engagement/Consultation/Communication**		
Interested parties/groups	Emails to notify the following parties of consultation on the draft plan and invite feedback through the Have Your Say site: • Neighbouring councils • Central North Island Waste Liaison Group • Environmental Interest Groups • Waste Operators • Industry representatives – construction, healthcare and food and beverage.	Planned	
Tangata Whenua	Workshops were held with both Tangata Whenua forum as part of the development of the draft plan.		Comple

	Further input will be sought as part of the formal engagement through workshops and targeted communication.		
General Public	Community feedback from the Your Place Tō wāhi campaign has informed the development of the draft plan. Public feedback will be sought through access to the Have Your Say site, email and hard copy forms available at the Council Libraries and Service Centres.		

ISSUES AND OPTIONS ASSESSMENT

15. There are two options for consideration, the advantages and disadvantages are outlined below.

Option A **That the Committee adopt the draft Waste Management and Minimisation Plan, draft Statement of Proposal, draft submission form and Waste Assessment 2022 for consultation.**	
Assessment of advantages and disadvantages including impact on each of the four well-beings • **Economic** • **Social** • **Cultural** • **Environmental**	<u>Advantages</u> - Consultation on the draft WMMP is a necessary step in completing the WMMP review. - By completing this process, this enables Council to retain eligibility for funding through the Waste Levy. - Consultation provides opportunity for the community to provide feedback on the draft WMMP for Council to consider. - By progressing with the WMMP review, this will outline a clear action plan for Council's solid waste activity while responding to the New Zealand Waste Strategy and community feedback raised through pre-engagement. <u>Disadvantages</u> - The draft WMMP may not deliver some actions as quickly as desired

	(e.g. Establishment of a transfer station) but is a key tool to progress these actions.
Costs (including present and future costs, direct, indirect and contingent costs).	Staff time will be required to respond to queries from the community about the WMMP. Actions included in the plan to investigate options will be managed by existing staff and budgets. There will be a further consideration of costs required depending on the results of these investigations.
Option B **That the Committee does not adopt the draft Waste Management and Minimisation Plan, draft Statement of Proposal, draft submission form and Waste Assessment 2022 for consultation.**	
Assessment of advantages and disadvantages including impact on each of the four well-beings • **Economic** • **Social** • **Cultural** • **Environmental**	<u>Advantages</u> - Cost of consultation will be delayed. <u>Disadvantages</u> - The WMMP will not be reviewed, consulted on and adopted in a timely manner. This will delay the progression of actions included in the draft WMMP. - This will impact Council's eligibility to receive funding from the Waste Levy. - Council will still have to complete a WMMP review, as this is a requirement under section 43 of the Waste Minimisation Act 2008 that territorial authorities must adopt a Waste Management and Minimisation Plan.
Costs (including present and future costs, direct, indirect and contingent costs).	If the review is delayed, more staff time may be required to revisit issues included in the draft plan. Potential income from the Waste Levy may be lost if the review fails to meet the

	requirements set out in Section 44 of the Waste Minimisation Act 2008.

STATUTORY COMPLIANCE

16. Council must have a Waste Management and Minimisation plan in accordance with section 43 of the Waste Minimisation Act 2008. This plan must promote effective and efficient waste management and minimisation within the district.

17. Under section 50 of the Waste Minimisation Act 2008, a WMMP must be reviewed every six years.

18. In reviewing and amending the WMMP, consideration must be given to the waste hierarchy, New Zealand Waste Strategy and Council's most recent waste assessment.

19. The draft plan will be released for community feedback in accordance with section 83 of the Local Government Act 2002, as required by section 44 of the Waste Minimisation Act 2008. The most recent waste assessment must be notified with the statement of proposal to comply with these requirements.

20. The draft plan is consistent with Council's other plans, policies and bylaws.

FUNDING/BUDGET IMPLICATIONS

21. Implementation of the WMMP action plan will be undertaken within existing resource allocations.

22. Any significant proposals contained within the draft WMMP will be subject to further investigations, community consultation and consideration of cost before they are implemented.

ATTACHMENTS

1. **Draft Waste Management and Minimisation Plan 2023**
2. **Waste Management and Minimisation Plan Review - Statement of Proposal**
3. **Waste Management and Minimisation Plan Submission Form 2023**
4. **Waste Assessment 2022**

Mahere Whakahaere, Whakatāharahara Para

Draft Waste Management and Minimisation Plan

2023

Western
Bay of Plenty
District Council

Ngā rārangi upoko
Contents

He Whakarāpopototanga

Executive Summary

Council's approach to waste management and minimisation has changed significantly in the last few years, and national drivers and changes in community expectations mean that Council will continue to adapt.

We know that there is a pressing need for additional waste infrastructure within the Western Bay of Plenty subregion. This is not just for residential waste but other waste streams such as construction and demolition. Recent and proposed legislative changes have made it clearer than ever that waste minimisation is a priority and we need efficient infrastructure that can address this issue.

A Waste Management and Minimisation Plan (WMMP) is a requirement for Council under the Waste Management Act 2008. This is the third Plan for Western Bay of Plenty District Council. Our first plan was developed in 2010 in conjunction with Tauranga City Council, before our second Plan was developed in 2017 that focused solely on the Western Bay of Plenty District.

The vision of this Plan is Minimising Waste to Landfill. This vision continues from our 2017 WMMP. Long term we want to work towards becoming a zero waste, circular economy, but we recognise there are multiple steps to get there.

This Plan reflects Council's desire to make some real, measurable improvements to the way our waste is managed. We need to prepare for ways in doing this while empowering our communities to shift their way of thinking and doing, to encourage waste minimisation, resource recovery and avoid creating waste in the first place.

Waste minimisation isn't a problem that Council can solve alone, but through our actions in this plan we intend to partner with other Territorial Authorities and work with our communities to take the next step on our journey to zero waste.

He aha mātou e hiahia nei ki tētahi mahere?

Why do we need a plan?

It is a requirement under the Waste Minimisation Act 2008 that Council must have an operative Waste Management and Minimisation Plan.

The purpose of this Plan is to outline our:

- **Vision** Describe Council's vision for solid waste management and minimisation for the Western Bay of Plenty District and how we will meet our long term goals for these
- **Objectives** Identify the objectives and policies to support the achievement of goals
- **Actions** Outline our actions for the next 6 years to achieve effective waste management and minimisation within the District
- **Targets** Outline targets so that we can measure how well we are progressing towards achieving our waste management and minimisation goals
- **Funding** Provide information on how we intend to fund the activities of this WMMP over the next 6 years to 2029.

This meets the requirements of Section 43 of the Waste Minimisation Act 2008 to include a summary of Council's waste management and minimisation objectives, policies and targets, and how these will be delivered and funded.

He aha whakaarahi ana i tā mātou mahi mahere?

What informs our planning?

Policies, Plans and Regulations

The following legislation, plans and policies impact this WMMP:

- New Zealand Waste Strategy 2023
- Waste Minimisation Act 2008
- Local Government Act 2002
- Emissions Reduction Plan 2022
- Hazardous Substances and New Organisms Act 1996
- Resource Management Act 1991
- Natural and Built Environment Act 2023
- Climate Change (Emissions Trading) Amendment Act 2008
- Health Act 1956
- Litter Act 1979

We also know that there may be changes coming to the Waste Minimisation Act 2008, Litter Act 1979 and Building Act 2004 that have the potential to impact Council's waste operations. In the development of this plan, we have considered what we know so far about any changes and new legislation.

The New Zealand Waste Strategy - Te rautaki papa – and why it's important

The New Zealand Waste Strategy - Te rautaki papa sets the national direction for changing how we make, use, manage and dispose of things. The Strategy is guided by the vision that by 2050, Aotearoa New Zealand is a low-emissions, low-waste society, built upon a circular economy.

Everyone plays a role in achieving this vision, with specific expectations for local government.

This includes:

- Applying the strategy to guide our Waste Management and Minimisation Plan;
- Collaborating with other councils to progress circular economy opportunities;
- Supporting local community groups and organisations with their initiatives to reduce waste;
- Work with behaviour change programmes to support waste-related activities;
- Consider waste management infrastructure within planning and consenting processes;
- Identify and manage vulnerable landfills and contaminated sites;
- Monitoring and reporting on the amount of waste being diverted from landfill.

As well as reflecting these expectations within our action plan, this WMMP is aligned to the first phase of the Waste Strategy which focuses on the goal of embedding circular thinking into our systems by 2030.

What is a Circular Economy and Circular Thinking?

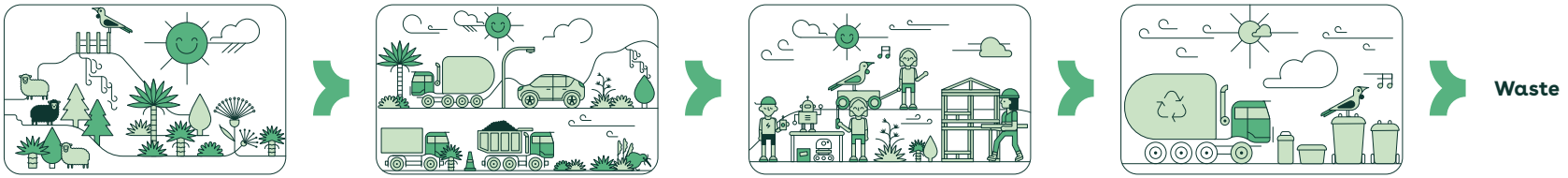
A circular economy means keeping materials in use. At a point where items would traditionally become waste at the end of a product lifecycle, they are instead able to be used as an input into a new product.

The Ministry for the Environment shows this in the following diagram. The linear economy model is what we currently follow – we take the materials, make the product and dispose of it at the end. This creates waste and adds to the issue of what we are trying to combat.

In the circular economy model, there is minimal or no waste at the end. Everything feeds back into the economy to be reused.

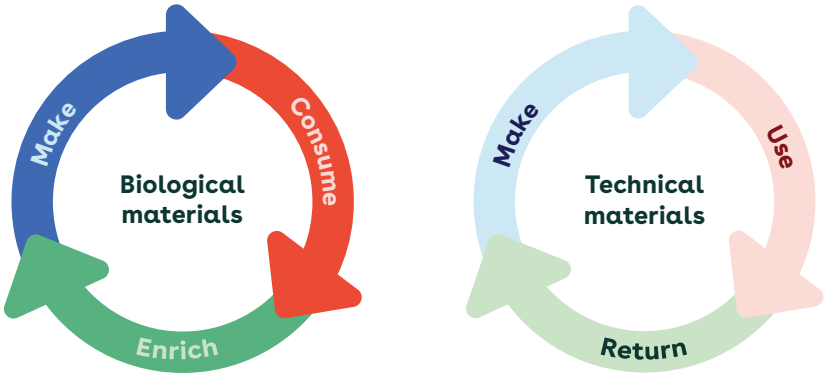
Linear economy

Technical and biological materials mixed up.
Energy from finite sources.

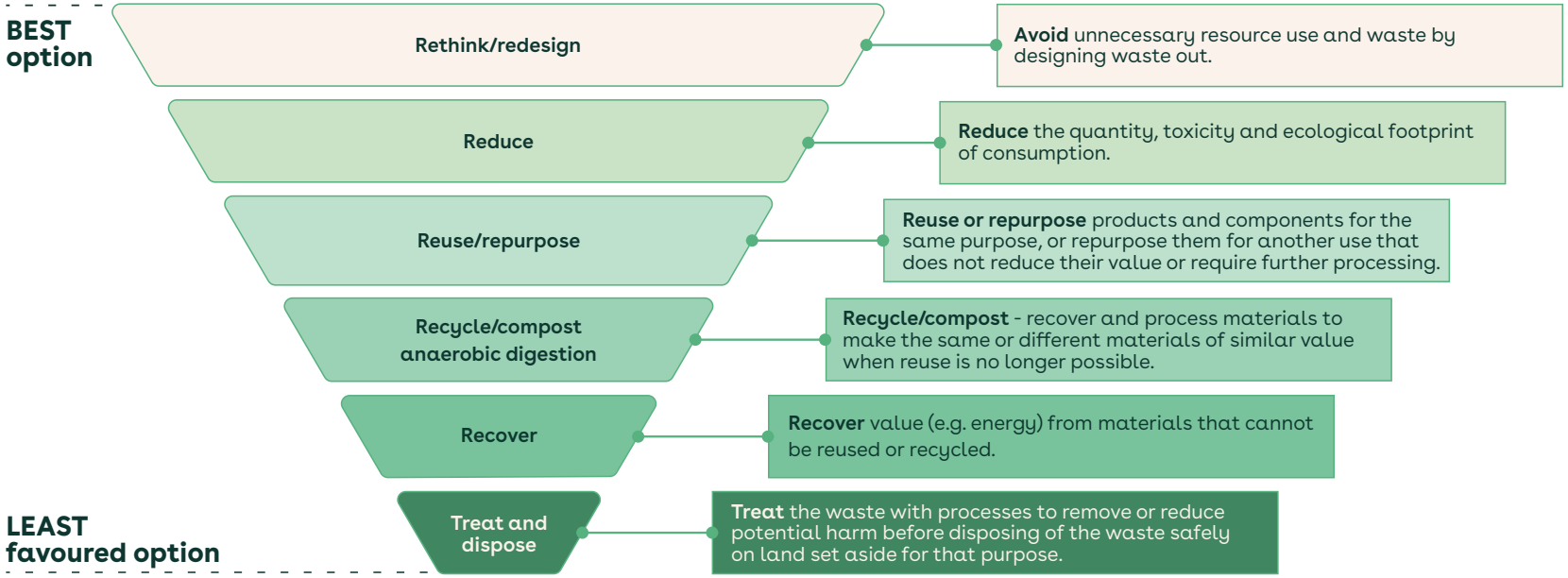


Circular economy

Energy from renewable sources.



The Waste Hierarchy



The Waste Hierarchy illustrates the different methods to reduce and manage waste. It is listed in the Waste Minimisation Act 2008 in order of importance, from reduction to disposal.

To permanently minimise the amount of waste being created, it is important to focus higher up the waste hierarchy. This focuses on changing behaviour to redesign existing systems and ensure less waste at the output.

We know this isn't possible for every item or process, and change won't happen instantly, so the hierarchy also includes methods to better manage waste – rather than disposing straight to landfill.

We have included reference to the waste hierarchy against each of our actions to show how our action plan aligns with the waste hierarchy.

Our Community Feedback

Early engagement on this WMMP asked our communities for their thoughts about what rubbish they struggle with and what services would they like to see more of.

What we heard the most, across the District, was the opinion that it's the big, bulky items that are the problem. These are inorganic resources such as old furniture and appliances that is hard to move and has limited options of where it can be taken, other than travelling to the transfer stations in Tauranga City, Waihi or Matamata.

Ideas from residents to solve this issue included a local transfer station within the District, inorganic collections and resource recovery centres to reuse unwanted items that people would traditionally dispose of.

Other themes that came through our engagement included concern around how to address the issue of soft plastics and e-waste, the lack of facilities for greenwaste disposal and feedback on the kerbside collection service.

Our action plan reflects these issues, to commit to investigating and implementing alternative options to best service our community.

Matauranga Māori

The te ao Māori worldview considers that people are closely connected to the land and everything on it. Closely aligned with the principles of a circular economy, we must prioritise the highest parts of the waste hierarchy to restore Papatūānuku and preserve the resources of the natural world for future generations.

Engagement with local iwi and hapū representatives has identified key areas of interest to support waste minimisation. This includes the investigation into new local infrastructure and services, the need for a focus on education at a community level and giving effect to the natural world and te ao Māori principles.

It was also acknowledged that there is a need for advocacy for more waste minimisation and zero waste initiatives at a national level to drive behaviour change.

In order to achieve our actions in this plan, we need to work with local iwi and hapū and grow authentic, Te Tiriti based relationships to help shape our activities to transition towards achieving a circular economy and zero waste.

Development of the Plan

In preparing this WMMP, we have:

- Had regard to the New Zealand Waste Strategy - Te rautaki papa;
- Considered the waste hierarchy used in the Waste Strategy;
- Considered requirements under the Local Government Act in assessing and making decisions on the best options for addressing the communities waste management needs;
- Considered the findings and feedback of the Waste Assessment in the development of the action plan;
- Considered the effects on existing services, facilities, activities and resourcing.

He aha tā mātou mahi i te para?

What is our role in waste?

In 2021 we launched our Council-led kerbside collection services. This service provides kerbside collection for glass and recyclables, and a pay per pick up rubbish collection for around 75% of our households. It also includes a food scraps collection where viable.

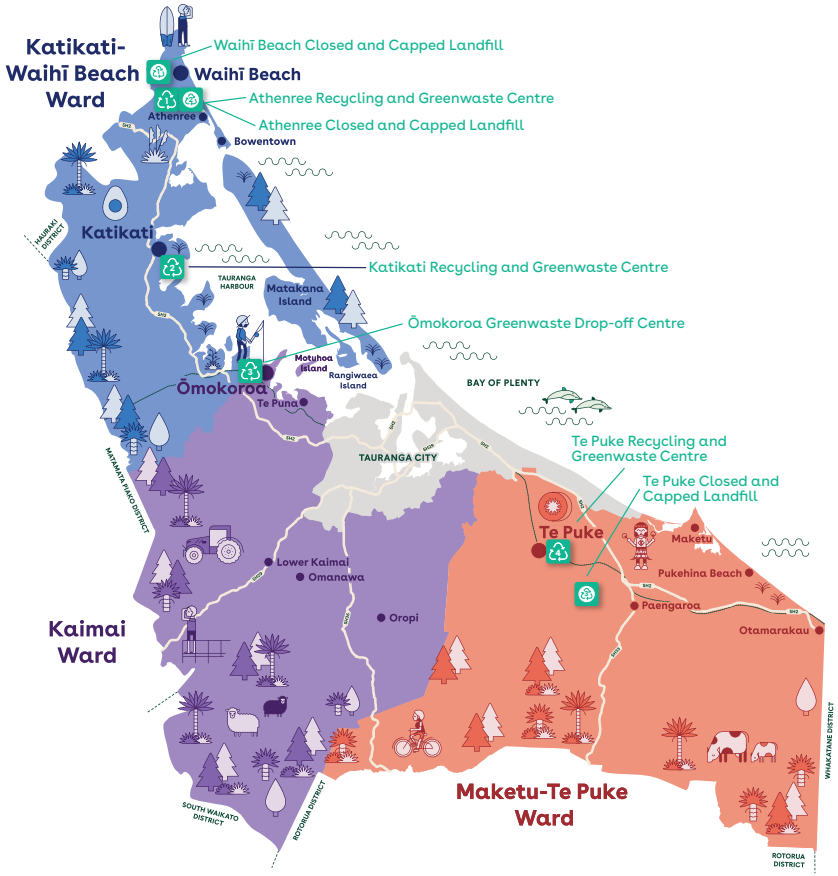
A mobile recycling service to cater to our rural communities was started in 2022. This service currently sees two recycling trailers travel between Pongakawa, Te Ranga and Omanawa on a fortnightly basis. The recyclables collected are then taken for consolidation at our recycling centres.

Prior to 2021, our main involvement with waste included the provision of community recycling and greenwaste facilities, public refuse bin collections, monitoring and maintenance of closed landfills, illegal dumping clean up and abandoned vehicle collection. Council continues to provide these services, while improving on existing facilities where possible.

Council is currently in the process of partnering with iwi and community organisations to convert the existing recycling centres into community-led Resource Recovery Centres. This aligns with circular economy principles to promote waste minimisation and maximise the potential benefit from resources that may end up as waste. One person's trash may be another's treasure!

As a provider of waste services, Council is also obligated to show leadership in waste management and minimisation. Council commits to seek to continuously improve processes for managing waste from our own operations to divert materials from landfill and support the shift towards a circular economy.

Consideration will be given to the waste hierarchy both in business as usual decision-making as well as within Council's procurement processes, as a key component of the environmental pillar of the broader outcomes framework.



Kei te pai ā mātou mahi para?

How well are we managing our waste?

The findings in our 2017 WMMP showed that 72% of kerbside rubbish collected from households could be recycled or composted, instead of being sent to landfill.

Since the launch of our kerbside service, our latest audit shows this number has dropped to 61% of rubbish that could have been diverted from landfill. While this is a positive change, there is still work to do to ensure this number continues to decrease.

Organic material (primarily made up of food waste) continues to be the largest single component in our general waste household collection bins. On average there was also 5% of paper and cardboard, 3% of recyclable plastic and 2% of recyclable glass. For more than 12,000 households, this is all material that could be diverted through the current kerbside collection service.

While this shows the changes happening at a household level, we know that there are other waste streams in the industrial and commercial sectors where majority of the waste sent to landfill could be diverted. Our Waste Assessment outlines construction and demolition waste, healthcare and food and beverage as some key sectors where we can work with industries to address key barriers to waste minimisation and circular thinking.

Figure 1 - Composition by percentage of an average Western Bay household's kerbside rubbish bin (June 2023).

He aha tō mātou hiahia mō te āpōpō?

What do we want the future to look like?

Waste Reduction Targets

The New Zealand Waste Strategy has set national targets to be achieved by 2030.

This includes:

- Reduce waste generation by 10% per person;
- Reduce waste disposal by 30% per person;
- Reduce biogenic methane emissions from waste by at least 30%.

No national baseline has yet been set for these targets. The Ministry for the Environment has acknowledged through the Waste Strategy that existing waste data comes with a high degree of uncertainty, and that a key focus of ensuring these targets are achievable lies in improving the methods of collecting and measuring this data.

From our annual household SWAP analysis, we know approximately what our starting point is to guide our progress towards achieving these targets and aligning with the Strategy at a residential level.

For the purpose of this plan, reduction in domestic kerbside collection targets are as follows:

	Per household	Per capita
2023 baseline	19.86kg	5.36kg
2029 target	25.81kg	6.97kg

Table 1: Targets for waste diverted (weekly average)

	Per household	Per capita
2023 baseline	22.95kg	7.34kg
2029 target	20.65kg	4.82kg

Table 2: Targets for waste generated (weekly average)

These targets aim to align with the Waste Strategy targets and are expressed as the amount of waste we send to landfill per household and per capita. Expressing the target in this way means we can take proper account of waste reduction and the target is easy to measure over time as it takes account of growth.

How will we monitor and evaluate progress?

Annual Reporting

We undertake annual audits of our kerbside collection service to collect data on household general waste bins. This provides information on the amount of divertible waste found in general waste bins and shows behavioural trends over time.

Resident satisfaction with their household rubbish disposal methods is reported annually through our Annual Residents Survey. These results are included in our Annual Report each year.

Council also completes annual reporting on the allocation of Waste Levy to the Ministry for the Environment.

Waste Assessments

Every 6 years, Council is required to complete a Waste Assessment to report on the progress made against the current WMMP. Our most recent Waste Assessment was completed in 2022 and can be found here. This will next be completed in 2027/28.

Ka aha mātou?
What are we going to do?

Our Vision: Minimising Waste to Landfill

Goal 1: Reduce and recover more waste

Objective 1 To reduce the total quantity of waste to landfill, with an emphasis on wastes that create the most harm.

Objective 2 To increase diversion of waste that is currently disposed of to landfill for reuse, recovery, repurposing or recycling.

Goal 2: Apply the latest proven and cost-effective waste management and minimisation approaches

Objective 3 To investigate and where appropriate develop partnership, joint working and co-operation across the private and community sectors as well as territorial and regional councils, including shared services.

Objective 4 To investigate the use of available recovery and treatment technologies and service methodologies and apply these where appropriate.

Objective 5 To engage with iwi/hapū and the community and provide information, education and resources to support community actions.

Objective 6 To use Council influence to advocate for increased or mandatory producer responsibility.

Objective 7 To work with local businesses and organisations to achieve waste reduction at a local level.

Goal 3: To collect information to enable informed decision making

Objective 8 To take actions that will improve information on waste and recovered material activities in the districts, including both Council-contracted and private sector activities.

Objective 9 To work towards aligned data collection and reporting systems across the districts, region and nationally.

Goal 4: To create benefit for our community

Objective 10 To work with service providers to identify efficiencies while maintaining and/or improving service levels.

Objective 11 To consider both short and long term cost impacts of all actions across the community including economic costs and benefits.

Objective 12 To consider the environmental impact of all options and ensure that the overall environmental impact is taken into account in decision-making.

Objective 13 To consider the public health impacts of all waste management options and seek to choose options which effectively protect human health.

Tā mātou mahere mahi

Our Action Plan

#	Action	Objective	New/existing action	Timeframe	Waste hierarchy	Funding source
Education						
1	Continue to support waste minimisation education and communications programmes, ensuring differing cultural needs are supported.	1, 2, 5	Existing	Ongoing	Reduce	Waste levy
2	Collaborate with businesses to promote existing services and facilities that support waste minimisation.	1, 2, 5	New	Ongoing	Reduce	Waste levy
3	Promote food waste education and home composting initiatives alongside the kerbside food collection service, to support the diversion of food waste in general waste bins.	1, 2, 5	New	Ongoing	Reduce/Recover	Waste levy
4	Continue to support Māori waste education programmes and waste minimisation initiatives.	1, 2, 5	Amended	Ongoing	Reduce	Waste levy
Infrastructure						
5	Investigate and establish a resource recovery collection centre for the central part of the district.	1, 2, 3, 4,	Amended	2024 - 2029	Recycle	External Funding/ Rates / Waste Levy
6	Investigate and establish a future resource recovery park/transfer station for the District and/or subregion. This includes investigations of potential locations as well as funding and partnership opportunities.	1, 2, 3, 4, 10, 11, 12, 13	Existing	2024 - 2029	Dispose, recover, reuse	Rates and Waste Levy/External Funding
7	Work in collaboration with other Territorial Authorities and the commercial sector to plan and implement additional waste infrastructure.	2, 3, 4	New	Ongoing	Dispose	Rates and Waste Levy/External Funding

#	Action	Objective	New/existing action	Timeframe	Waste hierarchy	Funding source
8	Investigate and implement options for more cost effective and efficient greenwaste management in the District.	2, 10, 11, 12	Amended	2024 - 2029	Recover	Rates and user pays
9	Continue to provide residents with access to recycling and green waste disposal facilities.	2	Existing	Ongoing	Recover	Waste levy, user pays, rates
10	Continue to monitor and maintain closed landfill sites in the District, as well as responding to any changes under the Natural and Built Environment Act that effect the management of these landfills or our consent requirements.	12, 13	Existing	Ongoing	Dispose /Treatment	Rates
11	Establish community-led resource recovery centres at the existing recycling centres.	2, 3, 5	New	2023 - 2025	Reuse	Rates, Waste Levy
12	Investigate the establishment of infrastructure and services to support product stewardship schemes.	1, 6, 7	New	2024 - 2029	Reuse	Rates, Waste Levy
Services						
13	Monitor and review existing kerbside collection services model.	1, 2, 8, 10, 11	New	2026 - 2028	Dispose	Rates/User Pays
14	Investigate options for greenwaste disposal services.	2, 4, 10, 11	New	2024 - 2029	Reduce	Rates/User Pays
15	Continue to provide mobile recycling service for rural communities and investigate expanding the use of these trailers to be used for events.	2	Existing	Ongoing	Recycle	Waste Levy
16	Investigate and trial alternative options for inorganic waste recovery.	1	New	24/25	Reduce	Waste Levy/User Fees
17	Investigate and trial options to expand on battery and e-waste recovery.	2	New	2024 - 2029	Recycle	Waste Levy/ Rates
18	Continue alternative recovery for bio-solids.	1, 12, 13	Existing	Ongoing	Recover	Rates/Waste levy
19	Investigate options for alternative methods to address the longer term management of bio-solids.	1, 12, 13	New	2024 - 2029	Recover	Rates/ Waste Levy

#	Action	Objective	New/existing action	Timeframe	Waste hierarchy	Funding source
Leadership and collaboration						
20	Advocate for waste minimisation and respond to Government legislative changes and initiatives.	6	Existing	Ongoing	Reduce	Waste levy/rates
21	Establish and manage an annual contestable fund to provide grants for local waste minimisation initiatives that align with the WMMP objectives (as per Section 47 of the Waste Minimisation Act 2008).	1, 2, 5, 7	New	Ongoing	Reduce	Waste levy
22	Implement waste data and licencing systems in collaboration with other Territorial Authorities and Central Government.	8, 9	New	Ongoing	Reduce	Rates/Licence Fees
23	Investigate, trial and implement changes to support a circular economy, in particular with a focus on construction and demolition, healthcare and food and beverage waste streams.	3, 7	New	Ongoing	Reduce	Waste levy/ Rates/ External funding
24	Investigate options and collaborate with other Territorial Authorities and relevant waste sector organisations to consider solutions to address other waste streams (eg. soft plastics).	3	New	Ongoing	Recover	Waste levy/ Rates/ External funding
25	Consult with Tangata Whenua through the existing Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o te Waka o Te Arawa Forums when considering changes to waste services and policies, to ensure consideration of tikanga and mātauranga Māori.	3, 5	New	Ongoing	Reduce	Rates
26	Review the WMMP and prepare a Waste Assessment unless legislation change prompts new requirements.	8	Amended	2028/29	Reduce	Rates
27	Establish advisory boards with community and Tangata Whenua to govern the community-led resource recovery centres.	3	New	Ongoing	Reuse	Waste Levy and External Funding

#	Action	Objective	New/existing action	Timeframe	Waste hierarchy	Funding source
28	Collaborate with Emergency Management Bay of Plenty to create waste management plans in the case of a civil defence emergency event.	3, 12, 13	New	2024 - 2029	Dispose/Treatment	Rates
29	Create a plan and collaborate with other agencies to respond to contaminated debris following storm events.	3, 12, 13	New	2024 – 2029	Dispose	Rates
Monitoring and reporting						
30	Continue to carry out waste audits.	8	Existing	Ongoing	Reduce	Waste levy / Rates
31	Collaborate with businesses and organisations to investigate and support the monitoring of their waste.	7	New	Ongoing	Reduce	Waste levy / Rates
32	Investigate and monitor behaviour change in organic waste disposal.	2, 8	New	Ongoing	Reduce	Waste levy
33	Monitoring of: level of service, compliance with legislative requirements, regulations and waste reduction and diversion.	8	Existing	Ongoing	Reduce	Waste Levy / Rates
Regulation						
34	Implement and enforce the Waste Management and Minimisation Bylaw 2022 clause to require site waste management plans (noting that this will require engagement with the sector).	7	New	2025 - 2029	Reduce	Rates
35	Investigate and trial opportunities to recover construction and demolition, healthcare and food and beverage waste.	1, 7	New	2024 - 2029	Reduce	Waste Levy
36	Ensure that all illegal dumping activities are recorded and where possible, infringement notices and cost recovery undertaken.	1, 12, 13	Existing	Ongoing	Dispose	Rates

Ka pēhea tēnei e utua?

How is this funded?

The funding of actions within this WMMP must take the following into consideration:

- alignment with the intent of the Waste Minimisation Act 2008 (WMA) to minimise waste to landfill
- affordability and the minimisation of costs;
- transparency; and
- equity and fairness.

We have a number of funding systems to consider:

1. User charges
2. Rates funding
3. Revenue from existing facilities and services
4. Revenue from disposer pays to fund diversion services/facilities
5. Waste levy
6. External funding and grants

Rates Funding and User Charges

At the moment some waste services provided by Council are funded through rates. This includes the provision of the community recycling and greenwaste facilities, litter collection and illegal dumping. Others such as the greenwaste drop off are user-pays.

Our kerbside services are rates funded for recycling and food waste collection. The kerbside rubbish collection is currently funded through user charges through a Pay As You Throw (PAYT) tag. By implementing a user pays system, each household is only paying for the rubbish they generate.

Waste Levy

We receive some funding from the Ministry for the Environment through the waste levy charged at landfills, a portion of which is currently divided between councils based on population. We can only use these funds to pay for waste minimisation activities and these activities must align with our WMMP. The waste levy has been increasing for four years up to 2024. There is currently some uncertainty on the future of this fund, whether it will continue to increase and how it will be divided.

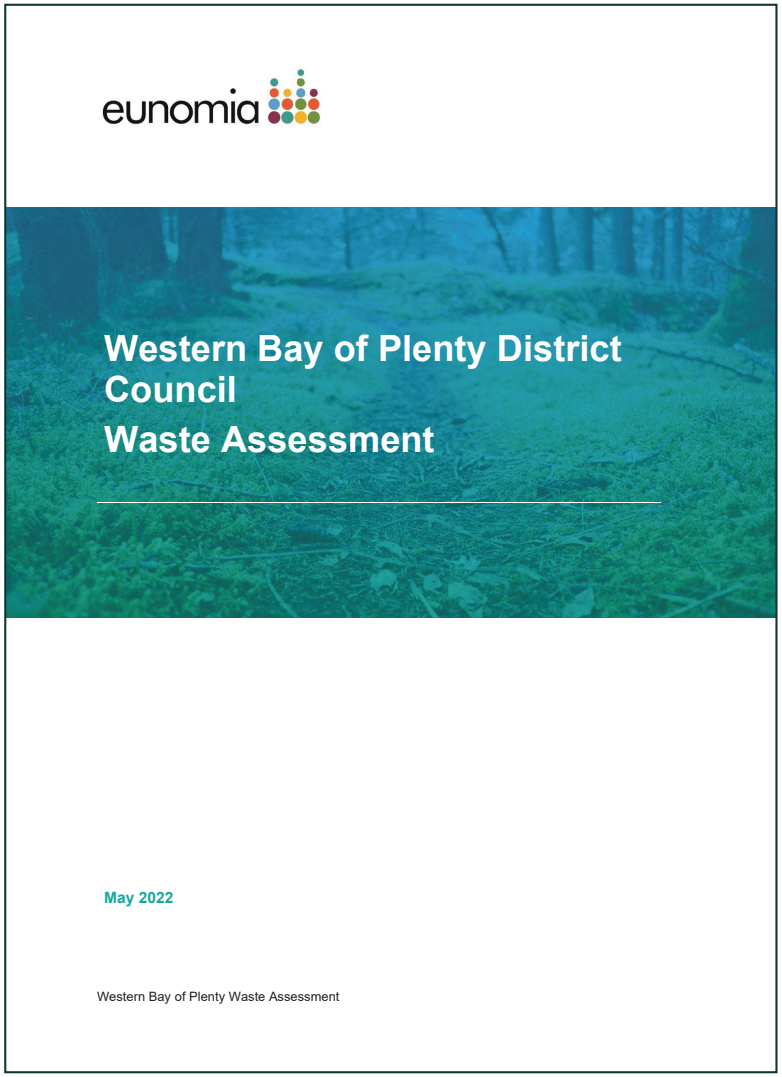
This WMMP Action Plan outlines a number of actions that will promote or achieve waste minimisation, and therefore can be funded through the waste levy funds.

External Funding and Grants

We have the option of applying to central government for funding to help with specific projects, for example the upgrading or development of community resource recovery facilities. However, as we cannot predict if any funding will be received, we need to make provision for these costs from our own budgets.

Āpitihanga 1: Tātaritanga Para
Appendix 1: Waste assessment

The Waste Assessment 2022 can be viewed on Council's website here.



Āpitihanga 2: He Whakamahuki Kī

Appendix 2: Definitions and abbreviations

Circular Economy	Keeping materials in use.
Cleanfill	A cleanfill (properly referred to as a Class 4 landfill) is any disposal facility that accepts only cleanfill material. This is defined as material that, when buried, will have no adverse environmental effect on people or the environment
Composting	An aerobic form of decomposition, primarily by microbes
Construction and demolition waste (C&D)	Waste generated from the construction or demolition of a building including the preparation and/or clearance of the property or site. This excludes materials such as clay, soil and rock when those materials are associated with infrastructure such as road construction and maintenance but includes building-related infrastructure.
Disposal	final deposit of waste into or onto land, or incineration
Diverted material	Anything no longer required for its original purpose and, but for commercial and other waste minimisation activities would be disposed of or discarded.
Domestic waste	Waste from domestic activity in households.

Food waste	Any food scraps – from preparing meals, leftovers, scraps, tea bags, coffee grounds.
Garden waste	Waste largely from the garden – hedge clippings, tree/bush pruning, lawn clippings.
Hazardous waste	Waste that can cause harm or damage, to people or the environment, like strong chemicals.
Landfill	A disposal facility as defined in section 7 of the Waste Minimisation Act 2008, excluding incineration. Properly referred to as a Class 1 landfill.
Litter and illegal dumping	Littering is defined in the Litter Act 1979 as any refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, or waste matter, or any other thing of a like nature. A definition of dumping is that: dumping is not a separate offence but is littering at the extreme end of the scale that depends on the amount and nature of the litter that is deposited, the location and circumstances in which the littering occurs and the resources required to remove the litter
Mana Whenua	Customary authority exercised by an iwi or hapu in an identified area.

Managed fill	A disposal site requiring resource consent to accept well- defined types of non-municipal waste (e.g. low-level contaminated soils).
MfE	The Ministry for the Environment.
Organic waste, including food, putrescible, garden, green waste	Plant based material and other bio-degradable material that can be recovered through composting, digestion or other similar processes. In this WMMP, organic waste refers to food waste (or kitchen waste) and garden waste (or green waste).
Recovery	extraction of materials or energy from waste or diverted material for further use or processing and includes making waste or diverted material into compost
Recyclables	Waste material that is suitable for recycling through the kerbside collection, at the resource recovery park/ transfer station or at any other suitable and verified location.
Recycling	The reprocessing of waste material to produce new materials.
Reduction	Lessening waste generation, including by using products more efficiently or by redesigning products.
Reuse	The further use of waste or diverted material in its existing form for the original purpose of the materials or products that constitute the waste or diverted material, or for a similar purpose.
Rubbish	Waste, that currently has little other management options other than disposal to landfill
SWAP	Solid Waste Analysis Protocol (SWAP), an MfE-led baseline programme to provide solid waste composition information.
Tangata Whenua	Indigenous people, people of the land, in New Zealand, the Māori people.
Treatment	Subjecting waste to any physical, biological, or chemical process to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment.
Waste	Anything disposed of, or discarded; and: • includes a type of waste defined by its composition or source (e.g. organic waste, electronic waste, or construction and demolition waste etc.); and • to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.
Waste Assessment	Provides the necessary background information on the waste and diverted material streams that will enable council to determine a logical set of priorities and inform its activities, as defined by section 51 of the Waste Minimisation Act 2008. A waste assessment must be completed prior to a WMMP being reviewed.
Waste Hierarchy	A list of waste management options with decreasing priority - usually shown as 'reduce, reuse, recycle, reprocess, treat, dispose.'
WMA	Waste Minimisation Act (2008)
WMMP	Waste Management and Minimisation Plan, also sometimes referred to as 'the Plan' as defined by section 43 of the Waste Minimisation Act 2008.
Zero Waste	A philosophy for waste management, focusing on Council/community partnerships, local economic development, and viewing waste as a resource.

Western
Bay of Plenty
District Council

Te Kaunihera a rohe mai i
Ngā Kuri-a-Whārei ki
Otamarakau ki te Uru

westernbay.govt.nz


Western
Bay of Plenty
District Council
Mā tō
tātou takiwā
For our District
Waste Management and
Minimisation Plan Review
Statement of Proposal

1. Introduction

The Waste Management and Minimisation Plan (WMMP) sets out Council's plan for waste in the district. The plan outlines the objectives, methods and funding sources for Council's solid waste activities. It will also provide an overview of what actions we will investigate, develop and implement over the life of the plan.

2. Why we need a new plan

It is a requirement under the Waste Minimisation Act 2008 that Council must have an operative Waste Management and Minimisation Plan and that this plan is reviewed every six years.

Under the Waste Minimisation Act 2008, Council receives funding from the Waste Minimisation Levy administered by the Ministry for the Environment. Having an operative WMMP is a critical requirement for Council to receive this funding, which can then be put towards actions in the WMMP.

