
ORDINARY MEETING

OF

STRATEGY AND POLICY COMMITTEE

AGENDA

Time: 9:30am
Date: Thursday, 18 June 2020
Venue: Ngake (16.09), Level 16 Tahiwī
113 The Terrace, Wellington

MEMBERSHIP

Mayor Foster
Councillor Calvert (Deputy Chair)
Councillor Condie
Councillor Day (Chair)
Councillor Fitzsimons
Councillor Foon
Councillor Free
Councillor Matthews
Councillor O'Neill
Councillor Pannett
Councillor Paul
Councillor Rush
Councillor Sparrow
Councillor Woolf
Councillor Young

NON-VOTING MEMBERS

Te Rūnanga o Toa Rangatira Incorporated
Port Nicholson Block Settlement Trust

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8334, emailing public.participation@wcc.govt.nz or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.

AREA OF FOCUS

The role of the Strategy and Policy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.

In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas covered in the Long-Term Plan (Governance, Environment, Economic Development, Cultural Wellbeing, Social and Recreation, Urban Development and Transport) with particular focus on the priority areas of Council.

The Strategy and Policy Committee works closely with the Annual Plan/Long-Term Plan Committee to achieve its objective.

To read the full delegations of this Committee, please visit wellington.govt.nz/meetings.

Quorum: 8 members

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1. Meeting Conduct

1.1 Karakia

The Chairperson will open the meeting with a karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka te hau ki te tonga.	and of the south
Kia mākinakina ki uta,	Let the bracing breezes flow,
Kia mātaratara ki tai.	over the land and the sea.
E hī ake ana te atākura.	Let the red-tipped dawn come
He tio, he huka, he hauhū.	with a sharpened edge, a touch of frost,
Tihei Mauri Ora!	a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana,	Draw on the supreme sacredness
te wairua	To clear, to free the heart, the body
I te ara takatū	and the spirit of mankind
Koia rā e Rongo, whakairia ake ki runga	Oh Rongo, above (symbol of peace)
Kia wātea, kia wātea	Let this all be done in unity
Āe rā, kua wātea!	

1.2 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.3 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

1.4 Confirmation of Minutes

The minutes of the meeting held on 11 June 2020 will be put to the Strategy and Policy Committee for confirmation.

1.5 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows.

Matters Requiring Urgent Attention as Determined by Resolution of the Strategy and Policy Committee.

The Chairperson shall state to the meeting:

1. The reason why the item is not on the agenda; and

2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the Strategy and Policy Committee.

Minor Matters relating to the General Business of the Strategy and Policy Committee.

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Strategy and Policy Committee for further discussion.

1.6 Public Participation

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

Requests for public participation can be sent by email to public.participation@wcc.govt.nz, by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.

2. General Business

PROPOSED WCC SOLID WASTE BYLAW - ADOPTION FOR PUBLIC CONSULTATION

Purpose

1. This paper provides a background to the development of the proposed new Solid Waste Management and Minimisation Bylaw (hereafter referred to as 'the draft Bylaw'), and presents the draft Bylaw for consideration (see Appendix 1).
2. This report asks the Strategy and Policy Committee to recommend that the Council agree to undertake public consultation on the proposed Solid Waste Management and Minimisation Bylaw.
3. This paper is intended to be read in conjunction with the attached information:
 - i) The proposed Solid Waste Management and Minimisation Bylaw
 - ii) The proposed Bylaw Controls (Appendix 2)
 - iii) Background Information and Issues Report (Appendix 3)
 - iv) Statement of Proposal for public consultation (Appendix 4), and
 - v) Bylaw Communications Plan Overview (Appendix 5).

Summary

4. In August 2017, the Council adopted the Wellington Region Waste Management and Minimisation Plan (2017-2023) (WMMP). This regional-level plan was collaboratively developed and subsequently adopted by the eight territorial authorities of the Wellington Region.
5. Within the WMMP the eight councils agreed to investigate and, if feasible, develop, implement and oversee monitoring and enforcement of a regional bylaw, or a suite of regionally consistent bylaws.
6. In April 2019, Wellington City Council formally agreed on the scope of the issues to be addressed in a new updated bylaw, advocating for the development of a revised waste management and minimisation bylaw for the purpose of promoting effective and efficient waste management and minimisation within the City.
7. A new draft Solid Waste Management and Minimisation Bylaw has subsequently been developed. In an effort to promote regional consistency across solid waste management and minimisation, the draft provisions were collaboratively developed by officers from the eight territorial authorities in the Wellington Region.
8. Officers propose to submit one suite of regionally consistent bylaw provisions for approval for public consultation to each Council.
9. The draft bylaw is particularly noteworthy as it proposes new regulatory measures to promote waste minimisation associated with outdoor events, and requires the consideration of waste minimisation when planning high value construction projects.

10. It also provides a framework for managing, planning and servicing waste associated with new and existing multi-unit dwellings; and provides a foundation for the establishment of a new regionally coordinated waste operator licensing regime. Overtime, this could secure the provision of regionally consistent waste data for the councils within the region.
11. To enhance transparency around the process of creating the proposed Bylaw, officers also seek to publicly notify, for the purpose of information, the proposed set of controls intended to support the implementation of the bylaw. The controls specify the operational standards relevant to waste management and minimisation within Wellington City.
12. The Council would have the ability to adopt such controls by way of a public notified Council resolution following the adoption of the proposed bylaw. Several new operational standards are proposed within attached controls, including:
 - i) Earlier 6am start times for waste collectors on high traffic volume roads;
 - ii) Requirements to identify any waste or recycling receptacle placed in a public place for collection with the name and contact details of the service provider;
 - iii) Multi-Unit Dwelling servicing and access standards;
 - iv) Standards applicable to waste servicing associated with private roads and private access ways;
 - v) Construction and Demolition Waste Planning requirements; and
 - vi) Green waste disposal limits applicable to Council waste receptacles.
13. Officers seek the committee's approval to release the proposed bylaw for public consultation between 4th August – 25th September 2020.

Recommendation/s

That the Strategy and Policy Committee:

1. Approve the proposed Solid Waste Management and Minimisation Bylaw for public consultation in accordance with the Special Consultative Procedure, as set out by the Local Government Act 2002.
2. Note that Part 9 of the Consolidated Bylaw 2008: Waste Management was due for review on 19 December 2018. If it is not reviewed by 30th June 2021, the existing waste bylaw provisions will automatically be revoked.
3. Note the Waste Management and Minimisation Plan, adopted by the Council in August 2017, specifies that the eight councils agree to investigate and if feasible develop, implement and oversee monitoring and enforcement of a regional bylaw, or a suite of regionally consistent bylaws.
4. Note that in an effort to promote regional consistency across solid waste management and minimisation, the proposed Solid Waste Management and Minimisation Bylaw was collaboratively developed by the eight territorial authorities in the Wellington Region. Officers from each Council propose to submit one suite of regionally consistent bylaw provisions for approval to each council for public consultation.
5. Note that in April 2019, the City Strategy Committee formally agreed that the lack of event waste management and minimisation on Council owned, administered or managed land was an issue requiring a bylaw response. However, as a result of

further dialogue with the eight territorial authorities of the Wellington Region, it became apparent that the issue was not limited to Council owned land, and was relevant to any large outdoor event.

6. Agree that the event waste management issue extends beyond Council owned land, and, more broadly, is an issue relevant to any large event held on an outdoor venue.
7. Agree that the proposed Solid Waste Management and Minimisation Bylaw is the most appropriate form of bylaw and is not inconsistent with the New Zealand Bill of Rights Act 1990.
8. Delegate to the Chief Executive and the Associate Portfolio Leader for Waste the authority to amend the proposal to include any amendments agreed by the Strategy and Policy Committee and any minor consequential edits.

Background

14. In August 2017, the Council adopted the Wellington Region Waste Management and Minimisation Plan (2017-2023) (WMMP). This regional-level plan was collaboratively developed and subsequently adopted by the eight territorial authorities of the Wellington Region. This Plan identifies the council methods for achieving effective and efficient waste management and minimisation within the respective city/districts.
15. Within the WMMP the eight councils agreed to investigate and if feasible develop, implement and oversee monitoring and enforcement of a regional bylaw, or a suite of regionally consistent bylaws. In addition, the Council made a local commitment to “ensure systems and resources are available for implementing, monitoring and enforcing the Wellington Consolidated Bylaw Part 9: Waste Management, the future Regional Waste Bylaw and any other waste-related bylaws, e.g. the Collection and Transportation of Waste and Wellington Trade Waste Bylaws” (Action R.1).
16. Consistent with these bylaw-related WMMP actions, the Council also has a legal obligation to review their existing bylaws every 10 years. The existing Waste Management bylaw provisions became due for review on 19 December 2018. Prior to the Covid-19 emergency, these bylaw provisions were to be automatically revoked in December 2020 unless renewed before this time. However, the Government has since temporarily suspended the revocation of any bylaws until 30th June 2021.
17. The legal requirement to review the existing Bylaw is timely, as several existing bylaw provisions, and associated terms and conditions, are in need of an immediate update. This includes provisions pertaining to waste and divertible material collection times on high traffic roads; and the current lack of terms and conditions applicable to waste management storage and servicing areas in multi-unit dwellings.

