

Waste Assessment and Waste Management and Minimisation Plan: Questions and Answers

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Aims, targets and national legislation

1. What are the goals of the New Zealand Waste Strategy 2010?

The Strategy's two goals are to provide direction to local government, businesses (including the waste industry), and communities on where to focus their efforts in order to deliver environmental, social and economic benefits to all New Zealanders.

The goals are:

- reducing the harmful effects of waste
- improving the efficiency of resource use.

2. Why is this review of waste management happening now?

The council is legally required under the Waste Minimisation Act (WMA) 2008, to review its current waste policy (Waste Management and Minimisation Plan – WMMP) to promote effective and efficient waste management and minimisation by 1 July 2012. Government has the legislative discretion to remove or withhold levy funding if parts of the Act are not complied with.

Also, the Local Government (Auckland Transitional Provisions) Act 2010 No 37 s84 (3) requires that not later than 1 May 2011, the Auckland Council must consider and decide on proposals prepared for it under section 13(1)(cb)(iii) of the Reorganisation Act, and s84 (4) that not later than 1 July 2012 the Auckland Council must review the WMMP in the manner required by the WMA.

3. Why does the council want to minimise waste? Is this not a standard service that the council should provide?

The WMA 2008 requires territorial authorities to promote effective and efficient waste management and minimisation within its district.

Under the Act, all territorial authorities must have a WMMP adopted (including methods and activities for reducing waste), to continue receiving levy funding.

Auckland Council is required to:

- promote effective and efficient waste management and minimisation
- undertake a waste assessment to determine waste priorities and inform activities
- adopt a waste management and minimisation plan that includes methods and activities for reducing waste by June 2012
- review the WMMP every six years starting from 2012
- collect solid waste promptly, efficiently and at regular intervals
- keep records and information regarding spending of territorial authority share of the levy money and performance against the WMMP. This must be provided to the Ministry for the Environment
- ensure waste-related bylaws are not inconsistent with WMMP

Our goals of minimising waste are to:

- lower waste's liabilities and risks to society
- reduce environmental damage from the generation and disposal of waste
- provide economic benefit by using material resources more efficiently
- maximise local economic benefit in the Auckland region through efficient recovery and use of materials.

4. Is there an alternative to landfill? What other technology has been considered?

There are several alternatives to landfill:

- Reduction of waste
- Recycling and reuse of waste

- Incineration and or waste to energy: There are several issues in relation to a business case for waste to energy:
 - Legislative impediment
 - Resource Management Act 1991
 - Waste Minimisation Act 2008
 - Climate Change response (Emissions Trading) Amendment Act 2008
 - Volumes of waste
 - Depending on a feedstock of waste to produce energy could be seen to be against the intent of the Waste Minimisation Act
 - Efficient volumes of waste
 - Auckland Council currently only influences 15% of the waste stream; the remaining 85% ownership is under industry who have \$600 million investments in landfill. The question is how likely are they to feed waste to an energy plant?
 - Cost of landfill and cost of electricity
 - In New Zealand landfill and electricity costs are low priced by international standards and low compared to electricity generated from waste to energy
 - Composition of waste
 - High calorific value – calorific composition of waste varies

5. What is product stewardship?

The concept of product stewardship is to make manufacturers and retailers more responsible to the products they place in our community, the purpose of product stewardship as set out in the Waste Minimisation Act 2008 is to encourage (and in certain circumstances require) people and organisations involved in the life of a product to share responsibility for:

- encouraging effective reduction, reuse, recycling or recovery of products
- managing the environmental harm arising from the product when it becomes waste

Product stewardship schemes are initiatives that help reduce the environmental impact of manufactured products. When a product stewardship scheme is introduced anyone involved in the product life cycle such as producers, brand owners, importers, retailers and consumers accepts responsibility for its environmental effects.

The WMA gives the Government the ability to recognise and endorse both voluntary and mandatory product stewardship schemes through accreditation. If the Minister for the Environment declares a product to be a priority product, a product stewardship scheme must be developed and accredited.

The advantage of an industry-led product stewardship scheme is that the industry has the technical expertise, design knowledge, and understanding of the market to establish an effective scheme.

Without product stewardship, the costs of the environmental impact from a product are usually borne by society – ratepayers, taxpayers and the environment – rather than the consumer and producer. Even in the case where disposal costs are paid by the consumer this can be an incentive to choose cheaper (to the consumer) disposal methods that still pass costs on to others.

Product Stewardship implications have a large bearing on waste disposal to landfill and the services offered by the council. Auckland Council is keen to analyse the management of the life of products and their end-use as implied in the Act and will advocate strongly for mandatory stewardship where voluntary stewardship has not worked.