3. Summary of key actions proposed in the draft Plan

A draft Waste Management and Minimisation Plan has been prepared outlining our proposed actions for the next six years. This plan builds on our previous WMMP, with new actions created to respond to community feedback, the findings of our Waste Assessment and to align with the New Zealand Waste Strategy 2023.

Education
These actions propose using some of the funding we receive from the Waste Minimisation Levy to continue to support a variety of waste education programmes, as well as look for opportunities to collaborate with businesses to promote their waste minimisation initiatives.

Infrastructure
We plan to investigate and establish resource recovery centres (transfer stations) that will best service the district and wider sub region. This will require investigations for potential locations as well as funding and partnership opportunities. By working in collaboration with other Territorial Authorities, Central Government and the commercial sector we plan to address the need for additional waste infrastructure to service both residential waste as well as other waste streams (eg. Construction and demolition).

These actions also propose that we will investigate for more cost effective and efficient greenwaste management in the District, while continuing to provide access to existing recycling and greenwaste facilities.

We know that product stewardship (producer responsibility) is a key step towards reaching a circular economy. We want to be in the best position to support these schemes as they take shape and have included this in our action plan.

Services

These actions commit us to continuing with what we currently know works and improving on existing services where feasible. We will monitor and review our kerbside services collection model to ensure it is the best approach as well as looking at whether an optional greenwaste collection service is viable.

We heard through early engagement that is the larger, inorganic items that is the biggest problem for a lot of residents. As a result, we have included an action to investigate and trial alternative options to recover this waste as well as batteries and e-waste.

Leadership and collaboration

We are proposing to establish an annual contestable fund to provide community grants for local waste minimisation initiatives. This would use funding we receive from the Waste Minimisation Levy to encourage community-led initiatives that achieve waste minimisation and our WMMP objectives. Guidelines would be set each year to outline the application process and the amount of this fund.

We will continue to advocate to Central Government on behalf of the community in response to waste legislation changes. We also propose to investigate, trial and implement changes to support achieving circular economy principles in relation to other waste streams such as construction and demolition, hospitality, food and beverage and soft plastics. This will require collaborating with other Territorial Authorities and relevant industries to achieve solutions.

Our Waste Assessment outlined the need for increased engagement with local iwi and hapū. To commit to doing this, we have included an action to ensure consideration of tikanga and mātauranga Māori is applied when considering changes to waste services and policies, through consultation with Council's two partnership forums.

Recent national weather events have outlined the importance of waste management in the case of an emergency. We have included actions to work with Emergency Management Bay of Plenty to ensure there are plans in place for future events, as well as in response to dealing with contaminated debris.

Monitoring and reporting

We know that effectively monitoring and capturing data is key to tracking our progress towards waste minimisation and demonstrating how we are aligning with the New Zealand Waste Strategy. Our proposed actions include continuing our current waste audits and compliance monitoring as well as providing support to businesses to support business waste monitoring. As organic waste continues to make up a large portion of waste that can be diverted from landfill, this will also be a focus to monitor how effective education and service provision will influence change.

Regulation

Through our Waste Management and Minimisation Bylaw 2022, we included the clause to request site waste management plans for construction and demolition waste. We have included an action that will allow us to investigate and implement this clause, noting that engagement with the sector will be undertaken as part of this. We have also included an action to investigate and trial opportunities to address waste streams (including construction and demolition) to support this function.

4. Have Your Say

We need your feedback by Sunday 10 December 2023.

Please tell us your thoughts on what's proposed in the draft Waste Management and Minimisation Plan.

You can do this by:

- Entering it online at: https://haveyoursay.westernbay.govt.nz
- Posting it to: Waste Management and Minimisation Plan Review, Western Bay of Plenty District Council, Private Bag 12803, Tauranga 3143.
- Emailing it to: haveyoursay@westernbay.govt.nz
- Delivering it to:
  - Western Bay of Plenty Barkes Corner Office, 1484 Cameron Road, Greerton
  - Te Puke Library and Service Centre, 130 Jellicoe Street, Te Puke

- The Centre – Pātuki Manawa, Katikati Library, Service Centre and Community Hub, 21 Main Road, Katikati
- Waihī Beach Library and Service Centre, 106 Beach Road, Waihī Beach
- Ōmokoroa Library and Service Centre, 28 Western Avenue, Ōmokoroa

Feedback forms are available online, at our service centres listed above, or through calling the Council (07 571 8008) to request a hard copy.

Giving effective feedback
Online and hard copy submission forms provide the opportunity to express your views on the draft Plan. These forms include a question on the key changes we are consulting on and ask for your opinion on it. You may also wish to comment on specific actions in the draft Plan, and state why the action is supported, not supported, or how it could be amended.

If you would like to speak to your submission in person on Thursday 14 December, please phone 07 571 8008 or email haveyoursay@westernbay.govt.nz by Sunday 10 December, or make sure you have included this on your submission.

After providing feedback
Council will acknowledge in writing or by email (if provided) the receipt of your feedback and all feedback will be considered through Council's deliberations process. All submitters who provided email or postal details will be notified of our decisions.

Period for feedback opens: Friday 10 November 2023
Period for feedback closes: Sunday 10 December 2023
Opportunity to speak: Thursday 14 December 2023

5. What happens next

The plan includes a range of actions to be implemented over the next six years. This includes the continuation of our kerbside services, rural recycling trailers, existing recycling centres as well as educational and community support programmes already underway.

In other instances, implementation will involve scoping and investigating potential projects in order to determine the best way forward. Following investigations, further public consultation and the consideration of costs may be required.

Waste Management and Minimisation Plan

Have your say feedback form

Western Bay of Plenty District Council

Office use only:
Feedback number & date received

Tell us what you think about our draft Waste Management and Minimisation Plan

We appreciate you taking the time to let us know what you think about our draft Waste Management and Minimisation Plan.

To learn more about our proposed changes, the draft plan and statement of proposal are available at any of our service centres or at haveyoursay.westernbay.govt.nz.

Visit **haveyoursay.westernbay.govt.nz** to make a submission online, or fill out this feedback form and either:

- deliver to one of our local library and service centres,
- scan and email it to haveyoursay@westernbay.govt.nz
- or mail it to:

Western Bay of Plenty District Council - WMMP Review
Private Bag 12803
Tauranga Mail Centre
Tauranga 3143

Feedback must be received by Sunday 10 December 2023

Name: _____

Organisation (only if submitting on behalf): _____

Address: _____

Phone: _____

Email: _____

Signature: _____

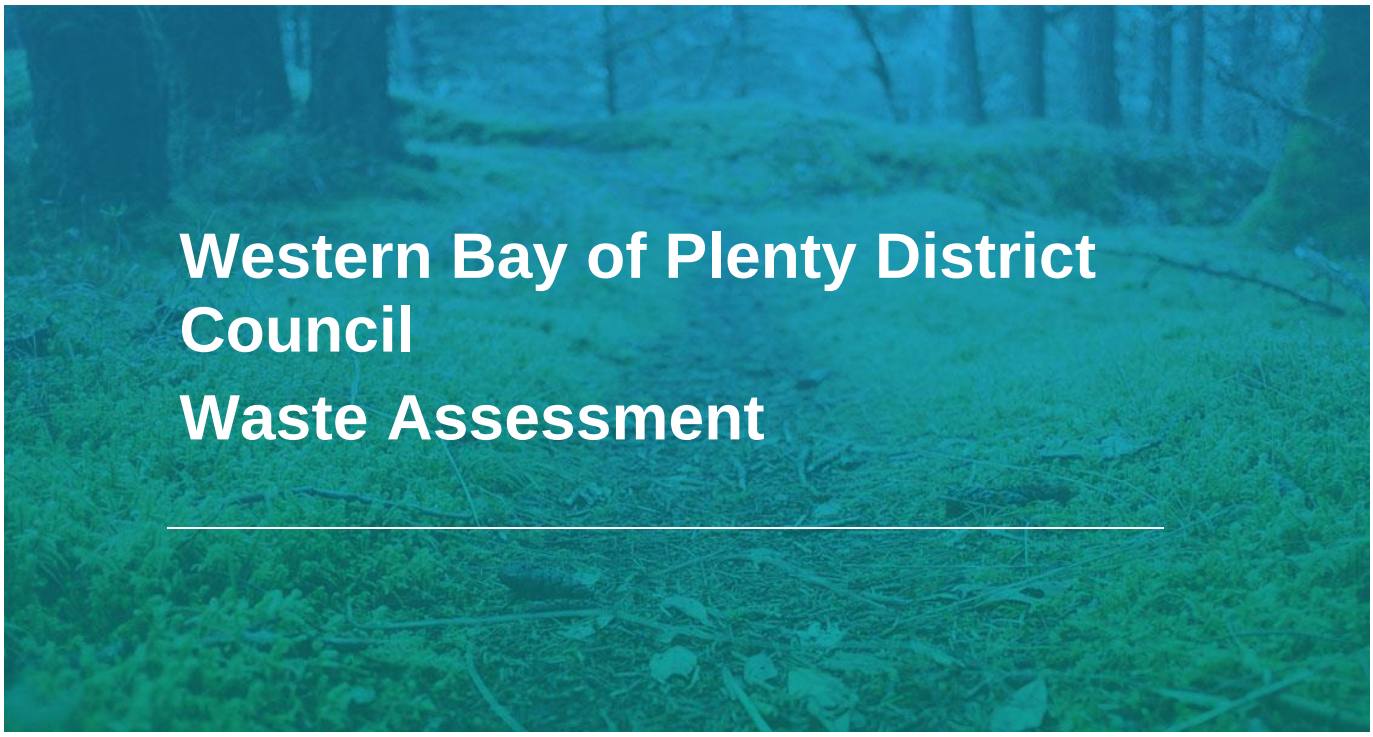
Register to formally present
Email haveyoursay@westernbay.govt.nz if you would like to register to speak to Councillors in Council Chambers on Thursday 14 December 2023.

Privacy Act 2020: This form and the details of your submission will be publicly available as part of the decision making process. The information will be held at Western Bay of Plenty District Council, Head Office, 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

Do you feel confident that this plan will help us to minimise our waste, respond to community issues and ensure a more sustainable community for us all?

The actions in the draft plan cover the following themes:

- Education
- Infrastructure
- Services
- Collaboration and Leadership
- Monitoring and Reporting
- Regulation



Western Bay of Plenty District Council
Waste Assessment

May 2022

Report for the Western Bay of Plenty District Council

Prepared by Duncan Wilson, Lisa Eve, Marty Hoffart (Wastewatchers) and Bruce Middleton (Waste Not Consulting Ltd)

Approved by

Duncan Wilson

(Project Director)

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Acknowledgements

Disclaimer

Contents

1 Introduction

This Waste Assessment has been prepared for Western Bay of Plenty District Council (the Council) by Eunomia Research & Consulting in accordance with the requirements of the Waste Minimisation Act 2008 (WMA). This document provides background information and data to support the Council's waste management and minimisation planning process.

1.1 Structure of this Document

This document is arranged into a number of sections designed to help construct a picture of waste management in our district. The key sections are outlined below.

Introduction

The introduction covers a number of topics that set the scene. This includes clarifying the purpose of this Waste Assessment, its scope, the legislative context, and key documents that have informed the assessment.

Bay of Plenty Region

This section presents a brief overview of key aspects of the region's geography, economy, and demographics that influence the quantities and types of waste generated and potential opportunities. It also provides an overview of regional waste facilities, and initiatives that may be of relevance to how we manage our waste.

Our District

This section presents a brief overview of key aspects of the city's geography, economy, and demographics that influence the quantities and types of waste generated and potential opportunities.

Waste Infrastructure, Services, Data and Performance Measurement

These sections examine how waste is currently managed, where waste comes from, how much there is, its composition, and where it goes.

Gap Analysis and Future Demand

This section provides an analysis of what is likely to influence demand for waste and recovery services in the district and region and identifies key gaps in current and future service provision, and in the Council's ability to promote effective and efficient waste management and minimisation.

Statement of Options & Council's Proposed Role

These sections develop options available for meeting the forecast future demand and identify the Council's proposed role in ensuring that future demand is met, and that the Council is able to meet its statutory obligations.

Statement of Proposals

The statement of proposals sets out what actions are proposed to be taken forward. The proposals will be carried forward into the Waste Management and Minimisation Plan (WMMP).

Appendices

The appendices contain additional waste management data and further detail about facilities in each district. This section includes the statement from the Medical Officer of Health as well as additional detail on the national context.

1.2 Purpose of this Waste Assessment

This Waste Assessment is intended to provide an initial step towards the development of a WMMP and sets out the information necessary to identify the key issues and priority actions that will be included in the draft WMMP.

Section 51 of the WMA outlines the requirements of a waste assessment, which must include:

- a description of the collection, recycling, recovery, treatment, and disposal services provided within the territorial authority's district
- a forecast of future demands
- a statement of options
- a statement of the territorial authority's intended role in meeting demands
- a statement of the territorial authority's proposals for meeting the forecast demands
- a statement about the extent to which the proposals will protect public health, and promote effective and efficient waste management and minimisation.

1.3 Legislative Context

The principal solid waste legislation in New Zealand is the Waste Minimisation Act 2008 (WMA). The stated purpose of the WMA is to:

> "encourage waste minimisation and a decrease in waste disposal in order to
>
> (a) protect the environment from harm; and
>
> (b) provide environmental, social, economic, and cultural benefits."

To further its aims, the WMA requires TAs to promote effective and efficient waste management and minimisation within their district. To achieve this, all TAs are required by the legislation to adopt a WMMP.

The WMA requires every TA to complete a formal review of its existing waste management and minimisation plan at least every six years. The review must be consistent with WMA sections 50 and 51. Section 50 of the WMA also requires all TAs to prepare a 'waste assessment' prior to reviewing its existing plan. This document has been prepared in fulfilment of that requirement. The Council's existing Waste Assessment was written as a joint document with Tauranga City Council, and was adopted in 2016. Council's WMMP (not a joint document, although sharing a vision with Tauranga's WMMP) was adopted in December 2017.

Further detail on key waste-related legislation is contained in Appendix A.4.0.

1.4 Scope

1.4.1 General

As well as fulfilling the statutory requirements of the WMA, this Waste Assessment will build a foundation that will enable Council to review and/or update its WMMP in an informed and effective manner. In preparing this document, reference has been made to the Ministry for the Environment's 'Waste Management and Minimisation Planning: Guidance for Territorial Authorities'[1].

A key issue for this Waste Assessment will be forming a clear picture of waste flows and management options in the city. The WMA requires that a waste assessment must contain:

"A description of the collection, recycling, recovery, treatment, and disposal services provided within the territorial authority's district (whether by the territorial authority or otherwise)".

This means that this Waste Assessment must take into consideration all waste and recycling services carried out by private waste operators as well as the TA's own services. While the Council has reliable data on the waste flows that it controls, data on those services provided by private industry is limited. Reliable, regular data on waste flows is important if the TA chooses to include waste reduction targets in their WMMP. Without data, targets cannot be readily measured.

The New Zealand Waste Strategy 2010 also makes clear that TAs have a statutory obligation (under the WMA) to promote effective and efficient waste management and minimisation in their district. This applies to all waste and materials flows in the district, not just those controlled by councils.

Although the WMA is currently subject to review (as discussed further below in section xx), there has not been any indication that these requirements would change as a result.

1.4.2 Period of Waste Assessment

The WMA requires WMMPs to be reviewed at least every six years, but it is considered prudent to take a longer-term view. The horizon for the WMMP is not fixed but is assumed to be centred on a 10-year timeframe, in line with council's long term plans (LTPs). For some assets and services, it is necessary to consider a longer timeframe and so this is taken into account where appropriate.

1.4.3 Consideration of Solid, Liquid and Gaseous Wastes

The guidance provided by the Ministry for the Environment on preparing Waste Management and Minimisation Plans states that:

"Councils need to determine the scope of their WMMP in terms of which wastes and diverted materials are to be considered within the plan".

[1] Ministry for the Environment (2015), Waste Management and Minimisation Planning: Guidance for Territorial Authorities

The guidance further suggests that liquid or gaseous wastes that are directly managed by a TA, or are disposed of to landfill, should be seriously considered for inclusion in a WMMP.

Other wastes that could potentially be within the scope of the WMMP include gas from landfills and the management of biosolids from wastewater treatment plant (WWTP) processes.

The nearest landfill to Western Bay district is Waste Management New Zealand Ltd's Tirohia landfill, which has a landfill gas capture system in place.

In line with the Council's previous WMMP, this Waste Assessment is focused on solid waste that is disposed of to land or diverted from land disposal, including solid waste collected and disposed of by commercial enterprise as well as waste collected by the council.

The WMMP also considers disposal of biosolids, specifically waste products from the waste water treatment system (sludge).

1.4.4 Public Health Issues

Protecting public health is one of the original reasons for local authority involvement in waste management. The New Zealand Waste Strategy 2010 contains the twin high-level goals of "Reducing the harmful effects of waste", and "Improving the efficiency of resource use". In terms of addressing waste management in a strategic context, protection of public health can be considered one of the components entailed in "reducing harm".

Protection of public health is currently addressed by a number of pieces of legislation. Discussion of the implications of the legislation is contained in Appendix A.4.0.

1.4.4.1 Key Waste Management Public Health Issues

Key issues that are likely to be of concern in terms of public health include the following:

- Population health profile and characteristics
- Meeting the requirements of the Health Act 1956
- Management of putrescible wastes
- Management of nappy and sanitary wastes
- Potential for dog/seagull/vermin strike
- Timely collection of material
- Locations of waste activities
- Management of spillage
- Litter and illegal dumping
- Medical waste from households and healthcare operators
- Storage of wastes
- Management of biosolids/sludges from WWTP
- Management of hazardous wastes (including asbestos, e-waste, etc.)
- Private on-site management of wastes (i.e. burning, burying)
- Closed landfill management including air and water discharges, odours and vermin
- Health and safety considerations relating to collection and handling.

1.4.4.2 Management of Public Health Issues

From a strategic perspective, the public health issues listed above are likely to apply to a greater or lesser extent to virtually all options under consideration. For example, illegal dumping tends to take place ubiquitously, irrespective of whatever waste collection and transfer station systems are in place. Some systems may exacerbate the problem (infrequent collection, user-charges, inconveniently located facilities etc.) but, by the same token, the issues can be managed through methods such as enforcement, education and by providing convenient facilities.

In most cases, public health issues will be able to be addressed through setting appropriate performance standards for waste services. It is also important to ensure performance is monitored and reported on and that there are appropriate structures within the contracts for addressing issues that arise. There is expected to be added emphasis on workplace health and safety under the Health and Safety at Work Act 2015. This legislation could impact on the choice of collection methodologies and working practices and the design of waste facilities, for example.

In addition, public health impacts will be able to be managed through consideration of potential effects of planning decisions, especially for vulnerable groups. That is, potential issues will be identified prior to implementation so they can be mitigated for.

1.5 Strategic Context

1.5.1 New Zealand Waste Strategy

The New Zealand Waste Strategy: Reducing Harm, Improving Efficiency (NZWS) is the Government's core policy document concerning waste management and minimisation in New Zealand. The two goals of the NZWS are:

1. Reducing the harmful effects of waste
2. Improving the efficiency of resource use.

Section 44 of the WMA requires councils to have regard to the NZWS when preparing their WMMP.

For the purpose of this Waste Assessment, the council has given regard to the NZWS and the current WMMP (2017).

MfE has released a draft revised 'New Zealand Waste Strategy' (the Strategy), which was open for consultation until 10th December 2021. The new draft Strategy has a focus on achieving a more 'circular economy' for waste and sets out a multi-decade pathway towards this.

The MfE are currently reviewing submission responses, and the final form of the strategy is not yet known.

The consultation document[2] includes:

[2] https://environment.govt.nz/assets/publications/waste-strategy-and-legislation-consultation-document-.pdf

- A review of the current situation with waste management in New Zealand, including our performance in the global context
- A proposed new vision and principles for New Zealand
- A staged transition process, with three stages described
- A more detailed description of what stage one might look like
- Targets
- Proposals to review associated legislation.

These sections are discussed in more detail in Appendix A.4.0.

The proposed direction of the draft New Zealand Waste Strategy, the supporting actions, and the suggested targets all have clear implications for the future direction of waste management and minimisation in this country.

- The overall direction of the Waste Strategy is towards a circular economy;
- There are specific actions relating to reducing a wide range of waste streams, and specifically and particularly organic waste – in concert with work to reduce emissions; and
- The targets focus on reducing waste generation and waste disposal by 2030 – by quite significant proportions.

Given that the draft was developed in partnership with an industry focus group with representatives from across the sector, it presumably has wide-ranging support and seems unlikely to change significantly in its final form. The alignment with work to reduce emissions makes this particularly unlikely for the aspects that relate specifically to organic waste.

1.5.2 Emissions Reduction Plan (Draft)

The Climate Change Commission (CCC) was established to provide impartial expert evidence to government to support initiatives that would reduce greenhouse gas emissions and address climate change mitigation and adaptation, contributing towards the goals set out in the Climate Change Response Act 2002. The CCC reviewed the waste sector as part of its work during 2020 and 2021 and has provided its final advice to government with respect to this sector, amongst others.

The recommendations for the waste sector included an increase in waste minimisation infrastructure investments to decrease methane emissions from waste by at least 40% by 2035 from 2017 levels[3]. New Zealand has a long-term target of net zero greenhouse gases by 2050, and a specific target for biogenic methane of 24 – 47% reduction by 2050 under the Climate Change Response Act (2002 Act).

The advice of the CCC is that unless waste management practices and policy settings in New Zealand change significantly, we will not meet the targets set in the 2002 Act – "*current policies will not deliver the emissions reductions we must achieve."* Comprehensive action is

[3] https://www.climatecommission.govt.nz/our-work/advice-to-government-topic/inaia-tonu-nei-a-low-emissions-future-for-aotearoa/chapter-summaries/

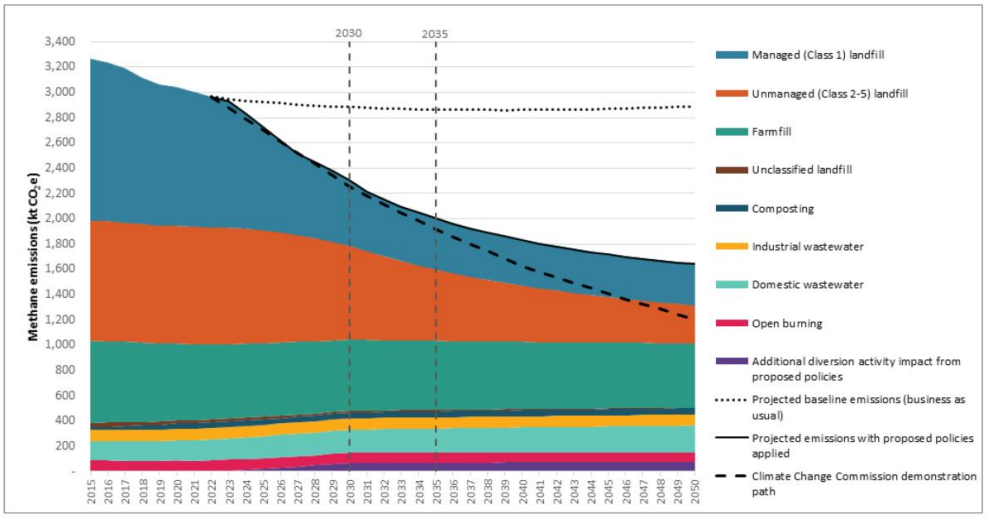
required to reduce waste overall, divert waste from landfill disposal, and improve/extend landfill gas capture systems.

The main source of biogenic methane emissions from the waste sector is the anaerobic decomposition of organic wastes in landfill (81%). As one possible way to significantly reduce this, the emissions reduction plan proposes "*key organic materials such as food, green, and paper waste could also be banned from Class 1 landfills by 2030*" with a note that this could also be extended to wood waste. Further possible methods to reduce organic waste going to disposal include food and green waste collections, services to enable commercial premises to divert food and green waste, better paper and cardboard recycling, and improvements to infrastructure such as transfer stations and material recovery facilities (MRFs).

Other relevant proposals relate to reducing the generation of food waste, construction and demolition waste, and options to divert treated timber from disposal.

It is worth noting that even with all of the initiatives proposed this would still fall short of achieving the CCC's proposed target for waste emissions, as shown in the chart below:

Figure 1: Total projected methane emissions from waste showing the impact of proposed combined waste policy options



Source: Ministry for the Environment. 2021. *Te hau mārohi ki anamata | Transitioning to a low-emissions and climate-resilient future: Have your say and shape the emissions reduction plan.* Wellington: Ministry for the Environment.

1.5.3 Waste Minimisation Act 2008

Alongside the development of a revised NZWS, MfE is also currently working on a review of the WMA to improve or amend provisions and consider new provisions. The provisions for use of landfill levy funds and the administrative and decision-making processes around this use will also be reviewed and improved. As for the NZWS, consultation on possible changes took place during November/December 2021. This review will also consider whether, and how, the Litter Act (1979) could be reviewed to better integrate with and support the WMA.

The WMA has been amended by the 2021 waste disposal levy regulations[4], which set out the progressive increase and expansion of the landfill levy starting 1 July 2021; and supplemented by regulations banning specific items, including microbeads[5] (2017) and plastic shopping bags[6] (2018).

Currently, the WMA provides for half of the revenue from the waste levy to be distributed to territorial authorities (TAs). These funds are provided pro rata, based on population, and must be spent on waste minimisation and in accordance with each authority's Waste Minimisation and Management Plan (WMMP). From April 2022, TAs will report on their waste levy expenditure through an online tool TAWLES.

The waste disposal levy is outlined further in the following subsection.

1.5.4 Waste Disposal Levy

In April 2021. the government introduced regulation to expand the scope of the levy from Class 1 landfills to also include classes 2-4.[7]

The table below shows the timetable and rates for the new levy regime:

Table 1: Levy Rates by Fill Type and Year

LANDFILL CLASS	1-Jul-21	1-Jul-22	1-Jul-23	1-Jul-24
Municipal landfill (class 1)	$20	$30	$50	$60
Construction and demolition fill (class 2)		$20	$20	$30
Managed fill (class 3)			$10	$10
Controlled fill (class 4)			$10	$10

https://www.mfe.govt.nz/waste/waste-and-government

If the landfill levy is expanded and raised as planned this will have an impact on the quantity of material going to the different destinations; however, the extent to which this occurs, and for which materials, depends on a number of other factors. The potential impacts are explored further in Appendix A.4.3.

1.5.5 Emissions Trading Scheme (ETS)

Since 2013, Class 1 landfill owners have been required by the Climate Change (Emissions Trading) Amendment Act 2008 to surrender emission units to cover methane emissions. If any solid waste incineration plants are constructed, this act would also require emission

[4] https://www.legislation.govt.nz/regulation/public/2021/0068/latest/LMS474556.html#LMS474591
[5] https://www.legislation.govt.nz/regulation/public/2017/0291/latest/DLM7490715.html?search=ts_act%40bill%40regulation%40deemedreg_microbeads_resel_25_a&p=1
[6] https://www.legislation.govt.nz/regulation/public/2018/0270/6.0/whole.html
[7] https://www.legislation.govt.nz/regulation/public/2021/0069/latest/whole.html

units to be surrendered to cover greenhouse gas emissions from the incineration of household wastes.

The number of emissions units that needs to be surrendered is based on a calculation of how much methane is generated from a tonne of waste. As a starting point, landfills use a default emissions factor for waste (DEF). This is the methane assumed to be generated by each tonne of waste and is currently set at 1.19 tonnes of CO_2-e (CO2 equivalent) per tonne of waste.

However, landfill operators can reduce their liabilities under the ETS through use of a unique emissions factor (UEF). The UEF is a calculation of methane released by the specific landfill. This can be done by either capturing the methane that is generated or showing (based on the type of waste going into the landfill) that the landfill generates a different amount of methane to the default.

During May 2021 MfE consulted on some possible changes to the ETS including:

- special treatment for waste removed from a closed landfill (not currently falling under the ETS) and re-disposed of at another landfill (that does fall under the ETS)
- decreasing the DEF from 1.19 to 0.91 to reflect the most recent composition estimate for waste going to Class 1 landfills.

The outcomes of the consultation and any potential future changes to the DEF have not been made available at the time of writing this report.

1.5.5.1 Carbon Price

The other component of the calculation of a landfill's liability under the ETS is the price of carbon. New Zealand units (NZU)[8] currently change hands for between $70 and $85, with prices at $74.40 at the time of writing[9].

The cost of NZU has been increasing steadily for the last couple of years, due largely to changes made to the types of offsets that are eligible under the ETS. Class 2-5 landfills and closed landfills (along with certain other excluded landfills) are not currently covered by the ETS.

The implications of the ETS and carbon prices are explored further in Appendix A.4.8.

1.5.6 Other Relevant Initiatives

1.5.6.1 Container Return Scheme

Container return schemes (CRS) place a deposit on all containers when sold. This deposit can then be redeemed by consumers when they return the containers. These schemes are in wide use worldwide including Australia and are designed to promote higher rates of recovery of containers and reduce littering by providing an incentive to consumers.

[8] NZUs are carbon credits that are officially accepted to offset liabilities under the NZETS
[9] According to carbon prices on www.carbonforestservices.co.nz and https://www.carbonmatch.co.nz/

In 2019, a WMF-funded project led by Auckland Council and Marlborough District Council embarked on the research and design of a potential container return scheme for New Zealand. The outcomes from this project were reported to MfE, who have analysed the information and produced advice for ministers.

MfE is now seeking feedback on a detailed implementation proposal for a container return scheme in New Zealand. This is included in the 'Transforming Recycling' consultation document[10], and consultation closes on 8 May 2022.

The consultation document proposes a deposit of 20c per container for a wide range of beverage containers, excluding 'fresh milk' (the logic being that this product is rarely consumed outside the home). Depending on the details of the eventual CRS, and the extent to which containers may be captured in the scheme, it is likely to have two key effects on household kerbside recycling collections:

- The quantity of containers collected in a kerbside collection would reduce; and
- The value of containers that are part of the CRS, but are still collected in a kerbside collection, would result in income for the 'owner' of the items. Usually, the owner is either the Council and/or its contractor.

Possible implications for Council may be that the frequency of recycling collections could be reduced (both the comingled wheeled bin and the glass crate).

1.5.6.2 Kerbside Standardisation

WasteMINZ was commissioned by MfE to complete a national review of kerbside collections and make recommendations as to how to achieve consistency across the country. The report was completed in 2020[11], and MfE is currently considering implementing the three main recommendations:

1. A standard set of items accepted in kerbside recycling collections
2. Glass collected separately to other material streams
3. A weekly kerbside food waste collection service for households.

MfE is now seeking feedback on a detailed implementation proposal for kerbside standardisation in New Zealand. This is included in the 'Transforming Recycling' consultation document[12], and consultation closes on 8 May 2022.

The proposals include, alongside the points above from the original review, options to achieve the diversion of food waste from businesses. The three possible options set out in the consultation document are:

- Phasing in source-separation of food waste only from businesses that produce or sell food;
- Phasing in source-separation of food waste from all businesses (including, for example, stadiums and other large event venues); or

[10] https://environment.govt.nz/assets/publications/Transforming-recycling-consultation-document.pdf
[11] https://www.wasteminz.org.nz/wp-content/uploads/2020/08/Final-1.0-Standardising-Kerbside-Collections-in-Aotearoa.pdf
[12] https://environment.govt.nz/assets/publications/Transforming-recycling-consultation-document.pdf

- Prohibiting the disposal of food waste to landfill entirely (which would also preclude disposal of food waste from household sources and public bins).

1.5.6.3 TA Performance Reporting

In addition to the proposals for a container return scheme and the standardisation of kerbside recycling, the MfE's current consultation also covers a number of related issues.

One of these is the requirement for TAs to report to MfE on a number of performance standards/targets; including a minimum 50% diversion standard for dry recyclables and food waste in kerbside collections. This is supported by a 70% high performance 'stretch target' which would be non-enforceable, but is intended to further encourage and motivate TAs.

The proposal is that the minimum standard would need to be achieved by 2030, to align with timeframes proposed in the draft New Zealand Waste Strategy and the ERP.

1.5.6.4 Priority Products

Until July 2020, the ability under the WMA to name a product as a 'priority product' had not been used. Once a product has been named such, an extended producer responsibility approach must be taken and a regulated product stewardship scheme developed. The first six priority products named are:

1. Plastic packaging
2. Tyres
3. Electrical and electronic products (e-waste including large batteries)
4. Agrichemicals and their containers
5. Refrigerants
6. Farm plastics

MfE has taken a 'co-design' approach, which involves industry developing and operating product stewardship schemes with central government oversight. To date regulated product stewardship schemes are in development for tyres, large batteries, e-waste, refrigerants, and agrichemicals and farm plastics, although only tyres have currently been accredited. Consultation on regulations to enable the schemes for tyres and large batteries was undertaken in late 2021 and is due to take place in the second half of 2022 for refrigerants and farm plastics.

1.5.6.5 Product Bans

In April 2022, MfE announced that regulations had been passed to enable the implementation of the first tranch of bans for problematic plastic items. These regulations include:

- Plastic cotton buds;
- Plastic drink stirrers;
- Oxo- and photo-degradable plastic products;
- Certain PVC food trays and containers (pre-formed and rigid);
- Polystyrene takeaway packaging; and
- Expanded polystyrene food and beverage packaging.

The bans will take effect from 1 October 2022, and MfE will release further information such as scope and guidance on alternatives over the next few months.

1.5.6.6 Infrastructure Investment Strategy

With the increased and expanded landfill levy comes an increased pool of funds that can be invested in waste management and minimisation initiatives.

MfE is developing a proactive strategic investment plan for waste infrastructure, supported by a detailed stocktake of current infrastructure and prioritisation of possible new infrastructure. The goal of this work is to give a national view of the waste investment New Zealand needs over the next 15 years. It is due for completion in mid-2022.

1.5.6.7 Data and Monitoring

Alongside the increase and expansion of the waste levy, MfE is developing protocols to collect data from the additional facilities that will now be paying the landfill levy (Class 2-4 landfills). MfE has also adopted regulations that enable the collection of some data from Class 5 landfills and transfer stations[13], and has proposed an approach for performance reporting by TAs in the current consultation.

1.5.7 International Commitments

New Zealand is party to the following key international agreements:

1. Montreal Protocol – to protect the ozone layer by phasing out the production of numerous substances
2. Basel Convention – to reduce the movement of hazardous wastes between nations
3. Stockholm Convention – to eliminate or restrict the production and use of persistent organic pollutants
4. Waigani Convention – bans export of hazardous or radioactive waste to Pacific Islands Forum countries

1.6 Local and Regional Planning Context

This Waste Assessment and the resulting WMMP will have been prepared within a local and regional planning context whereby the actions and objectives identified in the Waste Assessment and WMMP reflect, intersect with, and are expressed through other planning documents. Key planning documents and waste-related goals and objectives are noted in this section.

1.6.1 Long Term Plan

Council's current LTP was adopted in June 2021.

The LTP includes an environmental vision for the district – *"Our district has a vision of having a clean, green, and value environment"* including 'using resources wisely'. A key action in the 2021 LTP was the imminent introduction of the rates-funded kerbside recycling and organic waste collection service, and the introduction of a council-contracted kerbside rubbish collection service.

[13] https://www.legislation.govt.nz/regulation/public/2021/0069/latest/whole.html

During the term of the LTP, Council also intends to invest into community re-use centres, to provide opportunities for re-purposing and re-developing products; and continue waste reduction programmes so that less waste is created. 'Low waste' business practices are expected to become more common, and an increasing expectation for waste minimisation will be reflected in decision-making.

The LTP identifies twelve significant infrastructure issues that will need to be addressed during the term of the plan. One of these relates to solid waste, with specific actions such as the provision of a resource recovery centre in Ōmokoroa, and waste infrastructure investigations.

Council's main role in solid waste management is described as providing kerbside collection services, recycling and solid waste facilities, and education and enforcement to ensure waste is dealt with responsibly. Examples include provision of recycling and greenwaste facilities, waste minimisation education, illegal dumping management, and supporting community waste reduction initiatives. The WMMP is referred to for details as to what Council will do, and how the community will work together, but the LTP references some specific actions including:

- Development of a site at Ōmokoroa to address population-based increasing needs;
- Consideration of rural recycling drop-off facilities;
- Ongoing closed landfill management; and
- Raising community awareness of recycling and waste services.

Goals from the LTP reflect the existing WMMP, including to:

- Reduce and recover more waste;
- Applying latest proven and cost-effective waste management and minimisation approaches
- Collecting information to enable informed decision-making
- Creating benefit for our community.

The targets, similarly, are aligned with the WMMP.

1.6.2 Waste Infrastructure Review

In 2020, Tauranga City and Western Bay of Plenty District Councils undertook a review of solid waste infrastructure. The goal of this review was to model the infrastructure requirements for the sub-region

The key points are outlined here:

- Provision of drop-off facilities is good, with the exception of Ōmokoroa (greenwaste only);
- Processing capacity is limited to Te Maunga, but this site has sufficient space;
- Transfer infrastructure is considered to give satisfactory coverage except for some population centres in the north, which currently have over 40 minutes' drive time from a transfer facility;
- Glass bulking will need to be accounted for;
- The MRF will require replacement within the next four to eight years; and
- An Ōmokoroa location would be ideal for a 'northern' bulking and consolidation site.

It should be noted that since the completion of this report, the Maleme St RTS has closed to the public which has significantly increased drive times for much of the northern and central Western Bay district to an RTS.

1.6.3 Community Enterprise Investigation

Also during 2020, Tauranga City and Western Bay of Plenty District Councils commissioned Envision NZ Ltd to investigate the opportunities to increase resource recovery through community enterprise.

The review concluded that while there were numerous active community organisations in Tauranga City, there were few in Western Bay that might naturally be delivery agents for potential community resource recovery centres. Just two potential partners were identified, based in Katikati and Te Puke.

The recommendation of the review was that Council work to establish two new community reuse centres, and that these be located in Katikati and Te Puke to leverage off existing activities.

1.6.4 Bay of Plenty Regional Council

The Regional Waste Strategy (2013 – 2023) presents a regional position on managing waste, hazardous substances, hazardous waste and contaminated sites in the Bay of Plenty. The Regional Waste Strategy has a vision of *"working together towards a resource-efficient region"*.

The Strategy also contains six key focus areas through which the vision and associated goals will be achieved:

1. Foster collaboration, partnerships and promote forward planning
2. Improve data and information management
3. Review regulatory environment governing waste
4. Increase resource efficiency and beneficial reuse
5. Reduce harmful impacts of waste
6. Stimulate research and innovation.