18. Another area of the existing bylaw requiring an update is the extent to which it promotes waste minimisation. The purpose of the existing waste management bylaw provisions includes assisting with the implementation of the Waste Minimisation Act (2008).
19. The primary purpose of the Waste Minimisation Act is to encourage waste minimisation and a decrease in waste disposal in order to:
 - (1) Protect the environment from harm, and
 - (2) Provide environmental, social, economic, and cultural benefits.
20. Despite this the provisions of the existing bylaw do not encourage waste minimisation or a decrease in waste disposal in order to provide environmental, social and economic benefits.
21. After considering these bylaw issues in April 2019, the Council agreed to support the drafting of a revised waste management and minimisation bylaw; and to update the bylaw for the purposes of promoting effective and efficient waste management and minimisation.
22. More specifically, in accordance with Section 155(1AA)(1) of the Local Government Act, the Council determined that a new updated waste bylaw would be the most appropriate way to address the following waste management and minimisation issues:
 - The potential for inefficient & ineffective waste management operations;
 - The potential for inappropriate and unsafe management of the collection, transport and disposal of dangerous, hazardous and/or infectious waste;
 - Waste storage and collection activities that have the potential to create public nuisance issues and adverse impacts on amenity;
 - Responding to inefficient and inappropriate waste management storage and servicing associated with multi-unit dwellings;
 - The high quantity of waste sent to landfills;
 - Lack of construction and demolition waste management and minimisation;
 - Littering, waste and public nuisance caused by the delivery of unaddressed mail (commonly referred to as junk mail);
 - Limited regional waste data;
 - Lack of event waste management and minimisation on Council owned, administered or managed land.
23. These waste-related issues are canvassed in detail in the attached Background Information and Issues Report (see Appendix 3).
24. After additionally consulting with relevant Wellington City Council staff, and following a series of workshops and discussions with other territorial authorities around the region, a draft Solid Waste Management and Minimisation Bylaw has been developed. This proposed bylaw will form a regionally consistent suite of waste bylaw provisions to put forward to each Wellington Region territorial authority for public consultation.
25. Wellington City Council's bylaw is additionally supported by a set of bylaw controls (see Appendix 2). These bylaw controls specify a unique set of Wellington City specific waste-related operational parameters.

Discussion

Regulating both Waste Management and Minimisation

26. The new proposed Solid Waste Bylaw provides a regulatory response to an array of recognised waste management and minimisation issues present within Wellington City.
27. Having decided that a bylaw is the most appropriate way of addressing the City's waste management and minimisation problems, in accordance with s155(1AA)(2) of the Local Government Act, before making the bylaw the Council now must determine whether the proposed by is the most appropriate form of bylaw.
28. The following discussion provides a summary of the bylaw response proposed by officers. This bylaw is particularly noteworthy as it proposes new regulatory measures to promote waste minimisation associated with outdoor events, and requires the consideration of waste minimisation when planning high value construction projects.
29. It also provides a framework for managing, planning and servicing waste associated with new and existing multi-unit dwellings, and provides a foundation for the establishment of a new regionally coordinated waste operator licensing system. Overtime the new licensing system could secure the provision of regionally consistent waste data for the councils within the region.
30. The core suite of new waste bylaw provisions are summarised below. A full summary of all the provisions can be found in Appendix 4.

Multi-Unit Developments

31. Currently multi-unit residential developments are not consistently designed and developed to provide adequate on-site waste management storage and servicing areas within Wellington City. Inappropriate multi-unit dwelling design can create difficult to access or no access sites for collection vehicles. In turn, associated servicing can cause kerbside (public place) public nuisance issues, result in a recurrent loss of amenity, and create traffic safety and nuisance issues.
32. Insufficient space provision in multi-unit developments for waste and recycling receptacles, and inappropriately designed and located waste management storage areas can also be problematic for residents, constraining a residents' ability to sustainably manage and divert/minimise their waste for the life of the building.
33. The proposed bylaw response is multi-pronged, and addresses this issue by:
 - i) Requiring a Waste Management Plan to be submitted for any **new** multi-unit development prior to construction.
 - ii) Requiring a Waste Management Plan to be submitted for any **existing** multi-unit development that is unable to comply with the general responsibilities applicable to any person depositing waste or recycling within a public place for collection.
 - iii) Ensuring that adequate areas for the on-site storage of both waste and recycling material are considered when preparing a Waste Management Plan.

- iv) Within two years following the commencement of the bylaw, requiring all multi-unit developments (comprising of 10 or more units) to be responsible for private waste and recycling servicing. However, an exemption process will be established to enable owners or managers of existing multi-unit developments to apply for access to Council provided waste and recycling servicing, subject to meeting the following criteria:
- i) Immediately prior to the servicing restriction coming into effect, the Council provided both waste and recycling services to the premises; and
 - ii) A multi-unit development waste management plan has been approved by the Council for the premises; and
 - iii) The premises do not have adequate space to facilitate on-site waste and recycling service collection.
34. When considering whether or not to grant an exemption, the Council will restrict their discretion to the following operational considerations:
- Health and safety requirements;
 - The protection of pedestrian access and safety on and/or around the premises;
 - Traffic safety and the efficiency of the roading network;
 - Road gradient and associated accessibility issues for Council service vehicles;
 - The availability of public space located immediately adjacent to the premises;
 - Any negative impact on amenity for surrounding community; and
 - Any potential benefits to pedestrian and road safety, and/or community amenity, which could be facilitated via private waste collection service arrangements.
35. This new approach therefore invites developers to demonstrate how they will provide for waste management and servicing provision on-site when planning for any new multi-unit development.
36. It also requires the consideration of waste management planning where an existing multi-unit development is unable to meet the general waste management standards in the draft Bylaw. In the case of existing buildings however, no changes in built form would be required, but Council officers would work with the body corporate or site manager to establish the most appropriate operational solution for the site.
37. For clarity, it is noted that currently there are no specific District Plan rules or standards relating to the provision of waste servicing areas in multi-unit developments. As part of the upcoming review of the District Plan, this matter has the potential to be considered. However, should future District Plan rules be unable to address this issue, and to manage the issues currently being experienced, bylaw provisions to encourage better planning and provision of waste facilities and servicing are necessary.

Event Waste Management

38. The lack of event waste management and minimisation is an issue that is recognised to exist across the Wellington Region. While the Council currently encourages event waste managers to consider waste minimisation and provides advice and free

- recycling and organic waste bin hire, event organisers within the Wellington Region are not currently required to ensure or encourage waste minimisation at events.
39. In April 2019, the City Strategy Committee formally agreed that the lack of event waste management and minimisation on Council owned, administered or managed land was an issue requiring a bylaw response. However, as a result of further dialogue with territorial authority staff around the region, it has become apparent that this issue is not limited to Council owned land and, more broadly, exists wherever there is a large outdoor event.
40. In turn, the bylaw includes a new waste management planning requirement for any outdoor event with an expected attendance of 1,000 or more people. Council officers from around the region propose that this be a regionally consistent standard, which will have the dual benefit of normalising and promoting waste minimisation behaviour change within the community, and reducing the amount of waste sent to landfill.
41. It is also proposed that this new event waste planning requirement will come into effect one year after the commencement date of the bylaw, thereby giving Councils the ability to share and publicise relevant event management information, tools, and promote any associated Council support available to event organisers. It will also allow time for event organisers to develop an understanding of, and prepare for, the new regional event waste planning standard.

Construction and Demolition Waste Management

42. The establishment of bylaw controls that require the consideration of construction and demolition waste minimisation associated with large commercial building projects has the potential to become a valuable tool for identifying potentially divertible and recyclable waste material streams.
43. In summary, the proposed bylaw enables the Council to require a construction site and demolition waste management plan prior to the commencement of any building work.
44. Information to be provided in such a plan would include, amongst other things:
- A description of the types of waste to be produced;
 - The proposed methods of waste management for each type;
 - The proposed methods for minimising litter on site;
 - Estimated waste quantity and diversion information; and
 - Records of the types and quantities of waste reused, recycled, recovered, cleanfilled and sent to landfill.
45. The supporting bylaw Controls further specify when such a plan is to be provided.
46. Within Wellington City, a construction site and demolition waste plan is proposed to be required for building work with an estimated value of \$2 million or higher. As such, this approach targets high-value construction projects that have the potential to generate significant volumes of waste.
47. Based on Statistics New Zealand building value data for 2019, estimates suggest that if this proposed standard had been applicable, it could have resulted in up to 20 construction site and demolition waste plans being submitted to Council for that year. Such plans would have been relevant to new commercial buildings, office buildings, hospitals (and healthcare related buildings), hotels/motels and social/cultural and religious buildings.

48. While the provision to require a construction and demolition waste plan for new builds is proposed to be consistent throughout the region, it will be up to each Council to individually set the building value determining when plan is required. It is noted that Hutt City Council have similarly proposed a construction value trigger of \$2 million or higher.

Unaddressed advertising mail and litter

49. Littering, waste and public nuisance caused by the delivery of unaddressed mail is recognised to be an issue across the Wellington Region. Reinforcing the voluntary Marketing Association Code of Practice for the distribution on unaddressed mail, the proposed Bylaw requires the distributors of unaddressed mail to respect any "no circulars", "no junk mail", "addressed mail only" notices placed near or around a letter box.
50. Appropriate exemptions have been made for unaddressed mail that may be circulated in the community interest, such as, but not limited to, public notices from any government party or local authority, community newsletters, political party material, and communications or fund raising material from local community groups and charities.
51. Officers will be empowered to enforce any breach of this new provision through the issuing of infringement notices or fines under the Litter Act 1979.
52. This new bylaw provision is proposed to be consistent across the Wellington Region.

Regional Waste Operator licensing

53. The current lack of consolidated waste data limits Councils' our ability to plan effective activities to improve waste management and minimisation within the region. In response to this issue, bylaw provisions are proposed to enable the establishment of a regional waste operator licensing system.
54. Section 56(3)(b) of the Waste Minimisation Act specifically allows territorial authorities to require such licensing for the collection of waste data. Waste operator licensing may also stipulate conditions that require the following:
- a performance bond and/or security, for the performance of the work licensed, and;
 - reports setting out the quantity, composition, and destination of waste collected and transported by the licensee (for example, household waste to a disposal facility).
55. While the operational scope of the proposed licensing system is not yet developed, it would exist as a way for the Council to give effect to controls enabled by the bylaw. For example, if appropriate, the Council could stipulate controls and standards relevant to waste operator servicing through the waste operator licensing and approvals process.
56. The new waste operator licensing system is proposed to take effect two years following the adoption of the bylaw. This will allow time for the Councils of the Wellington Region to engage with operators affected by the licensing system, and work collaboratively to develop the licensing system a secure database to store the waste data collected.