MfE has the following views on product stewardship: *“There are already a range of schemes in place. At this stage, some are accredited and some are not. There are currently a number of additional requests for accreditation. At this stage we are relying on incentives to encourage parties to take the lead and responsibility. MfE sees product stewardship schemes as one tool. Although it is noted that there is an issue with voluntary schemes to date having limited scope and ability to achieve objectives. Mandatory product stewardship may be an option into the future”*. Refer to the Waste Assessment Appendix B, Part 3 Auckland Council Waste Assessment Development Preliminary Consultation – 3rd September 2010 for these and further comments.

6. When will there be responsibilities placed on product manufacturers?

This largely reflects what product stewardship was intended to be, the Waste Minimisation Act gives the Government the ability to recognise and endorse both voluntary and mandatory product stewardship schemes through accreditation.

The Minister for the Environment may declare a product to be a priority product. There are five accredited voluntary schemes and applications for two more are currently being processed.

These schemes are:

- Geocycle Holcim Used Oil Recovery Scheme – used oil collection and disposal scheme.
- The Plasback – scheme to recover used farm plastics for recycling.
- The Glass Packaging Forum’s glass packaging product stewardship scheme – scheme for reducing the amount of glass packaging sent to landfill
- Agrecovery Rural Recycling Programme – scheme to recover agrichemical plastic containers, silage wrap, crop protection net and agrichemicals
- Refrigerant Recovery – scheme to collect and destruct unwanted synthetic refrigerants, chlorofluorocarbons (CFC’s), hydrochlorofluorocarbons (HCFCs) and hydrofluorocarbons

The council will consider through the Waste Minimisation and Management Plan process to advocate for mandatory stewardship where voluntary regimes are not working.

7. When will we ban plastic bottles for water?

This relates to product stewardship (see question 4). Banning plastic bottles is not a local issue but a national issue, also the packaging industry has always submitted strong views to regulate nationally not at a local level.

Currently all plastic water bottles can be recycled.

8. What is the potential for the legislation to be amended to mandate industry to undertake waste minimisation?

Auckland has had legislative changes in the last few years. The Auckland Council can advocate for legislative change to mandate industry to undertake waste minimisation. This can take a considerable amount of years however should it succeed this would be the lowest risk to the Council.

9. What does Zero Waste mean – is this not impossible?

Waste represents inefficient use of resources and energy. Zero Waste maximizes recycling, minimizes residual waste, reduces consumption and ensures that products are made to be reused, repaired, recycled or composted. The goal of Zero Waste is to minimise and ultimately eliminate waste.

It is important not to get hung up on the zero. ‘Zero’ is just a goal – just as we are heading towards: zero workplace accidents and a smoke free society. It is a total quality management term and sets to train society in practices to eliminate waste.

Charging mechanisms and services

10. What is “polluter pays”?

Polluter pays or user pays is a pricing tool that rewards those who reduce, reuse and recycle and encourages better waste management as a result.

Too often, the costs of pollution caused by waste generation and disposal are borne by the community rather than by those who produce the waste. The polluter pays principle puts the responsibility on polluters to pay for the consequences of their actions. The principle is now widely accepted as an integral part of sustainable environmental management.

The term 'polluter pays' is now more widely used, for environmental issues and accepted than 'user pays'.

The Waste Minimisation Act 2008 Part 4 s46 states:

Funding of plans

(1) A territorial authority is not limited to applying strict cost recovery or user pays principles for any particular service, facility, or activity provided by the territorial authority in accordance with its waste management and minimisation plan.

(2) Without limiting subsection (1), a territorial authority may charge fees for a particular service or facility provided by the territorial authority that is higher or lower than required to recover the costs of the service or facility, or provide a service or facility free of charge, if—

- *(a) it is satisfied that the charge or lack of charge will provide an incentive or disincentive that will promote the objectives of its waste management and minimisation plan; and*
- *(b) the plan provides for charges to be set in this manner.*

11. Is it fair to call a ratepayer/resident who is recycling and sorting waste a polluter for the residual waste they generate?

The term polluter pays is a euphemism as a better descriptor than the term user pays. The 'polluter pays' principle puts the responsibility on polluters to pay for the consequences of their actions. The principle is now widely accepted as an integral part of sustainable environmental management.

It is acknowledged that there are many residents in Auckland who are putting in the effort and sorting and recycling as much waste as they can. Even if people do not directly throw out any residual waste (i.e. they live waste free), the fact that they are part of the Auckland Community and enjoy the products, services and quality of life the city offers means that they contribute to the waste in the region. Those that throw out less are financially rewarded as they do not have to pay for disposal of waste to landfill or subsidise other residents for their waste disposal costs.

Therefore the term polluter does not represent an individual that is trying his/her best to not have a negative impact on the environment but addresses individuals or organisations that negatively impact the environment through their actions.