1.6.5 Collaboration

The Bay of Plenty and Waikato regional councils are working together on a number of pan-regional collaborative projects that have been identified as priority actions by the constituent councils. The areas of collaborative work include:

1. Solid waste bylaws, licensing and data
2. Education and communication
3. Procurement
4. Rural waste

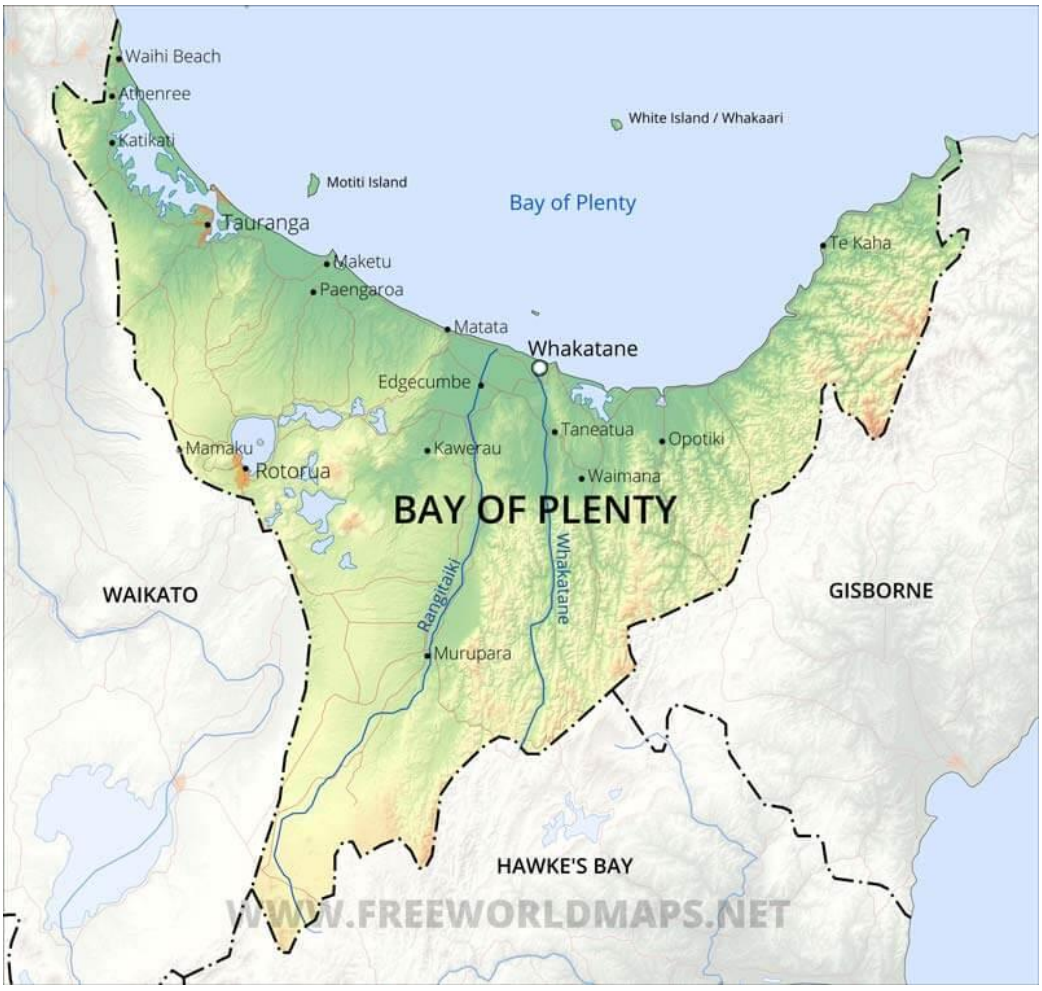
1.7 Our District

Western Bay of Plenty lies within the Bay of Plenty region, which reaches from Waihī Beach in the northwest to the eastern point of the East Cape, with significant inland forests including parts of Te Urewera and the Kaimais, and a long stretch of coastline. The region

includes the districts of Opotiki, Whakatāne, Kawerau and Western Bay, and part of Rotorua Lakes district. Tauranga City is the main population centre and biggest local authority area in the region by population.

The entire region hosts just over 300,000 residents and a significant Maori population, with 25% identifying as Maori and 39 iwi across the region.

Figure 2: Bay of Plenty Region



Source: https://www.freeworldmaps.net/oceania/new-zealand/bayofplenty/

Western Bay of Plenty district surrounds Tauranga to the north, west, and south. The main population centres are Te Puke, Katikati, and Waihī Beach although populations are growing quickly in Ōmokoroa.

Figure 3: Map of Western Bay and Wards

Western Bay has coastal communities that experience significant increases in population over summer. The district is bordered in the west by the bush-covered Kaimai Ranges, and in the south is the Kaituna river which flows from Rotorua and Rotoiti through the Western Bay to Maketu.

The district generally has a mild, temperate, and sunny climate.

The last measured population of the district was 53,400. Most of these people live in Te Puke, Maketu, Ōmokoroa, Te Puna, Katikati, and Waihī Beach. A large part of the Western Bay district is relatively sparsely populated. The district is experiencing significant growth, with population increasing by 17.5% between 2013 and 2018.

1.7.1 Demographics

At the 2018 census, Western Bay of Plenty had 53,400 residents; an increase of 17.5% from the 2013 census population. It is estimated that the population will grow by 11% in the next five years.

Population projections are shown in the following table:

Table 2: Population Projections to 2043

2018	2021	2026	2031	2036	2041	2046	2051	Change 2018 – 2051 (number)	Change 2018 – 2051 (percent)
51,318	57,355	62,219	66,300	69,102	70,620	71,203	71,367	**20,049**	**28.1%**

The infographic below summarises key demographic indicators for the Western Bay.

The District has a lower level of socio-economic deprivation than the country as a whole.

1.7.2 Tangata Whenua

Western Bay has a slightly higher than average proportion of the population that identify as Maori, at 19% (compared to the national average of 17%).

There are 11 iwi within the Western Bay district. Council's Kaupapa Maori team take a key role in ensuring that Council and iwi engage with each other in an effective and valued way. Te Ihu o Te Waka o Te Arawa and Te Kāhui Mana Whenua o Tauranga Moana provide a formal pathway for iwi to be represented and engaged with Council's work.

These partnership forums may wish to provide an iwi view on waste management and minimisation in the consideration of this waste assessment and the development of the next WMMP.

2 Waste Infrastructure

The facilities available in Western Bay are a combination of those owned, operated and/or managed by Council, and those that are owned and/or operated by commercial entities or community groups.

This inventory is not to be considered exhaustive, particularly with respect to the commercial waste industry as these services are subject to change. It is also recognised that there are many small private operators and second-hand goods dealers that are not specifically listed. However, the data is considered accurate enough for the purposes of determining future strategy and to meet the needs of the WMA.

2.1 Disposal Facilities

In 2021, MfE adopted regulations to extend the landfill levy and apply information requirements to facilities that do not pay the landfill levy. These regulations also established legal definitions for disposal facilities. Previously, disposal facilities had been categorised according to the 2016 Waste Management Institute of New Zealand (WasteMINZ) Technical Guidelines for Disposal to Land.[14] As there are differences, albeit slight, between the two; the legal definitions take precedence[15].

The definitions of the six classes of disposal facilities in the regulations are summarised below.

Class 1 - Municipal Disposal Facility

Accept any of the following:

- Household waste
- Waste from commercial or industrial sources
- Waste from institutional sources
- Waste that is not accepted at Class 2-5 disposal facilities.

Class 2 – Construction and Demolition Disposal Facility

Accepts waste from construction and demolition activities. Does not accept Class 1 waste.

Classes 3 and 4 – Managed or Controlled Fill Disposal Facility

Accepts any of the following:

- Inert waste material from construction and demolition activities
- Inert waste material from earthworks or site remediation

Does not accept Class 2 waste.

Class 5 – Cleanfill

Accepts only virgin excavated natural material (such as clay, soil, or rock) for disposal

[14] www.wasteminz.org.nz/pubs/technical-guidelines-for-disposal-to-land-april-2016/
[15] www.legislation.govt.nz; It is likely that the Technical Guidelines will be revised so it is aligned as closely as possible with the MfE definitions.

Industrial Monofill

A facility that accepts disposal waste that:

- Discharges or could discharge contaminants or emissions
- Is generated from a single industrial process (e.g. steel or aluminium making, or pulp and paper making) carried out in one or more locations.

The actual wording used in the regulations and examples of types of waste accepted at each facility is provided in Appendix A.3.0.

The regulations also define a transfer station as a facility that receives waste and where waste is then transferred to a final disposal site or for further processing. Significantly, if a site does not accept waste that is then transferred to a final disposal site (i.e. residual waste), it is not a transfer station (but is instead a recycling drop-off site or similar) and isn't required to report data.

2.1.1 Class 1 Disposal Facilities

There is one Class 1 disposal facility in the Bay of Plenty region, the Green Park Landfill located at the corner of McPhail and Ohauiti Roads. This facility is defined by MfE as a Class 1 landfill, but is not consented to take "general domestic refuse"[16].

There are two Class 1 disposal facilities within reach of the Western Bay that accept a wide range of waste types. The table below provides a detailed description.

Table 3: Class 1 landfills accessible from Western Bay

Name & Owner/Operator	Description	Location	Capacity and Consent
Tirohia Landfill (Waste Management NZ Ltd)	Non-hazardous residential, commercial and industrial solid waste, including special wastes. Sludges with less than 20% solid by weight are prohibited. Compostable material is also processed on site.	Tirohia, Hauraki District	Consented to accept 4 million m^3 - approximately 2035

[16] Consent can be found here: https://www.boprc.govt.nz/environment/resource-consents/consent-documents?pfid=fA769224

North Waikato Regional Landfill (Hampton Downs), EnviroNZ Ltd	Non-hazardous residential, commercial and industrial solid waste, including special wastes. Sludges with less than 20% solid by weight are prohibited. Compostable material is also processed on site.	Hampton Downs, North Waikato	Consented to 2030 (very likely to extend past this date)

While Council does not own or operate a Class 1 landfill, and is therefore reliant on the provision of disposal capacity by the private sector, this is not necessarily a strategic weakness. Many council-owned disposal facilities, particularly in smaller districts, are proving relatively expensive and are unable to compete with the larger private facilities because of the lack of economies of scale. Once established, large facilities have very low marginal costs, and are therefore able to offer low disposal charges meaning waste can be brought to these facilities from a wide catchment. If Council were to own a disposal facility it would need to be of substantial scale and compete for tonnage from a wide catchment to be economically viable.

The region has reasonable access to Class 1 landfills, although most residents and operators only have access to disposal through Te Maunga RRP. This can be an advantage in waste management, as Council has access to good data (via Tauranga City Council) relating to the waste streams passing through this facility. There is good capacity of Class 1 landfill space in the medium term covered by this assessment; assuming that the resource consent for the North Waikato Regional Landfill is successfully extended.

2.1.2 Transfer Stations and Recycling Drop-off Points

Refuse transfer stations (RTSs) and recycling drop-off points (RDOPs) provide for those that can't or choose not to make the journey to a landfill, which is not practical for most residents of Western Bay. Waste can be dropped off at these sites by the public and commercial collectors after paying a gate fee, and the waste is subsequently compacted before transport to a Class 1 disposal facility.

Since the closure of Tauranga City Council's Maleme Street (Greerton) RTS to the public in late 2021, there is now just one RTS in the Western Bay/Tauranga sub-region that is open to the public for extensive waste diversion and disposal; Te Maunga Resource Recovery Park.

Some residents in northern Western Bay are likely to access the Hauraki District Council's RTS in Waihī.

There is one private RTS, also in Maleme Street in Greerton. This is only used by the company Bin Boys Ltd for the waste collected through their private kerbside services.

Council also provides a number of RDOCs located at Athenree, Katikati, Te Puke, and Ōmokoroa. Apart from Ōmokoroa, all sites accept greenwaste and recyclables. Ōmokoroa is currently located at a temporary site, as the original site was always intended eventually for housing development and only takes greenwaste. Council intends to relocate the Ōmokoroa facility again to a permanent site, and extend the services available significantly.

While the Te Maunga site accepts a wide range of materials, which will only expand with its ongoing development as a resource recovery park, this site is inconveniently located for residents of the western and northern Western Bay district. A resident that lives in Katikati, and needs to dispose of waste other than standard recyclables or green waste, is faced with a journey of 45km; which could take between 40 minutes to well over an hour at peak traffic times. A more attractive alternative is the Hauraki District Council's RTS at Waihī, around 20 minutes away; however, this site offers less diversion opportunities than Te Maunga.

The 2020 review of waste infrastructure identified that all four RDOPs had space constraints (although Ōmokoroa has since been moved to a temporary site), and that Athenree experienced very high use during the holiday season, largely for glass bottles.

Since the introduction of kerbside rubbish and recycling services the use of the Athenree site has reportedly reduced significantly in both volume and utililisation. A similar pattern has been seen at Katikati and Te Puke. Greenwaste drop-off, cardboard and excess glass still make up the main items recovered at these sites.

2.1.3 Closed Landfills

There are four closed landfills for which Council has ongoing management and monitoring responsibility at Waihī Beach (closed 1990), Athenree (2003), Strang Rd Te Puke (1996), McLaughlin Drive Te Puke (1980). Council carries out regular monitoring and inspection of closed landfills to ensure that they are remediated and managed according to the requirements of their resource consents.

2.1.4 Class 2-5 Landfills

Research estimates that waste disposed of to land other than in Class 1 landfills accounts for approximately 70% of all waste disposed of, and these operators are not required currently to pay the waste levy to central government and some have only recently started reporting waste quantity data.[17] Other disposal sites include Class 2-5 landfills and farm dumps.

The Bay of Plenty Regional Council 2008 Regional Natural Resources Plan defines cleanfills as a permitted activity, as long as the operation of these cleanfills is in line with the Ministry for the Environment's Cleanfill Guidelines and they do not produce leachate (which would be the case by definition if the cleanfill guidelines were followed properly). There are no

[17] Ministry for the Environment (2014) Review of the Effectiveness of the Waste Disposal Levy. The report estimates 56% of material disposed to land goes to non-levied facilities, 15% to farm dumps and 29% to levied facilities.

formal reporting requirements for these cleanfills to the regional council, nor are they monitored on a proactive basis.

In the MfE's 2002 "A Guide to the Management of Cleanfills" 'cleanfill' is defined as:
"Material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

- *combustible, putrescible, degradable or leachable components*
- *hazardous substances*
- *products or materials derived from hazardous waste treatment, hazardous waste*
- *stabilisation or hazardous waste disposal practices*
- *materials that may present a risk to human or animal health such as medical and*
- *veterinary waste, asbestos or radioactive substances*
- *liquid waste."*

Class 2-5 landfills can be an issue for effective and efficient waste management as, for some materials, these disposal sites are competing directly with other options such as composting sites and Class 1 landfills. However, Class 2-5 landfills are much less costly than Class 1 landfills to establish and require much lower levels of engineering investment to prevent discharges into the environment. Class 2-5 landfills also have much lower compliance costs than Class 1 landfills and are not required to pay the waste levy at this time. Because of these differing cost structures, Class 2 landfills charge markedly less for disposal than Class 1 landfills.

From the 1 July 2022, Class 2 disposal facilities will be required to pay the levy at a rate of $20 per tonne (going up to $40 per tonne in 2024). Class 3 and 4 disposal facilities will be required to pay the levy from 1 July 2023 at a rate of $10 per tonne. True Class 5 disposal facilities (accepting VENM only) will not be required to pay the levy, but will need to report on quantities from 1 January 2023.

Class 2 disposal sites and RTS were required to start reporting data on waste quantities from 1 January 2022.

Following these changes, MfE will hold data on the quantities of waste disposed of at these sites and are in the process of developing a database of Class 2-5 facilities around the country. This data indicates that, so far, nine facilities have been identified in the Western Bay of Plenty district. In some parts of New Zealand, Class 2 landfills are indicating that they will close before the deadline to register and pay the levy of 1 July 2022. It is not known what the intentions are of the Green Park Landfill operators.

2.2 Hazardous Waste Facilities and Services

The hazardous waste market comprises both liquid and solid wastes that, in general, require further treatment before conventional disposal methods can be used. The most common types of hazardous waste include:

- Organic liquids, such as those removed from septic tanks and industrial cesspits
- Solvents and oils, particularly those containing volatile organic compounds
- Hydrocarbon-containing wastes, such as inks, glues and greases

- Contaminated soils (lightly contaminated soils may not require treatment prior to landfill disposal)
- Chemical wastes, such as pesticides and agricultural chemicals
- Medical and quarantine wastes
- Wastes containing heavy metals, such as timber preservatives
- Contaminated packaging associated with these wastes.

A range of treatment processes are used before hazardous wastes can be safely disposed.

Most disposal is either to Class 1 landfills or through the trade waste system. Some of these treatments result in trans-media effects, with liquid wastes being disposed of as solids after treatment. A very small proportion of hazardous wastes are 'intractable', and require exporting for treatment.

These include polychlorinated biphenyls, pesticides, and persistent organic pollutants.

There are three participants in the local hazardous waste market; EnviroNZ Technical Services, Waste Management Technical Services, and R & S McGregor. Agrecovery provides hazardous waste management services for agricultural properties.

Household hazardous waste can be taken to Te Maunga RRP; and Council accepts domestic quantities of hazardous waste (pesticides and agrichemicals) at the RDOCs in Katikati, Athenree and Te Puke.

2.3 Waste Water Treatment

As outlined earlier in this report, waste water treatment is considered where it results in waste being managed through solid waste systems.

Council operates waste water treatment plants at Katikati, Ōmokoroa (pump station only), Maketu/Little Waihī, Te Puke, and Waihī Beach. At some of these sites, any solid waste is disposed of to land within the WWTP site. Solids from Te Puke and Katikati are transported to Kawerau for vermicomposting alongside other organic wastes. The product from this facility is used to improve soil on land where stock food is grown, and on some kiwifruit orchards.

Waste water from Ōmokoroa is processed through systems operated by Tauranga City Council at Chapel Street and Te Maunga. Some of the solid waste from these sites goes to landfill disposal, with some from Te Maunga also transported to Kawerau for vermicomposting. Tauranga City Council are working to divert all solids from Te Maunga from landfill through vermicomposting.

2.4 Recycling and Reprocessing Facilities

The main facility within reach of the Western Bay district is the Te Maunga RRP. A number of organisations and services are co-located at this site including wood recovery, green waste composting, and a materials recovery facility (MRF). Customers can dispose of general waste, polystyrene, garden waste, cleanfill, concrete, whiteware, tyres, and some e-waste.

The intention is to expand and extend the services available at Te Maunga RRP, with work to start late 2022 (intended completion by 2025). The expansion should provide for additional

diversion of untreated timber, organics, concrete, tyres, e-waste, hazardous waste, and construction and demolition waste. It will also introduce a comprehensive public drop-off recycling centre, community reuse/recovery centre, and a workshop.

The MRF at Te Maunga is owned by Tauranga City Council, and operated by Waste Management Ltd with a lease agreement until 2026. This facility processes recyclables from a wide geographical catchment from Gisborne to Western Bay, including kerbside-collected recyclables from Western Bay on behalf of the contractor, EnviroNZ. No glass is accepted at this facility. The MRF currently experiences a reasonably high loss through contamination of around 33%. Tauranga City Council intend to invest in optical sorting at the MRF to reduce this contamination rate.

EnviroNZ lease a further area adjacent to the Te Maunga RTS where a wide range of organic waste have been processed previously by another operator, with around 35,000 tonnes per annum diverted from landfill. EnviroNZ took over this site in 2021 and are currently preparing the site to process organic wastes, including the food waste from the Western Bay district kerbside collections (this material is currently being transported to Hampton Downs for processing).

EnviroNZ sub-lease a portion of the Te Maunga site to Goodwood, which accepts untreated wood and shreds this to produce a range of products including animal bedding, landscaping material such as mulch, playground safety surfacing, and firewood.

There are a number of other recycling and reprocessing facilities that accept material from within the Bay of Plenty region. The key facilities are listed below.

Table 4: Other Recycling and Reprocessing Facilities

Name/Operator	Key services/waste streams	Location	Quantity accepted from the region (tonnes per annum, TPA)
5R	Window glass	Hamilton (via Te Maunga)	1,000
O-I NZ Ltd	Colour-sorted glass	Penrose, Auckland	8,566
SoilPro	Organic waste	Maungatawhiri	4,000
Daltons	Wood, timber, animal manures	Matamata	An unknown proportion of total 150,000
Pacific BioFert	Animal by-products	Pokeno	3,000
EcoCast	Waste water treatment plant (WWTP) sludge, industrial organic wastes, agricultural by-products	Kawerau	70,000

Why Waste	Household and commercial food waste in a network of worm farms	Multiple	85
CarbonCycle	Household and commercial food waste	Multiple	30
Envirowaste	Commercial food waste	Auckland	750
My Noke	WWTP sludge, agricultural by-products	Maketu	1,250
OJI Fibre Solutions	Mixed paper and old corrugated cardboard	Auckland	16,200
Various companies	E-waste	Auckland	190
Product stewardship	Agricultural plastic, containers, and chemicals	Various locations	128

In addition, there are a large number of charity shops, secondhand stores, online secondhand retailing (such as TradeMe and Facebook marketplace), and metal recyclers that have a role in diverting material from landfill disposal.

While many material types are transported out of the district and even out of the region for recycling and reprocessing, this is not an unusual situation in New Zealand. The district is relatively well-served for infrastructure compared to some other parts of New Zealand; with only Auckland and Waikato likely to enjoy better access to facilities.

The availability of infrastructure that is accessible directly by residents and businesses, as opposed to by Council and its contractors, is not as extensive. As previously mentioned, Te Maunga is now the primary site where waste can be recovered and diverted in the Tauranga-Western Bay sub-region; although most residents would require these services relatively infrequently (e.g. disposing of construction and demolition waste, or e-waste).

Many residents in Western Bay are now faced with a lengthy journey to access these services with the closure of Maleme St. There is also reason for concern in that the Te Maunga site is owned and managed by Tauranga City Council; and Western Bay has no formal role in the planning or development of this site. This potential risk has been demonstrated previously in the case of the closure of Maleme St; which, while being a key location for Western Bay residents, was solely in the control of Tauranga City Council.

The closure of the Jack Shaw cleanfill now means that the Western Bay (and Tauranga) have lost a local management point for cleanfill material, with Green Park the nearest option.

3 Waste Services

3.1 Council-provided Waste Services

A range of services are provided by Council to residents and businesses in the district.

3.1.1 Collection Services

In 2021, Council introduced council-contracted kerbside collection services. This was a significant change from the previous situation where the majority of waste services were provided by the private sector. Following the development of the last WMMP, and the completion of a full service review according to the WMMP action plan, Council resolved to introduce a rates-funded kerbside recycling collection, and a user-pays kerbside rubbish collection, for most householders (the service covers approximately 80% of households in the district). This is supported by a kerbside food waste collection in urban areas.

Table 5: Council Kerbside Collections

Kerbside collection service	Charges/funding	Refuse collection contractor	Contract review dates
Weekly collection of residual waste from 140L wheeled bins	User-pays charges using a tag - $3.95 per collection (to approximately 18,156 households)	EnviroNZ Ltd under contract to Council	The contract will be reviewed 12 months prior its 2029 expiry date with view to extend the contract a further two years to June 2031
Fortnightly collection of paper, card, plastic containers (#1, #2, and #5), tins and cans from a 240L wheeled bin	Rates-funded (18,156 households)	As above	As above

Fortnightly collection of glass bottles and jars from a 45L crate	Rates-funded (18,156 households)	As above	As above
A weekly kerbside food waste collection from a 23L bin	Rates-funded (11,812 households)	As above	As above

3.1.2 Other Council Services

In addition to the services described above, there are other waste-related programmes and services provided by Council e.g. removal of illegal dumping, and provision of public litter bins.

3.1.3 Waste Education and Minimisation Programmes

Council provides a range of communication and education initiatives to inform ratepayers, schools and services users of the available waste services and to promote waste minimisation. Key communication and education initiatives that Council supports include:

- Waste minimisation education for businesses
- Zero waste education for schools
- Paper4Trees
- Para Kore (zero waste on marae, when this service is available)
- Waste free living
- Enviro challenge
- Love Food, Hate Waste (national WasteMINZ-led initiative)
- Home worm composting

3.1.4 Solid Waste Bylaws

In addition to key strategic waste infrastructure assets, the Council also has responsibilities and powers as regulators through the statutory obligations placed upon them by the WMA. The Council operates in the role of regulator with respect to:

- management of litter and illegal dumping under the Litter Act 1979
- trade waste requirements
- nuisance related bylaws.

Council has recently adopted a revised Solid Waste Bylaw[18]. Key changes to the bylaw included updating it to support the Council-led kerbside service, updating the enforcement

[18] https://www.westernbay.govt.nz/repository/libraries/id:25p4fe6mo17q9stw0v5w/hierarchy/rules-regulations-licenses/bylaws-and-

provisions, requiring planning for waste at events, requiring multi-unit development owners/managers to make adequate provision for waste and recycling, and to give Council the ability to introduce controls around construction and demolition waste plans.

Council is also on the steering group for a cross-regional project to introduce waste operator licensing and data collection across the Waikato and Bay of Plenty regions.

3.2 Assessment and Funding of Council-provided Solid Waste Collection Services

Council provides a user-pays residual waste collection service from wheeled bins which offers flexibility to households. A rates-funded kerbside rubbish collection service was an option considered during 2018, when Council was completing its detailed service review. However, incorporating aspects of user-pays was considered a key outcome for the service review; to ensure that waste producers that were responsible for large quantities of waste paid more, and that the 'cross-subsidisation' of services was minimised. User-pays services also supported the key outcomes of flexibility, by giving customers choice and enabling different customer groups to choose the most appropriate and convenient service for their needs.

These key outcomes are still important to Council from a strategic sense, and although some councils around the country are reviewing the provision of user-pays rubbish collection services (such as Auckland Council), Western Bay continues to see this as a core component of the preferred waste services package.

Feedback through consultation processes and since the new services started suggests that Western Bay residents are generally very happy with the user-pays approach.

All other services, such as the comprehensive kerbside recycling collection service that is available to households and the food waste collection service provided in urban areas, are funded through general rates. This approach is likely to encourage the preferred behaviours such as recycling and other waste diversion.

Council has recently adopted an updated, comprehensive, waste minimisation bylaw and contracts specialist waste minimisation advisors to work with the community, schools and businesses.

3.3 Non-Council Services

There are a number of non-Council waste and recycling service providers operating in the city; in particular residual waste collection from wheeled bins, and garden waste collection.

Since Tauranga and Western Bay councils both introduced council-contracted kerbside collections (with Tauranga introducing a rates-funded rubbish collection), the number of private operators in the sub-region has decreased slightly. However, there are still a number offering services including EnviroNZ (who hold the council contracts), Waste

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policies/documents/Waste%20Management%20and%20Minimisation%20Bylaw%20Decisions%20Document%20PDF.pdf

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Management Ltd, Kleana Bins, JJ Richards & Sons, and Bin Boys. Greenfingers Garden Bags offer a garden waste collection service.

3.3.1 Assessment of Non-Council Services

The commercial collection market is reasonably competitive with the two largest private sector operators offering services, along with a number of smaller businesses offering both regular and ad hoc removal.

There does appear to be scope for greater diversion of organic waste from the waste stream from non-household sources.

While facilities for handling of medical and hazardous and wastes exist, there is room for a more comprehensive approach and provision of better information to the public regarding disposal and handling of hazardous materials. There is, however, a notable lack of readily available data on commercial medical and hazardous waste flows, and with better data it would be possible to better identify potential opportunities for improved waste minimisation.

While there are many waste collection services for mixed waste, there are no easily accessible services for construction and demolition waste. This is largely associated with the lack of downstream processing options, and means that the only real option for diverting mixed C&D waste is for on-site sorting at source.

4 Situation Review

4.1 Waste to Class 1-5 Landfills

4.1.1 Definitions Used in this Section

The terminology that is used in this section to distinguish sites where waste is disposed of to land are taken from the relevant MfE regulations, as discussed earlier in section 21.1.

4.2 Overview of Waste to Class 1-5 Landfills

Virtually all municipal waste from the Western Bay district that is landfilled goes to the EnviroNZ North Waikato Municipal Landfill in Hampton Downs. There is a quantity (unknown) of construction and demolition waste disposed of from the Tauranga/Western Bay sub-region to Green Park Landfill. A small quantity of waste may travel directly from the source to landfill (mainly special wastes); but the majority passes through the Te Maunga or Maleme Street RTSs first.

4.3 Waste Quantities

4.3.1 Waste to Class 1 Landfills

Virtually all landfilled waste from the Western Bay district is aggregated with other landfill waste at either the Maleme Street or Te Maunga RTS; with the exception of any waste that is deposited at the Hauraki District Council's RTS in Waihi. Data is not collected at these two RTS on geographic source of waste, and therefore it is not possible to calculate how much of the landfilled waste originates from the Western Bay.

There is one Class 1 landfill in the Western Bay that accepts a range of wastes, although no municipal wastes. This facility, Green Park Landfill, has only recently been required to report data to MfE on waste quantities, and isn't able to advise how much waste they accept from the Western Bay district.

In the last Waste Assessment, the total waste to landfill from the sub-region was allocated to Western Bay district and Tauranga on the basis of population. For this Waste Assessment, allocation was modelled based on this method and on an alternative method, which built in assumptions relating to cross-border loss (Waihi), differences in the level and type of industrial activity, and proportion of the community that didn't receive a kerbside service (and therefore would need to use an RTS). The difference in waste allocation between these two approaches was less than 1.5%. Therefore, given the assumptions that were required for the latter approach, it is considered that allocating waste simply based on population is the most reasonable option.

Table 6: Annual Tonnage of Waste to Hampton Downs Landfill from Western Bay

Financial Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Tonnes to landfill	19,677	21,376	22,680	23,562	22,504	23,989
Population	48,270	49,796	51,321	53,332	55,343	57,355
Kg to landfill per capita	560	580	589	588	551	562

4.3.2 Waste to Class 2-5 Landfills

As discussed earlier in this report, there is very little information available regarding most cleanfilled waste as the Bay of Plenty Regional Council considers these to be a permitted activity.

A 2011 MfE report on non-levied disposal facilities stated:[19]

> *No information about cleanfill quantities was compiled for this report because the few sites with available data are unlikely to be indicative of what is happening around the country.*

Several other studies have attempted to quantify the disposal of waste to Class 2-5 landfills, often on a per capita basis, with widely-varying results. In practical terms, the lack of precise data about disposal of waste to Class 2-5 landfills makes it impossible to reliably monitor any changes over time in the disposal of major waste streams, such as construction and demolition waste.

4.4 Composition of Waste to Class 1 Landfill

As described above, virtually all landfilled waste from Western Bay is aggregated at the Tauranga City Council transfer stations and transported with Tauranga's waste to Hampton Downs landfill. Therefore, the composition of the waste to landfill from Te Maunga and Maleme Street is assumed to be analogous to the composition of waste to landfill from Western Bay.

This has been taken from Tauranga City Council's Waste Assessment 2021, and uses data from SWAP audits carried out for Tauranga City council at its transfer stations by Waste Not Consulting Ltd.

Waste that reaches transfer stations generally gets through two main methods: household kerbside collections, and direct to the transfer station (known as 'general' waste). As the

[19] Ministry for the Environment (2011) *Consented Non-levied Cleanfills and Landfills in New Zealand: Project Report*. Wellington: Ministry for the Environment

mechanisms by which these waste streams can be actively managed are so different, data is presented separately.

The table below shows the composition of 'general waste' and 'all waste' from Te Maunga and Maleme St.

Table 7: Composition of Waste to Landfill from the Tauranga/Western Bay sub-region

Data collected October/November 2020		General waste (excludes kerbside rubbish)		Overall waste (includes kerbside rubbish)	
		% of total (%)	Tonnes per week (tonnes)	% of total (%)	Tonnes per week (tonnes)
Paper	Recyclable	2.1	31	3.8	83
	Cardboard	4.4	64	3.2	70
	Non-recyclable	1.4	21	1.4	32
	Subtotal	**8**	**116**	**8.4**	**185**
Plastics	Recyclable	0.4	6	1.0	23
	Non-recyclable	11.1	161	10.1	223
	Subtotal	**11.5**	**167**	**11.1**	**245**
Organics	Kitchen waste	4.5	65	14.4	316
	Compostable greenwaste	4.4	64	8.4	185
	Non-compostable greenwaste	2.6	37	2.3	51
	Organics other	1.3	19	1.7	38
	Subtotal	**12.8**	**186**	**26.8**	**589**
Ferrous	Primarily ferrous	1.5	22	1.3	29
metals	Steel other	1.9	28	1.6	34
	Subtotal	**3.4**	**50**	**2.9**	**63**
Non-ferrous metals		**0.6**	**8**	**0.7**	**16**
Glass	Recyclable	0.8	11	1.5	33
	Glass other	1.2	18	1.0	21
	Subtotal	**2.0**	**29**	**2.4**	**54**
Textiles	Clothing/textiles	2.2	32	2.1	45
	Multi-material/other	6.3	92	4.7	103
	Subtotal	**8.5**	**124**	**6.7**	**148**

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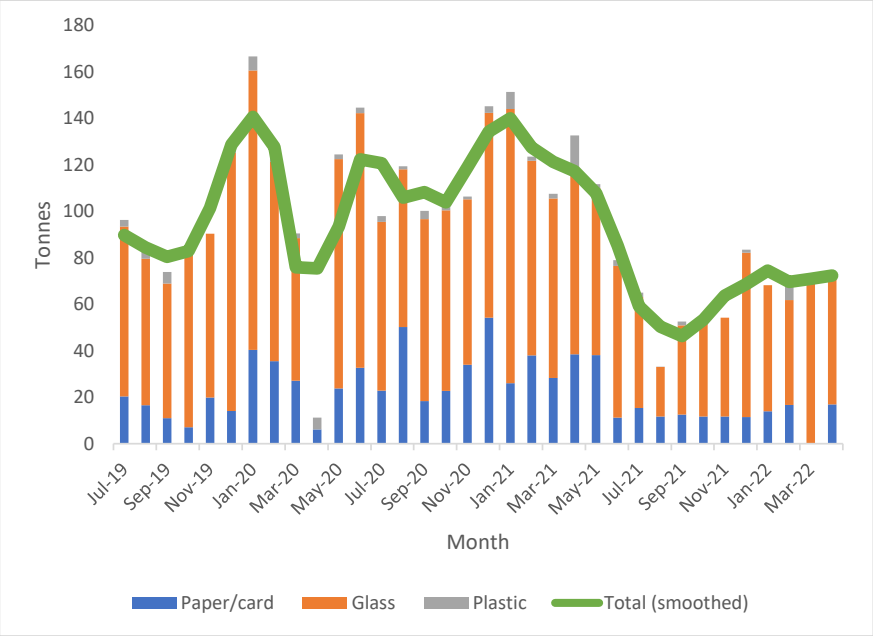
Sanitary paper		**2.7**	**40**	**4.8**	**105**
Rubble	Cleanfill	4.5	66	3.0	66
	New plasterboard	4.6	67	3.0	67
	Other	11.2	162	8.9	196
	Subtotal	**20.3**	**295**	**14.9**	**329**
Timber	Reusable	1.6	23	1.0	23
	Unpainted & untreated	4.9	71	3.2	71
	Non-recoverable	21.8	316	14.9	329
	Subtotal	**28.2**	**409**	**19.2**	**422**
Rubber		**1.3**	**19**	**1.0**	**21**
Potentially hazardous		**0.7**	**9**	**1.1**	**25**
TOTAL		**100.0**	**1,451**	**100.0**	**2.202**

4.5 Transfer Station and RRP Waste

A large proportion of RTS/RRP waste will pass through Te Maunga, which is a Tauranga City Council-owned site, operated on their behalf by EnviroNZ.

However, Council does also operate a number of smaller sites through the district. The figures below show the quantities of recovered materials passing through these sites.

Figure 4: Tonnes of Material Diverted through RRCs (2019 - 2022)



This clearly shows the drop in recyclable material passing through the RRCs from the beginning of the new kerbside services in July 2021. This presents an opportunity to reconfigure the RRCs to focus on other materials that are not captured through the new services, such as greenwaste, e-waste, and perhaps some C&D wastes. Anecdotally, quantities of greenwaste received at the RRCs has increased since July 2021.

4.6 Kerbside-collected Waste

Council commissioned a composition survey of waste collected in the new council kerbside rubbish collection. This survey was carried out in December 2021. The results of this survey, along with an earlier survey carried out in October 2018, are shown below. On average, one wheeled bin weighs 10.36kg, compared to 7.48kg in 2018.

Table 8: Composition of Household Kerbside Rubbish (2018 and 2021)

Material Type	Proportion of total (%)		Weight (kg) per container/household[20]	
	Oct 2018	**Dec 2021**	**Oct 2018**	**Dec 2021**
Recyclable Paper	7.6	6.6	0.57	0.68
Non-Recyclable Paper	1.2	2.0	0.09	0.20
Recyclable Plastic	2.3	1.8	0.17	0.18
Non-Recyclable Plastic	7.8	11.3	0.58	1.17
Organics – Kitchen Waste	35.9	33.7	2.69	3.49
Organics – Greenwaste/Other	11.6	10.7	0.87	1.11
Ferrous Metals – Steel Cans	1.4	0.7	0.11	0.07
Ferrous Metals – Other	1.0	3.4	0.08	0.35
Non-Ferrous Metals – Aluminium Cans	0.7	1.1	0.05	0.11
Non-Ferrous Metals - Other	0.2	0.3	0.01	0.04
Glass – Bottles/Jars	8.0	1.6	0.60	0.17

[20] In the 2018 survey, one 'container' of waste was surveyed from each household whether they used a wheeled bin for collection, or a bag. Therefore, in some cases a 'container' would not actually represent the full extent of a household's waste. This is why the 'weight per container/household' is so much higher in 2021 than in 2018.

Glass - Other	0.4	1.4	0.03	0.15
Textiles	5.6	5.1	0.42	0.53
Nappies & Sanitary	9.3	12.3	0.69	1.28
Rubble, Concrete, Timber, Rubber	5.6	6.1	0.42	0.63
Potentially Hazardous	1.4	1.8	0.10	0.18
Total	**100.0**	**100.0**	**7.48**	**10.36**

There are several points to make when considering this data:

- The significantly higher container weight in the 2021 survey reflects the fact that some households were using bags for their rubbish collection at the time, which made it difficult to know how many households had been surveyed. A total of 360 items were collected, but one household could have placed out more than one bag for collection.
- It may also, however, suggest that households may be putting their rubbish bins out for collection less often, as each collection incurs the same charge no matter how full the bin is. However, there is no data on set out or participation rates to enable this to be explored further.
- If the average weight of a wheeled bin is adjusted to reflect the average total 7.48kg weight observed per container in 2018, the 2021 results show decreases in recyclable paper, plastic, steel cans, and glass bottles/jar. There are either increases or very similar numbers seen for all other material types.
- The very significant decrease in glass bottles/jars (from 8% to 1.6%) can be attributed to the fact that there was no kerbside glass collection available in 2018.
- Not all operators gave permission for their customer's containers to be surveyed in 2018.

An added complicating factor is that not all households in Western Bay receive the food waste collection service. It would be assumed that there would be less food waste present in rubbish bins that are eligible for the food waste collection service compared to those that are not.

The data presented above in Table 8 can be split between households that receive the full service, and those that receive the restricted service of rubbish and recycling (but no food waste).

Table 9: Composition and Quantities for Full Service and Partial Service

Average weight per household	Full Service		Partial Service	
	2018	**2021**	**2018**	**2021**
Recyclable paper	0.56	0.64	0.59	0.82
Non-recyclable paper	0.07	0.20	0.11	0.23
Recyclable plastic	0.17	0.18	0.18	0.19

Non-recyclable plastic	0.55	1.17	0.62	1.18
Organics – food scraps	2.54	2.69	2.88	6.47
Organics – greenwaste and other	0.84	1.25	0.91	0.59
Steel cans	0.09	0.08	0.12	0.05
Other ferrous metal	0.04	0.34	0.12	0.39
Aluminium cans	0.05	0.12	0.05	0.07
Other non-ferrous metal	0.01	0.03	0.01	0.06
Glass – bottles/jars	0.54	0.11	0.67	0.39
Other glass	0.02	0.15	0.04	0.15
Textiles	0.28	0.50	0.56	0.65
Nappies & sanitary	0.79	1.32	0.61	1.12
Rubble, concrete, timber, rubber	0.21	0.64	0.64	0.60
Potentially hazardous	0.10	0.14	0.11	0.34
TOTAL	**6.88**	**9.57**	**8.23**	**13.30**

Highlighted above is the contrast in food scraps quantities between a rubbish bin from a household that has access to the food waste collection, and one that does not – a difference of around 4kg. There is also a notable reduction in proportion – food waste makes up 28.1%, compared to 37% in 2018 prior to the introduction of the new service. This can be compared to households with access only to a partial service, where food waste is now 48.7% compared to 35% in 2018 (6.47kg compared to 2.88).

The higher figure measured in 2021, compared to 2018, may be explained by the more frequent use of rubbish bags for collection in these areas, compared to the peri-urban and urban areas.