Operational Bylaw Controls

57. In accordance with clause 7.1 of the proposed Wellington City Council Solid Waste Management and Minimisation Bylaw 2020, the Council has proposed a new set of supporting controls related to solid waste management, the collection and disposal services, and the use of the Southern Landfill.
58. While a number of operational controls are currently stipulated in Part 9 of the existing consolidated bylaw and the existing set of associated Terms and Conditions that support the current bylaw, the new controls provide relevant and up to date standards that would be applicable to both Council and private sector waste operators and service users.
59. In summary, the proposed controls provide for the following:
- i) Earlier 6am start times for waste collectors on high traffic volume roads;
 - ii) Requirements to identify any waste or recycling receptacle placed in a public place for collection with the name and contact details of the service provider;
 - iii) Multi-Unit Dwelling servicing standards and limitations;
 - iv) Standards applicable to waste servicing associated with private roads and private access ways;
 - v) Construction and Demolition Waste Planning requirements; and
 - vi) Green waste disposal limits applicable to Council waste receptacles.
60. To provide enhanced transparency around the bylaw making process, it is recommended that the proposed controls be publicly notified in conjunction with the bylaw for information purposes. It is important to note, however, that the proposed controls do not form a part of the proposed bylaw but would be issued as a separate suite of Council controls.
61. Following the adoption of the draft bylaw, the Council would have the ability to make any such controls, or amendments to any such controls, by way of a publicly notified Council resolution.

Discussion Summary

62. Together, the proposed Bylaw and proposed bylaw controls regulate a range of waste management and minimisation activities.
63. New waste management-related provisions include, but are not limited to standards applicable to waste service operators and service users; waste management planning and service standards applicable to multi-unit developments; and the establishment of a regional waste operator licensing system.
64. The bylaw also contains a new set of waste minimisation standards, which are proposed to align with standards set by the seven other Councils of the Wellington Region. These provisions will enable the Councils to require the consideration of waste minimisation associated with construction and demolition projects, and establish a new regional event waste minimisation planning standard.
65. The bylaw additionally creates a regionally consistent standard intended to limit the unnecessary distribution of unaddressed advertising mail.
66. In summary, in accordance with s155(2) of the Local Government Act, the proposed bylaw is considered by officers, to be the most appropriate form of bylaw and a

necessary in response to the City's waste management and minimisation-related issues.

Options

67. The Council's existing Waste Management bylaw provisions are now out of date and due for renewal. These bylaw provisions will be revoked on 30 June 2021 if not reviewed prior to this time. The absence of a waste-related bylaw would limit the efficiency and effectiveness of waste management services and operations within the City, as it would reduce the Council's ability to influence waste stream content, and restrict their ability to safeguard waste and recycling service standards for residents.
68. For this reason, officers consider it both necessary and appropriate to approve the proposed Bylaw for public consultation.
69. The proposed draft Bylaw reflects the collaborative effort of all the territorial authorities in the region to establish a new regionally consistent regulatory framework that provides continuity for waste service operators. It also supports a regionally consistent approach towards the promotion of waste minimisation and regulation.
70. The Council has the option to release the proposed bylaw controls for public information in conjunction with the bylaw. This approach may help promote regulatory transparency and operational understanding of the bylaw.
71. Alternatively, the Council has the ability to release the draft Bylaw for public consultation in accordance with the Special Consultative Procedure without the draft operational Controls proposed by officers.
72. Once the resulting bylaw has been adopted, the Council could then establish any relevant operational Controls by way of a publicly available Council resolution.

Next Actions

73. Officers seek approval to release the proposed bylaw set out in the Statement of Proposal document for public consultation between 4th August – 25th September 2020. These dates will align with Hutt City Council's consultation dates for their proposed Solid Waste Management and Minimisation Waste Bylaw. Hutt City Council's proposed Solid Waste Bylaw is currently consistent with Wellington City Council's proposed Bylaw.
74. It is possible that the alignment of territorial authority consultation dates could result in joint Council approach to bylaw communications. This, in turn, could broaden the reach and streamline the effectiveness of Council communications on the bylaw across the region's territorial authority boundaries.
75. As required by s83 of the Local Government Act 2002, the Council is required to publicly consult on the proposed bylaw with a Statement of Proposal and associated Summary of Information for a minimum of 1 month (see Appendix 4). The extended 8 week consultation period will allow for increased feedback from the community.
76. A supporting Communications Plan is attached for information (see Appendix 5).

Attachments

Attachment 1.	The Proposed Solid Waste Management and Minimisation Bylaw (Appendix 1) ↓	Page 20
Attachment 2.	Proposed Solid Waste Controls (Appendix 2) ↓	Page 40
Attachment 3.	Background Information and Issues Report (Appendix 3) ↓	Page 46
Attachment 4.	Solid Waste Bylaw Statement of Proposal (Appendix 4) ↓	Page 84
Attachment 5.	Solid Waste Bylaw Comms Plan Overview (Appendix 5) ↓	Page 105

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SUPPORTING INFORMATION

Engagement and Consultation

Over the past 18 months officers from the Regional Waste Management and Minimisation Steering Group have worked collaboratively with the eight territorial authorities of the Wellington Region, to develop a regionally consistent set of waste-related bylaw provisions.

Subject to the Council's approval to release the draft Solid Waste Management and Minimisation Bylaw for public consultation, officers seek to progress community and waste industry consultation in accordance with the Special Consultative Procedure provided in the Local Government Act 2002.

Treaty of Waitangi considerations

The proposed Waste Management Bylaw is not inconsistent with the principles of the Treaty of Waitangi. However, the revocation of Part 9 of the Consolidated Bylaw 2008 (Waste Management) without the renewal of a relevant waste-related bylaw provision in some form has the potential to limit Council's ability to influence waste stream content. Such an action could, in turn, limit the Council's ability to honour the Treaty principle of protection as it relates to the protection of human health and environmental wellbeing connected to waste management.

Financial implications

Financial implications from any additional work, including resources associated with the assessment of waste minimisation plans, litter enforcement, and waste operator licensing are yet to be fully determined. However, at a high-level the following can be surmised:

- **Potential for lost landfill revenue associated with waste minimisation** - Any waste minimisation bylaw measures proposed by the Council resulting in a significant reduction in waste disposed of into the Southern Landfill will reduce landfill-based revenue for the Council.
- **Opportunities to reduce Council costs associated with littering within the Central Business Area** - In 2019 waste tonnage records indicated that approximately 1,215 tonnes of waste was being illegally deposited/dumped on the kerbside within the Central Business District every year. This results in an estimated loss in landfill revenue for Wellington City Council of approximately \$148,000 per annum. The draft Bylaw could help reduce CBD littering when supported by appropriate enforcement action.
- **Waste operator licensing cost implications** – The draft Bylaw enables the eight Wellington Region Councils to require the payment of a fee when applying for a waste operator license. This fee could cover or help offset regional licensing processing and administration costs.

Policy and legislative implications

In addition to the Local Government Act 2002 and the Waste Management Act 2008 discussed in this report, the New Zealand Bill of Rights Act, the Litter Act and the Health Act are also relevant to the waste management and minimisation measures proposed.

- ***The New Zealand Bill of Rights Act 1990:***

Under section 155 of the Local Government Act, before making a bylaw, the Council must determine whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990. No bylaw may be made which is inconsistent with the Bill of Rights Act. Section 5 of the Bill of Rights Act provides for justified limitations on rights, specifically that the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

In summary, the only rights or freedoms under the Bill of Rights Act potentially engaged by the proposed Bylaw are likely to be the rights to freedom of movement in relation to the transportation of waste, and freedom of expression in relation to unaddressed mail and advertising material. Limitations on these rights must be no more than is reasonably necessary to achieve the purpose of the Bylaw.

The proposed Bylaw limits these rights only to the extent that they create a danger to health and safety or a nuisance to others or the public generally, or create the potential for environmental harm. Therefore, the proposed Bylaw does not raise any implications under and is not inconsistent with the Bill of Rights because any limitations of rights are justified.

▪ ***The Litter Act (1979):***

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 of 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 \$7,500 for a person and \$30,000 for a corporation. Council powers under the Litter Act could be used to help address the illegal dumping issues recognised within the Wellington Region WMMP (2017-2023).

▪ ***Health Act (1956):***

Subject to the provisions of this Act, it shall be the duty of every local authority to improve, promote, and protect public health within its district, and for that purpose every local authority is hereby empowered and directed (see s23) —

- (b) to cause inspection of its district to be regularly made for the purpose of ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive, exist in the district:
- (c) if satisfied that any nuisance, or any condition likely to be injurious to health or offensive, exists in the district, to cause all proper steps to be taken to secure the abatement of the nuisance or the removal of the condition:
- (e) to make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health:
- (f) to furnish from time to time to the medical officer of health such reports as to diseases, drinking water, and sanitary conditions within its district as the Director-General or the medical officer of health may require.

Risks / legal

The draft Bylaw has been subject to a legal review to ensure it meets all necessary legal requirements. As such, there are no legal risks associated with the draft Bylaw.

If the Council agrees with this proposal, the next step requires the Council to undertake the Special Consultative Procedure pursuant to the Local Government Act 2002.

