

Full Council

19 October 2023

Report for Agenda Item | Rīpoata moto e Rāraki take [3]

Department: Property & Infrastructure

Title | Taitara: Otago Region Waste Assessment 2023

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to provide the Council with the opportunity to note the 2023 Otago Region Waste Assessment and obtain agreement to proceed with the process of developing a new QLDC Waste Management and Minimisation Plan.

Executive Summary | Whakarāpopototaka Matua

The Otago Region Waste Assessment 2023 (attached A) examined the current situation of waste minimisation and management in Otago, the changing legislative environment, and what the future demand for waste will look like. It provides information necessary to identify key issues and priority actions to be addressed in a council's Waste Management and Minimisation Plan (WMMP).

The Waste Minimisation Act 2008 (WMA) requires councils to adopt a waste management and minimisation plan, which must be reviewed at a minimum every six years. Council's existing WMMP was adopted in 2018. The Waste Assessment includes a review of the QLDC's current WMMP, as required by section 50 of the WMA.

Following this process, the WMA defines three options for Territorial Authorities in preparing a WMMP. These are amendment, revocation, and substitution with a new plan, or continue without amendment. Either way, consultation on the content of an amended or new WMMP must be carried out through the special consultative procedure.

The Waste Assessment and this report recommends that council observe the requirements of the WMA by noting the contents of the attached Waste Assessment and initiates the development of a new WMMP for the Queenstown Lakes.

Recommendation | Kā Tūtohu

That Full Council:

1. **Note** the contents of this report;
2. **Note** the 2023 Otago Region Waste Assessment including the Medical Officer of Health Statement is now complete, as per section 51 of the Waste Minimisation Act 2008

3. **Agree** to proceed with the development of a draft QLDC Waste Management and Minimisation Plan that meets the requirements of the Waste Minimisation Act 2008
4. **Appoint** the Chair and Deputy Chair of the Infrastructure Committee to participate in a working group to develop the new draft Waste Minimisation and Management Plan

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14 September 2023

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15 September 2023

Context | Horopaki

1. The Waste Minimisation Act 2008 (WMA) requires that all territorial authorities (TAs), adopt a Waste Management and Minimisation Plan (WMMP). The WMA also requires TAs to complete a review of their existing WMMP no later than six years after the last WMMP review.
2. TAs are also required to undertake a Waste Assessment which informs (and includes) the review of their current WMMP. Section 51 of the WMA outlines the requirements of a waste assessment for a territorial authority (TA), which must include:
 - a) 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); and*
 - b) a forecast of future demands for collection, recycling, recovery, treatment and disposal services within the district; and*
 - c) a statement of options available to meet the forecast demands of the district with an assessment of the suitability of each option; and d) a statement of the territorial authority's intended role in meeting the forecast demands; and*
 - e) a statement of the territorial authority's proposals for meeting the forecast demands, including proposals for new or replacement infrastructure; and*
 - f) 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.*
3. QLDC's current WMMP was reviewed as part of the last Waste Assessment, which was completed and adopted 23rd March 2018; therefore, a new Waste Assessment (including a review of the 2018 WMMP) is required no later than 23/03/2024.
4. An earlier review has been undertaken as the Otago councils agreed to undertake a joint approach and develop a regional Waste Assessment. This was driven by previous regional work undertaken by the Otago Mayoral Forum to identify opportunities for collaboration across the region.
5. In addition, the release of a new national waste strategy 'Te rautaki para' (attached B) in March 2023 with a new vision, strategic direction and proposed new legislated requirements have added further impetus for carrying out a review.
6. The Infrastructure Committee considered the joint Waste Assessment and the strategic context for waste during a workshop on 17 October 2023.