A rubbish bin from a household that has access to the full service is also significantly lower in glass bottles/jars, and has a much lower weight overall at 8.23kg compared to 13.30kg for a household with the partial service.

It should be noted that there were less samples included in the survey that received the partial survey, so the results will be less accurate.

4.7 Divertible Material

4.7.1 Waste to Class 1 Landfill

Of the 25 secondary classifications of the composition of waste to landfill shown in **Error! R eference source not found.**, nine are commonly recycled or recovered in New Zealand. A further four materials are compostable. There are currently diversion options available in Bay of Plenty region for most of these 13 materials.

Based on these 13 materials, Table 10 shows the proportions of overall waste from Western Bay that could potentially be diverted from landfill disposal. The tonnages are based on the annual disposal figure of 23,989 tonnes for 2020/21 presented in Table 6.

Table 10: Diversion Potential of Waste to Class 1 Landfills

Diversion potential of waste to Class 1 landfills from Western Bay of Plenty District	Overall waste - includes kerbside rubbish, general, and special wastes	
	% of total	Tonnes per annum
Recyclable and recoverable materials		
Paper - recyclable	3.8%	906
Paper - cardboard	3.2%	758
Plastic - recyclable	1.0%	247
Ferrous metals	2.9%	688
Non-ferrous metals	0.7%	169
Glass - recyclable	1.5%	356
Textiles - clothing	2.1%	493
Rubble - cleanfill	3.0%	718
Timber - reusable	1.0%	249
Subtotal	**19.1%**	**4,583**
Compostable materials		
Kitchen food scraps	14.4%	3,446
Compostable greenwaste	8.4%	2,011
New plasterboard	3.0%	726
Untreated/unpainted timber	3.2%	769
Subtotal	**29.0%**	**6,953**
TOTAL - Potentially divertable	**48.1%**	**11,535**

Recyclable/recoverable materials accounted for 19.1% of overall waste to landfill from Western Bay of Plenty District and compostable materials 29.0%. Approximately 48.1% of the overall waste stream disposed of at Class 1 landfills could be readily diverted either by recycling/recovering or by composting.

4.7.2 Household Kerbside Waste

The audit carried out in December 2021 identified the materials in kerbside rubbish bins that could have been diverted through other means. This is shown in the table below.

Material Type	Partial Service	Full Service	All waste surveyed
Recyclable Paper	6.1% 0.82kg	6.7% 0.82kg	6.6% 0.68kg
Recyclable plastic	1.4% 0.19kg	1.9% 0.18kg	1.8% 0.18kg

Food scraps	48.7% 6.47kg	28.1% 2.69kg	33.7% 3.49kg
Compostable garden waste	0.7% 0.10kg	8.9% 0.85kg	6.7% 0.69kg
Steel cans	0.4% 0.05kg	0.8% 0.08kg	0.7% 0.07kg
Aluminium cans	0.5% 0.07kg	1.3% 0.12kg	1.1% 0.11kg
Glass bottles/jars	3.0% 0.39kg	1.1% 0.11kg	1.6% 0.17kg
TOTAL	**60.1%** **8.09kg**	**48.80%** **4.85kg**	**52.2%** **5.39kg**

While there are noticeable differences between those with the partial service and those with the full service, and an apparent reduction in food scraps in the order of roughly 4kg per rubbish bin; there is still significant opportunity to achieve more in kerbside diversion.

5 Performance Measurement

5.1 Current Performance Measurement

This section provides comparisons of several waste metrics between Western Bay and other territorial authorities. The data from the other districts has been taken from a variety of research projects undertaken by Eunomia Research & Consulting (in some cases, with Waste Not Consulting Ltd).

5.1.1 Per Capita Waste to Class 1 Landfills

The total quantity of waste disposed of at Class 1 landfills in a given area is related to a number of factors, including:

- the size and levels of affluence of the population
- the extent and nature of waste collection and disposal activities and services
- the extent and nature of resource recovery activities and services
- the level and types of economic activity
- the relationship between the costs of landfill disposal and the value of recovered materials
- the availability and cost of disposal alternatives, such as Class 2-4 landfills
- seasonal fluctuations in population (including tourism).

By combining Council population estimates and the Class 1 landfill waste data in section 4.3.1 , the per capita per annum waste to landfill in 2020 from the Tauranga/Western Bay sub-region can be calculated as in Table 11 below. The estimate excludes special wastes and non-levied cleanfill materials.

Table 11: Waste Disposal per Capita[21]

Calculation of per capita waste to Class 1 landfills	
Population (2020)	205,355
Total waste to Class 1 landfill	115,085 tonnes per annum
Tonnes/capita/annum of waste to Class 1 landfills 2020	0.560

This figure varies significantly throughout New Zealand. Other similar cities/districts where this has been calculated recently include Hamilton (0.668 tonnes/capita/annum),

[21] Estimate provided by Waste Not Consulting based on a number of datasets held

Palmerston North (0.553), the Otago region (0.608) and Rotorua (0.533[22]) . The national average figure is approximately 0.750 per person per annum.

Areas with lower per capita waste generation tend to be rural areas or urban areas with relatively low levels of manufacturing activity. The areas with the highest per capita waste generation are those with significant primary manufacturing activity or with large numbers of tourists.

5.1.2 Per Capita Domestic Kerbside Refuse to Class 1 Landfills

5.1.3 Council Share of Domestic Kerbside Refuse Market

During the service review carried out in 2018, the implications of different collection systems for Council market share were analysed. There is relatively little data available on market share for user-pays wheeled bin-based systems, with most user-pays rubbish collections involving a bag-based system. Provision of a wheeled bin for rubbish collection is one of the most common reasons why people choose to use a private collection system, which is not a factor in the Western Bay district. Council-contracted wheeled bin-based collection systems also involved a bin being delivered to every property, which means that a householder that chooses to use a private sector service would need to undertake the additional task of returning the council bin, or storing the bin onsite.

Although there is no specific data on market share in the Western Bay, anecdotally it appears that a very high proportion of householders that are eligible for the council service are using it for rubbish collections.

5.1.4 Greenhouse gas emissions

When waste is landfilled, it decomposes anaerobically and methane (CH_4) is produced. Methane is one of the six greenhouse gases (GHG) recognised in the international climate change agreement, the Kyoto Protocol. For GHG accounting purposes, all six greenhouse gases are measured and expressed in terms of carbon dioxide equivalent units, in tonnes (tCO_2-e unit). As discussed earlier in section 1.5.5, New Zealand's emissions trading scheme requires all Class 1 landfills to surrender carbon credits, based on the quantity of waste the landfill receives.

Large Class 1 landfills (over 1 million tonnes total capacity) in New Zealand are required to operate landfill gas capture systems, which reduce the amount of methane gas emitted to the atmosphere. A landfill gas recovery scheme does not, however, capture all the methane gas that a landfill generates and a proportion is still released. Hampton Downs landfill, where virtually all waste from Western Bay of Plenty District is disposed, has a landfill gas capture system.

The Climate Change (Unique Emissions Factors) Regulations 2009[23] provides a process through which a Class 1 landfill may apply for a unique emissions factor (UEF), based on the proportion of landfill gas that is captured. Gaining approval for a UEF reduces a Class 1

[22] Estimated from publicly available information
[23] https://www.legislation.govt.nz/regulation/public/2009/0286/51.0/DLM2378401.html

landfill's liability for surrendering carbon credits. A UEF stays in effect until there is a material change in any of the information or factors on which the approval is based.

UEFs are published annually in the New Zealand Gazette. In 2021, approval for a UEF was given to EnviroWaste Services Limited (owner of Hampton Downs landfill), by the Environmental Protection Authority. The UEF, for 0. 0.1345 tCO_2e/t waste, indicates an 89% reduction in GHG emissions at the facility compared to the default emissions factor, which was 1.19 tCO_2e/t waste at the time.

Landfill methane emissions are calculated based on the composition of waste, with a different emissions factor being applied to each type of material with methane-generating potential. Table 10 lists the materials currently disposed of to landfill from Western Bay of Plenty District that could potentially be diverted from Class 1 landfill disposal. Many of these materials are organic in nature, so diverting them from landfill will not only reduce the tonnage of waste to landfill but will change the methane-generating potential of the materials that remain.

Table 12 presents:

- the carbon emissions potential of all waste disposed of to Hampton Downs Landfill from Western Bay of Plenty district, before and after landfill gas has been captured
- the carbon emissions potential from the same waste after all divertible materials have been removed, before and after landfill gas has been captured.

Table 12: Carbon Emissions from Waste to Hampton Downs Landfill

Carbon emissions from Western Bay of Plenty District waste to Hampton Downs Landfill	All waste	Waste after removal of divertable materials	Change
Tonnes to Hampton Downs Landfill	23,989	12,454	-48.1%
Calculated emissions factor in tCO2-e per tonne of waste	1.418	1.442	1.7%
Emissions potential, based on calculated emissions factor, in tCO2-e	34,009	17,954	-47.2%
Actual emissions, with landfill gas capture, in tCO2-e	3,844	2,029	-47.2%

Based on the waste composition shown in **Error! Reference source not found.**, the 23,989 t onnes per annum of waste disposed of to Hampton Downs Landfill from Western Bay of Plenty district in 2020/21 has the potential to emit 34,009 tonnes of carbon. Landfill gas capture at the landfill (as calculated using Hampton Downs Landfill's UEF) reduces this potential to 3,844 tonnes of carbon.

Removal of all possible divertible materials (as per Table 10) from the existing waste stream would reduce the tonnage of waste by 48.1% (to 12,454 tonnes) and the emissions factor of the waste by 1.7%. Potential emissions would be reduced by 47.2% to 17,954 tonnes. The landfill gas capture systems currently in place at Hampton Downs Landfill would reduce this emissions potential to 2,029 tonnes.

6 Future Demand and Gap Analysis

6.1 Future Demand

There are a wide range of factors that are likely to affect future demand for waste minimisation and management. The extent to which these influence demand could vary over time and in different localities. This means that predicting future demand has inherent uncertainties. Key factors are likely to include the following:

- Overall population growth
- Economic activity
- Changes in lifestyle and consumption
- Changes in waste management approaches

In general, the factors that have the greatest influence on potential demand for waste and resource recovery services are population and household growth, construction and demolition activity, economic growth, and changes in the collection service or recovery of materials.

The last couple of years have also demonstrated how unpredictable factors can influence demand and provision of services; with COVID-19 pandemic management making normal waste services difficult to deliver at times due to lock-downs and staffing shortages, and disaster-related wastes requiring management often with very short notice.

6.1.1 Population

Population projections are shown in the following table:

Table 13: Population Projections to 2043

2018	2021	2026	2031	2036	2041	2046	2051	Change 2018 – 2051 (number)	Change 2018 – 2051 (percent)
51,318	57,355	62,219	66,300	69,102	70,620	71,203	71,367	**20,049**	**28.1%**

Population growth through to 2031[24] is expected to be primarily around the urban centres; particularly Katikati, Ōmokoroa, and Te Puke.

Council, as part of SmartGrowth, are investigating future settlement patterns within the sub-region. Previous work by SmartGrowth has identified the potential for future large scale housing growth in the east of our district.

The demographics of the district are expected to change as the impacts of an ageing population and the impacts of immigration are felt. With the elderly more likely to live alone, and the national trend towards smaller households, the average household size is

[24] Strategic Assumptions for the 2021 LTP – available on westernbay.govt.nz

likely to reduce. This may be balanced to an extent by the norms of some cultures of having multiple generations in one household, but this effect is more difficult to predict. There will be variation between communities as people move and places grow; for example, Te Puke's average age dropped in the last census.

6.1.2 Economic Activity

The Western Bay district has been reasonably well insulated against the economic impacts of the COVID-19 pandemic management, due to the relatively diverse economy and a strong rural sector, and low reliance on international tourists. Economic growth is expected to quickly return to 2019 levels, and grow strongly from 2022 onwards.

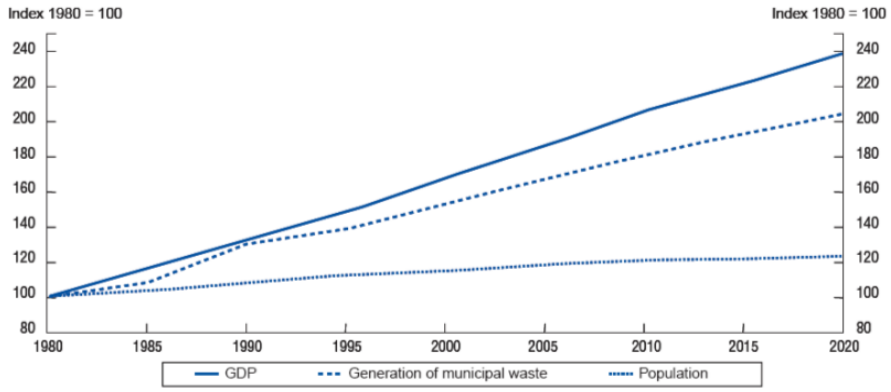
This growth is particularly expected in the kiwifruit and avocado industries, and in domestic tourism.

Industrial and commercial growth is expected to occur in Ōmokoroa and predominantly at Rangiuru Business Park. The Rangiuru Business Park has 148 hectares net yield, and is the largest greenfield consented industrial zone in the Bay of Plenty, providing a high-quality industrial development. There are implications of this for waste management – firstly from the construction waste that would arise from such a development, and secondly from the waste services that the established businesses would subsequently require. For a ground-up development of this kind, there is potential for Council or a business agency such as the Chamber of Commerce to work with the tenants and owners in the Business Park to identify waste management service needs as a site, and negotiate a good value service offering to meet these needs. Often bespoke marginal services such as recycling collections for difficult materials can become achievable through collaboration of this nature.

GDP has a strong relationship with waste generation, and so this strong growth is likely to result in ongoing increases in consumption and hence waste generation.

For reference, Figure 5 below shows the growth in municipal waste in the OECD plotted against GDP and population.

Figure 5: Municipal Waste Generation, GDP and Population in OECD 1980 - 2020



Source: OECD 2001.

Research from the UK[25] and USA[26] suggests that underlying the longer-term pattern of household waste growth is an increase in the quantity of materials consumed by the average household and that this in turn is driven by rising levels of household expenditure.

The relationship between population, GDP, and waste seems intuitively sound, as an increased number of people will generate increased quantities of waste and greater economic activity is linked to the production and consumption of goods which, in turn, generates waste.

Total GDP is also a useful measure as it takes account of the effects of population growth as well as changes in economic activity. The chart suggests that municipal solid waste growth tracks above population growth but below GDP. The exact relationship between GDP, population, and waste growth will vary according to local economic, demographic, and social factors.

As Western Bay's population is anticipated to experience steady growth, alongside economic growth, it is likely that the district will experience an approximately similar increase in waste generated assuming no change to waste behaviour or resource recovery rates.

6.1.3 Changes in Lifestyle and Consumption

Consumption habits affect the waste and recyclables generation rates. For example, there has been a national trend related to the decline in newsprint. In New Zealand, the production of newsprint has been in decline since 2005, when it hit a peak of 377,000 tonnes, falling to 276,000 tonnes in 2011.[27] Anecdotally, this has been accompanied by an increase in the use of printed direct mail ('junk mail') both in real terms and proportionally. This presents challenges for fibre recycling as this is a less desirable recycling commodity.

The COVID-19 pandemic management has seen an increase in online purchasing, including regular purchases such as groceries. This is likely to result in an increased proportion of cardboard boxes and paper bags in homes; although this is not yet a measurable impact.

The ongoing growth in electronic devices will ensure that e-waste continues to be a growing waste stream, with (for example) data showing that households now tend to access the internet through multiple devices within the home and out, rather than a single home computer[28].

Government policies such as the proposed container return scheme and standardised kerbside recycling materials, and bans of items such as PVC food containers/trays and polystyrene packaging, are likely to have an impact on brand owners and packaging manufacturers. Some likely consequences will be an increase in the use of #5 (PP) plastic for

[25] Eunomia (2007), *Household Waste Prevention Policy Side Research Programme*, Final Report for Defra, London, England
[26] EPA, 1999. National Source Reduction Characterisation Report For Municipal Solid Waste in the United States
[27] http://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=10833117
[28] Data from www.stats.govt.nz 'Household Use of Information and Communication Technology' accessed September 2018

packaging, and the consistent use of #1 (PET or rPET) for clear meat trays. There may be a shift, even if just a temporary one, to more compostable alternatives (e.g. wooden sticks for stirrers, and compostable alternatives to expanded polystyrene packaging). However, MfE's position on compostable packaging[29] discourages this and most compost operators do not welcome compostable packaging at their facilities. The concern about PFAS (poly-fluroalkyl substances, commonly used to form a moisture-proof layer on fibre or compostable packaging) is growing and is a factor in discouraging the use of compostable packaging particularly for products that require wet-strength packaging.

6.1.4 Changes in Waste Management Approaches

There are a range of drivers that mean methods and priorities for waste management are likely to continue to evolve, with an increasing emphasis on diversion of waste from landfill and recovery of material value. These drivers include:

- Revised New Zealand Waste Strategy. The consultation draft had a strong focus on a circular economy approach, which is a change in strategic direction.
- Infrastructure investment. An increased landfill levy and other funding sources will drive increased investment in waste infrastructure. MfE are currently working a long-term strategic waste infrastructure investment plan.
- Increased cost of landfill. Landfill costs have risen in the past due to higher environmental standards under the RMA, introduction of the Waste Disposal Levy (currently $30 per tonne) and the New Zealand Emissions Trading Scheme. The current price for carbon credits, and the ongoing increases in the landfill levy, will make disposal prices a more significant consideration in waste management practices.
- Household collection systems: the current consultation on standardising kerbside collections will have little impact for Western Bay, given that the new kerbside services are strongly aligned with the recommended standardised kerbside service. There are likely benefits that will accrue from increased national education campaigns.
- Business collection systems: There may be implications for Western Bay, as kerbside standardisation proposals for business food waste collections at various scales may be adopted by the MfE. Council may be looked to as a provider of those collection services, at least to those businesses that only produce small quantities of food waste and may be able to simply use the Council's domestic kerbside collection (on a user-pays basis).
- Waste industry capabilities. As the nature of the waste sector continues to evolve, the waste industry is changing to reflect a greater emphasis on recovery and is developing models and ways of working that will help enable effective waste minimisation in cost-effective ways. COVID-19 pandemic management presents ongoing challenges in resourcing, both staff and vehicles.

[29] https://environment.govt.nz/news/ministry-position-on-compostable-products/

- Local policy drivers, including actions and targets in the WMMP, bylaws, and licensing; and an increasing expectation from community that Council will provide waste solutions (with the recent new kerbside services setting a precedent).
- Recycling and recovered materials markets. Recovery of materials from the waste stream for recycling and reuse is heavily dependent on the recovered materials having an economic value. This particularly holds true for recovery of materials by the private sector. Markets for recycled commodities are influenced by prevailing economic conditions, by commodity prices for the equivalent virgin materials, and by market controls in key destinations such as China. The risk is linked to the wider global economy through international markets, and the impact of the China National Sword policies has demonstrated this.
- Performance standards and targets. The current consultation from MfE proposes that there are minimum performance standards for recycling diversion.

6.1.5 Summary of Demand Factors

The analysis of factors driving demand for waste services in the future suggests that demand will increase over time as a result largely of population growth and economic activity. It is likely that some new waste management approaches will be introduced as a result of the central government work programme, which could create demand in specific areas. Initial indications are that, for Western Bay, this new demand is likely to be largely related to ongoing efforts to divert organic waste from landfill, including possible business food waste diversion and recovery of construction wastes.

6.2 Future Demand – Gap Analysis

The aim of waste planning at a territorial authority level is to achieve effective and efficient waste management and minimisation. The following significant 'gaps' or key issues have been identified:

6.2.1 Reliance on Tauranga City Council Infrastructure

Western Bay is currently heavily reliant on waste infrastructure located in Tauranga, including facilities owned and/or operated by Tauranga City Council or its contractor. This includes the Te Maunga RRP, which is currently the only option for public disposal of residual waste in the sub-region.

Although Western Bay residents are frequent users of Tauranga City Council infrastructure, there is no requirement for Tauranga City Council to consult with these residents or to negotiate with Council about the management of these facilities. An example of this is the closure of Maleme Street RTS to the public, which had a significant impact on residents in the central and northern Western Bay.

This gap is exacerbated by the expected growth in two population centres in the north of the district, which is furthest from Te Maunga RRP.

6.2.2 National Initiatives

As previously discussed, central government has made significant progress in waste management and minimisation over the last few years. The last WMMP was prepared in the context of relatively slow national progress.

Particularly relevant initiatives include:

- Waste infrastructure investment and strategic direction
- Emissions Reduction Plan and the corresponding increased focus on diverting organic wastes from landfill
- Kerbside standardisation, including food waste diversion from businesses
- Container return scheme and the potential implications for kerbside recycling collections
- Performance standards for councils

These national initiatives will have a significant impact on the district, yet this is difficult to predict until further details are known.

6.2.3 Household Waste Diversion

While Council has made significant improvements in household waste diversion through the introduction of its council-contracted services, analysis shows that residents are still not using these services to divert wastes effectively.

There is still a significant quantity of food waste in household kerbside rubbish collections, as discussed earlier in section 4.5 (33.7% on average). Similarly, rubbish collections also still contain quantities of common recyclables such as recyclable paper (6.6%) and recyclable plastic (1.8%, although this is by weight and plastic containers are one of the least dense waste materials).

Anecdotally, participation in the kerbside food waste collection can be lower in some areas, presenting an opportunity to focus engagement and education to targeted parts of the district. Participation in the services overall in some rural areas can be low.

There are few options for householders to recycle or otherwise divert construction and demolition waste, cleanfill, reusable items, whiteware in parts of the district, and textiles. Anecdotally, increased illegal dumping at charity shops around Te Puke has been noticeable over the last 12 to 18 months. This may be due to the additional time people have been spending at home due to COVID-19 pandemic management-related lockdowns, providing opportunities to sort through household items for donation.

6.2.4 Non-Household Waste Diversion

There is a general lack of access to services to divert business waste, apart from the key recyclables of aluminium cans, glass, and paper/card. There are more services for diversion of recovered food than there have been in the past, with a number of initiatives starting up in and near the district.

In particular, there are few services that enable the diversion of construction and demolition waste. This is a particular issue, given the ongoing growth in both residential and industrial construction; e.g. Ōmokoroa and Rangiuru.

Businesses may also soon be faced with the need to comply with central government regulation requiring the diversion of food waste.

Although there are licensing provisions in the Council waste bylaw, these have not yet been fully implemented and so there is little data available on private operators' activities and non-Council waste streams in general.

The closure of Maleme St to the public, and the complete closure of the Jack Shaw cleanfill, mean that businesses now have much greater distances to travel to access RTS and other diversion and disposal services.

6.2.5 Iwi Liaison

The usual consultation methods were used during the development of the 2017 WMMP, although no proactive iwi liaison was undertaken. Engagement with Council's Partnership Forum and individual hapu did inform the development and implementation of the Council-led kerbside services.

With the national focus on a circular economy approach to waste management (which closely aligns to the Māori world view), there is increasing awareness of the need for the wider waste management industry to engage more proactively with iwi, and to be good treaty partners.

This waste assessment covers off the Māori world view in a generic sense only.

6.2.6 Specific Waste Streams

Composition data discussed earlier in section **Error! Reference source not found.** showed t hat there is significant scope to divert more from the domestic residual waste stream, and also scope to divert from the commercial waste stream (although less certain in quantities).

Priority waste streams that could be targeted to further reduce waste to landfill would include: (e.g.)

- Standard recyclables (paper/card, tins/cans, plastic containers) from both householders and commercial properties
- Organic waste, particularly more food waste from householders, and from commercial properties;
- Recovery of construction and demolition waste or diversion to Class 2 facilities;
- E-waste;
- Waste tyres may not be a large proportion of the waste stream, however the effectiveness of the management of this waste stream is unknown. Issues with management of this waste stream have recently been highlighted nationally;
- Medical waste;
- Diversion of cleanfill to Class 4/5 facilities;
- Recoverable items such as clothing, mattresses, and furniture; and
- Difficult to manage waste streams such as end-of-life mattresses and textiles

Associated infrastructure to manage increased quantities and new waste streams will be required. Some of these waste streams are discussed in more detail below.

6.2.6.1 Medical Waste

Medical waste can be an issue at home and in medical facilities. Generally, it is comprised of:

- Hazardous waste (which can be sharps, such as needles, or non-sharps such as infectious waste or radioactive);
- Controlled waste (such as potentially infectious bodily fluids); and

- Non-hazardous waste (which is general waste or recyclables).

At home, non-hazardous waste can generally be managed through usual general refuse and recycling services (although there are some exceptions through either the size of the item, or the sheer quantity). However, the management of hazardous and controlled wastes at home can be difficult, and with the increasing prevalence of in-home medical care, this is becoming a more significant problem.

Anecdotally, a significant proportion of in-home medical waste is disposed of through general waste and recycling systems[30]. This could result in significant health and safety concerns for the collection and processing staff.

Ideally, in-home medical care would include provision for appropriate handling and disposal of medical wastes. However, for various reasons such as lack of awareness or cost, this is not always the case.

For healthcare in medical facilities, The Pharmacy Practice Handbook states:[31]

> *4.1.16 Disposal of Unused, Returned or Expired Medicines*
>
> *Members of the public should be encouraged to return unused and expired medicines to their local pharmacy for disposal. Medicines, and devices such as diabetic needles and syringes, should not be disposed of as part of normal household refuse because of the potential for misuse and because municipal waste disposal in landfills is not the disposal method of choice for many pharmaceutical types. Handling and disposal should comply with the guidelines in NZ Standard 4304:2002 – Management of Healthcare Waste.*

While Council is not responsible for the provision of medical waste management services for either home-based care or medical facilities, it would be beneficial for Council to work proactively with DHBs and other medical service providers to ensure that appropriate services are being offered and put in place.

6.2.6.2 E-waste

Without a national product stewardship scheme, the e-waste treatment and collection system will continue to be somewhat precarious. Currently, companies tend to cherry-pick the more valuable items, such as computers and mobile phones. As a result, the more difficult or expensive items to treat, such as CRT TVs and domestic batteries, will often still be sent to landfill.

6.2.6.3 Reuse

There is no provision for the recovery of reusable items in the district.

In other areas, such as Auckland, this material is recovered both through a charged collection service, and by establishing a network of community resource recovery centres

[30] Of 7,145 patients cared for at home by Capital & Coast DHB staff in 2016, only 200 had a specific medical waste collection service in place. https://www.stuff.co.nz/dominion-post/news/93705822/needles-sanitary-waste-and-pharmaceuticals-putting-waste-workers-at-risk

[31] https://nzpharmacy.wordpress.com/2009/06/09/disposal-of-unwanted-medicines/

(CRRCs). Western Bay already has plans in place to investigate the provision of community-led reuse centres, set through the Long Term Plan 2021-2031.

6.2.6.4 Rural Waste

Council's kerbside services are not provided to a number of rural properties (around 3,500). These properties rely on RDOPs and RTSs to manage their waste materials. The geographical nature of the district, with the bisection of state highway 2 and the perpendicular state highway 29, suggests that most rural residents would naturally travel close to one of the existing RDOPs on regular journeys for work or shopping. However, there may be some demand for additional RDOPs (e.g. in the Kaimai Ranges area, Oropi and upper Ohauitu areas and this is exacerbated by the recent closure of Maleme St RTS and Jack Shaw landfill.

Access to RTS or RRPs for residents in the northern and central parts of the district, that don't have access to kerbside services, is now more difficult than before with the closure of Maleme St to the public and the complete closure of the Jack Shaw cleanfill.

All residual waste in the district must be transported to Te Maunga RTS, or to another RTS out of the district such as Waihī in Hauraki Council's district.

7 Review of the 2017 Waste Management and Minimisation Plan

As required by the WMA, Council has carried out a review of their last WMMP, which was adopted in 2017.

This is the second WMMP adopted by Council; with the first being a joint WMMP with Tauranga City Council which was adopted in 2010. Council subsequently carried out a joint Waste Assessment with Tauranga City Council in 2016, and agreed on a shared vision "Minimising Waste to Landfill".

The vision was supported by four goals, which were further supported by thirteen objectives.

Goal	Objectives
G1: Reduce and recover more waste	O1: To reduce the total quantity of waste to landfill, with an emphasis on wastes that create the most harm. O2: Increase diversion of waste that is currently disposed of to landfill for reuse, recovery, or recycling.
G2: Apply the latest proven and cost-effective waste management and minimisation approaches	O3: To investigate and, where appropriate, develop partnership, joint working and cooperation across the private and community sectors as well as territorial and regional councils, including shared services. O4: To investigate the use of available recovery and treatment technologies and service methodologies and apply these where appropriate. O5: To engage the community and provide information, education, and resources to support community actions. O6: To use Council influence to advocate for increased or mandatory producer responsibility. O7: To work with local businesses and organisations to achieve waste reduction at a local level.
G3: To collect information to enable informed decision-making	O8: To take actions that will improve information on waste and recovered material activities in the district, including both Council-contracted and private sector activities O9: To work towards aligned data collection and reporting systems across the districts, region, and nationally
G4: To create benefit for our community	O10: To work with service providers to identify efficiencies while maintaining and/or improving service levels. O11: To consider both short and long term cost impacts of all actions across the community including economic costs and benefits.

	O12: To consider the environmental impact of all options and ensure that the overall environmental impact is taken into account in decision-making. O13: To consider the public health impacts of all waste management options and seek to choose options which effectively protect human health.

7.1 Targets

The target in the 2017 WMMP was based on diverted waste. The baseline was set according to the best data available relating to the 2014/15 year, which suggested a current diversion achievement of 957kg per household and 292 kg per capita.

The action plan was analysed and the potential contribution to waste diversion estimated, and on that basis a target of increased diversion was calculated. By the conclusion of the plan, the target was to increase diversion by 80% - to 1,721kg per household, and 525 kg per capita.

Most of this contribution was to come from the new kerbside services, with a target of 308kg per household and 94kg per capita. The new services so far have achieved a capture of 505kg per household (673.5kg pro rated out to 12 months) and 104kg per capita (139kg pro rated out to 12 months). Given that this has been achieved a time when kerbside services around the country were significantly affected by COVID-19 pandemic management, and associated staff and vehicle shortages, this is considered a significant step towards achieving the target.

7.2 Key Issues

The over-riding key issue at the time of the last Waste Assessment and WMMP was the lack of control that Western Bay had over waste management and minimisation, with significant quantities of potentially divertible material going to landfill through kerbside collections. The provision of private sector services resulted in duplication and additional cost to the community.

Other key issues included:

- The risk inherent in the current structure, with the private sector able to change or reduce services at any time without any requirement to consult with Council or the community or give any notice
- Associated uncertainty about whether services would meet the needs of a growing population, new residential areas, holiday peak populations, etc.
- The high loss rate from processed recyclables due to contamination
- Lower local authority rates, but high overall community cost for services
- Low recovery of construction and demolition waste
- Growing customer expectation that Council would control or provide services for residents
- Data availability and gaps (cleanfills, ‘farm dumps’)
- Organic waste going to landfill due to lack of alternatives
- Reusable items being dumped due to lack of alternatives

These issues were all addressed in the 2017 WMMP action plan.

7.3 Actions

The table below shows the actions from the previous WMMP, and a brief comment on the extent to which each has been achieved.

Table 14: Review of the Previous WMMP Action Plan

Action	Planned timeframe and progress	Contribution to target and commentary
Investigate alternative recycling and rubbish collection models to achieve better oversight and management of solid waste and recycling throughout the district.	Planned for 2018 Completed March 2019	Additional 308 kg diverted per household; 94 kg per capita
Implementation of Council led kerbside services	Not in WMMP – implementation of investigations described above Completed July 2021	Additional 308 kg diverted per household; 94 kg per capita
Establish a recycling centre at Ōmokoroa, similar to existing centres at Katikati and Te Puke	2021/22	Suitable land has been purchased by Council. The scope of any centre is being considered. Delayed by COVID-19 pandemic management.
Investigate a future transfer station for the district.	2018 – 2023	Feasibility partially considered through a sub-regional report. The scope of any centre is being considered through a current project.
Investigate options for more cost-effective and efficient greenwaste management in the district	2019/20	The service review completed in March 2019 concluded that council-contracted household greenwaste collection services were not required at that time. Discussions continue regarding processing options at Te Maunga. There have been discussions with a community group from Katikati to trial initiatives.
Continue to carry out waste audits	On-going	Post kerbside-implementation SWAP waste audits completed December 2021.
Continue to support waste minimisation education and communications programmes	On-going	On-going.
Advocacy to improve waste management practices	On-going	On-going. Submissions to central government and involvement in sector improvement work. Collaboration with Waikato and Bay of Plenty Councils on joint submissions.

Western Bay of Plenty Waste Assessment

Continue to support the Pare Kore programme	On-going	Discussions to restart the initiative after a hiatus.
Continue to provide residents with access to recycling and green waste disposal	On-going	RDOPs at Te Puke, Katikati, and Athenree provide for recycling and green waste. Ōmokoroa currently only provides for greenwaste diversion, but work is ongoing here as described above.
Investigate additional community recycling drop-off points	2017-2023	A trial was carried out of a rural RDOP at Pongakawa/Pukehina from November 2019 to June 2021. Further recycling opportunities for rural areas are being explored.
Continue alternative recovery for bio-solids	On-going	Continued use of Waihī Beach land application underway. Continued vermicomposting of biosolids from WWTP in the east of the district including biosolids from Katikati WWTP.
Campaign for the introduction of a refundable container deposit levy, mandatory product stewardship and increasing Central Government's waste levy	2017-2023	Submissions from Council to central government consultations on this matter. Continued involvement in sector led organisations. Central Government progress in this space with consultation released in March 2022.
Investigate opportunities to recover construction and demolition waste	2017-2023	A study undertaken with TECT and Tauranga City Council explored the potential for CRRCs to accommodate C&D waste, and enable community led action. Budget has been allocated through the LTP to establish community-led sites. LTP budget to establish community led sites; a feasibility study is underway to better understand the potential of sites alongside community groups. Te Maunga is the only significant site that could accommodate large C&D waste volumes. Tauranga City Council are currently developing plans for this site.
Continue to monitor and maintain closed landfill sites in the district	On-going	On-going. Initial work was undertaken to consider future risks associated with the district's closed landfills. Further mitigation planning may be required.
Ensure that all illegal dumping activities are recorded and where possible, infringement notices issued	On-going	This is being managed through customer call centre records.

Review the WMMP	On-going	The next full review of the WMMP is due 2023. The waste assessment will be reviewed in 2022.
Review the Waste Management and Minimisation Bylaw 2013	2018/19	Completed. Bylaw reviewed and consulted on. Adoption of updated bylaw due April. Council is involved in a cross-regional project with Waikato and Bay of Plenty councils to implement a licensing and data collection system.
Monitoring of: level of service, compliance with legislative requirements and regulations and, waste reduction and diversion.	On-going	Annual reporting to MFE; all MFE audit requirements have been met.

Western Bay of Plenty Waste Assessment

Not only has Council completed the majority of the planned actions, in some cases the outcomes of the planned action has subsequently been implemented. A significant example is the implementation of council-contracted kerbside collection services.

Significant progress has been made on other actions, such as public education and engagement, and these will continue to be a core part of solid waste activities for Council.

8 Statement of Options

This section sets out the range of options available to the Council to address the key issues that have been identified in this Waste Assessment. Options presented in this section would need to be fully researched, and the cost implications understood before being implemented.

8.1 Key Issues to Be Addressed by WMMP

The key issues identified in this Waste Assessment are listed below. Addressing these issues will ensure that Council is meeting their statutory obligations, and improving waste management and minimisation in Western Bay.

- Reliance on waste infrastructure located in Tauranga, particularly the Te Maunga RRP, but with little control over how the facility is managed or what diversion options are provided. This presents risk for the district, already seen in the case of Maleme St being closed to the public, for both Council-led services and for the Western Bay community's access to waste diversion opportunities in the wider sense.
- Significant travel distances to a range of waste infrastructure; including RTS/RRPs (as mentioned above) but also cleanfills and C&D fills.
- Significant national initiatives are underway which will have implications for waste management and minimisation in the district.
- Despite making significant improvements to household recycling services in the district, and introducing a food waste collection to urban households, there are still notable quantities of recyclables and food waste in residential residual waste bins.
- Participation in the kerbside food waste collection appears low, and there is little data on participation and/or set out rates for any Council services.
- Although there is a significant Māori population in the district, little proactive engagement has been undertaken with local iwi with respect to strategic waste management decisions.
- Some specific waste streams require concerted attention – organics, C&D, medical waste, e-waste, reusables, rural waste (including 'farm' wastes); these may have implications for infrastructure either within or near the district.
- Industrial and commercial waste generally presents scope for increased diversion, with paper/card and glass the main material types currently diverted.

These sections present the high-level options to address the key issues described above, broken down into the categories of regulation, measuring/monitoring, education/engagement, collections/services, infrastructure, and leadership/management. For each option, we have identified the issue being addressed, the extent to which we expect the issue to be addressed or the future demand to be met, and what Council's role may be.

8.2 Regulation

Ref	Option	Issues Addressed	Impact on Current/Future Demand	Council's Role
R1	Implement the solid waste bylaw provisions	Data collection and maintenance of performance standards	Encourages better management of waste streams and gives access to better data	Regulator
R2	Continue to work with the waste liaison group to implement the cross-regional waste operator licensing and data system	Ensures consistency in data quality and availability on a larger scale	Gives access to better data and enables wider benchmarking and performance assessment	Member of steering group or working group

8.3 Measuring and Monitoring

Ref	Option	Issues Addressed	Impact on Current/Future Demand	Council's Role
M1	Status quo – occasional SWAP audits, recycling audits, and monitoring through service delivery		No impact – status quo	Maintain existing arrangements
M2	Increase monitoring to provide data on participation and set out rates for all services, and monitor both food waste and recycling collection for contamination, by locality	Better understanding of the community's use of Council services, particularly participation in the food waste collection	Will enable Council to identify localities where there is low participation in services, or high contamination, and target education and engagement accordingly	Increased quality of recycling and food waste collected, and higher participation in preferred services
M3	Increase monitoring to provide more information on commercial and industrial waste streams, and changes	Better quality data on wider range of waste types	Addresses current gaps in understanding on certain waste streams. Better data could enable Council to improve and target	Improve data collection and analysis in-house, and make use of regulatory tools to collect data on non-

	in Council data over time		services more appropriately	council waste streams

8.4 Education and Engagement

Ref	Option	Issues Addressed	Impact on Current/Future Demand	Councils' Role
EE1	Status quo – engagement with the community and industry via the waste minimisation advisor, continue schools education, website improvements etc.	No change	No impact – status quo	Maintain existing arrangements
EE2	Targeted direct engagement in localities where there is low participation in recycling and/or food waste service, and/or high contamination	Education and engagement is more effective and efficient as it is targeted in areas where it is needed	Need for education/ engagement (i.e. demand) is proactively identified and addressed	Employ 'waste educators' or similar (or fund via contractor) to undertake direct targeted engagement.
EE3	Initiate wider engagement with	Opportunity for community and	Improved understanding of	Initiate group and facilitate, possibly

	industry, community, and other agencies through a community waste action group (or several)	industry to improve their engagement, understanding, and awareness of waste issues, and build closer relationships with other agencies such as DHB	needs in the city and service gaps, and who is best to address them. Increased responsibility for waste management within the community.	with low-level funding for project work.