The Emissions Trading Scheme (ETS) also refers to the concept of polluter pays. Dr Jan Wright (Parliamentary Commissioner for the Environment) stressed *"The principle at the core of the ETS is polluter pays. If the polluter doesn't pay the taxpayer will"*.

12. Why are we advocating for polluter pays?

We are advocating polluter pays as one reliable element of an integrated approach to achieving our legal requirement of waste minimisation. Past council waste services have shown that "carrots" on their own do not significantly change behaviour. For example when polluter pays rubbish collections were introduced to the former Papakura District Council area, the tonnage reduced by 23% and in the former Waitakere City Council area it reduced by 30%.

Also the Waste Minimisation Act 2008 requires the council to promote effective and efficient waste management and minimisation within its district. This includes being cost effective. This makes it clear that the Government views pricing as a tool to reward those who reduce, reuse, or recycle more of their waste, and to encourage better waste management as a result. Therefore polluter pays services must be able to acknowledge in some way the amount of residual waste that is being collected from a customer.

13. Refuse collections - can you have a polluter pays system with bins?

Yes there are a variety of ways to have polluter pays with wheelie bins:

- Volume based systems: these systems usually involve users paying an annual (or other time period) fee for a given size of a wheelie bin. A small number of local authorities in New Zealand use these systems (e.g. Selwyn and South Taranaki District Councils [for garden waste]). These systems tend to be less effective in terms of waste minimisation as once the service is purchased the incentive is to make the most of it and fill the bin as much as possible.
- Pay per pickup or frequency based charging: the householder pays for the number of collections which get picked up. This requires an accurate recording system and regular (e.g. quarterly) billing. As the incentive is to put the bins out only when they are full this system can reduce the rate at which bins are set out, making the system more efficient. This is a reasonably effective system in terms of minimising waste. The system by which customers are charged per lift requires each wheelie bin to be uniquely identifiable and attached to a certain customer. The easiest way to operate this scheme from an operational perspective would be to retro-fit each wheelie bin with an electronic chip (known as a Radio Frequency Transmitter or RTF), which holds very basic information such as the serial number of the bin (much more information can be held than this, but would result in increased costs and administration).
- Weight based systems: householders pay on the basis of the weight of the bin which is collected. This requires an accurate recording and weighing system as well as billing system. These systems are most effective in terms of waste minimisation but are very costly due to the additional weighing recording and billing systems. Weighing also slows down the system adding to system cost.

Systems used could be a mix of the volume based and frequency based. Currently there are no weight based polluter pays systems operating with wheelie bins in New Zealand. Some of the former Auckland councils charged a targeted rate for waste services, which included the residential waste collection from wheelie bins. Both frequency and weight based systems are in regular use in Europe.

14. Refuse collections – can you have a polluter pays system with bags?

Yes - this is currently in practice in legacy Rodney, Waitakere, North Shore, Franklin and Papakura council areas.

Operating a polluter pays system with single use bags is relatively straightforward. The price per bag is set (usually through the annual plan process) and bags are provided either by the council, through retail outlets, or a combination of the two at that price. Where retail outlets are used, the price can only be a recommended retail price (RRP) and as such can vary up or down from that point. The price point can be set taking into consideration a number of factors, including the desire to encourage better waste minimisation and management, and account for the full social, environmental and economic costs.

An alternative way to provide this system is by selling stickers or tokens of some kind instead of bags. This system can have some advantages as a pack of stickers can take up less space than an equivalent pack of bags, and the customer has the option of using their preference of bag for residual waste, for example, some might prefer a heavier grade plastic than that used for the official council bags. This system also has some difficulties, such as customers taking advantage of the flexibility by using far larger bags than requested. It can also be more difficult for the operator collecting the bags to identify those intended for the council collection amongst those that have been dumped illegally, or intended for another private collector.

There can be health and safety issues with bag collections as these are manually picked up.

15. If bags are introduced for rubbish collection throughout the region, what will happen to the rubbish wheelie bins in the former Auckland City area?

The bins may be re-used for organic waste collection or sold.

16. Does the current bag service legally comply with health and safety requirements?

Yes

17. Will introducing a polluter pays refuse collection increase illegal dumping?

The council has statistical information to show that illegal dumping is linked to bad behaviour not polluter pays practices. Historical tonnage data is available from legacy councils to show that illegal dumpings are not necessarily correlated to the funding option used for rubbish collections.

When polluter pays was introduced in former Council areas there was corresponding education and enforcement programmes.

18. If rubbish collections are moved from rates funded to polluter pays, how will this impact the lower socio-economic groups?