Climate Change impact and considerations

The draft Bylaw proposes to promote waste minimisation through event waste management and minimisation planning, construction and demolition waste management planning, and restricting the deposit of unaddressed advertising mail. Reducing the amount of waste created, and disposed of into landfill will in turn, reduce the amount of landfill gas emitted from the landfill. Associated waste diversion data would be required in order to quantify the scope of any such greenhouse gas reduction.

Communications Plan

See Appendix 5 for the scope of the Communications Plan proposed to support the public notification of the draft bylaw.

Health and Safety Impact considered

The draft Waste bylaw promotes the health and safety of waste and recycling service operators, and the community, through restricting the disposal of dangerous and potentially hazardous material into receptacles placed in a public place. The Council further promotes the health and safety of both parties, through providing a Hazardous Waste Storage Facility at the Southern Landfill.

Proposed Wellington City Council Solid Waste Management and Minimisation Bylaw 2020

PART A: INTRODUCTION						
1	Title and Application	<p>1.1 The title of this Bylaw is the "Wellington City Council Solid Waste Management and Minimisation Bylaw 2020".</p> <p>1.2 This Bylaw applies within the boundaries of the Wellington City district.</p>				
2	Commencement	<p>2.1 This Bylaw comes into force on 25th January 2021 except for the following exceptions which come into force on the date specified:</p> <p>(a) The licensing provisions in clause 11 come into force two years after the commencement date of this bylaw; and</p> <p>(b) The event waste management plan provisions under clause 13 come into force one year after the commencement date of this bylaw.</p>				
3	Revocation	<p>3.1 This Bylaw repeals and replaces Part 9 (Waste Management) of the Wellington City Council Consolidated Bylaw 2008.</p>				
4	Purpose	<p>4.1 The purpose of this Bylaw is to support:</p> <p>(a) The promotion and delivery of effective and efficient waste management and minimisation in Wellington City as required under the Waste Minimisation Act 2008;</p> <p>(b) The implementation of the Wellington Region Waste Management and Minimisation Plan;</p> <p>(c) The purpose of the Waste Minimisation Act 2008 and the goals in the New Zealand Waste Strategy 2010, being to encourage waste minimisation and a decrease in waste disposal in order to protect the environment from harm; and provide environmental, social, economic, and cultural benefits;</p> <p>(d) The regulation of waste collection, transport and disposal, including recycling, waste storage and management;</p> <p>(e) Controls regarding the responsibilities of customers who use approved solid waste services, and the licensing of waste collectors and waste operators;</p> <p>(f) The protection of the health and safety of waste collectors, waste operators and the public; and</p> <p>(g) The management of litter and nuisance relating to waste in public places.</p> <p>4.2 This Bylaw is made pursuant to section 56 of the Waste Minimisation Act 2008, sections 145 and 146 of the Local Government Act 2002, section 64 of the Heath Act 1956, and section 12 of the Litter Act 1979.</p>				
5	Compliance with Bylaw	<p>5.1 No person may deposit, collect, transport, sort, process, treat or dispose of waste other than in accordance with this Bylaw.</p> <p>5.2 To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.</p>				
6	Interpretation	<p>6.1 For this Bylaw, unless the context otherwise requires, the following term definitions apply¹:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: left;">Term:</th> <th style="width: 50%; text-align: left;">Means:</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> </tr> </tbody> </table>	Term:	Means:		
Term:	Means:					

¹ For the avoidance of doubt, where this Bylaw relies on a definition in legislation and that definition changes, the definition in this Bylaw changes accordingly.

Act (the Act)	Waste Minimisation Act 2008
Advertising material	Any message which: (a) Has printed content controlled directly or indirectly by the advertiser; and (b) Is expressed in any language and communicated in any medium with the intent to influence the choice, opinion or behaviour of a person.
Approved	Authorised in writing by the Council.
Approved collection point(s)	Council approved places, facilities or receptacle where approved receptacles may be left for collection or waste may be deposited.
Approved receptacle	Any container, bag or other receptacle that has been approved by the Council for the collection of any type of waste or diverted material, with approval based on the following criteria: the prevention of nuisance, the provision for adequate security to prevent scavenging, the protection of the health and safety of waste collectors and the public, and the achievement of effective waste management and minimisation.
Authorised officer	Any officer of the Council or other person authorised by the Council to administer and enforce its bylaws, and any person appointed especially or generally by the Council to enforce the provisions of this Bylaw.
Building work	As defined in the Building Act 2004 and includes any work for, or in connection with, the construction, alteration, demolition, or removal of a building. It can include sitework and design work relating to the building work.
Bylaw	This Wellington City Council Solid Waste Management and Minimisation Bylaw 2020.
Cleanfill material	Waste that meets all of the following requirements: (a) does not undergo any physical, chemical or biological transformation that, when deposited or with the effluxion of time, is likely to have adverse effects on the environment or human health; and (b) includes virgin excavated natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of: (i) combustible, putrescible, degradable or leachable components; (ii) hazardous waste, hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown; (iii) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices; (iv) materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health or the

	environment; and (v) contaminated soil and other contaminated materials; and (v) liquid waste; and (c) has less than two per cent by volume by load of tree or vegetable matter.
Cleanfill	Land used for the disposal of cleanfill material.
Commercial or industrial waste	Waste (excluding trade waste) that results from a commercial or industrial enterprise and includes waste generated by the carrying on of any business, factory, manufacture, process, trade, market, or other activity or operation of a similar nature.
Construction and demolition waste	Waste generated from any building work (including renovation and repair); and includes but is not limited to concrete, plasterboard, insulation, nails, wood, brick, paper, cardboard, metals, roofing materials, wool/textiles, plastic or glass, as well as any waste originating from site preparation, such as dredging materials, tree stumps, asphalt and rubble.
Council	The Wellington City Council or any person delegated or authorised to act on its behalf.
Deposit	To cast, place, throw or drop any waste or diverted material.
Dispose or Disposal	As defined in the Act.
Diverted material	As defined in the Act.
Donation collection point	A place where approved types of waste may be deposited for the purposes of raising funds or the charitable reuse/recovery of the waste items.
Estimated value	As defined in the Building Act 2004.
Event	Any organised temporary activity of significant scale that is likely to create litter and includes (but is not limited to) an organised outdoor gathering, open-air market, parade, sporting event, protest, festival, concert or celebration. An event will be considered significant if it has an expected attendance of 1,000 or more people across the duration of the event, whether it be a single or multi-day event. For the purpose of this Bylaw 'event' <u>excludes</u> : <ul style="list-style-type: none"> • open-aired events that are enclosed within a building or structure (e.g. an open-aired stadium) • indoor performances, markets, displays, exhibitions or conferences • indoor private functions • indoor tasting and sampling activities • any regularly occurring recreational activities such as weekly sports events.
Food waste	Waste that is derived from any item of food and is organic in origin and free of contamination and

		includes fruit and vegetable scraps, meat, fish, bone and shell discards, and any other similar food scraps.
	Green waste	Organic plant material from gardening or arboriculture activities including lawn clippings, weeds, plants and other soft vegetable matter, which by nature or condition and being free of any contaminants will degenerate into compost.
	Handled or Handles	Includes removing, collecting, transporting, storing, sorting, treating, processing or disposing of waste.
	Hazardous substance	As defined in the Hazardous Substances and New Organisms Act 1996 and means, unless expressly provided otherwise by regulations, any substance— (a) with 1 or more of the following intrinsic properties: (i) explosiveness: (ii) flammability: (iii) a capacity to oxidise: (iv) corrosiveness: (v) toxicity (including chronic toxicity): (vi) ecotoxicity, with or without bioaccumulation; or (b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).
	Hazardous waste	Waste that: (a) contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organisms Act 1996; or (b) meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 2005 and NZ Standard 5433: 2007 – Transport of Dangerous Goods on Land; or (c) meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982. Hazardous waste does not include household waste, inorganic waste, construction and demolition waste, or commercial or industrial waste.
	Home composting	The activity of aerobically decaying household organic waste (green waste and/or food waste) and other compostable items originating from that property to create compost at home. To avoid doubt, includes worm farms and anaerobic digestors.
	Household waste	Waste consisting of recyclable material, organic waste or residual waste originating from any residential household but does not include, commercial or industrial waste, prohibited waste, hazardous waste,

	trade waste, liquid waste, or construction and demolition waste.
Inorganic waste	Waste consisting of household equipment, furniture, appliances and material of a similar type that due to its nature or size cannot be collected as household waste in an approved receptacle, and that is specified by the Council as suitable for: (a) collection from a public place by the Council or an approved waste collector; or (b) collection from any premises by the Council or an approved waste collector; or (c) delivery to a resource recovery facility.
Landfill	As defined in the Technical Guidelines for Disposal to Land (Waste Management Institute of New Zealand) ² or by Government standards or regulation.
Licence	A licence, consent, permit or approval to do something under this Bylaw and includes any conditions to which the licence is subject.
Litter	Any rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, other residual waste or any other thing of a like nature that has been disposed of in a public place, other than in an approved receptacle or collection point for such disposal, or on private land without the consent of the occupier. For the avoidance of doubt this includes organic material, dog faeces in a container or bag, or disposable nappies.
Litter receptacle	A receptacle provided for the collection of litter.
Manager	A person who controls or manages any premises, activity or event, regardless of whether that person has a proprietary interest in those premises or that activity or event. For clarity, this includes the chairperson of a body corporate for a multi-unit development.
Multi-unit development	A multiple tenancy property comprising of 10 or more separately occupied residential units, whether in the same building or in separate buildings, and held either in common ownership or in separate ownership. This includes a unit title development, a mixed-use premises with business activities, and any development with controlled or restricted access, such as a gated community.
Nuisance	As defined in section 29 of the Health Act 1956 and includes anything offensive or injurious to the health of the community or any member of it.
Occupier	In relation to any property or premises, means the inhabitant occupier of that property or premises and, in any case where any building, house, tenement, or