Analysis and Advice | Tatāritaka me kā Tohutohu

The Otago Waste Assessment 2023

7. The joint Waste Assessment is informed by central government legislation, strategy, wider government work programme including the emissions reduction plan, and New Zealand's obligations at a global level.
8. It also considers the regional and local planning and service context, and the extent to which waste management and minimisation protects public health.
9. The key element in the strategic context is Te rautaki para, the revised New Zealand waste strategy. The vision of the new waste strategy is: "By 2050, Aotearoa New Zealand is a low-emissions, low-waste society, built upon a circular economy. We cherish our inseparable connection with the natural environment and look after the planet's finite resources with care and responsibility".
10. A 'circular economy' incorporates many zero waste concepts and extends these to consider the 'circularity' of waste systems and the overall environmental impacts (especially greenhouse gas emissions) of waste management and minimisation practices.
11. The vision in the current QLDC WMMP of working "Towards zero waste and a sustainable district" is, therefore, moderately aligned with a national circular economy strategic direction but could be more closely aligned.
12. The WMA and the Litter Act are currently under concurrent review and the outcomes from this will have significant impacts on local government waste management and minimisation.
13. It is expected that a single Act will replace the WMA and the Litter Act, and that this will be progressed early in the next parliamentary term.
14. Changes to the Building Act and the replacements for the Resource Management Act will also have an impact, with construction site waste management plans likely to become mandatory.
15. Te rautaki para is supported by new requirements to standardise household kerbside recycling collections. These standardisations were released at the same time as the national strategy. While QLDC's recycling collections meet these requirements, a kerbside food scraps collection service for households in urban areas will need to be introduced by 1 January 2030 at the latest. If councils are non-compliant by the various due dates, MfE will withhold levy payments and retrospective payments will not be available.
16. Government is also developing an Action and Investment Plan (AIP) that will focus on what is needed to deliver on the national waste strategy. This was previously signalled to be released before the election. We are now advised this will be signed off under the incoming government and be released by mid-2024. It is anticipated that key elements of the AIP approach will be understood and be able to be incorporated into the development of a new (or amended) WMMP.

17. Due to this delay, the 2023 Otago Waste Assessment now provides the appropriate basis for planning for service development and project planning for the councils of the Otago region through their respective WMMPs.
18. The Waste Assessment was developed by a steering group of staff from each of the Otago councils and is inclusive of the WMA legislated requirement to provide feedback from the Medical Officer of Health (page 110 of the Waste Assessment, Appendix A.1.0 “Medical Officer of Health Statement”).

QLDC 2018 WMMP review

19. The Waste Assessment includes a high level review of the five WMMPs of the Otago region, and an appendix specific to Queenstown Lakes which reviews QLDC’s 2018 WMMP in more detail (page 177 of the Waste Assessment, Appendix A.7.0). This WMMP review comments on issues specific to Queenstown Lakes, including kerbside standardisation, and the impact of high visitor numbers in the district.
20. The detailed review finds that the vision of the 2018 WMMP was appropriate for Queenstown Lakes, with the zero waste concept well-understood and supported in the district. However, it is proposed, that this vision be extended to reflect new aspects of Te rautaki para and the circular economy.
21. The goals in the 2018 WMMP reflect those in the 2002 New Zealand Waste Strategy. These do not appear in Te rautaki para with similar prominence, and the goals are not considered to reflect the strategic priorities of Queenstown Lakes well. Therefore, the review suggests that the goals be revised.
22. Similarly, the objectives need reviewing alongside the goals particularly in the context of Te rautaki para. Additional objectives could be included that reflect the wider circular economy approach, focus on emissions and are more aligned with the direction of Te rautaki para.
23. The 2018 WMMP included a wide-ranging action plan, many of which are still relevant and should be considered for rolling over into a future plan. However, a number of actions have been completed or have been superseded due to changing circumstances e.g. government policy.
24. Strategically, the 2018 WMMP is reflective of the strategic environment in which it was written, i.e. the previous New Zealand Waste Strategy; but the release of Te rautaki para creates a new strategic environment nationally, with a circular economy focus.
25. Although the circular economy principles are closely aligned to zero waste, the overlap is not complete and therefore by moving to a fully circular economy-focused strategic direction, some of the legacy value of the zero waste-focused work in the district would be lost.
26. Considering the circular economy direction of Te rautaki para, and the requirements of confirmed national policy, regulations, and work programmes it is recommended that Council initiate the process to develop, consult, and adopt a new WMMP.