The group that will be most affected by this change are those residents who currently do not have a polluter pays residual waste system, and are in a lower socio-economic group. Changing from a rates funded system (where rates are based on property values) to a polluter pays system will have the effect of transferring cost from those who live in high value properties to those in low value properties. Also significant will be that in the former Manukau City area, refuse charges are paid through rates and so are not directly paid by all users. The council will need to balance the potential waste minimisation and management benefits (and strategic alignment at a national level) of a polluter pays system, against the social impact of transferring cost to lower income families when making any decisions.

The environmental impact of changing services can be estimated somewhat by comparing the performance (in kilograms of residual waste collected per head of population) of the former councils and the various residual waste collection systems used. Clearly there are other factors that influence how much residual waste is placed out for collection – such as household size, the scope of alternative services (such as kerbside recycling or a residential organics waste collection), and enforcement of system abuse (for example businesses using the household collection service). However this comparison suggests that the potential impact of shifting from a rates funded service to a polluter service could be a significant reduction in residual waste for those areas of the region not currently on a polluter pays system.

As far as waste management and minimisation is concerned, a polluter pays system has significant advantages. However other aspects such as social and operational impacts need to be carefully considered. This is a political decision about potentially conflicting priorities that would need to be considered carefully; such as consideration of the importance of ensuring access of disadvantaged groups to services, and maintaining clean streets over the drive to improve waste minimisation.

As recycling and organics collections will be provided by the Council, the amount of waste in the refuse will reduce from each household and provide further incentive for households to mitigate 'waste to landfill' thus bringing their costs under their control.

19. What is the definition of a Uniform Annual General Charge, targeted rate and differential targeted rate?

Uniform Annual General Charge (UAGC) - a charge that is paid by all ratepayers.

Targeted rates - where the council charges a rate for each separately used or inhabited part of a property based on the provision of a particular service e.g. an organic waste collection.

Differential targeted rate - where the targeted rate is based on the level of service chosen from a "menu" of services.

Waste levy funding

20. Why is the waste levy currently so low in New Zealand (it is \$10 tonne)?

The waste levy has only been charged at landfills since 2009, it is due for review this year. The intention in debate of the Waste bill was to increase it.

21. How much money comes in as levy funding?

Approximately \$4.3 million per annum and council can apply to the national contestable fund of \$10-12 million for funding.

22. What was the levy spent on in the past?

Some of the waste levy funding to legacy councils was set aside for future regional initiatives that will deliver considerable outcomes that were not formerly achievable e.g. organic waste collections, by provision of the Local Government (Auckland Transitional Provisions) Act 2010. Some of it has been used for the regional waste assessment. Some of it has been used by the legacy councils to support the kerbside recycling budget and some has been spent on new initiatives to support waste minimisation objectives.

During the Waste Assessment development preliminary consultation (refer to Waste Assessment Appendix B part 3 MfE views page 2) MfE noted that *"It is noted that if councils do not do anything to divert waste then there is the ability for MfE to withhold levy funds. MfE is currently investigating what Councils spend the money they receive on. MfE is intending to report back to the Minister on this"*.

23. How much funding is available under the contestable WMF?

Ministry for the Environment estimate that there will be \$10m to \$12m available for the upcoming funding year.

24. Could the contestable levy be utilised to fund the organic waste service?

Yes, the council can apply for Waste Minimisation Fund (WMF) funding for the organic waste service. However Council will need to specify how this project differs from their statutory responsibilities under s32 of the Waste Minimisation Act 2008 and why this project requires additional funding beyond their share of the levy money.

Auckland waste

25. How many transfer stations are there across the city? What do they do and how much do they recycle?

There are 17 transfer stations across the Auckland Region, for a list of these see Chapter 4 page 40 of the Waste Assessment. Auckland Council owns and operates one which is the Waitakere Transfer Station.

Information on the waste types that these transfer stations manage is provided in the Table 4.4.1 of the waste assessment, however it is to be noted that the Waste Assessment has relied on information from various sources and the accuracy of these sources was contingent on the best information available at the time and the degree of disclosure from the waste industry. Refer to Chapter 6 page 81 of the Waste Assessment for correspondence with TPI and ATA response *"TPI were asked what volume of waste comes into TPI's Rosedale Road Facility, against what is sent to landfill they declined to answer due to commercial confidentiality"*.

26. What are the current arrangements for rubbish collections in Auckland?

Refuse/ rubbish collections were provided by the former councils and funded via rates in Auckland and Manukau, and on a 'polluter-pays' basis in Waitakere, North Shore, Papakura and Franklin. In Rodney the service was provided entirely by the private sector. The former Auckland City Council area currently has a wheelie bin as a receptacle for rubbish collected by the council. Manukau, Waitakere, North Shore, Papakura and Franklin have rubbish bags.