² The guidelines can be accessed at <http://www.wasteminz.org.nz/pubs/technical-guidelines-for-disposal-to-land-april-2016/>

	premises is unoccupied includes the owner.
Organic waste	Food waste and/or green waste that is specified by the Council under clause 7 of this Bylaw as organic waste.
Owner	In relation to any property or premises, means the person or persons entitled to receive the rack rent of the property or premises, or who would be so entitled if the property or premises were let to a tenant at a rack rent, and where such a person is absent from New Zealand, includes their attorney or agent.
Person	An individual, a corporation sole, a body corporate, and an unincorporated body.
Premises	Any separately occupied land, dwelling, building, or part of the same.
Prohibited waste	Waste containing - (a) any material capable of causing injury to any person or animal unless the material is sufficiently contained to prevent injury; (b) any material capable of causing damage to the approved receptacle or likely to shatter and cause injury in the course of collection unless the material is sufficiently contained to prevent damage to the approved receptacle or to prevent injury; (c) any material that may endanger any person, animal or vehicle which may come in to contact with it prior to, during or following collection, transportation, storage, sorting or disposal; (d) any radioactive wastes, but excluding domestic smoke detectors; (e) any used oil and lead-acid batteries; (f) any hazardous waste; (g) medical waste including wastes generated at health care facilities, such as hospitals, physicians' offices, dental practices, blood banks, pharmacies/chemists, and veterinary hospitals/clinics, as well as medical research facilities and laboratories; (h) any asbestos containing material; and (i) any material prohibited by the Council under clause 7 of this Bylaw.
Public place	(a) A place that is under the control of Council or a Council-controlled organisation that, at any material time, is open to or is being used by the public, whether free or on payment of a charge; and (b) To avoid doubt this includes any park, reserve, recreational ground, pool, community facility, sports field or facility, public open space, public garden, public square, cemetery, beach, foreshore, dune, wharf, breakwater, boat ramp, pontoon, road, street, lane, thoroughfare, footpath, access way, cycleway, bridleway, car park, grass verge, berm, and any part of the public place.

Recovery	As defined in the Act.
Recyclable material or Recyclables	The types of waste that are able to be recycled and that may be specified by the Council from time to time under this Bylaw.
Recycling	As defined in the Act.
Reuse	As defined in the Act.
Rural areas	Any areas zoned and/or defined in the Wellington City Council District Plan as rural.
Site	For the purposes of this Bylaw means an area of land that is the subject of an application for a building consent or an area of land where a specific development or activity is located or is proposed to be located.
Specified intended life	As defined in the Building Act 2004.
Treatment	As defined in the Act.
Unaddressed mail	Any mail or material that does not display a full address and name of a person at that address.
Waste	As defined in the Act.
Waste collector	Any person or entity that collects or transports waste and includes commercial and non-commercial collectors and transporters of waste (for example, community groups and not-for-profit organisations); but does not include individuals who collect and transport waste for personal reasons (for example, the owner taking their own household garden waste to a waste management facility).
Waste management facility	A facility authorised by the Council which primarily provides waste treatment and disposal services or waste remediation and materials recovery services, in relation to solid waste. Includes but is not limited to waste transfer stations, resource recovery stations, recycling centres, composting facilities, landfills or clean fill sites, or hazardous waste facilities.
Waste Management and Minimisation Plan or WMMP	A waste management and minimisation plan adopted by the Council under section 43 of the Act.
Waste operator	Any person or entity that operates a waste management facility.
Waste remediation and materials recovery services	The remediation and clean-up of contaminated buildings and mine sites, mine reclamation activities, removal of hazardous material and abatement of asbestos, lead paint and other toxic material. This also includes recovery, sorting, and/or storage services in relation to waste.
Waste treatment and disposal services	The treatment or disposal of waste (including hazardous waste), including the operation of landfills, combustors, incinerators, composting, biodigesters and other treatment facilities (except sewage

		treatment facilities), and waste transfer stations.
7	Controls	<p>7.1 The Council may make, amend or revoke controls to support the implementation of this Bylaw.</p> <p>7.2 The controls made by Council under clause 7.1 may relate to but are not limited to the following matters:</p> <ul style="list-style-type: none"> (a) The type, size, capacity/volume, weight, number, colour and construction of approved receptacles that may be used for the disposal, storage and collection of waste and recyclable material; (b) The types of household waste that may be treated for all purposes (including deposit, collection, transportation and disposal) as recyclable, organic waste, or other residual waste; (c) The types and categories of waste that may be deposited in approved receptacles; (d) The conditions applicable to any collection service from a public place, including the placement and retrieval of approved receptacles for collection, collection days and times, and restrictions on the number and weight of approved receptacles; (e) Requirements to ensure the correct separation of wastes into approved receptacles, including content control messaging and symbology on an approved receptacle that specifies the permitted and prohibited content; (f) Maximum allowable limits of a specified waste type that may be deposited, collected or transported from a public place in an approved receptacle; (g) Maximum allowable limits of a waste type that may be placed in a receptacle that is approved for another type of waste; (h) Types of waste that are prohibited; (i) The locations, access times and conditions of use of approved collection points; (j) Requirements relating to the safe and secure transportation of waste; (k) Requirements applicable to waste service users and/or to waste handling and collection if traffic or pedestrian safety have the potential to be adversely impacted by the deposit of material in a public place or by waste servicing operations; and (l) Any other operational matter required for the safe and efficient operation of a waste collection service from a public place. <p>7.3 The Council must, before making, amending or revoking any control under clause 7.1, comply with the requirements under Subpart 1 of Part 6 of the Local Government Act 2002 .</p> <p>7.4 Any control made, amended or revoked under clause 7.1:</p> <ul style="list-style-type: none"> (a) Must be made by a resolution of Council that is made publicly available; and (b) May: <ul style="list-style-type: none"> i. Regulate, control or prohibit any matter or thing either generally, for any specified classes of case, or in a particular case; ii. Apply to all waste or to any specified category or type of waste; iii. Apply to the Wellington City district or to a specified part of the district; and/or iv. Apply at all times or at any specified time or period of time.
PART B: DEPOSIT, COLLECTION, TRANSPORTATION, STORAGE, PROCESSING AND DISPOSAL OF WASTE		
8	General responsibilities	8.1 The occupier and/or the manager of a premises must ensure that the household waste from the premises is separated into waste types as determined by the Council and is deposited for collection in the correct

	<p>approved receptacle. No person may deposit in a receptacle any material that is not approved for that type of receptacle.</p> <p>8.2 The occupier and/or the manager of any premises must ensure that:</p> <ul style="list-style-type: none"> (a) All waste receptacles are appropriately secured to deter scavenging and to prevent waste escaping; (b) Any waste receptacle is regularly emptied when it is full; and (c) The contents of any waste receptacle are protected from rain, dispersal by wind, or ingress or egress of flies, vermin and animals. <p>8.3 The occupier and/or the manager of any premises must ensure that:</p> <ul style="list-style-type: none"> (a) All approved receptacles are kept in a safe location, are hygienic, in good repair, and are without any modifications or alterations to their appearance; (b) The contents of any approved receptacle do not seep or escape so as to be injurious or dangerous to health, cause an offensive smell or be a source of litter; (c) Waste is deposited in the receptacle in a manner that allows the whole of the contents to fall out easily and cleanly when the receptacle is emptied; (d) The receptacle is placed upright either at an approved collection point or for collection in a position off the carriageway, in front of the premises from which the waste originated and as close to the kerbside as possible; (e) The receptacle is placed so that it does not disrupt or obstruct pedestrian, wheelchair or vehicular traffic, and so that access to the premises is preserved; and (f) The receptacle is placed for the collection of waste and is retrieved in accordance with any applicable control specified by the Council under this Bylaw. <p>8.4 No person shall deposit waste in a manner where:</p> <ul style="list-style-type: none"> (a) The receptacle is damaged or otherwise likely to cause injury to the collector; (b) In the opinion of the Council, or the waste collector or waste operator where applicable, the waste is in an unsanitary or in an offensive condition; (c) The waste includes waste prohibited under this Bylaw; (d) The container/receptacle is not an approved receptacle; (e) The receptacle is in a condition that allows spillage of waste or is not of a sufficient size to contain the waste; (f) The receptacle or the waste does not comply with the rules under this Bylaw in terms of type, size, volume, weight, numbers, colour, placement or any other detail; (g) The number of approved receptacles placed out for collection is greater than the authorised number of receptacles for the property, unless approved by an authorised officer; or (h) Any other reason which the Council, or the waste collector or operator, deems would cause a health and safety concern to the waste collection operation. <p>8.5 No person shall:</p> <ul style="list-style-type: none"> (a) Put waste into an approved receptacle allocated to any other person, without that other person's consent; (b) Remove waste from, or interfere with any waste deposited in, an approved receptacle, except the Council, a waste collector, or the person who deposited the waste; or (c) Remove a receptacle provided to the premises to which it has been allocated, except with the prior written approval of the Council or the waste collector. <p>8.6 The occupier and/or the manager of any premises is responsible for any waste</p>
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		<p>generated on that premises until it has been collected.</p> <p>8.7 The occupier and/or the manager of any premises is responsible for any waste not collected because of non-compliance with this Bylaw. Any waste or recyclables not collected shall be removed from the roadside by the occupier and returned to the occupier's premises by noon on the day following collection or within such other time period as specified by a control made under this Bylaw.</p> <p>8.8 To enable the occupier and/or the manager of a premises to be able to comply with clauses 8.1-8.5, an authorised officer may approve placement of approved receptacles in a location other than directly outside that premises.</p> <p>8.9 Where any breaches of the conditions in clauses 8.1-8.5 occur, the waste collector shall not be obligated to collect the waste.</p> <p>8.10 No waste shall be transported by vehicle through, over or upon any road or public place unless such waste is sufficiently and adequately covered to prevent any of the waste from falling or otherwise escaping on to any road or other public place.</p> <p>8.11 Any waste or diverted material deposited in or on a public place or disposed of in a manner that is in breach of this Bylaw, and/or any controls made under clause 7 of the Bylaw, shall be deemed to be litter under the Litter Act 1979 and will be subject to enforcement action under that Act.</p>
9	Waste collections from a public place	<p>9.1 Waste must not be placed on or in a public place for collection unless it is:</p> <ul style="list-style-type: none"> (a) A type of waste specified and approved by the Council as able to be placed on or in a public place for collection; and (b) Placed in an approved receptacle for collection by a waste collector. <p>9.2 Prohibited waste, diverted material, construction and demolition waste, or commercial or industrial waste must not be placed on or in a public place for collection unless authorised by the Council under this Bylaw or another Council Bylaw.</p> <p>9.3 Any waste collector who collects or transports waste from a public place must:</p> <ul style="list-style-type: none"> (a) Make available to the occupier and/or manager of a premises the appropriate approved receptacles to enable separate collection of each of the waste types required to be separately collected from the premises; (b) Clearly identify their name and contact details on all approved receptacles; (c) Not collect any household waste which has not been separated into the waste types as required under this Bylaw and/or any controls made under clause 7 this Bylaw; and (d) Following collection, ensure that any receptacle is placed so that it does not disrupt or obstruct pedestrian, wheelchair or vehicular traffic, and so that access to the premises is preserved. <p>9.4 Any person providing or using a waste collection service in or from a public place must comply with all controls made under this Bylaw by the Council relating to that collection.</p>
10	Approved Collection Points	<p>10.1 No person may deposit waste at an approved collection point other than in accordance with any applicable Council control.</p> <p>10.2 The Council may specify:</p>