27. This process will provide the opportunity to incorporate both zero waste and circular economy principles, updated goals, objectives, and targets that reflect those in Te rautaki para and include new population based performance targets while incorporating the specific impacts of high visitor numbers on the district.

A new WMMP for the Queenstown Lakes District

28. The WMA requires that the statutory special consultative procedure is used for a new or amended WMMP. However, given the depth of community and commercial engagement with waste issues in Queenstown Lakes, it would be ideal to undertake proactive engagement while developing a new WMMP. This is considered best practice as it ensures buy-in across the district to a plan that includes actions that impact across the entire community.

29. This process would provide opportunity for further engagement with mana whenua, who have been involved during the writing of the Waste Assessment and have indicated that involvement in the development of a new WMMP would be their priority.

30. As required by the WMA, the attached Waste Assessment would be notified with the draft WMMP when it goes through the statutory public consultation process.

Next Steps

31. If elected members support the recommended option, council officers will establish a working group of stakeholders including elected member representation, and commence proactive engagement to develop a new vision, goals, and objectives for a new WMMP.

32. Engaging with stakeholders will provide better confidence in determining the preferred options, reduce the risk of objection from stakeholders and raise awareness of the WMMP within the community.

33. Outcomes from this process will be brought to the elected members to obtain their guidance and direction.

34. Following this, a long list of proposed options from the Waste Assessment will be considered by the working party and specific options for consideration in a new QLDC plan will be brought to Council in a workshop to confirm.

35. Appropriate targets will then be developed based on a draft action plan, with a final draft WMMP brought to Council for confirmation prior to public consultation.

36. A detailed plan and timing will be prepared once agreement to proceed has been reached.

Options

37. Option 1

Status Quo. Delay the noting of the Waste Assessment and development of a new WMMP until March 2024.

Advantages:

- A delay in commencing this work could be considered however the process must commence prior to March 2024 to comply with statutory requirements in the WMA.

Disadvantages:

- Does not provide staff with the additional planning time to establish a working party and procure resources and support for developing a new (or amended) WMMP.
- The current WMMP is not fully strategically aligned with the recently published Te Rautaki para, Waste Strategy, and associated performance standards for Territorial Authorities.

38. Option 2

Council note the completed 2023 Otago Region Waste Assessment, which includes the review of the QLDC 2018 WMMP and agree to proceed with development of a new WMMP for the Queenstown Lakes District.

Advantages:

- A new WMMP will incorporate the latest information about waste minimisation and management services, the most recent forecasts of demand, and will reflect QLDC's wider programme of work.
- It will provide the most up to date local and national strategic context and be strategically aligned with Te rautaki para.
- This option is aligned with the Assessment's recommendation that the current Waste Minimisation and Management Plan 2018 is no longer fit for purpose and needs to be rewritten.
- The region-wide perspective from the Waste Assessment will enable partnership and collaborative opportunities to be considered alongside other Otago councils also developing their new WMMPs. This could result in increased economies of scale, improve accessibility to central government funding, and enable pooling of resources to manage and deliver projects.
- It will provide greater opportunity to include participation and input from a stakeholder working group.

Disadvantages:

- Additional resourcing will be required to develop a new WMMP.

39. Option 3

Council note the completed July 2023 Otago Region Waste Assessment but choose only to amend the existing 2018 WMMP rather than developing a new WMMP; keeping the vision as is and only slightly amending the goals, objectives, and action plan.

Advantages:

- The review found that the direction of the QLDC 2018 WMMP is moderately in line with the updated national context, although a review of goals, objectives, and targets are recommended.
- Amending the existing 2018 WMMP may reduce the scope of work involved to develop a new WMMP.

Disadvantages:

- The current 2018 WMMP is no longer fit for purpose and does not fully align with the recently published Te Rautaki para, Waste Strategy.
- The Waste Assessment 2023 identified that the most appropriate course of action is to develop a new WMMP.
- Section 50 of the Act requires that if, after preparing a waste assessment, a territorial authority determines that the WMMP should continue with an amendment, it must still use the special consultative procedure (SCP) and notify the assessment with the statement of proposals. This isn't efficient use of officer time given the effort required to complete a SCP procedure.
- Only amending as opposed to developing a new WMMP will limit the scope of opportunities to be considered.