8.5 Collection & Services

Ref	Option	Issues Addressed	Impact on Current/Future Demand	Council's Role
CS1	Status quo	No issues	No impact – status quo	Continue to contract user-pays household rubbish collection, and household kerbside recycling and food waste collection
CS2	Survey targeted rural areas regarding possibly discontinuation of the rubbish and recycling service	The service appears to be poorly used in some rural areas. These householders may prefer to	Service provision would be more closely aligned to demand. Demand would increase for suburban	Liaise with contractor to redefine service areas. Ensure transferred demand is met at

		manage their waste themselves	infrastructure, i.e. transfer stations and recycling centres	recycling centres and transfer stations.
CS3	Introduce a user-pays garden waste collection to urban areas	May encourage further diversion of green waste and reduce need for recycling centres and transfer stations	Demand appears to be low for this service, given the small quantities of garden waste that are present in rubbish bins	Liaise with contractor to facilitate provision of user-pays service
CS4	Consider funding rubbish collection through rates, and reducing collection frequency	User-pays charges are not sufficient to drive preferred behaviour, with proportions of food waste and recyclables still present in rubbish bins	Encourages increased use of existing diversion options such as kerbside recycling, home composting and garden waste collections due to reduced capacity of rubbish collections	Consider political support of user-pays service (enables flexibility for customers) on a regular basis; i.e. once per political term
CS6	Provide access to kerbside services to the commercial sector on a user-pays basis	Will meet demand from commercial premises that only need a household-type service	Some increased diversion through easier access to recycling and food waste services for those it is appropriate for.	Negotiate with contractor to provide service and administer customers

			May meet some of the demand established by government's proposed policies for business food waste diversion.	
CS7	Withdraw from collection services altogether and take a regulatory role only	Customers have options through the private sector market	This option is unlikely to increase diversion	Consider political position. Council have undertaken a lengthy and involved process to reach the position they are in now. Very unlikely to change again during the term of this plan.

8.6 Infrastructure

Ref	Option	Issues Addressed	Impact on Current/Future Demand	Council's Role
IN1	Status quo	No change	No impact – status quo	Maintain operation of existing centres

IN2	Improved recycling /greenwaste centre in Omokoroa	Demand for recycling services in Omokoroa	Improved diversion of recyclables and greenwaste Would meet some demand from rural households if kerbside services are reduced	Develop centre and provide for ongoing management
IN3	Resource recovery centre in Omokoroa	Extend the Omokoroa service provision to a resource recovery centre	Meet demand resulting from the closure of Maleme St Would meet some demand from rurul households if kerbside services are reduced	Develop centre and provide for ongoing management
IN4	Reuse centres	Work with community groups to develop reuse centres	Meet need for diversion of reusables, some timber, construction and demolition waste, etc	Support community groups. Potentially part fund or support through submitting Waste Minimisation Fund applications
IN5	Maintaining access to infrastructure	Develop a formal MoU with Tauranga City Council around access and input to	Reduce risk around decisions being made regarding infrastructure that do	Negotiate with Tauranga City Council

		infrastructure owned and/or managed by them	not meet the needs of Western Bay residents	
IN6	Responding to new demand in Rangiuru and any other similar new developments	Work with planners and developers to ensure waste is managed during the development phase, and that provision of a central coordinated waste management facility is considered	Minimise C&D waste to landfill during development, and provide more effective and efficient waste management services once operational	Work internally with planners, and facilitate discussions with site developers.

8.7 Leadership and Management

Ref	Option	Issues Addressed	Impact on Current/Future Demand	Councils' Role
LM1	Advocate to central government for extended producer responsibility	Addresses problem waste streams at the source	Using the provisions in the WMA will help to ensure that the true cost of waste management of a product is reflected in its price. Product stewardship schemes for difficult waste	Advocate to central government for stronger regulation and extended producer responsibility. Work with other councils and agencies

			streams such as e-waste and tyres will help Council provide management options for these waste streams.	to support similar lobbying efforts.
LM2	Work closely with mana whenua, community groups, and the private sector to progress opportunities for increased waste diversion	Successful implementation will enable increased waste diversion	Encourage the community be more involved in waste management, and potentially increase waste diversion.	Coordinate and support initiatives.
LM3	Support regional and national projects improving waste management planning in disaster situations	Proactive planning in place for disaster waste	Proactive planning in place for disaster waste	Provide information as requested, and any other input required.

9 Statement of Council's Intended Role

9.1 Statutory Obligations and Powers

Councils have a number of statutory obligations and powers in respect of the planning and provision of waste services. These include the following:

- Under the WMA each Council "must promote effective and efficient waste management and minimisation within its district" (s 42). The WMA requires TAs to develop and adopt a Waste Management and Minimisation Plan (WMMP).[32]
- The WMA also requires TAs to have regard to the New Zealand Waste Strategy 2010. The Strategy has two high levels goals: 'Reducing the harmful effects of waste' and 'Improving the efficiency of resource use'. These goals must be taken into consideration in the development of the Council's waste strategy.
- Under Section 17A of the Local Government Act 2002 (LGA) local authorities must review the provision of services and must consider options for the governance, funding and delivery of infrastructure, local public services and local regulation. There is substantial cross over between the section 17A requirements and those of the WMMP process in particular in relation to local authority service provision.
- Under the Local Government Act 2002 (LGA) Councils must consult the public about their plans for managing waste.
- Under the Resource Management Act 1991 (RMA), TA responsibility includes controlling the effects of land-use activities that have the potential to create adverse effects on the natural and physical resources of their district. Facilities involved in the disposal, treatment or use of waste or recoverable materials may carry this potential. Permitted, controlled, discretionary, non-complying and prohibited activities and their controls are specified within district planning documents, thereby defining further land-use-related resource consent requirements for waste-related facilities.
- Under the Litter Act 1979 TAs have powers to make bylaws, issue infringement notices, and require the clean-up of litter from land.
- The Health Act 1956. Health Act provisions for the removal of refuse by local authorities have been repealed by local government legislation. The Public Health Bill is currently progressing through Parliament. It is a major legislative reform

[32] The development of a WMMP in the WMA is a requirement modified from Part 31 of the LGA 1974, but with even greater emphasis on waste minimisation.

reviewing and updating the Health Act 1956, but it contains similar provisions for sanitary services to those currently contained in the Health Act 1956.

- The Hazardous Substances and New Organisms Act 1996 (the HSNO Act). The HSNO Act provides minimum national standards that may apply to the disposal of a hazardous substance. However, under the RMA a regional council or TA may set more stringent controls relating to the use of land for storing, using, disposing of or transporting hazardous substances.
- Under current legislation and the new Health and Safety at Work Act the Council has a duty to ensure that its contractors are operating in a safe manner.

Council, in determining their role, needs to ensure that their statutory obligations, including those noted above, are met.

9.2 Overall Strategic Direction and Role

The overall strategic direction and role is presented in the Waste Management and Minimisation Plan.

10 Statement of Proposals

Based on the options identified in this Waste Assessment and the Council's intended role in meeting forecast demand a range of proposals are put forward. Specific actions and timeframes for delivery of these proposals are identified in the Draft Waste Management and Minimisation Plan.

It is expected that the implementation of these proposals will meet forecast demand for services as well as support the Council's goals and objectives for waste management and minimisation. These goals and objectives will be confirmed as part of the development and adoption of the Waste Management and Minimisation Plan.

10.1 Statement of Extent

In accordance with section 51 (f), a Waste Assessment must include a statement about the extent to which the proposals will (i) ensure that public health is adequately protected, (ii) promote effective and efficient waste management and minimisation.

10.1.1 Protection of Public Health

The Health Act 1956 requires the Council to ensure the provision of waste services adequately protects public health.

The Waste Assessment has identified potential public health issues associated with each of the options, and appropriate initiatives to manage these risks would be a part of any implementation programme.

In respect of Council-provided waste and recycling services, public health issues will be able to be addressed through setting appropriate performance standards for waste service contracts and ensuring performance is monitored and reported on, and that there are appropriate structures within the contracts for addressing issues that arise.

Privately-provided services will be regulated through local bylaws.

Uncontrolled disposal of waste, for example in rural areas and in cleanfills, will be regulated through local and regional bylaws and through central government regulation.

It is considered that, subject to any further issues identified by the Medical Officer of Health, the proposals would adequately protect public health.

10.1.2 Effective and Efficient Waste Management and Minimisation

The Waste Assessment has investigated current and future quantities of waste and diverted material, and outlines the Council's role in meeting the forecast demand for services.

It is considered that the process of forecasting has been robust, and that the Council's intended role in meeting these demands is appropriate in the context of the overall statutory planning framework for the Council.

Therefore, it is considered that the proposals would promote effective and efficient waste management and minimisation.

Appendices

A.1.0 Medical Officer of Health Statement

TOI TE ORA
PUBLIC HEALTH
Bay of Plenty + Lakes Districts

BAY OF PLENTY DISTRICT HEALTH BOARD HAUORA A TOI

LAKES DISTRICT HEALTH BOARD

Toi Te Ora Public Health
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27 May 2022

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Tēnā koe Matthew

Medical Officer of Health Review of Western Bay of Plenty's Waste Assessment 2022

I appreciate this opportunity to provide comment on the April 2022 draft waste assessment.

Medical Officers of Health have a responsibility through their designated positions for reducing conditions within their local community which are likely to cause disease or be injurious to health. My comments seek to assist Council in promoting a healthy and safe environment for their communities now and into the future.

Waste management is important for the health of the public. If not disposed of properly, waste can present a health hazard through physical injury, chemical poisoning, exposure to infectious material and encouraging pests such as vermin, flies and mosquitoes. Waste can also block stormwater systems, contaminate land and water, and create odours.

Waste services and infrastructure should be provided in ways which do not increase the risk to health, are affordable, and are accessible to everyone. Services that provide the least complex system, and that are most accessible and affordable are encouraged. This is because it is these that enable the highest level of participation and achieve the highest compliance.

In this context I make the following comments:

1. I am pleased to see Council address the key issue identified in the feedback provided by the Medical Officer of Health in the 2016 waste assessment – and so wish to acknowledge Council's significant progress with increasing their involvement in waste management by working through actions in the 2017 waste management and

minimisation plan (WMM Plan). I am particularly pleased that Council is now able to divert organic waste from landfill and has made significant progress in providing uniform and widespread collection services.

I note that the waste assessment mentions that the majority of residences that have access to the improved collection services are utilising them. I encourage Council to continually review and make improvements to waste collection streams. Those services which provide the least complexity, increase accessibility and respond to societal trends and behaviours will increase the level of community buy-in and compliance, raise participation and result in the least waste going to landfill.

2. This office has previously expressed concern to Tauranga City Council that that the sub-regional approach taken in 2016 to assess waste in the Western Bay of Plenty region has not continued. It is important to consider how waste is managed across the region given that the two communities are closely connected and interdependent. This concern was raised further with the closure of Maleme Street Refuse transfer station significantly reducing easy access to methods of properly disposing waste, particularly to residents in the Western Bay of Plenty District Council area.

   Local government and resource management reforms are signalling councils will need to plan regionally and work together more.

   I would encourage short term actions that provide reassurance that waste and waste diversion services are conveniently provided and located throughout the district and for the whole community. And, whenever possible I encourage Western Bay of Plenty District Council and Tauranga City Council to collaborate on all sanitary services.

3. The waste assessment notes that Council collection services are not accessible to all households, with 20% being not eligible. The provision of waste services for all rural areas and any new areas should be the default position of Council. I would like to see services provided to every property because services that are accessible to everyone and enable everyone to do the right thing will be more protective of health.

4. The assessment notes there was no proactive Iwi liaison in the development of the 2017 WMM Plan, and notes that existing Iwi and Council partnership forums may provide an opportunity for Iwi to provide an iwi view on waste management and minimisation in the consideration of this waste assessment and development of the next WMM Plan.

   I encourage Council proactively engaging with local Iwi in the urban and rural environs to ensure council waste assessments set out all perspectives and information necessary to identify the key issues and priority actions when developing this and future waste assessments.

5. I recognise that this assessment informs the WMM Plan. It is suggested Council considers the findings of the Toi Te Ora Public Health, Issues of Health and Wellbeing Population Survey 2020 when developing the WMWM plan actions. This survey reflects the Bay of Plenty community views, including Western Bay of Plenty across a range of public health topics. Of relevance to waste management and minimisation is the level of satisfaction with rubbish disposal systems and recycling systems and their importance. For people in the Bay of Plenty health district this was 59% and 46% respectively. The survey is available on the Toi Te Ora website.[1]

6. In feedback to previous waste assessments and plans, this office has previously raised the issue of how local councils fund waste services. I note the rationale for Council choosing a user pays system for refuse and recycling services in the 2022 draft waste assessment. However, because waste services are a core sanitary service for local councils and they have district wide benefit, they are a public good. Waste services and infrastructure funded by the entire community help protect the health of everyone. I would like to see the rate-based system for recycling services extended to include refuse collection.

7. The waste assessment identifies the industrial and commercial growth expected to occur in Ōmokoroa and at Rangiuru Business Park. There is potential for Council or a business agency to work with tenants and owners in the Business Park to identify waste service needs and negotiate providing a good value service to meet those needs. I encourage Council to include this as a priority in the WMM Plan. Council may also wish to consider collaborating with other councils in the Bay of Plenty and Waikato regions to fund a regional role to work with the business parks and commercial sectors.

8. I note the issues raised relating to future demand and information gaps in section 6.2 of the assessment. I look forward to seeing priority actions to improve waste diversion services along with measures to improve specific waste stream composition data. Medical and hazardous, and rural waste have been highlighted as needing improved management in previous waste assessments. I would like to see these areas prioritised in the WMM Plan. I encourage council to also prioritise electronic waste to ensure the matters raised in section 6.2 are addressed.

   Decisions that reduce environmental contamination, reduce resource use and the impacts of climate change are supported because these will contribute to safeguarding the health of current and future populations.

   As Council develops their WMM Plan, I encourage Council to have regard to Bay of Plenty District Health Board Waste Management and Waste Minimisation Position Statement.

[1] https://toiteora.govt.nz/assets/Toi-Te-Ora-Public-Health/Publications-and-Resources/Population-Surveys/2020_Population_Survey_Low_Res_FINAL.pdf

If you wish to discuss this feedback please contact Cushla Vanstone or Annaka Davis, Health Protection Officers in the first instance.

Nāku noa, nā

Dr Neil De Wet
Medical Officer of Health

Copy to
Chief Executive
Tauranga City Council

A.2.0 Glossary of Terms

Class 1-5 disposal facilities	Classification system for facilities where disposal to land takes place. The classification system is provided in 0 below for reference.
Cleanfill	A cleanfill (properly referred to as a Class 5 landfill) is any disposal facility that accepts only cleanfill material. This is defined as material that, when buried, will have no adverse environmental effect on people or the environment.
C&D Waste	Waste generated from the construction or demolition of a building including the preparation and/or clearance of the property or site. This excludes materials such as clay, soil and rock when those materials are associated with infrastructure such as road construction and maintenance, but includes building-related infrastructure.
Diverted Material	Anything that is no longer required for its original purpose and, but for commercial or other waste minimisation activities, would be disposed of or discarded.
Domestic Waste	Waste from domestic activity in households.
ETS	Emissions Trading Scheme
ICI	Industrial, Commercial, Institutional
Landfill	A type of disposal facility as defined in S.7 of the Waste Minimisation Act 2008, excluding incineration. Includes, by definition in the WMA, only those facilities that accept 'household waste'. Also referred to as a Class 1 landfill.
LGA	Local Government Act 2002
Managed Fill	A Class 3 disposal site requiring a resource consent to accept well-defined types of non-household waste, e.g. low-level contaminated soils or industrial by-products, such as sewage by-products.
MfE	Ministry for the Environment

MRF	Materials Recovery Facility
MSW	Municipal Solid Waste
NZ	New Zealand
NZWS	New Zealand Waste Strategy
Putrescible, garden, greenwaste	Plant based material and other bio-degradable material that can be recovered through composting, digestion or other similar processes.
RRP	Resource Recovery Park
RTS	Refuse Transfer Station
Service Delivery Review	As defined by s17A of the LGA 2002. Councils are required to review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions. A review under subsection (1) must consider options for the governance, funding, and delivery of infrastructure, services, and regulatory functions.
TA	Territorial Authority (a city or district council)
Waste	Means, according to the WMA: a) Anything disposed of or discarded, and b) Includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and c) To avoid doubt, includes any component or element of diverted material, if the component or element is disposed or or discarded.
WA	Waste Assessment as defined by s51 of the Waste Minimisation Act 2008. A Waste Assessment must be completed whenever a WMMP is reviewed
WMA	Waste Minimisation Act 2008

WMMP	A Waste Management and Minimisation Plan as defined by s43 of the Waste Minimisation Act 2008
WWTP	Wastewater treatment plant

A.3.0 Classifications for Disposal to Land

There are two ways landfills are currently defined. An industry-led project resulted in the 'Technical Guidelines for Disposal to Land' (2018). MfE have subsequently classified disposal facilities under two regulations, which enable the application of the disposal levy and the collection of data.

A.3.1 Technical Guidelines Definitions

Class 1 - Landfill

A Class 1 landfill is a site that accepts municipal solid waste. A Class 1 landfill generally also accepts C&D waste, some industrial wastes and contaminated soils. Class 1 landfills often use managed fill and clean fill materials they accept, as daily cover.

Class 1 landfills require:

- a rigorous assessment of siting constraints, considering all factors, but with achieving a high level of containment as a key aim;
- engineered environmental protection by way of a liner and leachate collection system, and an appropriate cap, all with appropriate redundancy; and
- landfill gas management.

A rigorous monitoring and reporting regime is required, along with stringent operational controls. Monitoring of accepted waste materials is required, as is monitoring of sediment runoff, surface water and groundwater quality, leachate quality and quantity, and landfill gas.

Waste acceptance criteria (WAC) comprises:

- municipal solid waste; and
- for potentially hazardous leachable contaminants, maximum chemical contaminant leachability limits (TCLP) from Module 2 Hazardous Waste Guidelines – Class A4.

WAC for potentially hazardous wastes and treated hazardous wastes are based on leachability criteria to ensure that leachate does not differ from that expected from nonhazardous municipal solid waste.

For Class 1 landfills, leachability testing should be completed to provide assurance that waste materials meet the WAC.

Class 2 Landfill

A Class 2 landfill is a site that accepts non-putrescible wastes including C&D wastes, inert industrial wastes, managed fill material and clean fill material. C&D waste can contain biodegradable and leachable components which can result in the production of leachate – thereby necessitating an increased level of environmental protection. Although not as strong as Class 1 landfill leachate, Class 2 landfill leachate is typically characterised by

mildly acidic pH, and the presence of ammoniacal nitrogen and soluble metals, including heavy metals. Similarly, industrial wastes from some activities may generate leachates with chemical characteristics that are not necessarily organic.

Class 2 landfills should be sited in areas of appropriate geology, hydrogeology and surface hydrology. A site environmental assessment is required, as are an engineered liner, a leachate collection system, and groundwater and surface water monitoring. Additional engineered features such as leachate treatment may also be required.

Depending on the types and proportions of C&D wastes accepted, Class 2 landfills may generate minor to significant volumes of landfill gas and/or hydrogen sulphide. The necessity for a landfill gas collection system should be assessed.

Operational controls are required, as are monitoring of accepted waste materials, monitoring of sediment runoff, surface water and groundwater quality, and monitoring of leachate quality and quantity.

Waste acceptance criteria comprises:

- a list of acceptable materials; and
- • maximum ancillary biodegradable materials (e.g. vegetation) to be no more than 5% by volume per load; and
- • maximum chemical contaminant leachability limits (TCLP) for potentially hazardous leachable contaminants.

Class 3 Landfill – Managed/Controlled Fill

A Class 3 landfill accepts managed fill materials. These comprise predominantly clean fill materials, but may also include other inert materials and soils with chemical contaminants at concentrations greater than local natural background concentrations, but with specified maximum total concentrations.

Site ownership, location and transport distance are likely to be the predominant siting criteria. However, as contaminated materials (in accordance with specified limits) may be accepted, an environmental site assessment is required in respect of geology, stability, surface hydrology and topography.

Monitoring of accepted material is required, as are operational controls, and monitoring of sediment runoff and groundwater.

Waste acceptance criteria comprises:

- a list of acceptable solid materials; and
- maximum incidental or attached biodegradable materials (e.g. vegetation) to be no more than 2% by volume per load; and
- maximum chemical contaminant limits.

A Class 3 landfill does not include any form of engineered containment. Due to the nature of material received it has the potential to receive wastes that are above soil

background levels. The WAC criteria for a Class 3 landfill are therefore the main means of controlling potential adverse effects.

For Class 3 landfills, total analyte concentrations should be determined to provide assurance that waste materials meet the WAC.

Class 4 Landfill – Controlled Fill

A Class 4 landfill accepts controlled fill materials. These comprise predominantly clean fill materials, but may also include other inert materials and soils with chemical contaminants at concentrations greater than local natural background concentrations, but with specified maximum total concentrations.

Site ownership, location and transport distance are likely to be the predominant siting criteria. However, as contaminated materials (in accordance with specified limits) may be accepted, an environmental site assessment is required in respect of geology, stability, surface hydrology and topography.

Monitoring of accepted material is required, as are operational controls, and monitoring of sediment runoff and groundwater.

Waste acceptance criteria comprises:

- a list of acceptable solid materials; and
- maximum incidental or attached biodegradable materials (e.g. vegetation) to be no more than 2% by volume per load; and
- maximum chemical contaminant limits.

A Class 4 landfill does not include any form of engineered containment. Due to the nature of material received it has the potential to receive wastes that are above soil background levels. The WAC criteria for a Class 4 landfill are therefore the main means of controlling potential adverse effects.

Class 5 – Landfill

A Class 5 landfill accepts only clean fill material. The principal control on contaminant discharges to the environment from Class 5 landfills is the waste acceptance criteria.

Stringent siting requirements to protect groundwater and surface water receptors are not required. Practical and commercial considerations such as site ownership, location and transport distance are likely to be the predominant siting criteria, rather than technical criteria.

Clean filling can generally take place on the existing natural or altered land without engineered environmental protection or the development of significant site infrastructure. However, surface water controls may be required to manage sediment runoff.

Extensive characterisation of local geology and hydrogeology is not usually required.

Monitoring of both accepted material and sediment runoff is required, along with operational controls.

Waste acceptance criteria:

- virgin excavated natural materials (VENM), including soil, clay, gravel and rock; and
- maximum incidental inert manufactured materials (e.g. concrete, brick, tiles) to be no more than 5% by volume per load; and
- maximum incidental5 or attached biodegradable materials (e.g. vegetation) to be no more than 2% by volume per load; and
- maximum chemical contaminant limits are local natural background soil concentrations.

Materials disposed to a Class 5 landfill should pose no significant immediate or future risk to human health or the environment.

The WAC for a Class 5 landfill should render the site suitable for unencumbered potential future land use, i.e. future residential development or agricultural land use.

The WAC for a Class 5 landfill are based on the local background concentrations for inorganic elements, and provide for trace concentrations of a limited range of organic compounds.

Note: The Guidelines should be referred to directly for the full criteria and definitions.

A.3.2 Ministry for the Environment Classifications

The Ministry for the Environment have recently extended the payment of the landfill levy to a wider range of disposal facilities, and have also required reporting of data from 'cleanfills' and transfer stations. This has entailed two regulations – the first to extend the levy to other facilities[33] and the second to require data reporting from 'cleanfills' and transfer stations[34].

These regulations establish definitions for a range of disposal facilities beyond the Class 1 landfills that were captured by the landfill levy when it was first introduced.

These are summarised in the table below:

Disposal facility class	Description	Types of waste not accepted	Examples of types of waste accepted
1 Municipal Disposal Facility	A facility, including a landfill: • where waste is disposed of		Types of waste may include (but not limited to):

[33] https://www.legislation.govt.nz/regulation/public/2021/0068/latest/LMS474556.html
[34] https://www.legislation.govt.nz/regulation/public/2021/0069/latest/whole.html

	• that operates, at least in part, as a business to dispose of waste • accepts waste that is or includes any one or more of the following: household waste waste from commercial or industrial sources waste from institutional sources (eg, hospitals, educational facilities and aged-care facilities) green waste (eg, degradable plant materials such as tree branches, leaves, grass, and other vegetation matter) waste that is not accepted at other disposal facilities in the WMA. It is not a: • class 2: construction and demolition disposal facility • class 3 and 4 managed or controlled fill disposal facility • an industrial monofill facility • a cleanfill facility.		• mixed municipal waste from residential, commercial and industrial sources • construction and demolition waste • contaminated soils • rocks, gravel, sand, clay • sludges • slurries • putrescible waste • green waste • biosolids • clinical waste • treated hazardous waste • incidental hazardous waste.
2 C&D Disposal	Accepts waste from construction and demolition activity It is not a: • class 3 and 4 managed or controlled fill disposal facility • an industrial monofil facility • a cleanfill facility.	Does not accept any of the following for disposal: • household waste • waste from commercial or industrial sources • waste from institutional sources (eg, hospitals, educational facilities, and aged-care facilities) • waste generated from a single industrial process (eg, steel or aluminium-making, or pulp and paper-making) carried out in one or more locations	Mixed construction and demolition waste including: • rubble, plasterboard, treated and untreated timber • wood products,including softboard, hardboard, particle board, plywood, MDF, customwood, shingles, sawdust • concrete, including reinforced or crushed concrete blocks • clay products including pipes, tiles • asphalt (all types), and roading materials,

		• Is not a class 3 and 4 managed or controlled fill facility	including road sub-base • plasterboard and Gibraltar board • masonry, including bricks, pavers • metal, or products containing metals, including corrugated iron, steel, steel-coated tiles, wire, wire rope, wire netting, aluminium fittings • plastic products, including plastic bags, pipes, guttering, building wrap • insulation products • laminate products, including Formica • flooring products, including carpet and underlay, vinyl/linoleum, cork tiles • paper and cardboard products, including wallpaper, lining paper, building paper • site clearance and excavation materials including soils, clays, rocks, gravel, tree stumps
3/4 Managed or Controlled Fill Disposal	Accepts any one of the following for disposal: • inert waste material from construction and demolition activities • inert waste material from earthworks or site remediation	Does not accept: • household waste • waste from commercial or industrial sources • waste from institutional sources (eg, hospitals, educational facilities, and aged-care facilities • waste generated from a single industrial	Types of waste may include (but not limited to): • lightly contaminated soil below applicable consent limits and inert construction and demolition materials, including: site facilities clearance and excavation materials including

		process (eg, steel or aluminium-making, or pulp and paper-making) carried out in one or more locations • waste material from construction and demolition activity (except for inert waste material).	soils, clays, rocks, gravel, tree stumps masonry, including bricks and pavers clay products, including pipes, tiles concrete, including crushed concrete and blocks (for reinforced concrete, exposed reinforcing must be removed) asphalt (bitumen-based only) road sub-base.
5 **Cleanfill**	A facility that accepts only virgin excavated natural material (such as clay, soil, or rock) for disposal	Any materials other than virgin excavated natural materials (VENM)	VENM such as clay, soil and rock
Industrial monofill	A facility that accepts for disposal waste that: • discharges or could discharge contaminants or emissions • is generated from a single industrial process (eg, steel or aluminium-making, or pulp and paper-making) carried out in one or more locations.	• household waste • waste from commercial or institutional sources (eg, hospitals, educational facilities, and aged-care facilities) • waste not generated by a single industrial process.	Waste generated by industrial processes such as: • steel-making • aluminium-making • pulp and paper • oil exploration and extraction
Transfer station	A facility: • that contains a designated receiving area where waste is received; and • from which waste or any material derived from that waste is: transferred to a final disposal site transferred elsewhere for further processing that does not itself provide long-term storage for waste or material derived from that waste.	N/A (no disposal of waste occurs)	N/A

A.4.0 National Legislative and Policy Context

A.4.1The New Zealand Waste Strategy 2010

The New Zealand Waste Strategy 2010 provides the Government's strategic direction for waste management and minimisation in New Zealand. This strategy was released in 2010 and replaced the 2002 Waste Strategy.

The New Zealand Waste Strategy has two goals. These are to:

- reduce the harmful effects of waste
- improve the efficiency of resource use.

The strategy's goals provide direction to central and local government, businesses (including the waste industry), and communities on where to focus their efforts to manage waste. The strategy's flexible approach ensures waste management and minimisation activities are appropriate for local situations.

Under section 44 of the Waste Management Act 2008, in preparing their waste management and minimisation plan (WMMP) councils must have regard to the New Zealand Waste Strategy, or any government policy on waste management and minimisation that replaces the strategy. Guidance on how councils may achieve this is provided in section 4.4.3.

A copy of the current New Zealand Waste Strategy is available on the Ministry's website.

MfE has released a draft revised 'New Zealand Waste Strategy' (the Strategy), which was open for consultation until 10th December 2021. The new draft Strategy has a focus on achieving a more 'circular economy' for waste and sets out a multi-decade pathway towards this.

The MfE are currently reviewing submission responses, and the final form of the strategy is not yet known.

The consultation document[35] includes:

- A review of the current situation with waste management in New Zealand, including our performance in the global context
- A proposed new vision and principles for New Zealand
- A staged transition process, with three stages described
- A more detailed description of what stage one might look like
- Targets

[35] https://environment.govt.nz/assets/publications/waste-strategy-and-legislation-consultation-document-.pdf

- Proposals to review associated legislation.

These sections are discussed in more detail.

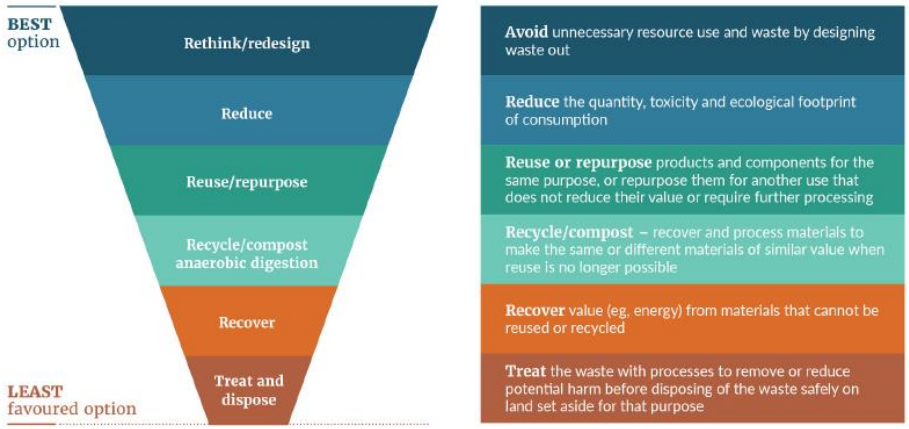
A.4.1.1 Our Waste Challenge

This section of the consultation document describes the current approach to resource use in New Zealand as strongly linear, with a 'take, make, dispose' approach. The issues with this approach are described, including negative environmental impacts from production and consumption and inefficient resource use.

The document recognises the global shift towards a circular economy, with heightened international awareness of the consequences of linear systems. This shift is also strongly aligned with the Sustainable Development Goals[36], and is more consistent with an approach that could meet our emissions reduction targets[37].

The waste hierarchy is still a core principle guiding waste management and minimisation in New Zealand, but has been refined to more closely support and align with a circular economy approach.

Figure 6: Revised Waste Hierarchy



Source: MfE's Waste Strategy and Legislation Consultation

The consultation document highlights several key facts that demonstrate New Zealand's relatively poor performance in waste management and minimisation:

- Emissions from waste produce 9% of New Zealand's biogenic methane emissions, and 4% of our total greenhouse gas emissions.

[36] https://sdgs.un.org/goals
[37] https://www.mpi.govt.nz/consultations/emissions-reduction-plan

- On average, 750 kg of waste per capita goes to municipal landfills[38] annually – compared to the OECD average of 538 kg; and trends are for this to increase
- Domestic recovery infrastructure is limited, and exporting challenging due to our relative geographic isolation and distance from markets
- Lack of data relating to waste practices, significantly non-municipal landfills and diverted materials
- Historical management has been poor, with numerous legacy disposal sites around the country causing local environmental harm.

While recent years have seen significant improvements, a wider strategic change in direction is warranted to align with global direction and to achieve targets.

A.4.1.2 The Proposed Strategy

The direction of the strategy is important in many very practical ways; it will have a clear vision through to 2050, principles that support this vision, a phased approach with three clear stages, and targets to measure progress and encourage ambitious action.

The strategy will coordinate with, and support, a long-term waste infrastructure investment plan – and vice versa. Three key strategic issues are core to the strategy – domestic resource recovery and recycling, the role of waste to energy, and net zero emissions by 2050. The strategy will be implemented through a series of 'action and investment plans' (AIPs), which will set out the more immediate priorities and key actions.

The proposed vision is: *A Circular Economy for New Zealand Aotearoa in 2050* – looking after resources, respecting environmental connection, and wasting nothing.

Six supporting principles are proposed; three of which are aligned with global circular economy principles, and three of which were developed specifically following discussions with leading waste strategists in Aotearoa.

1. Design out waste
2. Keep products/materials at highest value
3. Regenerate natural systems
4. Take responsibility for environmental protection
5. Think in systems – interconnectedness
6. Equitable and inclusive solutions

A.4.1.3 A staged process

While the strategy has a view out to 2050, the work required to get there has been divided into three high level work stages:

[38] 'municipal landfill', 'municipal solid waste landfill' 'sanitary landfill' and 'Class 1 landfill' are all terms that essentially refer to the same type of facility.

1. 2022 – 30: catching up – get the basics in place, prepare for transformational change, bring resource recovery systems up to global standards, reduce emissions
2. 2030 – 40: pushing ahead – widespread changes in mindset, systems, and behaviour, with resource recovery optimised for circularity, and major efforts made to remediate and regenerate
3. 2040 – 50: embedding a new normal – systems are circular across society and resource recovery, production and use systems are regenerative

The first stage has been outlined to a reasonable level of detail, and largely builds on work programmes already published.

Relevant priorities from the 'catching up' phase include:

- getting resource recovery systems working well – simplifying materials, investing, developing end product markets
- reducing emissions from organic waste by… diverting more from landfill (possibly by introducing bans on the disposal of organic material in landfills)

A.4.1.4 Targets

Due to the current lack of comprehensive data on waste flows in New Zealand, targets through to 2030 have been set based on what reliable data is held. This largely relates to Class 1 disposal facilities.

The proposed targets from the consultation document are shown below.

Figure 7: Proposed Targets To 2030

Area	Responsibility	Strategic target (by 2030)
Waste	Whole country	Reduce waste generation by 5–10% per person
	Public sector	Reduce waste generation by 30–50%
	Businesses	Reduce waste disposal by 30–50%
	Households	Reduce waste disposal by 60–70%
Emissions	Whole country	Reduce biogenic waste methane emissions by at least 30%
Litter	Whole country	Reduce litter by 60%

A.4.1.5 Summary

The proposed direction of the draft New Zealand Waste Strategy, the supporting actions, and the suggested targets all have clear implications for the future direction of waste disposal facilities in this country.

- The overall direction of the Waste Strategy is towards a circular economy, which is not supported by a landfill disposal-based linear system
- There are specific actions relating to reducing a wide range of waste streams, and specifically and particularly organic waste – in concert with work to reduce emissions. This could extend to a ban on organic waste going to landfill

- The targets focus on reducing waste generation and waste disposal by 2030 – by quite significant proportions.

While the Waste Strategy is still in draft, it is clear that the overall tone of the strategic direction is not in support of continued or extended disposal of waste; and particularly not organic wastes. Given that the draft was developed in partnership with an industry focus group with representatives from across the sector, it presumably has wide-ranging support and seems unlikely to change significantly in its final form. The alignment with work to reduce emissions makes this particularly unlikely for the aspects that relate specifically to organic waste.

A.4.2 Waste Minimisation Act 2008

The purpose of the Waste Minimisation Act 2008 (WMA) is to encourage waste minimisation and a decrease in waste disposal to protect the environment from harm and obtain environmental, economic, social and cultural benefits.

The WMA introduced tools, including:

- waste management and minimisation plan obligations for territorial authorities
- a waste disposal levy to fund waste minimisation initiatives at local and central government levels
- product stewardship provisions.

Part 4 of the WMA is dedicated to the responsibilities of a council. Councils "must promote effective and efficient waste management and minimisation within its district" (section 42).

Part 4 requires councils to develop and adopt a WMMP. The development of a WMMP in the WMA is a requirement modified from Part 31 of the Local Government Act 1974, but with even greater emphasis on waste minimisation.

To support the implementation of a WMMP, section 56 of the WMA also provides councils the ability to:

- develop bylaws
- regulate the deposit, collection and transportation of wastes
- prescribe charges for waste facilities
- control access to waste facilities
- prohibit the removal of waste intended for recycling.

A number of specific clauses in Part 4 relate to the WMMP process. It is essential that those involved in developing a WMMP read and are familiar with the WMA and Part 4 in particular.

The Waste Minimisation Act 2008 (WMA) provides a regulatory framework for waste minimisation that had previously been based on largely voluntary initiatives and the involvement of territorial authorities under previous legislation, including Local

Government Act 1974, Local Government Amendment Act (No 4) 1996, and Local Government Act 2002. The purpose of the WMA is to encourage a reduction in the amount of waste disposed of in New Zealand.

In summary, the WMA:

- Clarifies the roles and responsibilities of territorial authorities with respect to waste minimisation e.g. updating Waste Management and Minimisation Plans (WMMPs) and collecting/administering levy funding for waste minimisation projects.
- Requires that a Territorial Authority promote effective and efficient waste management and minimisation within its district (Section 42).
- Requires that when preparing a WMMP a Territorial Authority must consider the following methods of waste management and minimisation in the following order of importance:
    - Reduction
    - Reuse
    - Recycling
    - Recovery
    - Treatment
    - Disposal
    - Put a levy on all waste disposed of in a landfill.
    - Allows for mandatory and accredited voluntary product stewardship schemes.
    - Allows for regulations to be made making it mandatory for certain groups (for example, landfill operators) to report on waste to improve information on waste minimisation.
    - Establishes the Waste Advisory Board to give independent advice to the Minister for the Environment on waste minimisation issues.

Various aspects of the Waste Minimisation Act are discussed in more detail below.

A.4.3Waste Levy

From 1st July 2009 the Waste Levy came in to effect, adding $10 per tonne to the cost of landfill disposal at sites which accept household solid waste. The levy has two purposes, which are set out in the Act:

- to raise revenue for promoting and achieving waste minimisation
- to increase the cost of waste disposal to recognise that disposal imposes costs on the environment, society and the economy.

This levy is collected and managed by the Ministry for the Environment (MfE) who distribute half of the revenue collected to territorial authorities (TA) on a population

basis to be spent on promoting or achieving waste minimisation as set out in their WMMPs. The other half is retained by the MfE and managed by them as a central contestable fund for waste minimisation initiatives.

Currently the levy is set at $10/tonne and applies to wastes deposited in landfills accepting household waste. The MfE published a waste disposal levy review in 2014.[39] The review indicates that the levy may be extended in the future:

"The levy was never intended to apply exclusively to household waste, but was applied to landfills that accept household waste as a starting point. Information gathered through the review supports consideration being given to extending levy obligations to additional waste disposal sites, to reduce opportunities for levy avoidance and provide greater incentives for waste minimisation."

A.4.4Product Stewardship

Under the Waste Minimisation Act 2008, if the Minister for the Environment declares a product to be a priority product, a product stewardship scheme must be developed and accredited to ensure effective reduction, reuse, recycling or recovery of the product and to manage any environmental harm arising from the product when it becomes waste.[40] No Priority Products have been declared as of October 2017.