		<p>(a) Any place, or receptacle in a public place or on a barge in a marine area, as an approved collection point for the collection of household waste; and</p> <p>(b) Controls relating to the deposit of waste at the collection point including the use of specified receptacles.</p>
11	Licensing of Waste Collectors and Waste Operators	<p>11.1 Any:</p> <p>(a) Waste collector who handles more than 20 tonnes of waste in any one twelve month period in, around or out of the Wellington City district; or</p> <p>(b) Waste operator with a waste management facility in the Wellington City district that handles more than 20 tonnes of waste in any one twelve month period;</p> <p>must have a current licence that has been issued by the Council and may not collect waste or operate a waste management facility (as the case may be) without such a licence.</p> <p>11.2 An application for a licence must be made on the approved form available from the Council, and must be accompanied by the application fee and the supporting information required by the Council to process the application.</p> <p>11.3 The holder of an existing licence may apply to the Council for a renewal of that licence.</p> <p>11.4 A licence is personal to the holder and is not transferable.</p> <p>11.5 A licence may be granted or refused at the discretion of the Council, and if granted, may be on such terms and conditions as the Council considers fit.</p> <p>11.6 When considering a licence application, the Council may take into account a range of factors including but not limited to the following:</p> <p>(a) The nature of the activity for which a licence is sought;</p> <p>(b) The extent to which the licensed activities will promote public health and safety, and support achievement of the Council's WMMP, including the waste minimisation goals and initiatives within that plan;</p> <p>(c) The extent to which the licensed activities will adopt best practice waste management and minimisation;</p> <p>(d) The quantity and type of waste to be handled;</p> <p>(e) The methods employed for the handling, disposing and recycling of the waste and the minimisation of litter, including (but not limited to):</p> <ol style="list-style-type: none"> i. the identity of the waste management facility at which it is proposed that recycling, recovery, sorting, storage, treatment, or disposal will occur; and ii. adherence to health and safety standards and any other relevant industry standards; <p>(f) The frequency and location of the waste collection, removal, storage and transportation services;</p> <p>(g) The applicant's experience, reputation, and track record in the waste and diverted material industry, including any known past operational issues which may affect the applicant's performance, and any breaches of previous licence conditions; and</p> <p>(h) The terms and conditions under which any disposal of waste is permitted and the existence of, or need for, any statutory approvals, authorisations, or consents required to be held or complied with in respect of such disposal.</p> <p>11.7 When considering an application for a licence, the Council may inspect the premises or locations related to the application in relation to the purposes for which the licence is sought.</p>

		<p>11.8 A licensed waste collector or waste operator must comply with all terms and conditions of the licence. The terms and conditions may include, but are not limited to, the following matters:</p> <ul style="list-style-type: none"> (a) Term – a licence may be granted for a term of up to five years from the date of Council approval, or for a shorter duration if specified in the terms and conditions of the licence, and will be reviewed every year by the Council to ensure compliance with the terms and conditions of the licence; (b) Licence fee – the licensee must pay an annual licence fee in the amount determined by the Council; (c) Performance bond – the Council may require a licence holder to post a bank-guaranteed bond or a security; (d) Compliance – the licence holder must comply with any relevant controls, standards or policies the Council has set for waste handling such as (but not limited to): <ul style="list-style-type: none"> i. Provision of waste collection services within reasonable collection times and to meet any minimum collection frequencies specified by Council; ii. Provision of appropriate approved receptacles for waste collection which clearly identify the waste collector’s name and contact details; and iii. The collection of any litter within a specified distance of an approved receptacle awaiting collection and any litter spillage from the licence holder’s vehicle during the collection, transportation, storage or disposal process. (e) Provision of information – the licence holder must provide data relating to all waste they have handled to the Council during the term of their licence, in the form and at the times determined by the Council (but not limited to): <ul style="list-style-type: none"> i. The quantities of various waste types that have been handled by the waste collector or waste operator during a specified period of time, including the source and destination of each waste type and the method of processing (recycling, recovery, treatment, disposal etc); and ii. Weighbridge receipts, gate records of waste tonnages per waste type as specified in the licence. <p>The minimum requirement will be an annual performance report due within one month of the completion of each year of the licence.</p> <p>11.9 The Council may suspend or revoke a licence if the licence holder fails to comply with this Bylaw, any of the terms or conditions of the licence, any relevant controls made under this Bylaw, or acts in a manner which the Council considers, on reasonable grounds and in light of the purpose of this Bylaw, is not suitable for the holder of a licence.</p> <p>11.10 Fees and charges for the issue of licences under this Bylaw are set out in Council’s Schedule of Fees and Charges and may be amended from time to time in accordance with section 150 of the Local Government Act 2002.</p>
12	Multi-Unit Developments -	<p>12.1 The owner and/or the manager of a multi-unit development must make adequate provision for the management of all waste and recycling generated within the premises. This includes arrangements for the regular collection of waste to the satisfaction of Council and the provision of adequate areas for:</p> <ul style="list-style-type: none"> (a) The storage of disposed of or discarded material on the premises from any activity on that premises; and (b) The collection of disposed of or discarded material if collection occurs on the premises.

Waste management plans	<p>12.2 Subject to any exemption granted in accordance with clause 12.5, the owner and/or the manager of a multi-unit development must submit to the Council for approval a multi-unit development waste management plan for:</p> <ul style="list-style-type: none"> (a) The management of an existing multi-unit development if any of the occupiers cannot dispose of or discard material as expressly allowed in clause 8, within three months of the date that the owner and/or manager is notified by the Council of the requirement to obtain approval of a multi-unit development waste management plan; or (b) A planned multi-unit development, prior to the commencement of construction of the multi-unit development. <p>12.3 A multi-unit development waste management plan must include, but is not limited to, the following information:</p> <ul style="list-style-type: none"> (a) The person or persons responsible for the management, collection and disposal of waste and the methods to be used; (b) Identification of an adequate area on the premises for the storage of receptacles that is readily accessible to the occupiers of units and the waste collector to enable separate collection and transportation of waste and recycling as specified by the Council; (c) An estimate of the types and volumes of waste that will be generated; (d) How waste generated within the premises is to be minimised and the steps to maximise the collection and use of recyclables and reusable material; (e) The methods to be used to minimise noise and odour and to keep the area hygienic, free from vermin or other infestations, and protected from theft and vandalism; (f) Identification of the means and route of access and egress to the waste storage area; and (g) Any other matter relating to waste management and minimisation that may be specified by the Council. <p>12.4 Any person who owns, manages or occupies a multi-unit development must comply with the approved multi-unit development waste management plan for that development and any conditions applied to the approval by the Council (except if an exemption is granted in accordance with clause 12.5).</p> <p>12.5 The Council may, on application, grant a written exemption from compliance with all or any the requirements of this clause 12 if:</p> <ul style="list-style-type: none"> (a) In the opinion of the Council, the costs of full compliance would be disproportionate to any resulting waste management and minimisation benefits; and/or (b) The owner and/or the manager demonstrates to the satisfaction of the Council that recyclable material, organic waste and other wastes are separately and regularly collected.
Waste collection, transportation, storage and deposit controls	<p>12.6 The Council may specify controls for the following matters in relation to the collection, transportation, storage or deposit of waste from multi-unit developments:</p> <ul style="list-style-type: none"> (a) The categories of recyclable material, organic waste and other residual waste that may be deposited at or collected from a multi-unit development; (b) The times, locations and conditions applicable to any collection service from a multi-unit development, including the placement and retrieval of receptacles for collection, collection times and restrictions on the number and weight of approved receptacles; (c) Requirements to ensure the correct separation of organic waste, recyclable materials and other residual waste into approved receptacles; and