27. Is waste part of the Councils core business?

MfE *"MfE confirmed that Council has a wide scope in dealing with waste. Local Government has a responsibility for all waste within the council's area, not just what it currently controls. The councils need to be proactive in implementing a range of options to deal with this waste"*. (Appendix B, Part 3 Auckland Council Waste Assessment Development preliminary consultation 3rd September 2010 Ministry for the Environment).

28. When do contractual arrangements free up so the Council could start to streamline services?

Most waste contracts have a term finishing in 2013 with some by 2016. The contracts that finish by 2013 have a provision to be extended should the need arise to 2015.

29. Why can't the council instruct all waste collection companies to go through the transfer stations in their contracts?

Currently this could only be done for the 15% of the waste stream the council influences, also the council currently only collects residential waste not commercial waste.

Refuse collected by the council could be sent to a transfer station for consolidation and recycling can be sorted and diverted.

30. How is council encouraging businesses to reduce waste and recycle more?

Businesses respond to incentives. Auckland Council is currently working with the Employers and Manufacturing Association (EMA) delivery the WorkSMART Programme to businesses. Council along with the Energy Efficiency and Conservation Authority (EECA) are offering a subsidy to 50 businesses to join this programme which offers an auditing tool and an environmental accreditation called Eco Warranty. Through the auditing tool, businesses will find out ways in which they can reduce their waste, increase recycling and improve their overall resource efficiency.

Another programme that the council is supporting that is specific to cafes is the Conscious Consumers Programme. This programme promotes to their customers the actions being taken by the cafes to reduce their waste to landfill, through composting, recycling as well as other ethical and sustainable practices. The programme will work with 50 cafes this year (2011) and 120 cafes next year. The programme will launch in Auckland in June and in other areas in New Zealand such as the Waikato later this year.

Other assistance provided by the Waste Minimisation Team include support to do waste audits with businesses, site visits and general advice.

31. Waiheke Island recently lost its waste service from a local company to an overseas company. How are issues like this being factored in?

Waiheke Island and the Gulf Islands have different waste issues to the isthmus and therefore may have a separate subsection in the WMMP. The views of the community will be considered in the outcomes.

32. When does the TPI contract at Waiheke end? What are the options for changing this?

This will be a consideration for the waste plan, current contract ends in 2019. Any changes can only be brought about by a mutual agreement through negotiation.

33. Are we planning on having a target for events in Auckland to be required to be Zero Waste events?

All events in the region should be required to have a Waste Management Plan which is in line with the councils WMMP. This may be a waste plan consideration.

34. I read the TPI and ATA correspondence in the Waste Assessment about waste swapping. Is the Commerce Commission aware of the arrangement of waste swapping?

The reason the ATA enquired about waste swapping was if the council were to rely on it to satisfy some transport inefficiencies then council must be assured that it meets the requirements of the Commerce Act. The ATA did not satisfy itself through the consultation that this arrangement has Commerce Commission approval and in addition Auckland Council is seeking independent quantification of potential transport efficiencies

35. Can we have some work done on transport efficiencies/costs across the region so we have some analysis?

This work is currently in progress.

Recycling

36. What are the main issues in picking up residential recycling from the kerbside?

There are several high level issues:

Residents perspective:

- Provision of a practical receptacle overcomes the biggest barrier to residents engaging in recycling.
- The community need constant reminders on what materials can and cannot be recycled.

Council and industry perspective:

- The methodology of the collection has significant impacts on the sale value of the recyclables collected.
- Certain receptacles used for collection can cause litter in streets and health & safety issues for collection staff.

37. What percentage of the cost for the kerbside recycling collection service is funded by the sale of the recyclables?

The sale price of commodities fluctuates with the market. The council kerbside recycling collection contracts are designed in such a way that the money coming in from sales of the recyclables subsidises the collections and is agreed on at the time of the tender Any fluctuations in the price (e.g. an increase or decrease) does not materially impact the operating budget for Council.

It costs approximately \$40 per rateable property for the recycling service (non-user charge).

38. Can polystyrene be recycled?

Yes but not at the kerbside as it breaks easily into very small pieces that cannot be picked up. These inevitably end up in our waterways and these small pieces can cause damage to recycling equipment. One piece of polystyrene can contaminate an entire truckload of recycling material.

Some facilities recycle the solid polystyrene used to package appliances and electronics, provided it is clean and sticker-free. See Expol, Bondor New Zealand and Transpacific Recycling (some charge a fee).

Inorganics

39. Will the inorganic collection continue?

It is recommended for the Council to move to an inorganic booking system, which is based on the polluter pays principle as this still provides access to the service but removes the cost from the whole community to the polluter. However this will be consulted on as part of the consultation for the WMMP.