The following voluntary product stewardship schemes have been accredited by the Minister for the Environment:[41]

- Agrecovery rural recycling programme
- Envirocon product stewardship
- Fonterra Milk for Schools Recycling Programme
- Fuji Xerox Zero Landfill Scheme
- Holcim Geocycle Used Oil Recovery Programme (no longer operating)
- Interface ReEntry Programme
- Kimberly Clark NZ's Envirocomp Product Stewardship Scheme for Sanitary Hygiene Products
- Plasback
- Public Place Recycling Scheme
- Recovering of Oil Saves the Environment (R.O.S.E. NZ)
- Refrigerant recovery scheme
- RE:MOBILE

[39] Ministry for the Environment. 2014. Review of the effectiveness of the waste disposal levy, 2014 in accordance with section 39 of the Waste Minimisation Act 2008. Wellington: Ministry for the Environment
[40] Waste Management Act 2008 2(8)
[41] http://www.mfe.govt.nz/waste/product-stewardship/accredited-voluntary-schemes

- Resene PaintWise
- The Glass Packaging Forum

Further details on each of the above schemes are available on:
http://www.mfe.govt.nz/waste/product-stewardship/accredited-voluntary-schemes

A.4.5Waste Minimisation Fund

The Waste Minimisation Fund has been set up by the Ministry for the Environment to help fund waste minimisation projects and to improve New Zealand's waste minimisation performance through:

- Investment in infrastructure;
- Investment in waste minimisation systems and
- Increasing educational and promotional capacity.

Criteria for the Waste Minimisation Fund have been published:

1. Only waste minimisation projects are eligible for funding. Projects must promote or achieve waste minimisation. Waste minimisation covers the reduction of waste and the reuse, recycling and recovery of waste and diverted material. The scope of the fund includes educational projects that promote waste minimisation activity.

2. Projects must result in new waste minimisation activity, either by implementing new initiatives or a significant expansion in the scope or coverage of existing activities.

3. Funding is not for the ongoing financial support of existing activities, nor is it for the running costs of the existing activities of organisations, individuals, councils or firms.

4. Projects should be for a discrete timeframe of up to three years, after which the project objectives will have been achieved and, where appropriate, the initiative will become self-funding.

5. Funding can be for operational or capital expenditure required to undertake a project.

6. For projects where alternative, more suitable, Government funding streams are available (such as the Sustainable Management Fund, the Contaminated Sites Remediation Fund, or research funding from the Foundation for Research, Science and Technology), applicants should apply to these funding sources before applying to the Waste Minimisation Fund.

7. The applicant must be a legal entity.

8. The fund will not cover the entire cost of the project. Applicants will need part funding from other sources.

9. The minimum grant for feasibility studies will be $10,000.00. The minimum grant for other projects will be $50,000.00.

Application assessment criteria have also been published by the Ministry.

The Ministry recently announced that the next Waste Minimisation Fund round would work in quite a different way. Instead of opening for a fixed period of time in May, it will instead open later in the year and will consider applications as they are received, and will agree to fund successful applications until funds are exhausted.

Further details will be released soon on how the restructured fund would work.

A.4.6Local Government Act 2002

The Local Government Act 2002 (LGA) provides the general framework and powers under which New Zealand's democratically elected and accountable local authorities operate.

The LGA contains various provisions that may apply to councils when preparing their WMMPs, including consultation and bylaw provisions. For example, Part 6 of the LGA refers to planning and decision-making requirements to promote accountability between local authorities and their communities, and a long-term focus for the decisions and activities of the local authority. This part includes requirements for information to be included in the long-term plan (LTP), including summary information about the WMMP.

More information on the LGA can be found at ww.dia.govt.nz/better-local-government.

A.4.6.1 Section 17 A Review

Local authorities are now under an obligation to review the cost-effectiveness of current arrangements for meeting community needs for good quality infrastructure, local public services and local regulation. Where a review is undertaken local authorities must consider options for the governance, funding and delivery of infrastructure, local public services and local regulation that include, but are not limited to:

a) in-house delivery
b) delivery by a CCO, whether wholly owned by the local authority, or a CCO where the local authority is a part owner
c) another local authority
d) another person or agency (for example central government, a private sector organisation or a community group).

Local Authorities have three years from 8 August 2014 to complete the first review of each service i.e. they must have completed a first review of all their services by 7 August 2017 (unless something happens to trigger a review before then).

Other than completion by the above deadline, there are two statutory triggers for a section 17A review:

- The first occurs when a local authority is considering a significant change to a level of service
- The second occurs where a contract or other binding agreement is within two years of expiration.

Once conducted, a section 17A review has a statutory life of up to six years. Each service must be reviewed at least once every six years unless one of the other events that trigger a review comes into effect.

While the WMMP process is wider in scope – considering all waste service provision in the local authority area – and generally taking a longer term, more strategic approach, there is substantial crossover between the section 17A requirements and those of the WMMP process, in particular in relation to local authority service provision. The S17A review may however take a deeper approach go into more detail in consideration of how services are to be delivered, looking particularly at financial aspects to a level that are not required under the WMMP process.

Because of the level of crossover however it makes sense to undertake the S17A review and the WMMP process in an iterative manner. The WMMP process should set the strategic direction and gather detailed information that can inform both processes. Conversely the consideration of options under the s17A process can inform the content of the WMMP – in particular what is contained in the action plans.

A.4.7Resource Management Act 1991

The Resource Management Act 1991 (RMA) promotes sustainable management of natural and physical resources. Although it does not specifically define 'waste', the RMA addresses waste management and minimisation activity through controls on the environmental effects of waste management and minimisation activities and facilities through national, regional and local policy, standards, plans and consent procedures. In this role, the RMA exercises considerable influence over facilities for waste disposal and recycling, recovery, treatment and others in terms of the potential impacts of these facilities on the environment.

Under section 30 of the RMA, regional councils are responsible for controlling the discharge of contaminants into or on to land, air or water. These responsibilities are addressed through regional planning and discharge consent requirements. Other regional council responsibilities that may be relevant to waste and recoverable materials facilities include:

- managing the adverse effects of storing, using, disposing of and transporting hazardous wastes
- the dumping of wastes from ships, aircraft and offshore installations into the coastal marine area
- the allocation and use of water.

Under section 31 of the RMA, council responsibility includes controlling the effects of land-use activities that have the potential to create adverse effects on the natural and physical resources of their district. Facilities involved in the disposal, treatment or use of waste or recoverable materials may carry this potential. Permitted, controlled, discretionary, noncomplying and prohibited activities, and their controls, are specified in

district planning documents, thereby defining further land-use-related resource consent requirements for waste-related facilities.

In addition, the RMA provides for the development of national policy statements and for the setting of national environmental standards (NES). There is currently one enacted NES that directly influences the management of waste in New Zealand – the Resource Management (National Environmental Standards for Air Quality) Regulations 2004. This NES requires certain landfills (e.g., those with a capacity of more than 1 million tonnes of waste) to collect landfill gases and either flare them or use them as fuel for generating electricity.

Unless exemption criteria are met, the NES for Air Quality also prohibits the lighting of fires and burning of wastes at landfills, the burning of tyres, bitumen burning for road maintenance, burning coated wire or oil, and operating high-temperature hazardous waste incinerators.

These prohibitions aim to protect air quality.

A.4.8New Zealand Emissions Trading Scheme

The Climate Change Response Act 2002 and associated regulations is the Government's principal response to manage climate change. A key mechanism for this is the New Zealand Emissions Trading Scheme (NZ ETS) The NZ ETS puts a price on greenhouse gas emissions, providing an incentive for people to reduce emissions and plant forests to absorb carbon dioxide. Certain sectors are required to acquire and surrender emission units to account for their direct greenhouse gas emissions or the emissions associated with their products. Landfills that are subject to the waste disposal levy are required to surrender emission units to cover methane emissions generated from landfill. These disposal facilities are required to report the tonnages landfilled annually to calculate emissions.

The NZ ETS was introduced in 2010 and, from 2013, landfills have been required to surrender New Zealand Emissions Units for each tonne of CO_2 (equivalent) that they produce. Until recently however the impact of the NZETS on disposal prices has been limited. There are a number of reasons for this:

- The global price of carbon crashed during the GFC in 2007-8 and has been slow to recover. Prior to the crash it was trading at around $20 per tonne. The price has been as low as $2, although since, in June 2015, the Government moved to no longer accept international units in NZETS the NZU price has increased markedly (currently sitting at around $19 per tonne[42]) .
- The transitional provisions of the Climate Change Response Act, which were extended in 2013 (but have now been reviewed), mean that landfills have only

[42] https://carbonmatch.co.nz/ accessed 25 October 2016

had to surrender half the number of units they would be required to otherwise. These transitional provisions were removed in January 2017 which will effectively double the price per tonne impact of the ETS.

- Landfills are allowed to apply for 'a methane capture and destruction Unique Emissions Factor (UEF). This means that if landfills have a gas collection system in place and flare or otherwise use the gas (and turn it from Methane into CO_2) they can reduce their liabilities in proportion to how much gas they capture. Up to 90% capture and destruction is allowed to be claimed under the regulations, with large facilities applying for UEF's at the upper end of the range.

Taken together (a low price of carbon, two for one surrender only required, and methane destruction of 80-90%) these mean that the actual cost of compliance with the NZETS has been small for most landfills – particularly those that are able to claim high rates of gas capture. Disposal facilities have typically imposed charges (in the order of $5 per tonne) to their customers, but these charges have mostly reflected the costs of scheme administration, compliance, and hedging against risk rather than the actual cost of carbon.

The way the scheme has been structured has also resulted in some inconsistencies in the way it is applied – for example class 2-4 landfills and closed landfills do not have any liabilities under the scheme. Further, the default waste composition (rather than a SWAP) can be used to calculate the theoretical gas production, which means landfill owners have an incentive to import biodegradable waste, which then increases gas production and which can then be captured and offset against ETS liabilities.

Recently, however the scheme has had a greater impact on the cost of landfilling, and this is expected to continue in the medium term. Reasons for this include:

- In June 2015, the Government moved to no longer accept international units in NZETS. This has had a significant impact, as cheap international units which drove the price down cannot be used. Many of these were also of dubious merit as GHG offsets[43]. This has resulted in a significant rise in the NZU price.
- The transitional provisions relating to two-for-one surrender of NZUs were removed from 1 January 2017, meaning that landfills will need to surrender twice the number of NZUs they do currently – effectively doubling the cost of compliance.
- The United Nations Climate Change Conference, (COP21) held in Paris France in November – December of 2015, established universal (but non-binding) emissions reduction targets for all the nations of the world. The outcomes could

[43] http://morganfoundation.org.nz/wp-content/uploads/2016/04/ClimateCheat_Report9.pdf

result in growing demand for carbon offsets and hence drive up the price of carbon. Balanced against this however is the degree to which the United States, under the new Republican administration, will ratify its commitments.

These changes to the scheme mean that many small landfills which do not capture and destroy methane are now beginning to pay a more substantial cost of compliance. The ability of landfills with high rates of gas capture and destruction to buffer the impact of the ETS will mean a widening cost advantage for them relative to those without such ability. This could put further pressure on small (predominantly Council owned) facilities and drive further tonnage towards the large regional facilities (predominantly privately owned).

If for example, the price of carbon were to rise to $50 per tonne, the liability for a landfill without gas capture will be $65.50 (based on a default emissions factor of 1.31 tonnes of CO_2e per tonne of waste), whereas for a landfill claiming 90% gas capture (the maximum allowed under the scheme), the liability will be only $6.55. This type of price differential will mean it will become increasingly cost competitive to transport waste larger distances to the large regional landfills.

More information is available at www.climatechange.govt.nz/emissions-trading-scheme.

A.4.9Litter Act 1979

Under the Litter Act it is an offence for any person or body corporate to deposit or leave litter:

- In or on any public place; or
- In or on any private land without the consent of its occupier.

The Act enables Council to appoint Litter Officers with powers to enforce the provisions of the legislation.

The legislative definition of the term "Litter" is wide and includes refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, waste matter or other thing of a like nature.

Any person who commits an offence under the Act is liable to:

- An instant fine of $400 imposed by the issue of an infringement notice; or a fine not exceeding $5,000 in the case of an individual or $20,000 for a body corporate upon conviction in a District Court.
- A term of imprisonment where the litter is of a nature that it may endanger, cause physical injury, disease or infection to any person coming into contact with it.

Under the Litter Act 1979 it is an offence for any person to deposit litter of any kind in a public place, or onto private land without the approval of the owner.

The Litter Act is enforced by territorial authorities, who have the responsibility to monitor litter dumping, act on complaints, and deal with those responsible for litter dumping. Councils reserve the right to prosecute offenders via fines and infringement notices administered by a litter control warden or officer. The maximum fines for littering are $5,000 for a person and $20,000 for a corporation.

Council powers under the Litter Act could be used to address illegal dumping issues that may be included in the scope of a council's waste management and minimisation plan.

The Litter Act may be reviewed alongside the review of the Waste Minimisation Act.

A.4.10 Health Act 1956

The Health Act 1956 places obligations on TAs (if required by the Minister of Health) to provide sanitary works for the collection and disposal of refuse, for the purpose of public health protection (Part 2 – Powers and duties of local authorities, section 25). It specifically identifies certain waste management practices as nuisances (S 29) and offensive trades (Third Schedule). Section 54 places restrictions on carrying out an offensive trade and requires that the local authority and medical officer of health must give written consent and can impose conditions on the operation. Section 54 only applies where resource consent has not been granted under the RMA. The Health Act enables TAs to raise loans for certain sanitary works and/or to receive government grants and subsidies, where available.[44]

Health Act provisions to remove refuse by local authorities have been repealed.

A.4.11 Hazardous Substances and New Organisms Act 1996 (HSNO Act)

The HSNO Act addresses the management of substances (including their disposal) that pose a significant risk to the environment and/or human health. The Act relates to waste management primarily through controls on the import or manufacture of new hazardous materials and the handling and disposal of hazardous substances.

Depending on the amount of a hazardous substance on site, the HSNO Act sets out requirements for material storage, staff training and certification. These requirements would need to be addressed within operational and health and safety plans for waste facilities. Hazardous substances commonly managed by TAs include used oil, household chemicals, asbestos, agrichemicals, LPG and batteries.

The HSNO Act provides minimum national standards that may apply to the disposal of a hazardous substance. However, under the RMA a regional council or TA may set more

[44] From: MfE 2009: Waste Management and Minimisation Planning, Guidance for Territorial Authorities.

stringent controls relating to the use of land for storing, using, disposing of or transporting hazardous substances.[45]

A.4.12 Health and Safety at Work Act 2015[46]

The new Health and Safety at Work Act, passed in September 2015 replaces the Health and Safety in Employment Act 1992. The bulk of the Act came into force from 4 April 2016.

The Health and Safety at Work Act introduces the concept of a Person Conducting a Business or Undertaking, known as a PCBU. The Council will have a role to play as a PCBU for waste services and facilities.

The primary duty of care requires all PCBUs to ensure, so far as is reasonably practicable:

1. the health and safety of workers employed or engaged or caused to be employed or engaged, by the PCBU or those workers who are influenced or directed by the PCBU (for example workers and contractors)

2. that the health and safety of other people is not put at risk from work carried out as part of the conduct of the business or undertaking (for example visitors and customers).

The PCBU's specific obligations, so far as is reasonably practicable:

- providing and maintaining a work environment, plant and systems of work that are without risks to health and safety
- ensuring the safe use, handling and storage of plant, structures and substances
- providing adequate facilities at work for the welfare of workers, including ensuring access to those facilities
- providing information, training, instruction or supervision necessary to protect workers and others from risks to their health and safety
- monitoring the health of workers and the conditions at the workplace for the purpose of preventing illness or injury.

A key feature of the new legislation is that cost should no longer be a major consideration in determining the safest course of action that must be taken.

WorkSafe NZ is New Zealand's workplace health and safety regulator. WorkSafe NZ will provide further guidance on the new Act after it is passed.

A.4.13 Other legislation

[45] From: MfE 2009: Waste Management and Minimisation Planning, Guidance for Territorial Authorities.
[46] http://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976660.html#DLM6564701

Other legislation that relates to waste management and/or reduction of harm, or improved resource efficiency from waste products includes:

- Hazardous Substances and New Organisms Act 1996
- Biosecurity Act 1993
- Radiation Protection Act 1965
- Ozone Layer Protection Act 1996
- Agricultural Chemicals and Veterinary Medicines Act 1997.

For full text copies of the legislation listed above see www.legislation.govt.nz.

A.4.14 International commitments

New Zealand is party to international agreements that have an influence on the requirements of our domestic legislation for waste minimisation and disposal. Some key agreements are the:

- Montreal Protocol
- Basel Convention
- Stockholm Convention
- Waigani Convention
- Minamata Convention.

More information on these international agreements can be found on the Ministry's website at www.mfe.govt.nz/more/international-environmental-agreements.

10.2 KATIKATI AND ŌMOKOROA DOG EXERCISE AREAS

File Number: A5665921

Author: Jason Crummer, Senior Recreation Planner

Authoriser: Rachael Davie, Deputy CEO/General Manager Strategy and Community

EXECUTIVE SUMMARY

1. Public feedback received on proposed dog exercise areas in Katikati and Ōmokoroa is presented for receipt and to inform decision making.
2. The draft dog exercise area concept plan for Donegal Reserve, Katikati is presented to the Committee for adoption.
3. Approval is sought to consult on Precious Family Reserve as a recommended alternate location for the dog exercise area for Ōmokoroa.

RECOMMENDATION

1. That the Senior Recreation Planner's report dated 9 November 2023 titled 'Katikati and Ōmokoroa dog exercise areas be received.
2. That the report relates to an issue that is considered to be of low to medium significance in terms of Council's Significance and Engagement Policy.
3. That the Policy Committee receives all feedback from the consultation period held between 30 May and 30 June 2023, as set out in the document titled "Dog Exercise Areas Submission Pack" (**Attachment 1** of this report).
4. That in relation to **Issue 1,** the Strategy and Policy Committee adopts the concept plan for Donegal Reserve, Katikati, as a dog exercise area (as per **Attachment 2** of this report).
5. That in relation to **Issue 2,** the Strategy and Policy Committee does not approve the concept plan for Links View Drive Reserve, Ōmokoroa (as per **Attachment 3** of this report) as a dog exercise area at this point but undertakes additional investigation and community consultation on Precious Family Reserve as a possible alternate location for the dog exercise area for Ōmokoroa.

BACKGROUND

4. In September 2020, Council committed to the provision of dog exercise areas across the district, with one intended in each of the four main towns. Council resolved to develop basic facilities, with $30,000 of funding for each respective dog exercise area included in the Long-Term Plan 2021/31, and to be funded through 80%

dog registration fees and 20% general rates. Additional costs were to be covered by external funders and/or through community fundraising.

5. Basic facilities include a fully fenced area with a double entry gate, access to drinking water, some natural contouring of land, trees planted for shade, dog poo bag dispensers, rubbish bins, and basic bench seating.

6. The preferred location of Lawrence Oliver Park, Te Puke was determined through consultation on the Te Puke-Maketu Ward Reserves Management Plan process. The subsequent concept plan was adopted by the Strategy and Policy Committee on 14 June 2022. Links View Drive Reserve, Ōmokoroa and Donegal Reserve, Katikati were the preferred locations determined through pre-engagement on the Long-Term Plan 2021/31 consultation process and site assessments by Council staff.

Community engagement

7. The proposed Ōmokoroa and Katikati locations were approved for formal consultation by the Strategy and Policy Committee on 7 March 2023, and this was carried out from 30 May to 30 June 2023 through the 'Your Place Tō Wāhi' community engagement.

8. The details of the engagement are covered further in paragraph 25 below.

*Donegal Reserve, Katikati draft concept plan development (**Attachment 2**)*

9. Feedback received through 'Your Place Tō Wāhi' engagement informed the development of the draft concept plan, including 81% of submitters supporting the location for a dog exercise area at Donegal Reserve.

10. Submitters provided several alternate locations for this dog exercise area which were Moore Park, Park Road, Levley Lane, Haiku Park, Talisman Drive and MacMillan Reserve. All of these locations were included in the list of sites that were considered at the Strategy and Policy Committee on 8 February 2023 but were not considered optimal for a variety of reasons compared to Donegal Reserve.

11. Submitters told us that dog poo bag dispensers/disposal stations and water stations were the highest priority features, followed by seating, shade, chill-out/small dog zone, fully fenced area, double entry gate, and space for future community funded agility items.

12. The double entry gate into the dog exercise area is positioned at the midway point, so users have equal walking distance from the northern and southern access points. Rubbish bin, dog poo bag dispenser and water fountain with attached dog bowl are positioned at the entrance for easy access.

13. The exercise area is split into 3 zones.
    a) Separate chill-out/small dog zone positioned in the north-western part of the exercise area and close to the main entrance.
    b) The high-energy zone through the middle which provides dogs with 95 metres of end-to-end exercise.

c) Future agility items on the eastern side which provides clear separation from the other activities.

14. The planting and drain enhancement, indicated on the concept plan, is separate to the dog exercise area but can be delivered alongside implementation. This element may involve additional engagement with neighbouring property owners.

*Links View Drive Reserve, Ōmokoroa draft concept plan development (**Attachment 3**)*

15. Feedback received through 'Your Place Tō Wāhi' engagement informed the development of the draft concept plan for a dog exercise area at Links View Drive Reserve.

16. The adjacent property owners at the Western Avenue subdivision asked that a dog exercise area not be constructed in front of their properties but if one was, that Council use their existing fences to form the eastern perimeter of the exercise area.

17. Other concerns raised by the adjacent property owners were:
    - Proximity to their properties
    - Fencing construction and design
    - Lack of lighting in the area
    - Lost of privacy and increased security risk
    - Increased noise
    - Lack of car parking, causing vehicles to park along the main access road into the residents' properties

18. Although 64% of submitters (56 out of 87) supported this location, we received 35 responses suggesting alternate locations with Precious Family Reserve being the most common alternative for Ōmokoroa. This location is additional to the list of sites that were considered at the Strategy and Policy Committee on 8 February 2023. An initial site assessment of Precious Family Reserve suggests the Reserve is viable for further investigation and potential future community consultation.

19. Similar to the Katikati feedback, submitters told us that dog poo bag dispensers/disposal stations and water stations were the highest priority features, followed by seating, shade, chill-out/small dog zone, fully fenced area, double entry gate, and space for future community funded agility items.

20. This design has two double entry gates into the dog exercise area to allow easy access for all residents from the north and south of the reserve. Rubbish bin and dog poo bag dispenser is positioned by each entrance and water fountain with attached dog bowl at the northern entrance which is adjacent to the main cycleway and walkway connection.

21. This exercise area provides a similar 3-zone split to the Katikati design.
    a) Separate chill-out/small dog zone positioned by the southern entrance.
    b) High-energy zone through the middle which provides dogs with 90 metres of end-to-end exercise and positioned away from the adjacent Western Avenue property owners.

c) Future agility items with mound contour on the eastern side which provides clear separation from the other activities. This is also positioned away from corner fence of the adjacent property owners to provide more privacy.

SIGNIFICANCE AND ENGAGEMENT

22. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.

23. In terms of the Significance and Engagement Policy this decision is considered to be of low to medium significance due to the level of community interest, the proposed development costs, the consultation requirements that have been met, and recognising the Māori cultural values and their relationships to land and water.

ENGAGEMENT, CONSULTATION AND COMMUNICATION

24. The engagement, consultation, and communication already undertaken for these concept plans is set out below:

Interested/Affected Parties	**Completed Engagement/Consultation/Communication**	
Tangata Whenua	• Pirirakau – Council has contacted Pirirakau for feedback on the draft concept plan for Ōmokoroa, but this has not yet been received. As per the recommendations of this report, further investigation for a suitable dog exercise area location will provide Pirirakau with another opportunity to engage with Council through future Tangata Whenua and community engagement. • Ngāti Taka • Ngāi Tamawhariua	Completed

Name of interested parties/groups	• Donegal Reserve, Katikati
	  ○ Katikati Community Board
	  ○ Adjacent property owners
	  ○ WBOPDC Animal Services
	• Links View Drive Reserve, Ōmokoroa
	  ○ Ōmokoroa Community Board
	  ○ Adjacent property owners
	  ○ WBOPDC Animal Services	

General Public	• Katikati & Ōmokoroa community	

25. *Community Consultation*

(a) Letters on the proposed locations were sent to adjacent property owners referring those interested to go to the Council's Have Your Say website and methods to provide feedback in person.

(b) One-month consultation was successfully undertaken through the Your Place Tō Wāhi 2024/34 LTP process.

(i) Questions asked through Your Place Tō Wāhi consultation were:

(1) Do you agree with this location?

(a) If not, where is a better location?

(2) What features would you like to see?

(c) Council received 496 individual pieces of feedback on the proposed dog exercise area locations including their desired features within each respective area.

26. The full set of responses is provided in **Attachment 1**.

27. Recommendation 5 of this report is that the Committee does not approve the concept plan for Links View Drive Reserve (as per **Attachment 3**) as a dog exercise area at this point but undertakes additional investigation and community consultation on Precious Family Reserve as a possible alternate location for the dog exercise area for Ōmokoroa. It is intended that this consultation would include targeted engagement with Tangata Whenua, Ōmokoroa residents and immediate neighbours of Precious Family Reserve. This will consider the suitability of the location and potential design aspects.

ISSUES AND OPTIONS ASSESSMENT

Issue 1: Location, layout, and features in the concept plan for Donegal Reserve, Katikati

Option 1: That the Strategy and Policy Committee approves the concept plan for Donegal Reserve, Katikati, (as per **Attachment 2** of this report) as a dog exercise area.	
Assessment of advantages and disadvantages including impact on each of the four well-beings • **Economic** • **Social** • **Cultural** • **Environmental**	**Advantages** • 81% of submitters who agreed with this location. • Responds to the feedback provided by submitters on their desired features within the dog exercise area. • Meets Council's agreed approach for dog exercise areas. • Council's contribution towards implementation is included in the Annual Plan. • Provides a destination for dog owners to exercise their dogs off-lead safely. • Provides an opportunity for community relationship building and engagement. • Gives use of a large portion of Council-owned land that was previously left vacant and not utilised.
	Disadvantages Does not respond to the 19% of submitters who disagreed with this location.
Costs (including present and future costs, direct, indirect, and contingent costs).	Indicative costs for implementation are included in the Annual Plan 2023/24.
Other implications and any assumptions that relate to this option	The adopted implementation budget could be insufficient to cover the full build cost, requiring significant investment from external funders.

Option 2: That the Strategy and Policy Committee does not approve the concept plan for Donegal Reserve, Katikati, (as per **Attachment 2** of this report) as a dog exercise area.	
Assessment of advantages and disadvantages including impact on each of the four well-beings • **Economic** • **Social** • **Cultural**	**Advantages** • Responds to the 19% of submitters who disagreed with this location. • Removes the need to source external funding. • Allows potential additional future use and opportunities of Donegal Reserve.

• **Environmental**	**Disadvantages** • Does not respond to the 81% of submitters who agreed with this location. • Does not provide a destination for dog owners to exercise their dogs off-lead safely. • Does not meet Council's agreed approach for dog exercise areas.
Costs (including present and future costs, direct, indirect, and contingent costs).	None relating to this decision.
Other implications and any assumptions that relate to this option	None relating to this decision.

Issue 2: Location for the dog exercise area in Ōmokoroa.

Option 1: That the Strategy and Policy Committee does not approve the concept plan for Links View Drive Reserve as a dog exercise area at this time but undertake additional investigation and community consultation on Precious Family Reserve for a possible alternate location for the Ōmokoroa dog exercise area.	
Assessment of advantages and disadvantages including impact on each of the four well-beings • **Economic** • **Social** • **Cultural** • **Environmental**	**Advantages** • Responds to the 36% of submitters who disagreed with this location. • Responds to the concerns of the adjacent Western Avenue sub-division property owners. • Responds to the submitters who named Precious Family Reserve as their preferred alternate location. • Provides the community further opportunity to feed into an alternative location to inform later decision making. • Allows further time for engagement with Tangata whenua.
	Disadvantages • Does not respond to the 64% of submitters who agreed with this location. • Delays implementation for Ōmokoroa. • The concept plan for Precious Family Reserve does not currently contemplate use as a dog exercise area.

Costs (including present and future costs, direct, indirect, and contingent costs).	None relating to this decision.

Option 2: That the Strategy and Policy Committee approves the concept plan for Links View Drive Reserve, as a dog exercise area (as per **Attachment 3** of this report).	
Assessment of advantages and disadvantages including impact on each of the four well-beings • **Economic** • **Social** • **Cultural** • **Environmental**	**Advantages** • 64% of submitters agreed with this location. • Responds to the feedback provided by submitters on their desired features within the dog exercise area. • Meets Council's agreed approach for dog exercise areas. • Budget for implementation is included in the Annual Plan 2023/24. • Provides a destination for dog owners to exercise their dogs off-lead safely. • Provides an opportunity for community relationship building and engagement.
	Disadvantages • Does not respond to the 36% of submitters who disagreed with this location. • Does not respond to the submitters who named Precious Family Reserve as their preferred alternate location.
Costs (including present and future costs, direct, indirect, and contingent costs).	Indicative costs for implementation are included in the Annual Plan 2023/24.
Other implications and any assumptions that relate to this option	Practical application of integrating the dog exercise area fence with the adjacent property owner's fences may need further consideration. If Council were to construct a fully independent dog exercise area boundary fence, the size of the area will be reduced, and its construction would be less supported by the adjacent Western Avenue subdivision property owners.

STATUTORY COMPLIANCE

28. Consultation on the approved locations was in accordance with the Local Government Act 2002.

29. The development of the concept plans is consistent with the goals and approach of the Reserve Management Plans and Recreation and Open Space Activity Plan.

30. Reserves planning and policy development are the responsibilities of the Strategy and Policy Committee.

31. Funding for implementation is already included in the adopted Long-Term Plan 2021/31 and Annual Plan 2023/24 budgets.

FUNDING/BUDGET IMPLICATIONS

Budget Funding Information	Relevant Detail
$53,280 capital expenditure $16,160 ongoing operational expenditure	Council contribution to implementation for the two dog exercise areas has been budgeted for in the Long-Term Plan 2021/31 and Annual Plan 2023/24. External funding will be sought to meet the full project costs if implementation costs are greater than budgeted for. Operational costs are included in Council's forward budgets and are additional to current costs. Further consultation expenditure can be covered within current budgets.

ATTACHMENTS

1. **Dog exercise areas submission pack**
2. **Donegal Reserve, Katikati dog exercise area draft concept plan**
3. **Links View Drive Reserve, Ōmokoroa dog exercise area draft concept plan**


Western
Bay of Plenty
District Council
Mā tō
tātou takiwā
For our District
Submission Pack
Ōmokoroa and Katikati dog
exercise areas

Contents

Ōmokoroa feedback

Tō Wāhi

Where is a better location?
How about the area at the start of Margret Drive the one U purpose I think is beside the golf course which would require a lot of fencing to control the dogs
An area which clearly separates and contains the dogs. There is a lot of cycle and foot traffic though these pathways and people could be impacted by dogs off lead. A new area could be designated as part of the new community development by Prole Rd.
Bikes and dogs don't mix. Area is too small.
Cooney Reserve. Bird area is already fenced off, parking is in place, bin is in place, no impact on housing, eg no houses would be directly on the boundary. Or beach end of Precious reserve beside Golf course
Dogs need to be on leash when off their properties
Further away from residential houses. While I support the dog exercise area I consider the proposed site has too many residential houses very close especially to the Western Ave extension properties
How about the area at the start of Margret Drive the one U purpose I think is beside the golf course which would require a lot of fencing to control the dogs
I don't think one is actually required in Omokoroa as the Plummers Point dog park is a short distance away. Also there is a great expanse of walkways and parks within Omokoroa.
I have marked on a map a more suitable area that would be great. Also I recommend precious Reserve at Omokoroa. It is already used for a meeting place for small dogs on Tuesday's but still plenty of room for an enclosure area also. Lots of parking and easy access.
Just enforce current laws around the peninsula. Don't need a specific area.
Make multiple areas dog friendly and available.
Need rules
No park needed. Dogs and owners enjoy walking and doing different routes. Standing in a dog enclosed area is boring . BUT biggest downside is that dogs who do use dog parks and usually untrained and unpredictable.
No where - they are requent in other centres on a license to release dogs un managed
Not sure
On the eastern side of the Kayeleen place, Western Ave, Walkway OR on the Prole Rd, side of the Railway Line
Out on the highway Orchard Areas of Prole Rd, links view will only enevtually lead to a tragedy as it is surrounded by housing dogs need large natural enviornment space
Park at the end of Plummers point rd,
Precious Family Reserve, Cooney Reserve i understand you are putting public toilets there. Has lots of parking and open area not next to housing.

Precious reserve is also good option - many have dogs off leads there anyhow as it is away from house etc.
Precious Reserve, Cooney Reserve
The esplanade back from the beach. Other side of the beach access to the toilets @ domain
There is no parking or public facilities at this location
There needs to be more than 1 exercise are you have already identified Links you identify another one that's your job.
This is a solution without a problem. Dogs under control all over Ōmokoroa. With owners picking up. Poo. Are not a problem. Dogs also like a variety of exercise options along with their owners. The concept of fenced area. Will be unappealing to both dogs and owners and unnecessary with the multiple areas around Ōmokoroa available to riders, walkers, cats, dogs, birds, kids and all. The number of cats in Ōmokoroa, which no one knows. Is the greatest risk to the extensive birdlife, both native and exotic.
this should be the responsibility of dog owners, not ratepayers in general.
Unknown
Waterfront domain at Omokoroa Beach
With all the space/reserves walking and biking tracks this is absolutely Not needed! There is also a huge dog exercise area at Plummers Point
We wish to formally object to the proposed dog exercise area off Western Avenue which is positioned directly in front of our property [redacted] [redacted] **- See email submissions for further detail on this**

What features would you like to see included in the dog exercise area?
unsure - not a dog person!
A cat area
A fenced area so it doesn't affect cyclists, walkers, and children. I dog poo bin as fed up with seeing dog poo bags thrown down as owners just can't be bothered taking them home.
Accessibility to bins
Activities and challenges for the dogs to take on and burn energy. Water stations, separate feeding spots etc
An area which could be defined as a dog training area.
Better maori representation encouraging younger people to stand.
Bin bags. Water bowls.
Dog agility - bins of waste with bags attached. Water bowls.
Doggy bags & poo bins
Fenced area, shade, benches
Fencing water feature, poo bags and bins. Access to safe drinking water for dogs. No bike.
Fencing.
Fully fenced area for some off lead excerise
Gated off area
Grass
Grass, just lots of open green space. And Lots of dog waste disposal bins with complimentary bags too at multiple locations at the park.
Grass, trees, water, park benches, drinking fountain for people and the run off for dogs.
Hill's rather than flat, fencing safe for off-lead small dogs, maybe separate areas for when dogs need to be separated
I am not an expert on this but poo bag bins that are regularly cleared. Fenced.
I do t have a dog so not sure
I don't care. Just ban dogs from the beaches & playing fields!! I'm so sick of dog crap everywhere around Omokoroa!! And we need a dedicated dog ranger too. Too many roaming dogs & dogs off leads.
I dont know as I dont have a dog.
Large space for large dogs. Water access. Agility like obstacles. Separate space for small dogs. Bins, seating shade, drinking water.
Lot of dogy bags
None! Total waste of rate payers money. Would greatly effect the neighbours house. Who wants to hear barking dogs day & night!
nothing except keep them off of public walkways not everyone likes dog and certainly not other peoples dogs especially when owners allow them to and their leads to cross in front of you when you are walking
Parking, public toilets, fencing to keep dogs off the road
permemite obstacle course for agility

Places wherever they can run around and be sociable with other dogs. Really important that owners take responsibility for their own dogs because if it starts to become an unsafe place for small dogs , for instance, people will not use it.
Plenty of rubbish bins with dog poop bags available but area needs to be fenced all around also some dog exercising and training equipment
Poo bag dispenser
Poo Bags - Rubbish Bins
poo bins
Poop collection points and cameras to monitor safety and use
Poopy bags, water.
Presumably it will be fenced. Bin with poo bags etc.
Seating and toilet facilities for dog owners
Showers to give the dogs a nice bath after playing.
Trees - natural features that encourage sensory and physical needs for the dogs not their owners hence end of prole rd., ideal as its all there like end of Plummer Pt.
water
Water station, dog poo bags/bins, agility course, seating, varying terrains I.e., long grass, short grass, ponds,
We don't need one.
What ever dog owners need. I don’t have a dog so not sure
Wouldn't it be better to just fence the creek and have a larger 'freedom' area for the dogs. The bottom 'flood plain' area no longer gets as wet as it used to due to the improved drainage work undertaken when developing the houses there...Mow the grass more frequently too please.

Other sources of feedback

From: Peter Tetzlaff [redacted]
Sent: Wednesday, June 7, 2023 10:07 AM
To: Have Your Say <haveyoursay@westernbay.govt.nz>
Cc: Sabine Tetzlaff [redacted]
Subject: Dog park Omokoroa

Hi,
Thank you for the opportunity to give my opinion on this matter.

Firstly, this proposal does not take the 6 properties directly bordering the area into account. I feel for these families – they bought with the assumption that the area behind their properties would remain a reserve – not a fenced area covered in dog….. This is probably the strongest argument against the park – devaluation of the neighbouring properties.

There is no parking for users of the dog park, or potentially the dog park will create an issue with neighbours if users of the park try to park down that extremely narrow street and block properties.

Local Dog owners are currently using the huge grassed areas and sports fields along Western Bay, I assume if the council does not explicitly close these areas to dog owners, people will just continue and a dog park would be superfluous.

Although a budget for this project is not mentioned in your letter, the council could end up with an expensive dog park that nobody uses…

Lastly, as a rates payer, one always wonders about sensible use of financial and human resources – looking at the current unacceptable situation for working families trying to get out of Omokoroa to get to work (a problem that everybody, except council and NZTA could see coming) , one can only wonder about the time, effort and money spend on a project like this.

Best regards

Peter Tetzlaff
[redacted]

Attn: Jason Crummer
Senior Recreational Planner
Western Bay of Plenty District Council

15 June, 2023

Re: Formal Submission from Neighboring / Affected Property Owners – Proposed Omokoroa Dog Exercise Area

Thank-you for the opportunity to meet with you yesterday at WBOPDC (14 June) and provide our submission position and set of recommendations for this proposed initiative in the public consultation process (30 May to 30 June, 2023).

This submission is a collaborative input from residents / owners of **the 6 new houses, and Section owners** on the site reflected below which were not represented in your consultation correspondence top-down aerial picture accompanying your letter to neighboring property owners dated 26 May, and have been added in this submission for visual support of our proposals and recommendations.

Our submission positions and proposals are summarized as follows in Priority and weighting order:

1. **Location**: having attended several public meetings, we concur with many previous public submissions who feel there are already adequate dog exercise and walking areas in the area, but should Council decide to move forward with establishing another new dog exercise area we are proposing two alternative sites for consideration:
   - Precious Family Reserve – already a popular resident dog area
   - Reserve across from the residents accessway – represented below

Dog Exercise Area Concept Plans

2. **Proposed Dog Exercise Area Fencing Impacts**: Should council want to progress with the proposed location, **the proposed Dog Fencing and the increased risks and direct impact on our properties, is the most contentious issue** for us with the greatest impacts listed in order of concern:
   - **Safety and security concerns** from **significant Invasion of privacy / opportunity for predation** due to proximity of directed pedestrian foot-traffic hard up against 5 residents fence-lines
   - **Increased risk and opportunity of theft**
   - Immediate and enduring **negative impact on property values**
   - Increased **difficulty in selling / leasing the property**
   - **Diminishment of the view** of the reserve which was a drawcard for residents to buy the property

Red line represents the direction of increased foot traffic due to the proposed dog fencing creating an alleyway ⟷

The impacts listed above **will be realised** if Council elects to build a dog "Fence" along the perimeter indicated in RED, that runs parallel to existing property fence-lines. **This will in effect create a pedestrian shortcut/walkway** that will be utilized by pedestrians looking to cut through to the other pathway, or access either end of the dog exercise area when the middle ground is muddy, or for pedestrians that wish to avoid going through the dog exercise area itself.

This puts pedestrians and the public **directly on the fence-lines of these properties, within 2-6 feet of direct viewing into Bedrooms, bathrooms, lounge areas** and outdoor settings. Here are photos from the fence-line of [redacted] from a bedroom/ bathroom entrance highlighting this risk.