		<p>(d) Any other operational matter required for the safe and efficient operation of a collection service from a multi-unit development.</p> <p>12.7 Any person who owns or manages a multi-unit development or owns or occupies a unit in a multi-unit development must comply with any controls for the deposit, collection, transportation, storage and management of waste in the multi-unit development made by the Council under clause 7 of this Bylaw.</p>
13	Events	<p>13.1 At least 10 working days prior to the commencement of an event, the event manager must submit to the Council for approval an event waste management plan for the event.</p> <p>13.2 The event waste management plan must set out:</p> <ol style="list-style-type: none"> An estimate of the types and amounts of waste to be generated by the event; How waste generated by the event is to be minimised; The steps that will be taken to maximise the collection and use of recyclables and other recoverable, reusable or compostable materials, and an estimate of the diversion of waste; The equipment to be provided for the storage, collection and transportation of waste and diverted material; The proposed method for minimising and capturing litter associated with the event; The person responsible for the collection and disposal of waste and the methods to be used; The timing and frequency of the collection of waste, during or after the event; and Any other matters relating to event waste management and minimisation that may be specified by the Council. <p>13.3 The manager of an event must comply with the event waste management plan approved by the Council for the event.</p> <p>13.4 On completion of the event, if requested by the Council, the event manager must provide the Council with a waste analysis report, which at a minimum, will include a breakdown of:</p> <ul style="list-style-type: none"> The types of waste generated by the event; The amounts of waste (by type) generated by the event; The amount of waste diverted; and The waste management facilities used to recover, recycle, treat or dispose of this waste.
14	Construction Site and Demolition Waste	<p>14.1 The Council may make a control under this Bylaw to require any person that is applying for a building consent for building work of a certain estimated value or higher to submit a construction site and demolition waste management plan to the Council for approval prior to the commencement of any building work.</p> <p>14.2 At a minimum, a construction site and demolition waste management plan must set out:</p> <ol style="list-style-type: none"> The name of the client, principal contractor, and person who prepared the waste management plan; The location of the site; The estimated total cost of the building work; A description of all types of waste expected to be produced; The proposed method of waste management for each type of waste (e.g. reuse, recovery, recycling, disposal); and The proposed method for minimising and capturing litter associated with the project and the building work.

		<p>14.3 A construction site and demolition waste management plan may also be required by Council to set out:</p> <ul style="list-style-type: none"> (a) An estimate of the quantity of each type of waste; and (b) An estimate of the diversion of waste. <p>14.4 While the building work is being carried out, the principal contractor may be required by Council to:</p> <ul style="list-style-type: none"> (a) Review the construction site and demolition waste management plan as necessary; (b) Record quantities and types of waste produced; and (c) Record the types and quantities of waste that have been: <ul style="list-style-type: none"> i. Reused (on or off site); ii. Recycled (on or off site); iii. Sent to other forms of recovery (on or off site); iv. Sent to landfill; v. Sent to cleanfill; or vi. Otherwise disposed of. <p>14.5 Within three months of completion of the building work the Council may require the principal contractor to add to the construction site and demolition waste management plan:</p> <ul style="list-style-type: none"> (a) Confirmation that the plan has been monitored and updated; (b) A comparison of estimated quantities of each type of waste generated against the actual quantities of each waste type; (c) An explanation of any deviation from the plan; and (d) An estimate of any cost savings that have been achieved by completing and implementing the plan. <p>14.6 Where a construction site and demolition waste management plan is required, the principal contractor must ensure that a copy of the construction site and demolition waste management plan is kept on site, and that every contractor knows where it can be found. It must be available to any contractor carrying out any work described in the plan.</p>
15	Inorganic waste	<p>15.1 The Council may specify controls for the following matters in relation to the collection of inorganic waste from a public place:</p> <ul style="list-style-type: none"> (a) the weight, size and nature of inorganic waste that may be deposited for collection; (b) the categories of inorganic waste that may be deposited for collection; (c) the times, locations and conditions applicable to the collection of inorganic waste from a public place; (d) the collection methods that cause health and safety risks; (e) any other operational matters required for the safe and efficient collection of inorganic waste from a public place. <p>15.2 Any person who deposits inorganic waste for collection on, or collects and transports inorganic waste from, a public place must comply with any controls made by the Council under this Bylaw.</p>
16	Nuisance and litter	<p>16.1 No person may:</p> <ul style="list-style-type: none"> (a) allow any accumulation of waste or diverted material on any premises they own, occupy or manage to become offensive, a nuisance or likely to be injurious to health; or (b) use an approved receptacle in a manner that creates a nuisance, is offensive or is likely to be injurious to health.

		<p>16.2 Except as provided for under this Bylaw, no person may:</p> <p>(a) bury or allow to be buried any waste on any property they own, occupy or manage except:</p> <ul style="list-style-type: none"> i. organic waste, including dead farm animals in rural areas; ii. dead companion animals and nuisance pests; or iii. for the purposes of home composting; iv. waste deposited in a farm refuse dump or an offal pit that is consented or complies with the permitted activity conditions of the Wellington Region Natural Resources Plan; <p>(b) dispose of any waste on any premises except at –</p> <ul style="list-style-type: none"> i. a waste management facility, or ii. any premises they own, occupy or manage, for the purposes of home composting. <p>16.3 No person may:</p> <p>(a) deposit any waste arising from that person’s household or that person’s business activities in any litter receptacle provided by the Council in any public place;</p> <p>(b) remove any waste from any litter receptacle provided by the Council in any public place, where this results in any waste being deposited outside the litter receptacle, unless authorised by the Council to do so;</p> <p>(c) deposit or attempt to deposit any litter in any litter receptacle provided by the Council in any public place if:</p> <ul style="list-style-type: none"> i. the receptacle is full; or ii. the litter is likely to escape. <p>(d) fix or attach any flag, banner, bunting, balloon, sign, poster, leaflet or similar thing to any litter receptacle provided by the Council in any public place; or</p> <p>(e) damage any litter receptacle provided by the Council in any public place.</p> <p>16.4 The owner, occupier or manager of any premises on which any flag, banner, bunting, balloon, sign, poster, leaflet or similar device is displayed that is likely to become litter, must take all steps to the satisfaction of the Council to prevent it becoming litter and to clean it up in the event that it does become litter.</p>
17	Unaddressed mail and advertising material	<p>17.1 No person may deposit, cause, permit or authorise the deposit of any unaddressed mail or advertising material:</p> <ul style="list-style-type: none"> (a) in any letterbox which is clearly marked "no circulars", "no junk mail", "addressed mail only" or with words of similar effect, or around or near any such letterbox or associated vehicle accessway; (b) on any vehicle parked in a public place; or (c) in a letterbox that is already full of mail and/or advertising materials. <p>17.2 Clause 17.1(a) does not apply to:</p> <ul style="list-style-type: none"> (a) material or public notices from any government department or agency, crown entity, local authority, or material from a network utility relating to the maintenance, repair, servicing or administration of that network utility; (b) communications or fund raising material from local community organisations, charities or charitable institutions; (c) material from a political party, political candidate or elected member; or (d) a community newspaper or newsletter, unless the letterbox is clearly marked "no community newspapers" or with words of similar effect. <p>17.3 Any unaddressed mail or advertising mail deposited in a manner in breach of clauses 17.1 and 17.2 shall be deemed to be litter under the Litter Act 1979.</p>
18	Donation Collection Points	<p>18.1 Anyone intending to establish a donation collection point in or on a public place must notify the Council in advance and must operate the donation collection point in compliance with any requirements the Council specifies including but not</p>

		<p>limited to:</p> <ul style="list-style-type: none"> (a) location; (b) vehicle access; (c) type of waste which may be deposited; and (d) use of approved receptacles. <p>18.2 All donation collection points must ensure:</p> <ul style="list-style-type: none"> (a) the removal of deposited material from the collection point; (b) the clean-up of any litter or illegal dumping; and (c) the clean-up or removal of any graffiti.
PART 3: OTHER MATTERS		
19	<p>General Offences and Penalties</p>	<p>19.1 Any person who fails to comply with this Bylaw and the decisions and controls made under this Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine as specified in section 242(4) of the Local Government Act 2002.</p> <p>19.2 A person who commits a breach of this Bylaw that is an offence under the Litter Act 1979, the Waste Minimisation Act 2008 or the Health Act 1956 is liable to a penalty (without limitation) under those Acts, as relevant.</p>
20	<p>Other Enforcement Powers -</p> <p>Non-compliance with licence terms and conditions</p> <p>Non-compliance with general responsibilities and waste collection requirements</p>	<p>20.1 Any control that is made or amended by Council under clause 7.1 shall be enforceable under this Bylaw.</p> <p>20.2 Where a licence holder does not comply with the requirements of this Bylaw and/or the terms and conditions of a licence, the Council may take one or more of the following steps:</p> <ul style="list-style-type: none"> (a) Issue a written warning to the licence holder, which may be treated as evidence of a prior breach of a licence condition during any subsequent review of the licence; (b) Review the licence, which may result in: <ul style="list-style-type: none"> i. amendment of the licence; or ii. suspension of the licence; or iii. withdrawal of the licence. (c) Have recourse to any performance bond or security where the Council has incurred any cost as a result of the breach of the licence condition, including where the Council has itself performed or arranged for the performance of any licensed activity on the default of the licence holder; (d) Review the amount and nature of the performance bond or security, which may result in: <ul style="list-style-type: none"> i. an increase of the amount of the performance bond or security; ii. a change to the nature of the security that has been provided. (e) Enforce any offence that may have been committed under the Litter Act 1979; and (f) Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008. <p>20.3 Where a person does not comply with the requirements of this Bylaw and/or any controls made under the Bylaw in relation to the waste and diverted materials collection service that applies to them, the Council (or a licensed waste collector where applicable) may take the following action(s) against the person:</p> <ul style="list-style-type: none"> (a) Reject (i.e. not collect) the contents of any approved receptacle left out by that person for collection from a public place, if the contents or placement of the receptacle is non-compliant; (b) Remove the contents of any approved receptacle left out for collection from a public place where the contents or placement of the receptacle is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty equivalent to the amount payable for the collection