40. What are the issues with inorganic collections?

One of the goals of the New Zealand Waste Strategy is to reduce the harmful effects of waste. The current inorganic collection does not support the concept of product stewardship which encourages people to take responsibility for the waste they produce through payment for its disposal. With this free disposal option, consumers are also unlikely to modify their behaviour to reduce waste or choose more environmentally friendly products.

The inorganic booking system service is the best compromise to ensure the service is still accessible but is in line with waste minimisation philosophies.

Scavenging in the Auckland region results in many complaints to council regarding visual mess, health and safety and perceived criminal activities. In 2009 the New Zealand Police – North Shore identified a link between inorganic collections and burglaries.

It also means that items which could be reused and recycled are damaged, these damaged items end up in landfill. Encouraging the community to be responsible for waste produced can lead to alternative solutions and could have a positive impact on the reuse and recycling industry in Auckland.

41. Will introducing a polluter pays inorganic collection increase illegal dumping?

Based on evidence from the former Waitakere City Council when the polluter pays inorganic collection was introduced illegal dumping did not increase. 80% of customers in this area who were surveyed after the introduction of this system stated it was excellent and 95% noted no scavenging or illegal dumping.

When the polluter pays inorganic collection was introduced in the former Waitakere City Council area there was corresponding education and enforcement programmes.

A survey carried out shortly after the former Waitakere City Council made the transition to an 'on request' service showed that 80% of customers rated the service as 'excellent' with 96% of customers rated the service as at least 'satisfactory, meeting requirements'. Nearly 95% of customers reported that they had noted no scavenging or illegal dumping during their collection.

Most importantly, nearly 80% of customers were happy with the new service (60% preferred the new service and 18.6% found it comparable to the old service).

42. With regards to the proposal to change the inorganic collection, will this trigger the significance policy and do we have to consult with the public about these changes?

This is not a waste assessment consideration; this will be considered and decided upon as part of the Waste Management Planning process.

Organics

43. Why does the Council want to get involved in picking up food waste and greenwaste?

Whilst the Council promotes home composting options which have the least harm on the environment, many Aucklanders will never engage in gardening behaviour. Organic waste makes up over half of the waste picked up by the Council (50% of household waste is organic and goes to landfill), this is made up of greenwaste and food waste. As the Council is required to promote effective and efficient waste management and minimisation this makes organic waste a priority waste stream. This waste is a resource which could be put to beneficial use rather than being sent to landfill.

In terms of end products produced as a result of processing organic waste, significant further analysis is required to identify markets for the products.

44. Why does the council want to provide an organic waste collection when the private sector is already providing this? Will a council collection put private collectors out of business?

Councils objective is to remove organic waste from landfills. Despite best endeavours the private sector collections have not achieved this. The private sector in Auckland does not currently provide a food waste collection. Private companies do however provide green waste collections. The format of the organic collection service is still to be determined. It could be just a food waste collection or a food and green waste collection. Most of the organic waste found in a residents wheelie bin is food waste See Q43.

Whether any council collection may jeopardise the private industry cannot be determined until council resolves how to fund the various services (user vs. rates).

45. What is the annual cost of the organic service?

Organic collection and processing options range between \$9.2 to \$20 million per annum.

Hazardous Waste

46. How efficient is the HazMobile compared to drop off facilities?

Hazardous waste can be dropped off to transfer stations in the Waitakere area (Council owned) and

Silverdale and Snells Beach (privately owned). While Silverdale and Snells beach transfer stations are privately owned the drop off facility was funded fully by the former Auckland Regional and Rodney District Councils. Residents elsewhere in the Auckland Region can use the HazMobile which is a free mobile service for the public. The HazMobile is not as efficient as a local drop off facility which is available daily compared to one or two collections locally per year. The existing HazMobile service is an expensive service on a cost per tonne basis and the former Waitakere City Council model appears significantly cheaper as it is funded by the refuse transfer station income and avoids a far greater quantity from landfill.

The future – Auckland waste assessment options

47. What is the required timeline for the waste assessment and the waste management and minimisation plan?

Under the Waste Minimisation Act 2008 every council in New Zealand needs to do a Waste Assessment and adopt a Waste Minimisation and Management Plan by July 2012.

In addition to this, the Auckland Council is required under the Local Government (Auckland Transitional Provisions) Act 2010 to consider and decide on proposals prepared for it by no later than 1 May 2011. This is a very unrealistic date for the amount of research and analysis that needs to be carried out. The

purpose of this date was to ensure Auckland Council was well on its way in the process of the WMMP development.

Auckland Council will work to ensure a robust decision making framework based on sound analysis.