This in our view represents an unacceptable safety and security risk as the proposed fencing will channel pedestrian foot traffic directly along this fence-line traversing the private spaces of 5 houses. The current property fence-lines erected an average of 1.5m and are open slat style allowing a clear view over and through into these private spaces.

Proposal by affected residents:
Currently, Omokoroa residents already exercise their dogs in this proposed area, and we neighbouring residents are fine with this, and because it's an **open space**, dog owners tend to naturally stay away from being too close to residents houses and are considerate. If the proposed dog fence is built – **it will channel pedestrians directly along these 5 fence-lines**.

Proposal

a) For council to consider whether the dog exercise area actually needs to be fenced at all? **Our proposal is that it doesn't need fencing, fencing adds no additional benefits, and introduces too many risks and issues**. Council can save this money, still list it as a new dog exercise area, put benches and fecal bag stations and other aspects of the plan in, but leave it open – as is currently the way that residents exercise their dogs in this area.
b) If council proceeds with fencing, for council to **NOT erect a dog fence running parallel to these 5 houses existing fence-lines bordering the reserve.** Instead, **utilise the existing fencing that residents have erected**. You can alter your fence design to incorporate the residences fences. This saves council money, but importantly does not channel pedestrians to the private fence-lines, and mitigates many of the other risks and issues raised.

(Existing fencing that can be utilized)

3. **Concerns about the Residents road / accessway**:

Our next concern regarding the proposed location / design is the potential impact on the residents access road. This is a narrow accessway (6m wide) utilised to access the residents driveways and garages, reserve maintenance vehicles, utility providers and rubbish/ recycling vehicles. It is barely wide enough for two vehicles to pass, (large rubbish vehicles already cannot fit down necessitating the requirement for a specially adapted "assisted" rubbish/recycling utility vehicle) and that this access road could be blocked / constricted if dog walkers park down the access way to access the new dog exercise area.

There are 2 small parking spaces by removeable bollards at the end of the cul-de-sac meant for council maintenance vehicles, but vehicles do park here temporarily (in red box in picture below).

Dog owners may drive down the accessway to try and access these two parking spots, or park along the side, and thus increase the traffic flow and the below risks:

The risks are:

a. **Safety concerns** from **increased vehicle movements to children** who play and ride their bikes on this accessway in front of their houses.
b. **No designated pedestrian signage or crossing between the two paths**
c. **Inability for residents to maneuver when exiting / entering their driveways**
d. **In-ability for council vehicles, maintenance, utility, rubbish/recycling trucks to access houses for services**

(residents accessway looking South-West)

This concludes our formal Submission.

We would like to thank council and counsellors for considering what the directly affected residents & owners have submitted today and we hope we will be contacted proactively regarding any additional information you might require in considering our submission and proposals, or being involved in alternate designs that achieve both of our objectives.

Thanks and regards,

Sonia Diacono, Andrew Bonica, Evelyn Hoddinott, Kathy Lines, Fiona Lynch, Olley Tarawa Bailey, Jamie and Rinaha Tarawa Bailey - on behalf of the residents and section owners bordering this proposed dog exercise area.

Contact for any questions:

[redacted]

Dog Exercise Area Concept Plans

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From: Sonia Diacono [redacted]
Sent: Monday, May 15, 2023 11:10 AM
To: James Denyer <James.Denyer@westernbay.govt.nz>
Subject: Re: Dog park at Links View Drive Reserve

Hello again James,

I am writing again to support the suggestion of my neighbour Evelyn Hoddinott, who suggested that rather than adding unsightly fencing to our lovely reserve out the back of our houses ([redacted] you could instead fence an area off on the green area on the other side of our right of way. Currently, that land is just greenery on either side of a walking/cycle path, and would be well-suited to a dog-run area as it is currently under-utilised. Otherwise, there are areas down on the Precious Family Reserve that could be preferable, as suggested by Mrs Hoddinott.

I have only recently learned that the proposal is to create a secondary fence just a metre or so beyond my garden fence (a fence that is neither solid nor high, so I look through and over it to enjoy the reserve) Please can I share with you the views of all my neighbours along this stretch of Western Ave that having a second fence a metre or so beyond our current garden fences would make the place feel like a concentration camp or prison exercise area. It would also create a kind of walkway between the dog fence and our fence that would ensure that walkers would walk straight past our back gardens, destroying the current privacy that we have. Currently, walkers (with or without dogs) tend to wander through the middle of the reserve rather than hugging the boundary. The fencing around the dog area would ensure that anyone not within the dog area and wanting to cross it would have to walk within spitting distance of my deck, ensuring I have no privacy whatsoever. As my garden is very small (only 2m deep), it would also mean that anyone walking around the fenced area would have a clear view straight into my living room just a couple of metres from where they would be walking. I would feel extremely exposed and unsafe as a single woman in my 50s living alone. I purchased this house for the feeling of space, privacy and security and a fence that ensured people had to walk within 2 feet of where I was having my morning coffee would make living here insufferable and I would feel I had to leave my curtains closed at all times.

The piece of land across the road at the front of our properties bounds no houses or gardens, so would cause no disruption to anyone's enjoyment of their private spaces. This would be a far preferable area for a closed-in dog area. Then, all the dog-walkers and other people who enjoy the reserve out the back in its current form would still have the enjoyment of using that piece of land as it is, while the provision of an enclosed dog-walking area would be provided in an area that is currently under-utilised.

Please could you pass on this suggestion, along with my very strong views that a fenced-in dog park in the reserve at the back of my house would immeasurably disrupt the enjoyment of living in my own home.

Regards, Sonia Diacono

Sent from my iPhone

Begin forwarded message:

From: Evelyn Hoddinott [redacted]
Date: 2 June 2023 at 1:06:43 PM NZST
To: haveyoursay@westernbay.govt.nz
Subject: Proposed dog area Objection

Hi, I live at [redacted] Omokoroa.
I am one of the properties that back onto reserve located between Western avenue and Links view drive which you are considering putting a dog exercise on.
1- I firmly Object to where you are looking at having it. By viewing your map, it looks to be very close at the back of my property .
2- It will impact the beautiful view and privacy that I have as it is very close to my property.
3- Have you thought Who and how is it going to be maintained in the area between the dog fence and my pool fence if it does goes ahead in-spite of our objections ?
4- I have included the map you sent and updated it as there are now houses on the surrounding boundaries.
5- I Have marked on your map a more suitable area where dog area could be placed.
6- My recommendation is that a better area to consider is down at Precious Reserve.
Regards Evelyn Hoddinott

Sent from my iPhone

(1) Have updated your map showing now existing houses.
(2) Have marked where a better dog area should go.

Dog Exercise Area Concept Plans

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From: Rex McDonald [redacted]
Sent: Wednesday, 28 June 2023 3:26 pm
To: Have Your Say
Subject: PROPOSED DOG EXERCISE AREA BETWEEN WESTERN AVENUE AND LINKS VEIW DRIVE

Follow Up Flag: Follow up
Flag Status: Completed

REX MCDONALD
[redacted]

REPONSE TO PROPOSED DOG EXERCISE AREA .

I wish to back all the people that are rightly objecting to the proposed dog exercise area between Western Avenue and links view drive.

I am the person who bought this land from the council for this 10 section development. (Blaze was the person we dealt with now retired)

THERE WAS NEVER ANY MENTION OF A DOG PARK BEING PUT IN THIS AREA.

This is poorly advertised you have used an old map which does not show where the houses are now built if you had a new map you would see that this dog park is right in our face.

I have kept [redacted] with the idea of building and retiring there at the moment I have a lovely open view over the reserve towards the Kaimai Ranges and the council want to stick a fence right outside my boundary where I will have people and barking dogs in front of my lounge room window. You should all ask yourself if that's what you would like outside your lounge.
You will substantially decrease the value of our homes in the development.

The article in the Sun live paper said you were looking for areas (with limited neighbours were considered as part of the site assessment process) who wants barking dogs and dog poo at your front door, they don't all pick it up.

Amazes me that if you have walked over this site that you would even consider it .

I was there for the afternoon of Sun 25th June there were people with dogs on the reserve but they respected people's privacy and were a long way from the homes.

There is limited parking .
No street lights
There will be strangers hanging around our properties.
Concrete pad at end of asphalt is for council to get onto the reserve not parking.
Concrete road off the asphalt is private access for the four homes and council access to the spillway for maintenance.

A popular place for families and dogs is PRECIOUS FAMILY RESERVE.
COONRY RESERVE
OMOKOROA BEACH RESERVE
THE ESPLANADE ROAD RESERVE
OMOKOROA DOMAIN
TAMIHANA PARK

HOPING COUNCIL WILL TAKE ON BOARD THE IMPACT THAT THIS PARK WILL HAVE ON OUR LIVES.

Thanks and regards

REX MCDONALD [redacted]
[redacted]

Dog Exercise Area Concept Plans

Response to the Proposed Dog Exercise Area off Western Avenue

We wish to formally object to the proposed dog exercise area off Western Avenue which is positioned directly in front of our property [redacted]

It is with great disappointment that the council has even considered erecting a dog exercise area right beside residential housing. Normally dog exercise areas are positioned away from houses and are situated where they do not impede or detract from residential properties.

The subdivision when promoted for sale was for ten sections in a quite right away off Western Avenue great for raising a family or for retirees. Lovely and quite with nice green space for the kids to play and have wildlife nearby.

The proposed fenced dog park will cause major privacy issue. Our property will have the outdoor living space and a bedroom right beside the fence. Most homes adjacent to the fence will also have their outdoor sitting area and bedrooms right beside the fence. Not only will there be dogs, there will be people walking around the outside of the fence right next to our properties. Having people and dogs [possible fights] will also cause unwanted noise and stress which is of major concern especially with young children, our own pets and shift workers that reside there.

Safety is of major concern with a proposed dog park in this area. We have outlined several other safety issues below.

More strangers hanging around our homes at odd hours…often early morning and at night. Currently there is a small community that know each other and regular walkers and cyclists that use the connecting path from Kaylene. Everyone currently feels safe.

There is a safety concern for these walkers and cyclists that come from the Kaylene path to enter either Western Ave or use the up-graded cycleway to Links View Drive. The current road has not been designed to cope with extra vehicles if there was a dog park located there. There is no footpath as really it has been designed as a right-a-way and not a road, and because of this people walk and cycle up the middle of the road. When you drive up from the bottom of the subdivision there is a steady claim and visibility is limited as you turn the corner onto the Western Avenue. One property has already had their newly built fence hit because of this visibility issue.

There is no street lighting in this subdivision. Major safety issue for people that don't live there.

There was no allowance made in the subdivision for extra parking for a dog park. The current parking is for residents and their guests. The concrete roadway off the asphalt road is private access for the four homes that run off it.. our property is one of them. This area is not a public road.

The subdivision has not been designed for large vehicles or camper vans as the there is minimal area for vehicle turning. We now have a small rubbish vehicle to remove our weekly rubbish because of this turning issue and if there is a dog park with more cars, it will only cause more safety and health issues.

There appears to have been no consideration to location of this proposed dog park and how it will affect the lives of the people **living right next** to it, and the safety issues that have not been considered.

We recommend that if there is currently such a need for a fenced dog park in Omokoroa, that a safer and less obtrusive location be found elsewhere.

Brenda Williams. [redacted]

Re: Potential site for development of a dog exercise park in Ōmokoroa

BL Bob Leef [redacted]
To Cheryl Steiner

You replied to this message on 22/02/2023 3:58 pm.

Morena Cheryl,
What we request in thepark is:
Rubbish bins + plastic bags available.
Drinking water fountains for dogs.
Anything you can think of,let me know.
Nga Mihi
Bob Leef
Ngati Taka Hapu.

From
Bob Leef

Pirirakau feedback on Omokoroa site for dog exercise park

27 February 2023 – Peter, Cheryl, Julie Sheppard and Rozella Borell

Children's access to dog park in terms of dangerous dogs – how is this monitored?

Water stations

Dog poo stations

Adjacent to waterways – urine run off, siltation controls as stormwater pond and riparian planting, longer grass to control this

Cultural interpretation – embed Pirirakau logo in signage? Other options for this?

ACTIONS

1. **Send proposal and concept plan to Pirirakau – consider by their committee, but need to involve in development of concept plan first**

Katikati Feedback

Tō Wāhi

Where is a better location?
Where is it?? There would be a good dog area in Katikati down by the swing bridge. But contacting the council about this gets ZERO, ZERO response.
Limited car parking.
I am not aware of a better location but there is not enough car parking for a dog exercise area the cycle and walking connections are good but I think there will be more need for parking as people will want to drive to this location. The neighboring farmland may not be ideal for dogs freely running about.
No
By Moore Park maybe or otherwise I guess Donegal place is ok.
Not sure, but one area isn't enough.
Unsure but Donegal Place is a very built up area.
Too close to the main raod. Empty patch opposite Moore Park football fields on Middlebrook Street or Talisman Drive or lovely lane reserve. Or end of park road reserve.
Huaharua park in Plummers Point would be fantastic. Fence the paddock area for a safe dog area.
This is not in line with the Reserves Management Plan and is located in an area subject to flooding that would be better developed as a wetland. There is also no close parking for those wanting to utilise the area. Explore more accessible local areas
I am not sure but I imagine a dog exercise place would do well to have water of some sort? River etc?
Not even sure where that is! I know Donegal Place but not reserve. Is it meant to be Diggleman Park?
The proposed site is steep, in part, and can't be driven too directly. A dog park should be inclusive for all dog owners and dogs. So this site doesn't cut the mustard for disabled owners or dogs.
We have the riverside walk ways theat are appropriate, money is better spent elsewhere, like wild cat control.
Taking the dog for walks down the road/footpath or park,using what's already available.
It would be OK if people actually picked up what their Dogs leave behind.
Haiku Park is more suitable and very central. But what is wrong with all the parks in Katikati? I don't think that we need a destinated area for dogs. There are heaps of parks and reserves. I take my dog to all of them and she loves the variety. Just place more doggie bags & bins in each park which will encourage people to use them more.
At the end of Beach Rd, South.
Park Road reserve be safer away from main road. Unless there will be clear fencing etc
No animals
Somewhere with more open spaces and not small tracks.
somewhere closer to the residential areas, on the other side of the main road
The land off Corner of Middlebrook and Fairview Rds

Is it used already? This is not central you have to cross the main road. Watch where all the older people walk their dogs now. Park Road. Around the school area. I don't have a dog.
Have several locations including end of Park Road reserve
Will it be fenced?
Will there be crap bags for dogs and regular monitoring for owners who leave a mess?
This site is just a bare paddock and steep. What facilities will be there appart from room for the digs to run.
An area/gate/fence to separate small dogs from big dogs, a couple of taps with bowls to drink out of, some ramps and agility set ups, tie up hooks, tables and chairs, a bit of shelter in case it rains (small pergola or open shed?). please
Unfortunately just causes more problems for the park and reserve operators keeping it tidy and no doubt there will be complaints when it’s raining or no grass or not weedeated to satisfaction
We don’t need a dog exercise park if people can simply walk there dogs.You simply want a vote to develop
we do need a dog exercise park imho. There's very few off lead dog exercise areas within walking distance for locals. There is also no where safe for those travelling through to give their dogs a quick run and wee stop. I think this is a great idea if its done well.
You should ask our local dog trainer experts what we should have here for the dogs! Contact ‘positively together. I personally would love to see two fenced off areas one with agility style things for dogs to run up and down and have fun. The second area for throwing balls and things. Having two areas is good for separating dogs so there are less in the same big space .
Really just needs to be fully fenced and two or three drinking facilities and poop bag dispenser.After all its just for exercising not the dogs home.
YES! And a walk way to connect it to the Haiku pathway up behind the robert harris, would be good to have a bit of a loop
I want to be able to exercise my dog on existing many beautiful tracks, parks in Katikati. I don’t want a dog exercise area to be provided if it means dogs will be excluded from the many walkways & parks currently accessible.
Levely Lance - there is an unused space that accesses the bird walk that should be fenced off for an off-leash area. Both options would be great.
Need one. More park is more central.
(Put yes but answered free flow 'no") (Do we) need a dog park?
I want to be able to exercise my dog on existing many beautiful tracks & parks in Katikati. I don’t want a dog exercise area to be provided if it means dogs will be excluded from the many walkways + parks currently accessible.

What features would you like to see included in the dog exercise area?
Plenty of refuse bins for dog excrement.
Poo bags dispensers and bins, tyres, ropes, tunnels, park benches, fresh water, feature for drinking and playing covered areas for owners to wait while dogs play in sun and rain.
Toys & Balls, ramps & obstacle course
Toys, often dogs, water, things to climb & jump on
Understanding Rules
Vent and a polo for the day.
a dog treadmill
A separate area for small and big dogs, secure perimeter fencing where no dogs can escape, some skills and agility equipment, water and bowls (even concrete or "built in bowls", places to tie dogs up, poo bags and a rubbish bin that is cleared very regularly, some shelter for if it rains (for humans) and tables and chairs so that doggy mums and dads can chat while our fur babies are playing together. Please :)
A training facility where owners can get help to control their dogs properly.
A tunnel, lots of logs for jumping over which are already down by the Uretara river, fencing for small dogs. Mow the lawn right around to provide a good walk.
Access to water to drink. Benches to sitbon
Activity stations, obstacle course, pet water stations
Agility
An information center providing council regulations and services available from vets etc
Benches. Access for mobility scooters. Automatic shutting gates
Best talk to dog owners - I'm not qualified to comment.
Big enough. Fenced. Poo bags and rubbish bins. Shade areas.
car parking for residents who live out of town and for visitors passing through. Full fencing and double gates, poo bin/s
dedicated car parking on Henry road would be good addition. Most dog exercise people will be mobile and would add a length to the exercise for the dog.
Dis interested
DIY dog wash
Dog events... like doggie day out or similar otherwise it's a waste of money and people won't use them.
Dog friendly stream with durable, yet paw safe bed. Normal poop disposal bins, cleared regularly. Safety measures to ensure all users have an enjoyable experience.
Dog poop bags, seating, dog climbing facilities. Shaded area to relax while the animal runs around. Fully fenced exercise area.
Dog wash facility. They have this at Rolleston, Christchurch.
Dog wheels, fire hydrants, waste bins for all, watering areas, washing facilities, fencing around the whole area for protection. Seating areas for people and a monitor to make sure people stick to the rules.

Doggie Poo Bins and Bags, Water access for owners to give their Dogs water, separate the Dog walking area from those who don't have Dogs.
Don’t care about dogs
Don't care, don't have a dog
Doubled gate. Big dog, Little dog areas. Tree shade/shelter. Lots of Council signage re. Responsibility
Enclosed, water stations, doggy poo waste bins, grassed area and an area to contain aggressive/unfriendly dogs which are off their leads.
Fenced area
Fenced area, agility course, water fountains, toilets, seating, pool bags and bins
Fenced area. Obstacles would be great too.
Fenced would be great. Water drinking fountains, ledges.
Fenced, different things for dogs to climb/play on - not just grass, poo bags, seats for people, rubbish bin, fencing
Free poo bags,rubbish bins fenced exercise area seats for the owners to sit on,a water supply
Fresh moving water, Separate area for quiet dogs
Fully fenced, benches for sitting (perhaps with shelter), picnic table, water bowl, rubbish bin and poo bag dispenser weather
Good enough to me and my dog
I don't have a dog so unsure.
I don't rate this of high importance
I think that these are the responsibility of owners. You just provide the area
I would like it to connect to the Haiku Pathway, via the area behind the Robert Harris. So it is easier to access for people living close to town in retirement villages and at Uretara River Views. It needs to have a flat area for dogs to run, and doggy poop bags, park benches, seating. Drinking water and shade! It needs to be fully enclosed and dog proof because of the poison/traps in the riparian area. Ideally if there's enough room about a quarter of it sectioned off for 'small dogs'. More than one entry, and entry gates, with two-way gates so doggy's don't escape. No 90 degree angles in fences so dogs don't bully other dogs into a corner if possible (develop curves). Would be even better if there was agility equipment!
Intensely secure fencing top and bottom. Fresh drinking water for dogs and humans. Poop bag dispensers and disposal. Seating, Dog/human sized entry gate so bikes and cars cannot access and ruin, Also its not very accessible for those of us with disabilities.
Is this the biggest priority at this time of high inflation and pressure in your rate payers? Are there other things that are higher up the list?
It's pretty good atm.
Keep it simple. Good fencing & poo disposal
Lead free area
Lots of bins for disposal of doggie doings and a low water fountain for doggie refreshment
lots of rubbish bins

Maybe a few activies for them, eg beams, tunnels. Our dog isn't good off lead so would be reassuring to have a fenced safe area for him to run around. Thank you, much needed and looking forward to it.
maybe some inexpensive exercise equipment for them to play in or around & on. The grass to be kept to a manageable length, especially for those of us who own light coloured pooches. Don't want to have to return home and bath our pooches. Perhaps a water station, and good sanitary dumping facility for the doo doos.
Maybe somethings like obstacles courses that give the dogs more exercise.
Mesh fencing at least 1.5m high. Hillocks over drainage pipe tunnels, wooden jumps of various heights, a line of driven posts, water fountain, rubbish bin., seating and possibly shelter. - in an ideal world!
NA as I don't have a dog
Natural ramps, hills, short tunnels, dog drinking facilities, rubbish bins and human drinking facilities. Park benches for sitting.
Natural wooden, fenced and public toilets, Water station
None
None, just fine for people not picking up poo. Walk your dog on a leach. Take it for a run down the harbour or your own back yard. Or don't have a dog.
Not sure
Not sure. Dont have a dog.
Nothing specific - dogs need space to run. Doggie bag dispeners like at Waihi Beach .
On-leash vs off-leash area, Water, Low / safe obstacles
Open spaces where there won't be cyclists. Water bowls/fountain stations. Poo bag dispenser. Separate areas for big dogs and small dogs so the small yappy dogs don't try and bite our dog like they do on walks around Katikati.
Penned in area, doggie waste bags, drinking water, exercise ramps etc. for dogs to play, seats for owners to observe if dog is being controlled by another person.
Picnic tables, plenty of trees, doggie waste bins, Maybe segregation of large and small dog breeds... for the dogs safety.
Place to tether dogs in / outside the area. Nothing else.
Plenty of poo bins
Poo bags. Dog excersize equipment. Rubbish bins. Notice board for local pet requirements ie local vets, pet specials, dog getogethers, dog training events etc etc.
Poo bin bag dispenser and rubbish bin. Fences. Tap and place for them to drink.
Public toilet, Sanitizing stations, dog poo bags and bins, an off lead area for larger dogs, good council maintenance
Room and rubbish bins, clean and tidy are really the only requirements
rubbish bins for doggy poop
Rubbish bins for their poop.
Rubbish bins, Water for dogs and people , Seating for people , Some shady areas
Seating and paved walkways for winter use.
Seats and potentially a miniature playground do other training exercises with their owners

seats and shade
Seats for dog owners
Security cameras
Separate areas for larger and smaller dogs. Some smaller dogs can be quite intimating to larger dogs as I've seen happen they rush up to bigger dogs which can cause larger dogs to react. Maybe consulting a dog trainer when it comes to creating safe spaces for all dogs to enjoy and not feel rushed by other dogs. Limited dogs per fenced off section for example
Separate areas so that problematic dogs can be kept separate.
Separation of small dogs from larger more intimidating dogs., Parking spaces for those utilising the facility. Adequate fencing to protect passing pedestrians from potential attacks.
Shade water seating
Shade, water access
Shade, water and paths. Also easy access for disabled owners and dogs. There are many places in and around Katikati that already provide this and are more inclusive than Donegal park which has none of these features.
Shelter for owners (when it rains) Toilets and adequate rubbish bins for dog poo etc. Good secure fencing right round to enclose dogs in with limited entry points and child proofed gates
Similar to te puke
Small dog area, dog poop bin, water troughs.
Some fun things for them to play on
Somewhere for humans to sit and perhaps a public toilet[for humans]
suitable walking track for owners so they are not trudging through the mud. no low shrubs clear sight lines so owners can see their dogs at all times, well fenced so dogs cant get out of the park.
There should be more dog parks.
Totally fended area with two way gates, a few seats, water fountain and a few shady trees!
Toys & Balls. Ramps & Obstacle course.
Toys other dogs. Water, Things to climb & jump on.
Trees, agility course , picnic area and waste bins
Trees, Seats
Unable to comment as I am not a dog owner
Unsure as we do not have a dog
Water and doggie doo collection.
Water availabile.
Water drinking fountain for humans and dogs
Water for dogs, separate area for big and little dogs, Rubbish bin and poo bag dispenser. Alternative terrain/obstacles on eg big log, culvert tunnel, tractor tire etc

Other sources of feedback

From: [redacted]
Sent: Saturday, June 24, 2023 1:11 PM
To: Jason Crummer <Jason.Crummer@westernbay.govt.nz>
Cc: Allan Sole <Allan.Sole@westernbay.govt.nz>; Anne Henry <Anne.Henry@westernbay.govt.nz>; Rodney Joyce <Rodney.Joyce@westernbay.govt.nz>; James Denyer <James.Denyer@westernbay.govt.nz>
Subject: Proposed Dog Exercise Area for Donegal Reserve, Katikati

Dear Jason,

Thank you for your letter of the 26th May regarding the proposed Dog Exercise Area.

This was a real surprise to receive after the consultation carried out previously regarding the planting and development of the reserve as outlined in the Katikati Waihi Beach Reserves Management Plan Review 2019, where Project Number 260109 had allocated $30,000 to plant and develop the leased area (Former Mills Block). This was a 2019/20 LTP Priority, and was dependent on the phasing out of the grazing licence, and then "prepare a planting plan in conjunction with community."

The proposed area is subject to flooding and the suggestion of an area of wetlands alongside the walkway and stream boundary appeared a logical development (see recent photo). It is only a few years ago that a flood destroyed part of the stopbank near the swing bridge and a significant portion of the reserve was a lake.

We are not fundamentally opposed to having a dog exercise area in Katikati, but are most concerned about the lack of consistent process and some apparently disingenuous community engagement on the future of this reserve.

When the grazing licence was cancelled due to the poor management by the lessee culminating in the public death of one of his horses near the walkway, the residents at the end of Donegal Place asked for consultation with staff on next steps to fulfil the Reserves Management Plan. On June 9th 2020 Peter Watson wrote that "Now that we are in Alert Level one, staff are in a position to undertake the engagement with the adjoining neighbours before any work is undertaken, noting that the work would be programmed for when the current grazing licensee has vacated the land on 31 July 2020, as to do the work before then would only aggravate the siltation with the Licensee who's Licence has been terminated. To this end, we will be sending out letters to the adjoining property owners inviting them to meet with staff on site to discuss the proposed work."

As no invitations had been issued to adjoining property owners by August 4th we asked for a confirmation as to when this would happen. A follow up reminder was sent to Peter Watson on Dec 11th 2020. Eventually a meeting was scheduled for 11.30am Friday 8th January 2021 at the home of Dorothy Rapley, [redacted] which was attended by a number of residents along with Peter Watson & Wayne Allchorne. The meeting was cordial, the Reserves Management Plan was referred to, and while the site was mentioned as one of several potential dog exercise areas, this was basically discounted by staff due to the lack of parking close by to the reserve. Instead, discussions around the potential wetlands planting near the stream (site of proposed dog exercise area), and native plantings on the hill that were not so high that residents current views were obstructed. The residents were assured that their views would be considered in the draft plans that would be available for consultation prior to finalisation.

A couple of months later Laurie Donald approached me and said that he had been asked by Reserves and Facilities to draw up some concept plans for the plantings and he was wanting to engage with the local residents in this process. In checking much later with Laurie as to development of the draft plan, he advised that Reserves & Facilities had advised him that due to COVID there was no longer any funding available for him to continue.

Dog Exercise Area Concept Plans

At no time since 8th January 2021 have staff from Reserves & Facilities contacted the residents to discuss plans. Consequently this new proposal being dropped onto the residents is unacceptable "due process" on the part of those staff responsible for implementing the Reserve Management Plan in this location.

We would ask that the proposal to have a dog exercise area in this area be put on hold until full consultation on the original development plan is provided and the 2 options for this area can be considered by the local residents and wider community.

Kind regards

David & Jill Marshall

[redacted]

Dog Exercise Area Concept Plans


Western
Bay of Plenty
District Council
Mā tō
tātou takiwā
For our District
Dog Exercise Area Draft
Concept Plan
Donegal Reserve, Katikati
Jason Crummer
Senior Recreation Planner

DOG EXERCISE AREA CONCEPT PLAN – DONEGAL RESERVE, KATIKATI

DRAFT

PLAN KEY

1. Double gated dog park entrance/exit
2. Natural contouring mound (With future play features by others)
3. Public pathway
4. Enhancement of existing drain (with proposed planting)
5. Community orchard
6. Native amenity planting (1.2m max. high)
7. Maintenance gate
8. Single gate between dog zones

PLAN LEGEND

- Bench Seating
- Shade trees
- Water fountain with dog bowl attachment
- Dog bag dispenser
- Rubbish bin
- 1.5m high fence with top wire strung through PVC pipe
- Site boundary
- Potential pedestrian link

Dog park total area: 4300m²

0 25m

1:750 @ A3

Date: 23 August 2023 Revision: 2

Plan prepared for Western Bay of Plenty Council by Boffa Miskell Limited

Project Manager: Bryan.Sanson@boffamiskell.co.nz | Drawn: TMI | Checked: BSa

Boffa Miskell

www.boffamiskell.co.nz

Western Bay of Plenty District Council

Mā tō tātou takiwā For our District

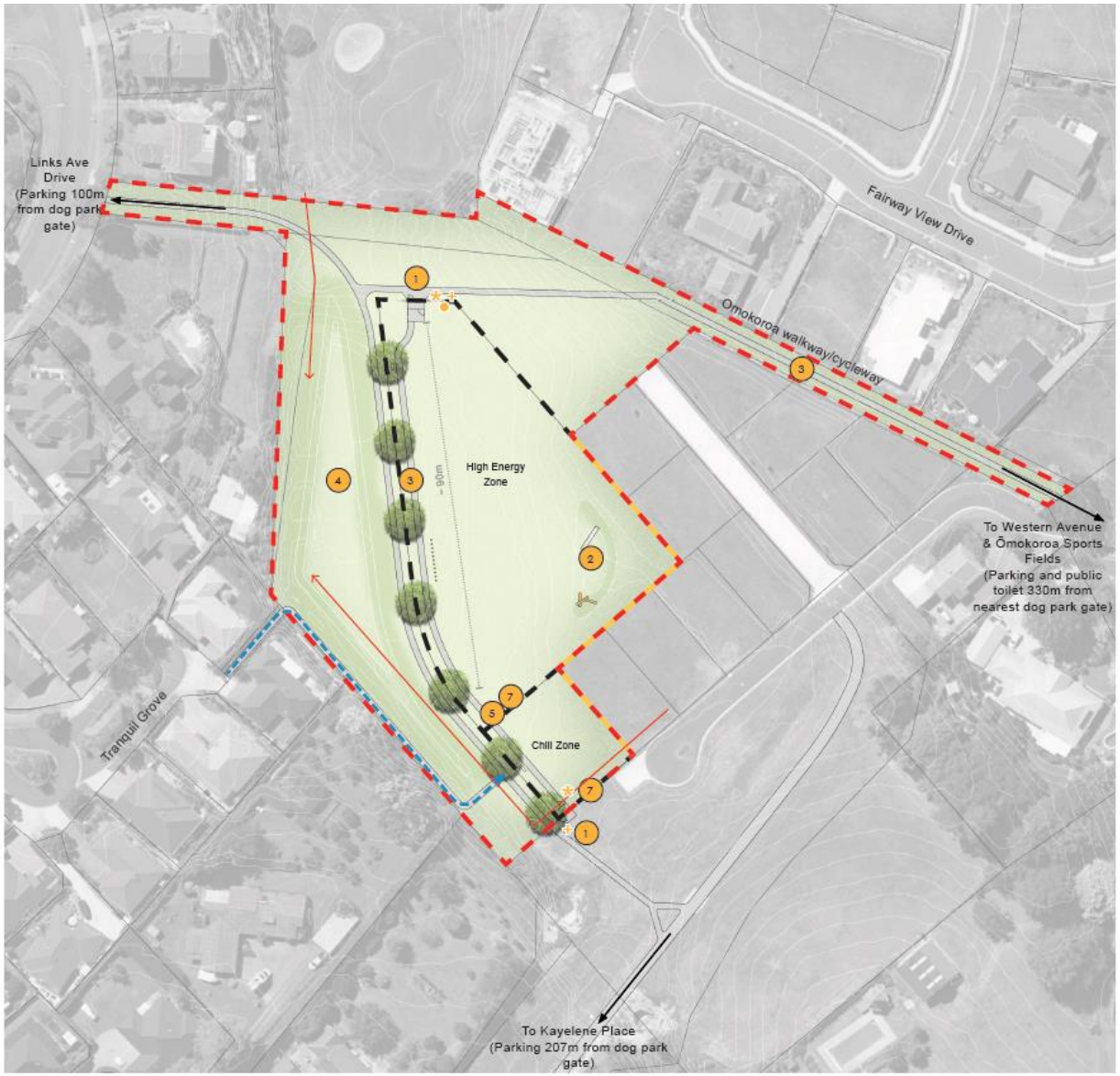
Dog Exercise Area Draft Concept Plan

Links View Drive Reserve, Ōmokoroa

Jason Crummer
Senior Recreation Planner

DOG EXERCISE AREA CONCEPT PLAN – LINKS VIEW DRIVE RESERVE, ŌMOKOROA

DRAFT



PLAN KEY

1. Double gated dog park entrance/exit
2. Natural contouring mound (With future play features by others)
3. Public pathway
4. Existing stormwater retention area
5. Single gate between dog zones
6. Native boundary planting (1.2m max. high)
7. Maintenance gate

PLAN LEGEND

- Bench Seating
- Shade trees
- Water fountain, with dog bowl attachment
- Dog bag dispenser
- Rubbish bin
- 1.5m high fence with top wire strung through PVC pipe
- Existing residential fencing
- Potential pedestrian link (To Tranquil Grove)
- Existing stormwater pipes
- Site boundary

Dog park total area: 4940m²

0 30m

1:1,000 @ A3

Date: 23 August 2023 Revision: 3

Plan prepared for Western Bay of Plenty Council by Boffa Miskell Limited

Project Manager: Bryan.Sanson@boffamiskell.co.nz | Drawn: TMI | Checked: BSa

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10.3 SUBMISSION ON MINISTRY FOR THE ENVIRONMENT CONSULTATION: DEFERRAL OF NZ ETS REPORTING OBLIGATIONS FOR ANIMALS-FARMER ACTIVITIES

File Number: **A5769968**

Author: **Megan Wakefield, Climate Change Programme Lead**

Authoriser: **Jodie Rickard, Community and Strategic Relationships Manager**

EXECUTIVE SUMMARY

For the information of the Strategy and Policy Committee, this report presents a submission made by Western Bay of Plenty District Council on the following matter:

(a) Ministry for the Environment (MfE): Deferral of NZ ETS reporting obligations for animals-farmer activities.

RECOMMENDATION

1. That the Climate Change Programme Lead's report dated 9 November 2023 titled 'Submission on Ministry for the Environment consultation: Deferral of NZ ETS reporting obligations for animals-farmer activities' be received.
2. That the submission, shown as **Attachment 1** to this report, be received by the Strategy and Policy Committee and the information noted.

ATTACHMENTS

1. **Submission to MfE: Deferral of NZ ETS reporting obligations for animals-farmer activities**

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01 September 2023

Ministry for the Environment
PO Box 10362
Wellington 6143

Name: James Denyer
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Western Bay of Plenty District Council Submission on the Deferral of NZ ETS Reporting Obligations for Animals-Farmer Activities

Western Bay of Plenty District Council appreciates the opportunity to submit on the proposed deferral of obligations for animals–farmer activities under the New Zealand Emissions Trading Scheme (NZ ETS).

As a local authority we have supported the local government sector position that has since 2015 been calling for responsive leadership and a holistic approach to climate change. Part of this call to action has been supporting development of an ambitious transition plan toward a low carbon and resilient New Zealand, of which the pricing of agricultural emissions at the farm-level is a critical step.

In general we support the government's preferred option (Question 1) as we agree that pricing of agricultural emissions needs to be instituted as an enduring and effective system to provide certainty in forward planning for agricultural sector participants. There are some further considerations that we think should also be explored.

1. The Purpose of the Climate Change Response Act 2002

As highlighted in the consultation document, a core contributing factor to the proposed deferral of reporting obligations for animals-farmers activities is the high number of extra participants that would be obligated to participate in the ETS. We agree that the costs associated with administering this are likely to greatly outweigh the benefits in terms of the emissions reductions that participation is likely to trigger (Question 3), as indicated in the Climate Change

Commissions 2022 analysis, given that the required changes to current NZ ETS regulations and systems have not yet commenced.

We submit that the Climate Change Response Act 2002 definition of animals-farmers should be amended to better achieve the purpose of the act through the inclusion of additional criteria.
The definition recommended in He Waka Eke Noa – Primary Sector Climate Action Partnership proposal presents a functional basis for this, However, any units included in criteria should remain "live" and subject to, at a minimum, an annual review. This would allow the definition to extend or contract the total number of obligated participants, as required, to cover a sufficient percentage of agricultural emissions to achieve our national emissions reduction targets over time.

2. Provision of clarity to participants
We agree that option 2 provides clarity to animals-farmers about their registration and monitoring obligations in 2024, however it does not provide any further clarity regarding their future obligations. As option 2 stands, animals-farmers will still be expected to learn and participate in a registration and monitoring system from 1 January 2026 and have surrender obligations from 1 January 2027 with no further certainty around when the frameworks and systems for this will be available.

Providing participants as much time as possible to understand and take action to reduce farm-level emissions, ahead of surrender obligations commencing on 1 January 2027, is likely to:

a. Reduce emissions from the sector, even before obligations come into effect, and
b. Reduce the financial burden on participants where emissions reductions can be implemented ahead of surrender obligations coming into effect.

We submit that development of a system allowing participants to register and begin monitoring and reporting farm-level emissions is fast-tracked, regardless of whether this system is ultimately integrated with the existing NZ ETS or an alternative pricing system for agricultural emissions.

Yours sincerely,

James Denyer
Mayor
Western Bay of Plenty District Council

10.4 SUBMISSION TO THE BAY OF PLENTY REGIONAL COUNCIL – CHANGES TO FRESHWATER MANAGEMENT IN THE BAY OF PLENTY

File Number: A5777237

Author: Ariell King, Strategic Advisor: Legislative Reform and Special Projects

Authoriser: Rachael Davie, Deputy CEO/General Manager Strategy and Community

EXECUTIVE SUMMARY

1. For the information of the Strategy and Policy Committee, this report presents a submission made by the Western Bay of Plenty District Council on the following matter:

   (a) Bay of Plenty Regional Council (BOPRC) – Changes to Freshwater Management in the Bay of Plenty.

RECOMMENDATION

1. That the Strategic Advisor: Legislative Reform and Special Projects report dated 9 November 2023 titled 'Submission to the Bay of Plenty Regional Council – Changes to Freshwater Management in the Bay of Plenty' be received.
2. That the submission, shown as **Attachment 1** to this report, is received by the Strategy and Policy Committee and the information is noted.

ATTACHMENTS

1. Feedback to BOPRC on changes to freshwater management

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Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158

Western Bay of Plenty District Council
Mayor James Denyer
Private Bag 12803, TAURANGA 3143
Daytime telephone: 0800 926 732
Email address: ariell.king@westernbay.govt.nz

Submitted via freshwater@boprc.govt.nz

Western Bay of Plenty District Council feedback on the Bay of Plenty Regional Council – Changes to Freshwater Management in the Bay of Plenty

Western Bay of Plenty District Council (WBOPDC) thanks the Bay of Plenty Regional Council for the opportunity to provide feedback on the proposed changes to freshwater management in the Bay of Plenty. We understand that this feedback will be used to finalise the options and information for proposed changes to the Regional Policy Statement (RPS) and the Regional Plan (RP).