40. This report recommends **Option 2** for addressing the matter because:

- A new WMMP will incorporate the latest information about waste minimisation and management services, the most recent forecasts of demand, and will reflect QLDC's wider programme of work.
- It will provide the most up to date local and national strategic context.
- The region-wide perspective will enable partnership and collaborative opportunities to be considered, which could result in increased economies of scale, improve accessibility to central government funding, and enable pooling of resources to manage and deliver projects.
- It will provide greater opportunity to include participation and input from a stakeholder working group.
- It will provide the opportunity for a full scope of options to be considered for the new WMMP.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

41. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because of the extent to which it aligns with existing strategies and relative interest and importance to the Council and community.
42. It will involve a future special consultative procedure, as required by the Waste Minimisation Act and the Local Government Act.
43. The Medical Officer of Health has been consulted on the Waste Assessment, as required by the Waste Minimisation Act section 51.
44. The persons who are affected by or interested in this matter include all residents/ratepayers of the Queenstown Lakes district community, business and community organisations, iwi, waste operators, the Medical Officer of Health, regional and neighbouring Councils, and internal colleagues.
45. The Council will undertake special consultative procedure as prescribed by the WMA once a draft WMMP has been developed.

Māori Consultation | Iwi Rūnaka

46. Preliminary engagement with Aukaha and Tami was undertaken during the development of the Waste Assessment. The Waste Assessment and this report recommends inclusion of iwi representation on a stakeholder working group.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

47. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10006 Ineffective planning for property and infrastructure within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
48. The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved by meeting all statutory requirements under the Waste Minimisation Act 2008 and Local Government Act 2002 when developing and consulting a Waste Management and Minimisation Plan.

Financial Implications | Kā Riteka ā-Pūtea

49. The levels of service and activity for waste management and minimisation have been determined through the current 2018 WMMP and adopted in the 2021-2031 Ten Year Plan. Any consequential adjustments to levels of service or project budgets will be considered as part of either future Ten Year Plan or Annual Plan processes.

50. Potential costs incurred with stakeholder engagement, development of a draft WMMP, and consultation of a draft WMMP are allocated within existing budgets.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

51. The following Council policies, strategies and bylaws were considered:

- Waste Management and Minimisation Plan 2018
- Climate and Biodiversity Plan 2022
- Vision Beyond 2050:
 - * Zero carbon communities | Parakore hapori
 - * Thriving people | Whakapuāwai Hapori
 - * Disaster-defying resilience | He Hapori Aumangea

52. The recommended option is consistent with the principles set out in the Waste Minimisation and Management Plan 2018, Climate and Biodiversity Plan 2022 and Vision Beyond 2050.

53. This matter is included in the Long Term Plan

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

54. The Act requires territorial authorities to promote effective and efficient waste management and minimisation within their district. Section 51 of the Act requires that a waste assessment must contain:

- a) 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); and*
- b) a forecast of future demands for collection, recycling, recovery, treatment and disposal services within the district; and*
- c) a statement of options available to meet the forecast demands of the district with an assessment of the suitability of each option; and d) a statement of the territorial authority's intended role in meeting the forecast demands; and*
- e) a statement of the territorial authority's proposals for meeting the forecast demands, including proposals for new or replacement infrastructure; and*
- f) 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.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

55. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Agreeing to proceed with the development of a new draft QLDC Waste Management and Minimisation Plan as described in this report is consistent with purpose of Section 10 of the Local Government Act 2002.
56. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.
57. The development and consultation of a new WMMP can be implemented through current funding under the Long Term Plan and Annual Plan. Any consequential adjustments to levels of service, new service or variation to project budgets will be considered as part of either future Ten Year Plan or Annual Plan processes;
58. The recommended option:
- Is consistent with the Council's plans and policies; and
 - Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	2023 Otago Regional Waste Assessment (including QLDC specific appendix and Medical Officer of Health Statement)
B	Te Rautaki Para, NZ Waste Strategy 2023

Attachments circulated separately.