48. What is the definition of consistent/streamlined service?

All former councils had recycling services but there was variation in the level of service and receptacles some had a weekly and some had a fortnightly collection; some had crates and some had recycling wheelie bins. Not all former councils provided a refuse collection service, some provided a bag for collection and others provided a wheelie bin. Not all of the former councils provided an inorganic collection; even with the ones that provided it, the service levels varied from kerbside collections to a drop-off arrangement; some had annual collections and some had it every second year. The funding mechanisms also varied from user pays to rates funded.

A consistent/ streamlined service will mean that throughout the region the same services will be provided, with the same receptacles, levels of service and funding mechanism.

49. Can the Council influence the operation of the transfer stations with a bylaw?

Legal advice states that *"The Auckland Council may make a bylaw under s 56 (1)(b) of the WMA 2008 and/or ss 145 and 146 of the LGA 2002 to regulate that all waste collected in the region must go through a refuse transfer station in the region prior to being transported to landfill. However, such a bylaw is at risk of challenge because the broad powers of these sections have not been tested in the courts"*. This is still at the lower end of the risk spectrum.

50. What does option 3 mean for refuse transfer stations?

The large majority of the region's refuse transfer stations are currently operated by commercial organisations that have contracts with specific waste operators who may or may not be collecting in the nearby area. Apart from limited council ownership, these refuse transfer stations are owned by one of two landfill companies, and are used to secure waste to their respective landfills.

The council could have an agreement with the transfer station owners so that it can gain influence over the waste through those transfer stations. This would result in a more efficient waste management process, reduce the distance travelled by waste trucks and sort the waste more efficiently so that more is recycled and reused, rather than going to landfill.

This option also overcomes the logistical hurdles of an organic waste collection service, and allows the council the ability to introduce a resource recovery network, and additionally hazardous waste disposal facilities. A resource recovery network also ties in with the aim to reduce inorganic and commercial and industrial waste. This network will provide the collection and processing infrastructure that will be needed to decrease these waste streams.

51. What will the owners of the transfer stations get out of this? Why would they want to be involved?

Due to competition in Auckland the owners of the landfills are not getting a constant or satisfactory return on investment. To date feedback from one of the major landfill /transfer station operators has been that they are willing to entertain any proposal from the council provided they **are not worse off** as a result.

One option is for the two private landfill owners to form a joint venture putting the three landfills servicing Auckland into a single structure. The council would then enter into a contractual arrangement with this landfill joint venture. This arrangement would provide the council with exclusive rights for Auckland waste into these landfills. This would be additionally enforced by an Auckland solid waste bylaw. Auckland's 17 existing refuse transfer stations would then either be operated under direct council specification, or directly managed by council as with the Waitakere refuse transfer station. The council would in turn pay the landfill joint venture through a formula yet to be negotiated, considering the industry feedback

already received. The details of the arrangement would require careful analysis and consideration because this option is at the higher risk end of the spectrum.

In a recent article in the New Zealand Herald dated 18th Feb 2011 headed 'Streamlined waste disposal for Super City', Envirowaste chair Kim Ellis said the system was "a very dysfunctional arrangement" He did not believe it would undermine waste companies investment in landfill space and infrastructure "it will create new opportunities. If the councils take control of the transfer stations, then we will just move our business interests upstream, to divert as much from landfill as possible. We're hugely incentivised to look at what we're collecting from our customers and then maybe sorting them. Its win-win potentially".

52. Is option 3 anticompetitive?

The council is obliged to comply with competition laws, however strong arguments can be made around public good outweighing any detriment to competition.

Public benefit and detriment arguments are only relevant in a Commerce Act context if the Auckland Council came to the view that the practices were anticompetitive and sought authorisation from the Commerce Commission (i.e. it sought authorisation of the practices despite breach of the Commerce Act, on the basis that the public benefits outweigh the deterrents).

53. How much dialogue has there been with industry to date regarding option 3?

On the enactment of the Waste Minimisation Act 2008 and on release of the Royal Commission of Inquiry into Auckland Governance report March 2009 recommendations relating to Solid Waste saw dialogue commence with industry as early as 2009. Discussions have been high level and conceptual and in most respects feedback has been favourable. Feedback has suggested that strategic asset owners may be willing to entertain any proposal from the council provided they **are not worse off** as a result.

Waste Industry key stakeholders views were submitted to the Auckland Governance Legislation Select Committee.

There have also been discussions with Auckland Council Property Limited (owners of 50% of Waste Disposal Services).

Currently industry is waiting for Auckland Council to make a decision on how much influence it will have over the waste stream. Dialogue needs to be scheduled to continue this process of consultation/discussion with industry.

54. What consultation has there been with industry to date?

There has been dialogue with key industry stakeholders over 18 months by the ATA. There will be further and wider ranging consultation with industry over the next 12 months. Industry is already approaching council to talk. (For further information refer to the Waste Assessment Chapter 6 (section 6.7) and appendix B of the Waste Assessment).