We note the high level of legislative uncertainty that surrounds the development of changes to the Regional Policy Statement and the Regional Plan. We also want to highlight the lack of certainty regarding the levels of available groundwater supply. This means that we reserve the right to change our stance on the matters noted below and more generally regarding the future management of freshwater.

WBOPDC has an interest in the Tauranga Moana, Kaituna, Waihi Estuary and Waitahanui Freshwater Management Units (FMUs).

The following points set out our views in terms of the development for the Regional Council's framework for freshwater management:

1. Clear and consistent language

   Clear language is required to ensure that there is no room for uncertainty or ambiguity when assessing what is required for a water take, or for complying with the various water quality and quantity policy options. Consistent language should be used for all FMUs e.g., we note that there is currently a mixture of specific and non-specific outcome statements and slightly different wording between the policy options.

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2. Protection of municipal supply

Although there is a high level of uncertainty regarding the future of the Affordable Water Reform programme, we support the protection of municipal supply in accordance with the Te Mana o te Wai hierarchy.

3. Setting aside adequate funding for research, data collection and analysis

The statutory framework needs to be supported with adequate funding to ensure successful implementation. This includes funding for on-going research, data collection and analysis to indicate that the adopted policy options are meeting the intended outcomes and targets.

4. Ensuring that the costs of regulation and enforcement are shared between both rural and urban ratepayers.

It is important that the costs are fairly allocated between all users of water and all those who could influence the quality of water and quantity of water available. We note that a discussion of costs and benefits has not been included as part of this engagement process and that this discussion can influence the policy choices.

5. Economic development in the Western Bay of Plenty

The economy in the Western Bay of Plenty is significantly horticulture based and relies on water and the certainty of water supply. Whilst acknowledging the hierarchy set out in Te Mana o te Wai, the ability to secure water supply for horticultural purposes is important to us.

Specific comments are as follows:

- There was a preference for the Option A vision statements.

- Timeframes are challenging to commit to at this stage e.g., 2040 vs 2045. It is also unclear whether these are realistic depending on when the changes are made to the Regional Policy Statement and Regional Plan (or the Natural and Built Environment Plan).

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In addition, we think that it would be valuable to have a phased transition approach where incremental gains are recognised rather than requiring all changes to be completed by a fixed point in time. This also recognises that changes in practice take time to implement and for the intended outcomes to be achieved. This could be achieved through strong alignment of the outcomes, targets, and goals.

- Regarding the non-compulsory values, it was unclear how these differed to some of the compulsory values and whether this distinction was necessary e.g., Mahinga kai (which includes all food sourced from the river) vs Fishing (to provide solely for trout). It is also unclear where these values sit within the context of the Te Mana o te Wai hierarchy.

- The value of the outcomes and targets can easily be undermined by poor monitoring and compliance. This is clearly illustrated by the current state of the waterbody at the end of Te Puna Station Road. We note that this issue has been raised with the Regional Council by the Western Bay of Plenty Council and highlights the importance of monitoring and compliance. We support a discussion on the level of funding for monitoring and enforcement required to achieve the outcomes.

- We recognise the challenges around existing and potential allocation of water. We support alternatives such as users taking water at different times, water storage from heavy rainfall events or during times of high flows, and phased transition periods to provide for a reduction in water use and implementation of water conservation measures. These alternatives should be supported by a simple regulatory environment e.g., permitted, or controlled activity status with limited information requirements.

- We support water allocation limits for catchments that are complex, species and area specific. This approach recognises the characteristics and limitations of each catchment.

- We support reviewing the habitat retention levels of fish in over allocated catchments, but this should not be taken as the primary driver to necessarily increase the amount of water available for allocation. Rather we would expect that the review would determine what was the most appropriate level of habitat retention for the existing fish and plant species.

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This could include a study on the number of fish taken from a particular stream or river and whether specific ecological harm events have been observed or recorded due to low flow events.

- We note that there was confusion between the term availability and allocation. This was in respect of the primary and secondary allocations from the water that is (or isn't) available but also in terms of the consent process and whether primary allocation means first come first served or if there is a secondary allocation available.
- We support a precautionary approach when setting groundwater allocation limits but note the importance of existing municipal supplies. We also support further research and investigation into groundwater availability and the complexity of the relationship between groundwater and surface water.
- We would like clarity on the ability to treat water for drinking within the Te Mana o Te Wai hierarchy framework where the health of freshwater ecosystems is prioritised above its use to supply drinking water.

James Denyer
Mayor
Western Bay of Plenty District Council

10.5 SUBMISSION ON INQUIRY INTO COMMUNITY-LED RETREAT AND ADAPTATION FUNDING

File Number: **A5788865**

Author: **Tracey Miller, Strategic Advisor Resource Management**

Authoriser: **Rachael Davie, Deputy CEO/General Manager Strategy and Community**

EXECUTIVE SUMMARY

For information of the Strategy and Policy Committee, this report presents a submission made by Western Bay of Plenty District Council on the following matter:

(a) Inquiry into community-led retreat and adaptation funding.

RECOMMENDATION

1. That the Strategic Advisor Resource Management's report dated 9 November 2023, titled 'Inquiry into community-led retreat and adaptation funding', be received.
2. That the submission, shown as **Attachment 1** to this report, be received by the Strategy and Policy Committee and the information noted.

ATTACHMENTS

1. **Final Submission on Inquiry into Climate adaptation - October 2023 - WBOPDC**

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Inquiry into climate adaptation
Environment Select Committee
Parliament Buildings
Private Bag 18041
Wellington 6160
New Zealand

Name: Mayor Denyer
Organisation: Western Bay of Plenty District Council
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Email address: tracey.miller@westernbay.govt.nz

Western Bay of Plenty District Council submission on Inquiry into climate adaptation (Community-led retreat and adaptation funding: Issues and options)

General comments

Western Bay of Plenty District Council (WBOPDC) welcomes the opportunity to provide feedback on the Inquiry into community-led retreat and adaptation funding.

WBOPDC supports the shift to proactive adaptation through the first national adaptation plan and resource management reforms. We agree that there are gaps relating to community-led retreat and adaptation funding. There is a need to develop a nationally consistent framework and legislation to enable it, including enabling proactive (managed) retreat and relocation where necessary.

WBOPDC would like to acknowledge that while we have provided some commentary in response to the tangata whenua questions raised it is critical that the Ministry for the Environment directly engage with tangata whenua in the development of responses to the significant issues of community-led retreat and adaptation funding. Iwi, hapū and Māori are already undertaking adaptation planning. There is a need to work alongside iwi, hapū and Māori on how to uphold rights and interests to provide for tino rangatiratanga.

The proposed national direction under the Resource Management Act 1991 for a Natural Hazards Planning Framework sets out an approach to risk assessments and risk management for the purpose of land-use planning. It appears there is some duplication between the two pieces of work. It would be good to clarify how the work and any outcomes are being considered in parallel.

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Council supports the need for clearer guidance and direction on undertaking risk assessments. It is understood that the findings from the Inquiry into community-led retreat and adaptation funding may be used to inform the proposed Natural Hazards Planning Framework. Council agrees there is a need for national direction on risk assessment to ensure quality and consistency. The requirement to undertake risk assessments needs to be mandated so that the work is prioritised and undertaken.

Regarding funding and financing we agree with the commentary in the Issues and Options paper which identifies that in order to lower costs for some, we will potentially increase costs for others and that costs met by central government and councils are essentially costs paid by tax and ratepayers. Whenever central government and councils help to fund adaptation, we need to make sure we are making good adaptation decisions that address risks and minimise impacts and costs. It is critical that we do not inadvertently increase incentives for people and organisations to fail to adapt now.

Council proposes a novel approach outlined in our answer to question 5 below that requires little or no compensatory payments from taxpayers and ratepayers, spreads the financial cost to property owners over a long period and provides a well-signalled, predictable, and equitable pathway to retreat.

The remainder of this submission provides a response to the questions in the Issues and Options paper.

We welcome the opportunity to discuss or clarify any matters in this submission in further detail if required. We do not wish to make an oral submission to the committee.

Yours sincerely,

James Denyer
Mayor
Western Bay of Plenty District Council

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Submission questions

1. **Do you think we should use the term community led retreat? If not, what do you think we should use and why?**

   'Community-led retreat' is not considered an accurate term for what will inevitably be required. It would therefore be preferable to retain the term 'managed retreat' or consider other options such as 'planned relocation'. We agree that communities and Tangata Whenua need to be fully involved in decisions about their future and that it's important to seek out different views from across the community on the risks they face. Council agrees with the meaning of community-led retreat, which is identified as "moving homes, businesses, sites of cultural significance and taonga out of harm's way through a carefully planned process that involves the community at every step". However, Council believes that in order for retreat to be successful, it will more than likely require difficult decisions around retreat which will need to be made by central / local government alongside communities.

2. **Are there other barriers to Māori participation in adaptation and upholding Māori rights and interests? How can we better support Māori?**

   - For capacity and resourcing ability generally, Māori aren't adequately resourced to be able to fully engage and participate in existing resource management focused policy and reform. There needs to be up front recognition of time and expertise.
   - Roles and responsibilities in the process need to be worked on upfront together.
   - Organisations or agencies that lead the process need to have organisational capability to uphold Māori rights and interests.
   - The way we communicate risk could be considered a barrier, and the focus on loss of value, inherently doesn't align with Māori values.
   - There is additional complexity around acquisition of Māori land due to Treaty obligations.

3. **Are there other issues that affect the quality of risk assessments and local adaptation planning? How can we strengthen our approach?**

   The scale of assessment is a critical factor in some aspects of local adaptation planning and will only be meaningful for many communities once it reaches the very detailed and granular stages specific to a project or area. For example, there is a need to include vulnerability criteria within risk assessments, particularly with respect to social and cultural risks, which is currently very one-size-fits-all under national or regional frameworks. The degree of sensitivity and adaptive capacity of

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a community to certain hazards should be assessed at the most local level possible in order to capture the specific non-quantitative strengths, weaknesses, and mitigating factors present within a community.

There is also no way of quantitatively capturing measures of cascading or compounding risks through technical risk assessments. These should also be assessed at the most local level possible using local knowledge systems and mātauranga Māori.

The adaptation process and decision-making horizons (i.e., DAPP, uncertain, agile) do not align to local government organisational planning and funding processes (i.e., tri-annual, inflexible). Local government will struggle to provide the required level of responsiveness should conditions start to change rapidly as there is not adequate time to consult with ratepayers on the changes this could incur on Council's spending should local government be required to buy-out affected properties.

Finally, risk assessment and local adaptation processes are currently occurring in an environment of uncertainty regarding who has the decision-making authority to determine which overall level of risk is acceptable. This leaves the final outputs open to poor buy-in and ongoing challenge, both legal and non-legal in nature, from affected stakeholders. Elected members are also uniquely exposed to negative community sentiment towards decisions made at a local government level in the absence of a clear mandate to do so, despite the imminent need to plan to reduce the risk communities are facing.

4. **Are there other issues that limit our ability to retreat in advance of a disaster? How can we improve our approach?**

Issues that limit ability to retreat in advance of a disaster:

- Lack of preparedness and planning due to lack of incentive.
- Generally, a financial disadvantage to retreat in advance under current legislative settings.
- Understanding where to retreat to, with developable land and housing already in short supply in high growth regions such as the Western Bay of Plenty.
- Poor community awareness of risk (and imminent risk in particular). More needs to be done on how we communicate risks and work to educate the public on different levels of risks. Risk assessments don't provide enough certainty on imminent risk versus forecasted risk.

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- Enabling retreat through land-use planning changes is extremely time consuming and costly for local government under current legislative settings.

How we can improve our approach:

- Incentivise preparedness and planning in advance of retreat.
- Be able to explain the differences in risk in terms of scale and different types of risk for different hazard events in a way that the public can understand, ensuring it is meaningful and memorable.
- Need to ensure we are considering different types of risks and the different scales of time, e.g., river flooding versus long term coastal erosion. The managed retreat system needs to be able to plan for short term and long-term events.
- Unlock funding and financing pathways and clarify the roles and responsibilities of banks and insurance providers in enabling proactive retreat.

5. Are there other issues with the way we fund adaptation? How can we improve our approach?

Adaptation is not currently funded. There is a conflict of interest with the current adaptation process as councils are footing the bill, at least in part, for planning as well as any actions taken at a local level. If things are left to progress until the point that a natural hazard event does occur, on the other hand, then recovery response funding streams become available.
It is difficult to justify spending ratepayers' money on land that doesn't benefit the wider community. Example: the land purchased by Auckland Council has value as a resource/asset as it can be absorbed into the stormwater system and redeveloped as blue-green infrastructure. Conversely land exposed to coastal erosion does not represent any benefit to the wider community if purchased by a territorial authority. It is inappropriate for territorial authorities to be involved in compensation for these kinds of properties.

A novel funding and financing solution for managed retreat:

A proposed solution may be to legislate to convert freehold properties in areas designated to become unlivable in the future, into long leasehold properties (e.g., a 99-year lease). The Crown would become the owner of the freehold land for a peppercorn rent (This model of ownership is common in other places such as London).

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Owners would own the leasehold and continue to occupy the property. People would be able to buy, sell and inherit such properties in the usual way. The value would at first remain close to what it was prior to the change. Mortgages would be largely unaffected initially since lenders are typically comfortable to lend on leasehold properties, as long as 50 years of the lease remains at the end of the mortgage term.

However, over time, the value will slowly decline in a steady and predictable way until it reaches zero at the end of the lease many decades later. This means that the pain is spread out over several generations with little or no immediate effect. The eventual retreat from the property is well-signalled with plenty of time for owners to plan for change. No owner living now would be made homeless, and subsequent owners would be going in with their eyes open.

Flexibility for uncertainty in climate change can be built-in by either extension (or possibly reductions) to the term of the lease.

There is no direct cost to the wider community as there are no compensatory payments for retreat. There is also equity in that particular groups are not favoured over others. (e.g., permanent residents vs bach owners vs commercial properties).

It is acknowledged that further consideration would be needed regarding the treatment of Māori land with its Treaty implications. The approach to adaptation for Māori land should be developed by Māori, for Māori at a local level with commensurate Central Government funding to support the process.

6. What do you think the costs are of a failure to adapt or failure to adapt well?

- Loss of life and damage to property
- Higher cost in the long run if we fail to adapt, more individual hardship
- Likely more litigation against local government and central government.
- There will be instances where we fail to adapt well – we are currently still building in exposed locations for instance – and the costs of that will be felt by future generations. Establishment of a "maladaptation fund" could assist with easing intergenerational inequity that will occur over the coming decades. This fund would need to be independently coordinated with clear frameworks and criteria to provide assistance to areas where decisions (made in good faith at the time) have led to objectively poorer outcomes than other areas in a comparable situation or district.

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7. What does a Te Tiriti-based approach to adaptation mean to you?

It is not considered appropriate that Western Bay of Plenty District Council answer questions within Chapter 3. The responses to these questions should be guided by specific Tangata Whenua input led by Ministry for the Environment. At a high level our Council believes that a system must be designed and developed with a high level of Mana Whenua input to reflect Tino Rangatiratanga. This approach recognises that what works for some iwi/hapū may not work for all. The adaptation approach must allow for flexibility to achieve suitable outcomes for Tangata Whenua.

It is important to note that this Inquiry is a significant piece of work, and to facilitate or be part of conversations with all of the iwi/hapū across our District is a substantial undertaking, and certainly not possible within the prescribed consultation period for this work, not only for Council but also mana whenua due to aforementioned capacity and capability issues.

It must be acknowledged that Māori are intrinsically connected to their land and so the impact of managed retreat on Māori is more significant than most. The intrinsic connection between Tangata Whenua and their land will also mean that the question of where to retreat to becomes even more important. Historic land confiscation and alienation may leave many iwi, hapū and whānau with limited options.

A recent example of a climate change adaptation plan that has been undertaken in the Bay of Plenty is the He Toka Tū Moana Mō Maketu – Maketu Climate Change Adaptation Plan which was led by the Maketu Iwi Collective with support from the Bay of Plenty Regional Council. The Plan identifies that there is a need to consider an approach to managed retreat for home, marae and other village infrastructure that may be at risk that comes from a tikanga Māori process.

8. What does a local mātauranga-based framework for risk assessment look like to you?

Refer to above comments in Question 7.

9. What innovative approaches to adaptation planning do you have with your own hapu?

Refer to above comments in Question 7.

10. How can we manage overlapping interests during adaptation planning, including where there is a conflict?

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- It can't be voluntary, a mandatory element needed.
- Appropriate governance consideration for decision making is needed. Local government or an independent person / agency?

11. What is your perspective on the Crown's Te Tiriti obligations to support community-led retreat? Are there existing examples of what that should or should not look like?

Refer to above comments in Question 7.

12. What funding approaches have worked for your own iwi, hapū and hapori?

Refer to response in Question 7.

13. How many stages do you think are needed for risk assessment and what scale is appropriate for each of those stages?

- The first National Climate Change Risk Assessment for New Zealand uses a three-stage process. Are there other international best practice examples that should also be referred to?
- National and regional risk assessments are appropriate for physical risk assessments only. National level identifies the risks that exist generally. Regional level can focus on regionally significant risks.
- Anything social or cultural needs to be as local as possible, needs to have flexibility to include mātauranga Māori even when the assessment might not be on Māori owned land.

14. How frequently should a risk assessment be reviewed?

- In line with how often hazard data is reviewed (for physical risks at least). Also, whenever the scaled down versions of IPCC scenario models are made available nationally.
- There is a need to take into consideration that climate change will impact how frequently data needs to be reviewed and the level of risk updated.
- Social and cultural risks would need to be determined by the community. For example, checking in with the community on whether the information had changed materially in the last decade.

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15. What do you think makes a risk tolerable or intolerable (i.e., acceptable, or unacceptable)?

- Understanding tolerance levels for risk is extremely difficult. What is acceptable risk to one person, or one community will not be the same to others.
- It is important to consider that people's perception of risks and their tolerance of risk changes over time. For people who have lived through a hazard event, their risk tolerance is likely to be much lower compared to people who have not.
- Risk tolerance needs to be able to be measured and acceptable levels need to be set.
- We need to recognise that individual landowners may be more willing to tolerate unnecessary risk due to their own short-term interest in a property. Some people do not accept scientific analysis and therefore don't properly acknowledge risk.

16. Do you think local risk assessments should be carried out or reviewed by a centralised agency or a local organisation? Why?

- We agree that there is a need for a standardised approach to risk assessments.
- National direction should ensure a high level of consistency in the way risk assessments are carried out. To ensure this happens, a centralised agency would make sense.
- The risk assessments need to be carried out in accordance with the same methodology. At a regional / district / city level there needs to be some flexibility to set the criteria on whether a risk is medium or high. The vulnerability component of a risk assessment depends on the locality.
- Physical risks could be assessed and reviewed at a national or regional level as they are primarily quantitative and can be standardised. Social and cultural risks assessments should be completed at as local a level as possible.

17. Should risk assessments be carried out only by technical experts or should other people also have a role? What role should other people and organisations have?

- Technical experts in terms of scientific analysis i.e., physical risks. People with no conflicts of interests. Must be robust and transparent. Physical science-based components (e.g., climate change scenario modelling of

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flooding) must not be open to legal challenge if undertaken in accordance with prescribed methodology.

- It makes sense for local government to have responsibility for risk assessments, given it is close contact with its communities.
- Technical experts need to develop the inputs into the risk assessment, the exposure information needs to be compared against your vulnerability and capacity data, this relies on talking to the people that are exposed to understand that.
- It is harder to define the scope for social and cultural parts of a risk assessment. There is less recognition of qualification and expertise in these areas.
- Generally, there is a need for a clearer understanding of what is a good risk assessment and who is qualified to undertake them. It is our understanding that there are very few experts within the country on risk assessments.
- Central government could negotiate All-of-Government contracts with technical experts to make standardised information and services available and affordable to local government.

18. Do you think there should be a requirement to undertake local adaptation planning? If so, should the trigger be based on the level of risk or something else?

- We agree that adaptation planning is currently ad-hoc and 're-active'. The main type of planning we do is 'post event' and recovery based.
- The 'patchwork' of powers are not sufficient to enable effective adaptation planning.
- Yes, we agree that there should be a requirement to undertake local adaptation planning. The level of risk can act as a trigger or alternatively it could be community driven too.
- To unlock investment into adaptation it needs to be mandated. Adaptation plans also need to be strategic and aligned to central government expectations to ensure enduring multi-party support for whatever system is adopted. This will promote certainty, which will increase council and community confidence in and buy-in to the framework.

19. What direction should central government provide on the local adaptation planning process?

- We agree national direction and a framework is required to enable local adaptation planning. Alongside this there needs to be appropriate financing and legal powers (legislation limitation of liability).

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- Future development of future leaders / experts in adaptation space. There is a need for investment in education in this area. A clear pathway to getting the right knowledge that is needed.
- Accessible system and processes (i.e., the minimum of complexity possible).
- Nationally prescribed valuation processes/formulae and acquisition framework.

20. Do you think there should be a requirement to plan for different scenarios, such as changes in the level of risk or what happens if there is a disaster? Why or why not?

- The DAPP (Dynamic Adaptive Policy Pathways) provides a process to identify capability to adapt to a disaster.
- Climate change will only make planning more uncertain. We need to be readily planning for different scenarios and understanding the different levels of risk.
- Post-disaster/recovery plans should be mandated scenarios in order to streamline the decision-making process immediately following an event and reduce overall costs to the affected community (i.e., prompt insurance payouts, ability to relocate businesses).
- We need to understand the interrelationship between the Civil Defence Emergency Management Act and those requirements in terms of a recovery plan (post disaster). There needs to be alignment between civil defence and pre-planned adaptation scenario that manages the after-event issue.

21. How can we make sure that local adaptation planning is inclusive and draws on community views?

- Undertaking thorough and robust best practice engagement with communities.
- Education, building capacity, enable people to be able to participate in discussions.
- Community engagement is not free. Example is at Cliffton, where participants are paid to engage.
- Consider use of participatory democracy and how this could be funded. This would help community understanding and buy-in for controversial and

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potentially unpopular decisions that are difficult for elected members to make.

22. Who do you think should make decisions about the adaptation pathway we choose and why? How should others be involved in the process?

- Local government with Tangata Whenua and community involvement.
- Backstop option at central government level/independent review to select a pathway if a decision is not reached. If consensus is not able to be reached, then a decision will be made by central government / minister.
- Whatever model is adopted, it must be very clear who has the decision-making responsibility under each scenario (e.g., voluntary, mandatory, protection vs retreat etc.).

23. What do you think are the most important outcomes and principles for community-led retreat?

- Community safety and retreat that avoids poor outcomes like financial hardship or homelessness.
- Iwi/hapū engagement and decision making – by Māori, for Māori.
- Best practice community engagement.
- Avoid transfer of wealth to the already wealthy, avoid diminishment of wealth of lower-income households. Equitable outcomes.
- Te Tiriti and mātauranga framework should feed down into how the outcomes and principles are prioritised.
- Reduction of existing risk
- Reduction of cost compared to emergency response scenario.

24. Do you prefer option 1 (voluntary) or option 2 (a mix of voluntary and mandatory parts)? Are there any other options?

- Voluntary won't create change.
- From an equity perspective, some people located in low lying coastal areas have no real choices, unless they are enabled to move elsewhere.
- Option 2 is preferred, a mix of voluntary and mandatory. There is a need for a mandatory element to trigger funding or other retreat pathway mechanisms.

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25. Do you agree that affected land should no longer be used at the end of a retreat process (with limited exceptions for things like ceremonial events, recreation, some agricultural or horticultural uses and mahinga kai gathering)? Why or why not?

- Yes, we agree the land should not be used for housing / any buildings where people would be put at risk.
- Open space / recreation would be most suitable. Relying on the land for agriculture or horticulture uses may result in additional dependency on the land.
- Engaging with mana whenua would identify any cultural uses of affected land such as mahinga kai gathering, and provision should be made to enable this to continue where possible.
- Agricultural use may be more suitable than horticultural use. Must be an activity that lends itself to the timeline over which the identified adaptation trigger (not signals) can occur.
- Important to balance reduction of risk against negativity, community resentment about a non-mandatory retreat. "Optimising" the use of land that has been retreated from to add value for the local community may help with this.

26. Do you think there should be any other exceptions? If so, what, and why?

- There will always be exceptions that could be considered on a case-by-case basis.

27. Do you agree that these powers are needed to ensure land is no longer used once a decision has been made to retreat? What powers do you consider are needed?

- Fit for purpose legislation.
- It depends on who is paying for the retreat and who benefits from the buy out etc. You can't pay for retreat and then have someone continue to benefit materially from that land. Powers would be compulsory purchase, freehold to leasehold conversion, prohibition on future consents for development.

28. What do you think the threshold or trigger should be for withdrawing services once a decision has been made to retreat?

- An agreement from the community, Tangata Whenua, local government, and key stakeholders e.g., infrastructure providers.

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- It is likely that infrastructure providers will determine whether or not it is appropriate to renew / upgrade infrastructure through a particular assets' renewal process.
- Inclusion of details on withdrawing services in a retreat plan may be needed and this should be identified in the adaptation plan with the appropriate decision-making process stepped through.

29. In what circumstances, if any, do you think decision-makers should be protected from liability? What are your views on option A, option B or any other possible option?

- Decision-makers should be indemnified from liability. There is too much uncertainty on climate change and random events. As long as decisions are made in good faith and according to evidence.

30. Which parts of the current system work well and which do not? Are there any other issues with our current approach to adaptation funding?

- There is not a fit for purpose system currently. There is a framework (DAPP) but not a standardised system with scope, roles, responsibilities etc. all laid out. The current approach is completely ad hoc and is generally unmanaged, post-event retreat (where it has occurred or is occurring).

31. What do you think are the most important outcomes and principles for funding adaptation?

- The ability for a slow loss of value rather than all at once as described in the response to question 5 above.
- Intergenerational equity.

32. In what circumstances (if any) do you think ratepayers and taxpayers should help people pay for the costs of adaptation?

- Ratepayers – where there is a demonstrable value add to the local community (amenity, resilience, enabling action to avoid risk to private assets/properties) and the costs can be equitably shared amongst the beneficiaries.
- Taxpayers – where means-testing shows that people would be placed in an untenable financial position and/or would result in poor environmental outcomes or increased risk to others i.e., abandoned assets.

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- It is difficult to provide a framework that doesn't inadvertently reward those who have knowingly purchased property, perhaps as a short-term investment with an understanding of the risk and then being financially compensated versus those who have owned a property for a long time where there may not have been a risk e.g., long term coastal erosion.
- Another factor to consider is some properties may be rental properties and whilst the loss of the property is detrimental to the property owner, its effect may be significantly different to where you have an owner/occupier, and it is their single significant asset.

33. In what circumstances should central government help councils to meet adaptation costs?

- Retreat represents a significant transfer of wealth. It is inappropriate for ratepayers and the regressive rating system to pay compensation for this. Should be mostly central government/taxpayers. Councils do not have the ability to pay for retreat.
- There are some other circumstances where central government could help to reduce the costs on local government and some of the recommendations that are likely to come out of this Inquiry will assist in this. E.g., sharing of the centralisation of information that is relevant to all regions in the country, a consistent framework and national direction to be applied will greatly reduce the amount of duplication of efforts across the country.

34. What are the benefits and challenges of providing financial support to people needing to retreat?

- Financial support needs to be provided in a fair manner. Consider equal treatment vs equitable treatment. How do we avoid rewarding the reckless whilst punishing the prudent.
- Local government does not have sufficient income or range of funding tools enabled by legislation to provide meaningful support to people needing to retreat. While provision of suitable land to relocate at-risk communities could be feasible for some territorial authorities, the costs to establish services in these locations could be unaffordable though.

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35. Are there any other approaches for providing support to people needing to retreat that we should consider?

- Relocation costs
- Support with financial modelling
- Support with negotiating insurance contributions for relocation of buildings (i.e., enabling legislation and process).

36. What are the benefits and challenges of providing financial support to businesses needing to retreat?

- The degree to which a business is merely a private enterprise whose risk is owned by the shareholders, or whether we view it as a core community service that affects the wellbeing of the community (food shop, dental practice, major employer etc.).

37. What should central government's initial funding priorities be and why? Which priorities are the most important and why?

- Those at most severe risk should be prioritised.

38. How could central government communicate its investment priorities? Please indicate which option you think would be most effective and explain why.

- No comments.

39. Should funding priorities cover councils as well as central government?

- There is a need for a consistent framework for all stakeholders.

40. How can the banking and insurance sectors help to drive good adaptation outcomes?

- They can't. It needs regulation or a framework that means that banks and insurance companies aren't the ones driving this.
- The banking and insurance sector can give effect to adaptation policy by being aligned to regional planning decisions. More transparency about how they calculate risk and may retreat in future could influence individuals' decision-making away from potentially maladaptive actions.

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41. What solutions should be explored for funding and financing adaptation?

- Refer to our response to question 5 above.

42. Are there any other issues that make it difficult to adapt during a recovery?

- Adaptation during a recovery is potentially easier because you have ready-made public buy-in of the need to adapt from the immediate and tangible effects of a disaster.
- However, potential difficulties include that, currently, there are no simple processes for pulling together the various sources of funding at an individual level (i.e., central government support, insurance, bank lending); emotions are running high; and there might not be clarity on decision-making authority, roles, and responsibilities. There may also be issues with establishing legal ownership in event of a loss of life.

43. Do you think our approach to community-led retreat and adaptation funding should be the same before and after a disaster? Why or why not?

- Yes, but practically speaking it won't because emotion will play a big part after a disaster. Conversely, poor risk assessment may precede a disaster.
- Yes, especially with funding to remove the issue of conflict of interest. There may be some changes in a post-event situation e.g., roles appointed to make decisions in a timely/fast tracked manner (but always based on the pre-agreed adaptation plan for the scenario that is faced) and fast-tracked applications and/or funding support unlocked.

10.6 FEEDBACK: MANAGING THE USE AND DEVELOPMENT OF HIGHLY PRODUCTIVE LAND: POTENTIAL AMENDMENTS TO THE NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (NPS-HPL)

File Number: A5796167

Author: Monique Va'ai Matatia, Senior Environmental Planner

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EXECUTIVE SUMMARY

For the information of the Strategy and Policy Committee, this report presents a submission made by the Western Bay of Plenty District Council on the following matter:

a) Feedback: Managing the use and development of highly productive land: Potential amendments to the National Policy Statement for Highly Productive Land (NPS-HPL).

RECOMMENDATION

1. That the Senior Environmental Planner report dated 9 November 2023 titled 'Feedback: Managing the use and development of highly productive land: Potential amendments to the National Policy Statement for Highly Productive Land (NPS-HPL)', be received.
2. That the submission, shown as **Attachment 1** to this report, is received by the Strategy and Policy Committee and the information is noted.

ATTACHMENTS

1. NPS-HPL Submission - 31 Oct 2023 - Final

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31st October 2023

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Feedback regarding: Managing the use and development of highly productive land: Potential amendments to the National Policy Statement for Highly Productive Land (NPS-HPL)

We appreciate the opportunity to provide feedback to the potential amendments to the NPS-HPL.

There are two issues with which feedback is being sought. They are that there is no 'clear consent pathway' for two types of development: new specified infrastructure on highly productive land ('HPL'); and secondly, for developing and relocating intensive indoor primary production and greenhouses on HPL.

Our view is that given the two issues are relatively similar in that both seek a 'clear consent pathway' to particular outcomes, we believe that the amendments should be treated consistently. That is, that the NPS-HPL is amended to allow clear consent pathways for resolving both issues and the respective outcomes obtained; **or,** that the NPS-HPL is not amended until further information can be obtained on both issues.

Issues for discussion

Issue 1: The lack of clear consent pathway for construction of new specified infrastructure on HPL in clause 3.9(2)(j)(i). [In particular the construction of more renewable energy infrastructure i.e. solar farms]

Clause 3.9(2)(j)(i) states:
A use or development of HPL is inappropriate except where at least one of the following applies to the use or development, and the measures in sub-clause (3) are applied:

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(j) it is associated with one of the following, and there is a functional or operational need for the use or development to be on the HPL: (i) the maintenance, operation, upgrade, or expansion of specified infrastructure:

Options: amend the clause, or, leave as is.

Government's preferred option and why [taken from consultation document]:

The preferred option is to amend the NPS-HPL to clarify how new specified infrastructure should be provided for on the HPL. Amend clause 3.9(2)(j)(i) to provide a consent pathway for the use and development of new specified infrastructure by including the word 'construction.'
It provides a simple solution for a needed pathway, achieves balance between protecting HPL and providing local needs; improves alignment with national direction, provides scope for councils to address the increased need for REG on HPL and is the simplest method to address the issue.

New Zealand needs to build a substantial amount of renewable energy capacity over the next 15 years to support a 100% renewable energy option. Government has set into law a target for net zero greenhouse gas emissions by 2050 (except for biogenic methane). A Transpower Monitoring Report (2023) suggests that the amount of HPL that could potentially be used for solar farms based on current applications stands at less than 1% of all HPL (if all were located on HPL).

Effect of amendment:
This would provide for development pathway for renewable energy generation (REG) on HPL and for infrastructure needed at pace. This amendment would make it easier to develop solar farms on HPL rather than lower grade industrial area or urban areas. Rural land is cheaper and easier to develop solar and doesn't affect the soil resource – although it does decrease the potential of land based primary production.

Issue 2: The lack of clear consent pathway for developing and relocating intensive indoor primary production and greenhouses on HPL.

Context for this issue: The definition of land based primary production in the NPS-HPL prioritises HPL for use in land-based production, activities that use and rely on the soil. The National Planning Standards, however, provide a wider scope for activities as 'primary production.' Some stakeholders have argued that the NPS -HPL should specifically allow for their activities (such as intensive indoor primary production and greenhouses) because they are identified as operations that ought to occur in the rural environment.

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Under the current NPS-HPL primary sector stakeholders have indicated that viable options for these activities are now limited to rural zoned land that are not HPL, particularly in districts where rural zones are predominantly HPL; and that locating intensive indoor primary production and greenhouses on land that is *not* HPL was not economically viable.

We note that historically, intensive primary indoor production and greenhouses have been located on flat land with suitable climate, which is often LUC class 1 to 3 for reasons such as: land is cost effective; closer to labour markets, transport routes, nutrient soil management and discharge infrastructure; land in non-rural areas may be less available and subject to bio-security risks or reverse sensitivity effects, including noise, light pollution, odour and truck movements.

The projected vulnerability of the primary sector as identified in the National Adaptation Plan 2022 to the impacts of climate change may warrant some high value crops such as leafy greens to utilise greenhouses for protection from the elements. Enabling a range of primary production activities also helps enable a more diverse primary sector, which is more inherently more resilient to natural disasters and economic shocks.

Options: Retain the NPS-HPL as currently drafted, or, provide a (bespoke) consent pathway for both intensive indoor primary production and greenhouses in clause 3.9 of the NPS-HPL.

Government approach to proposed options: [taken from consultation document]

There is limited evidence of the extent of this issue given the short time since the NPS-HPL came into effect. MfE and MPI have no preference for presented (option 2) over maintaining the status quo (option 1) at this time. The issues raised by stakeholders may have merit, climate change resilience and supporting the food production sector need to be balanced against the need to protect HPL (a finite non-renewable resource).

Effect of retaining status quo: no amendment to the NPS-HPL.

Discussion regarding approach to issues:

1. <u>An inconsistent approach to the issues.</u>

It appears that expanding renewable energy infrastructure appears to be more important than the potential diversification of the primary sector industry; even

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though *both* activities if allowed on HPL would run contrary to the one objective of the NPS-HPL which is: HPL is protected for use in land-based primary production, both now and for future generations.

2. An apparently unbalanced approach to what is considered 'national direction.'

The other perceived inconsistency is what form of national direction is acceptable or more important. The increased flexibility to allow for renewable energy infrastructure is said to align with national direction, particularly with amendments to the NPS REG and NPS-ET, and the Government's climate change commitments including 100% renewable electricity generation by 2030. However, the National Planning Standards (which widely defines 'primary production') is also a form of central Government direction intended to provide national consistency for the structure, form, definitions and electronic accessibility of the Resource Management Act (RMA) plans and policy statements to make them more efficient and easier to prepare and use.

3. The impact of climate change

The far-reaching impacts of climate change are highlighted with these two issues, yet the level of importance seems to lean towards addressing one impact but not the other. To address the climate crisis there is a need to reduce emissions and increase the build and use of renewable energy alternatives. Renewable energy alternatives are key to reducing emissions, and considered to be part of the energy shift that all sectors in New Zealand will need to adjust to. On the other hand, climate change and extreme climate events have highlighted the vulnerability of soil based primary industries to the weather – thereby highlighting the need for more resilient practices. This could be in the form of more innovation, better adaptive practices and seeking alternatives such as greenhouses.

4. The need for more evidence and/or data

Whilst there is data available that may indicate the number of consents being sought to develop renewable energy infrastructure such as solar farms, it is arguable that by allowing the inclusion of the word 'construction' within clause 3.9(2)(j)(i) would lead to applicants applying for only solar/renewable energy infrastructure. On the other hand, the reasoning for retaining the status quo in relation to intensive indoor primary production and greenhouses is to obtain/consider more evidence. This is despite that 'historically'[1] the development of intensive indoor primary production and greenhouses has been

[1] The statement of what constitutes 'historical' was taken from the Regulatory Impact Statement for Potential amendments to the NPS-HPL.

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on land that is often HPL, and that the sectors have established ancillary activities to ensure safe and optimal function of their operations.

Potential impact on our District and Council

Our Council is aware of and supports the national direction for more renewable energy infrastructure, and the imperative need to address climate change through reduced emissions. Our District Plan is generally permissive towards the development of renewable energy infrastructure, although the uptake is low. We also note that there are no applications for any solar farms on our District.[2]

We note that some Councils who contributed to the Regulatory Impact Statement for these proposed amendments had different key priorities that influenced their feedback. For instance, we noted that urban councils did not consider amendments necessary whereas those with larger areas of HPL were more supportive of revisiting the clause 3.9 exceptions. Our Council, similarly, must consider the HPL in our district, and how we can align with national priorities.

Our District has various pockets of HPL around the district, with over half located in the eastern side of the Western Bay of Plenty. This is also home to a significant percentage (approximately half) of the New Zealand kiwifruit industry. The agriculture, forestry and fishing sector are the biggest driver of the economy in our District (mainly kiwifruit and avocado production) contributing almost 20% to the District's Gross Domestic Product (GDP). These sectors also contribute significantly to the local economy, jobs and community. It is therefore important to us that there is flexibility within the NPS-HPL to ensure that there is opportunity to diversify, adapt and pursue activities that can further these sectors. This is not only about economic growth, but also (perhaps more importantly) building more resilient crops/practices that contribute to food security. The need for climate resilience was highlighted earlier this year when millions of crops including maize, kiwifruit and avocado were lost to storms and hail events.

These proposed amendments to the NPS-HPL may seem to address different issues for different reasons, but as we've outlined above, we believe they are both linked to a similar issue of climate change, and basically seek better outcomes for our communities, just in different ways. It also appears that because these issues have been raised by stakeholders only one year into the NPS-HPL being operative, it highlights the practical application of the NPS-HPL and how it may need to be changed.

[2] See Regulatory Impact Statement for Appendix 4 for applications for solar farms.

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Therefore, our view is that given the two issues are relatively similar in that both seek a 'clear consent pathway' to a particular outcome, we believe that the amendments should be treated consistently. That is, that the NPS-HPL is amended to allow clear consent pathways for resolving both issues and the respective outcomes obtained; **or,** that the NPS-HPL is not amended until further information can be obtained on both issues.

We thank you for this opportunity to provide feedback on these potential amendments and would be happy to discuss further if needed.

Yours sincerely,

James Denyer
Mayor
Western Bay of Plenty District Council

11 INFORMATION FOR RECEIPT