55. Is there a possibility local businesses could go out of business?

Auckland Council as a procurer of services has a major impact on the Auckland market. How services are ultimately procured so they are cost effective whilst recognising the importance of Auckland's local economies will be considered.

56. Can Auckland have a simple 3 bin system like Christchurch? This seems to work well.

Balancing user convenience and behaviour change for waste minimisation is a challenging task. The results of the Christchurch system are yet to be made available. Christchurch has provided a bin for refuse, one for recycling and one for organics. This has reduced the organics out of the waste stream; however they did not receive the volumes of organics they expected. The services that that will be provided in the future in Auckland will be consulted on as part of the Waste Minimisation and Management Plan process.

- 57. In the former Auckland City Council area shops used to have one recycling bin per rates bill, however in some buildings there is more than one business. For example one rates bill for the building but five businesses, therefore the waste did not all fit in the one bin. Will this be improved in the future?**

There is a difference between trade waste and domestic waste. Rates that businesses pay cover domestic waste from that business not trade waste generated by businesses as a result of their business activities. In the former Auckland City council area the policy was to provide one recycling receptacle to each rateable commercial property. Going forward this will be decided as part of the Waste Management and Minimisation Planning process.

- 58. Will local community groups be encouraged to be involved in the Waste Management and Minimisation Plan process?**

Yes, council encourages local community groups to be involved at every stage

- 59. Will the community have a say into what services they would like?**

The community will be consulted about services during the consultation process.

- 60. How will the rural areas be involved in the waste management and minimisation planning stages?**

Communities from the rural areas will be consulted with in the same manner as every other community in the Auckland region. Specific issues can be raised during the special consultation procedure.

- 61. What would the potential benefits be to the rural areas for the proposed way forward for waste management and minimisation in the Auckland Region?**

There could be significant gains for rural areas. Growers and farmers now need to think about carbon miles, especially as more consumers want to know the extended life cycle of products. Getting the best consistent service in Auckland will benefit residents, the environment and the economy. Reducing waste will decrease the cost of disposing of waste and with a new organic collection there could potentially be cheaper compost available in Auckland which would benefit the poor soil condition identified in the State of the Auckland Region report 2010 and the 2007 State of Environment report.

- 62. How will the council engage the community who are not interested in waste minimisation/or do not know about it?**

The key objective for effective and efficient waste minimisation is to reduce waste to landfill.

Approaches to change behavior and achieve waste minimisation are social marketing and behavior change, regulation and legislative change, direct action and partnering with industry. Community based social marketing (CBSM) is the term given to methods for promoting behavior change that are carried out at the local level and involve direct engagement with the community. These approaches draw on marketing and social psychology theory towards developing programmes that go well beyond creating public awareness of issues. CBSM methods allow for specific behaviors to be targeted by researching barriers, creating incentives and in providing for ways to use solutions that are designed to solve common waste minimisation problems.

Education programmes will be run throughout the region and if there are any changes to services there will be programmes of education and enforcement at the time of roll out.

- 63. Can we get MfE to extend the deadline of 1 May 2011?**

Question to MfE;

"We are seeking MfE's view on the council's obligations under the aforementioned Act..... In this respect the progress made by the Transition Agency was limited due to a number of factors, including the delay in the release of the New Zealand Waste Strategy in October 2010. As a result we are not in a position having the required level of detailed analysis available to the Auckland Council to make an informed decision by 1 May 2011 and are soliciting MfE's views on that matter"

Reply from MfE *“The statutory timeframe is specified in the legislation and there is no provision for the Ministry to grant special authorisation to extend (or not meet) this timeframe. I have been advised that the deadline of 1 May 2011 included in the legislation was geared towards ensuring the Auckland Council was in a position to meet the 1 July 2012 deadline set in Section 50 of the Waste Minimisation Act. The statutory obligation is for the council to consider and decide on the proposals prepared by the ATA. In effect, the Council will need to consider the matters prepared for them under s13 (1) (cb) (iii) (Local Government Reorganisation Act 2009) by the ATA. Given the concerns you raise, you may wish to consider supplementing this with commentary as to where the further work needs to be done to enable the Council to meet the next deadline. What decisions the Council choose to make in light of this will be up to them.”*

Note: The Council will meet the July 2012 deadline but the 1st May deadline is an unrealistic timeline for the Council to make informed decisions on these complex analytical issues.

64. Will Solid Waste contracts awarded for services be transparent and open?

Some Council contracts are confidential when proposals or tenders are submitted as commercially sensitive. However in most circumstances tenders are in the public domain.

**Please email any further questions to: michelle.findlay@aucklandcouncil.govt.nz
These will be collated and made available online at:**

http://www.aucklandcouncil.govt.nz/en/services/rubbish_recycling/Pages/home.aspx