		<p>of the largest available size of approved receptacle from that premises;</p> <p>(c) Withdraw or suspend the collection service being provided to that person;</p> <p>(d) Enforce any offence that may have been committed under the Litter Act 1979; and/or</p> <p>(e) Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.</p> <p>20.4 Where action has been taken against a person under clause 20.3(c), the Council can authorise the reinstatement of the collection service once it is satisfied on reasonable grounds that the Bylaw will be complied with.</p> <p>20.5 Where a person does not comply with a control made by the Council under clause 10 of this Bylaw the Council may:</p> <p>(a) Suspend that person's use of any service provided by the Council at any or every waste collection service;</p> <p>(b) Enforce any offence that may have been committed under the Litter Act 1979; or</p> <p>(c) Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.</p> <p>20.6 Where a person does not comply with any of the requirements in clauses 12 (Multi-Unit Developments), 13 (Events) or 14 (Construction Site and Demolition Waste Management Plans) and/or any controls made under the Bylaw, the Council may take one or more of the following steps:</p> <p>(a) Enforce any offence that may have been committed under the Litter Act 1979; and/or</p> <p>(b) Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.</p> <p>20.7 Where a person does not comply with a control made by the Council under clause 15 of this Bylaw, the Council (or a licensed waste collector or waste operator where applicable) may:</p> <p>(a) Reject (i.e. not collect) the inorganic material, if the inorganic material or placement is non-compliant;</p> <p>(b) Remove the inorganic material, where the inorganic material or placement is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty specified by the council;</p> <p>(c) Enforce any offence that may have been committed under the Litter Act 1979; and/or</p> <p>(d) Enforce any breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.</p> <p>20.8 Where a person does not comply with any of the requirements in clause 17 of this Bylaw, the Council may use its enforcement powers under the Litter Act 1979.</p>
	Non-compliance with approved collection point requirements	
	Non-compliance with waste management plan requirements	
	Non-compliance with inorganic material requirements	
	Non-compliance with unaddressed mail requirements	
21	Exceptions and Saving Provisions	<p>21.1 A person is not in breach of this Bylaw if that person proves that the act or omission was in compliance with the directions of an Authorised Officer.</p> <p>21.2 A product stewardship scheme accredited under the Act may be exempt from the requirements of this Bylaw.</p>

22	Fees	<p>22.1 The Council may in accordance with the provisions of section 150 of the Local Government Act 2002 set prescribed fees under this Bylaw.</p> <p>22.2 The Council may refund, remit or waive any fee prescribed by this Bylaw or charge payable for an authority, approval, licence, permit or consent from, or inspection by, the Council, for any reason it thinks fit.</p>
23	Forms and processes	<p>23.1 The Council may prescribe the form of, and process to be followed for, any application, approval, licence, or other document, which is required under this Bylaw (or any related controls made by Council). These forms and processes may be altered or amended at any time.</p>

**SCHEDULE 1: CONTROLS FOR THE WELLINGTON CITY COUNCIL SOLID WASTE
MANAGEMENT AND MINIMISATION BYLAW 2020**

{insert draft controls}

PROPOSED CONTROLS FOR THE WELLINGTON CITY COUNCIL SOLID WASTE MANAGEMENT AND MINIMISATION BYLAW 2020

In accordance with clause 7.1 of the Wellington City Council Solid Waste Management and Minimisation Bylaw 2020, the Council resolves the following controls in relation to solid waste management, collection and disposal and the use of the Southern Landfill.

1. INTRODUCTION AND COMMENCEMENT

1.1. These are Council resolutions made pursuant to clause 7.1 of the Wellington City Council Solid Waste Management and Minimisation Bylaw 2020 ("the Bylaw") and should be read and conjunction with it.

1.2. These resolutions come into force on [insert date].

2. CONTROLS***Waste Collection Services (applicable to any Council or privately provided collection service)***

- 2.1. The permitted times for waste, recycling or other diverted material collection services, whether the service is provided by Council or private waste collectors, are as follows:
- a) For areas within the Central Area (as defined by the Wellington City District Plan) collection services are permitted 7 days of the week between the hours of 6.00pm and 7.00am.
 - b) For areas outside of the Central Area, collection services are permitted from Monday to Saturday between the hours of 7.00am and 9.00pm, with the following exceptions:
 - I. On roads classified under the following categories (as defined by the Wellington City District Plan) collection services may commence from 6.00am:
 - State Highway
 - Arterial
 - Principal.
 - II. On any Principal or Arterial road, no collection services shall occur between the hours of 7.00am to 9.00am or 4.00pm to 6.00pm.
 - c) The Council may approve a variation to collection times for reasons of health, safety or congestion. Requests must be made to the relevant Council Director. Prior to the Council Director's consideration of the request, all affected parties must be notified by the Council and given the opportunity to have their views considered by the Council Director as part of the decision making process. If a variation to collection times is approved by the Council Director, the collection service provider must notify all affected customers in writing of the times for when waste and diverted material must be put out.
- 2.2. Where the operation of a waste, recycling or other diverted material collection service can be carried out entirely on private property, the permitted times are as follows:
- a) For the Central Area, collection services are permitted on any day and at any time.

- b) For areas outside of the Central Area, collection services are permitted on any day at any time except for between the hours of 10.00pm and 6.00am, unless the conditions of a current resource consent for the property or an activity on the property provide otherwise.
- 2.3. The emptying of Council provided pedestrian waste or litter receptacles located in public places may occur on any day and at any time.
- 2.4. The Council may declare some streets or parts of streets where it is not possible to safely undertake the collection of approved receptacles as being unsafe for waste, recycling or other diverted material collection services. Where an area is deemed by Council to be unsafe for undertaking a waste collection service, the Council may limit, condition, or prohibit the deposit of waste, recycling or other diverted material for collection within that area.
- 2.5. No Council waste or recycling collection services will be provided to any property or premises where the servicing operation would be required to be undertaken on a private road or access way. Council may grant an exemption from this restriction if:
- a) The owners and/or managers of all of the affected properties or premises located on the private road or access way can demonstrate to the satisfaction of Council that use for waste servicing purposes can meet Council's relevant traffic and health and safety requirements; and
 - b) The owners and/or managers of all of the affected properties or premises have been previously granted an exemption or waiver by the Council and can provide official documentation which confirms their exemption or waiver; or
 - c) An easement is created over the private road or access way providing the Council the legal authority to access private property for waste servicing purposes, subject to agreement that the Council, or any waste service-related operator acting on Council's behalf, will not be liable to any property owner or third party for any damages caused or perceived to have been caused for any direct or indirect damage to the road or access way.
- 2.6. Where 10 or more properties are located on any one private road or access way created after the [insert commencement date of this Council resolution], no Council provided waste or recycling collection services will be available from or on the adjoining or adjacent Council road reserve or berm for those properties, unless for the following standards are met:
- a) A dedicated Council approved shared waste servicing/collection area is provided to serve the needs of the properties or premises that are accessed by the private road or access way; and
 - b) The waste servicing/collection area can be safely accessed by a service vehicle from a public place; and
 - c) The servicing collection area can meet the Council's relevant engineering, planning, traffic, and health and safety requirements.

Storage of Waste

- 2.7. Waste, recycling or other diverted material must not be stored in or on a public place unless specifically approved by the Wellington City Council.

Placement and Retrieval of Waste Receptacles

- 2.8. Waste, recycling or other diverted material may only be placed in or on a public place for collection pursuant to the Bylaw or the controls made under the Bylaw unless otherwise approved by the Wellington City Council.
- 2.9. Approved receptacles must be placed in an appropriate location in or on a public place for the collection of waste, recycling or other diverted material during the following permitted times:
- For areas within the Central Area, no receptacle is permitted to be placed for collection between 7.00am and 5.00pm.
 - For all areas outside of the Central Area, receptacles may be placed for collection from 7.00pm on the day preceding collection, and must be placed for collection before 6.00am on the day of collection or by the latest time as notified by the collection service provider.
 - All receptacles and any uncollected waste, recycling or other diverted material must be removed from the public place by 7.00am on the day following collection day for areas within the Central Area, or by 12 noon on the day following collection day for areas outside of the Central Area.
- 2.10. Approved receptacles, and any uncollected waste, recycling or diverted material outside of an approved receptacle, intentionally or otherwise, remain the property and responsibility of the depositor and will be considered litter under the Litter Act 1979 if not removed from the public place and will be subject to enforcement action under that Act.
- 2.11. Any receptacle used for the disposal of waste, recycling or any other diverted material and placed in or on a public place for collection must be an approved receptacle and must have the name and contact details of the collection service provider clearly identified on the outside of the receptacle.

Waste Separation

- 2.12. No more than 10% green waste shall be deposited into any Council provided waste receptacle.
- 2.13. No waste, other than clean accepted recyclable materials, shall be deposited in any approved receptacle provided for recycling purposes.
- 2.14. No waste, other than accepted materials, shall be deposited at any resource recovery station or recycling centre.

Note: A list of accepted recyclable materials and materials accepted at resource recovery stations and recycling centres will be made available to service users by the applicable service provider.

Restrictions on Materials

- 2.15. No person shall deposit or cause or allow any of the following materials to be deposited in any approved receptacle placed for collection:
- Explosives, hot ashes, highly inflammable material or infectious material;

- b) Liquids, acids, printer's ink, paint, or any other viscous fluid;
- c) Any trade waste, offal or dead animals;
- d) Any commercial or industrial waste except as allowed under clause 9.2 of the Bylaw;
- e) Any pesticides, herbicides, fungicides or other toxic compounds or any containers that have been used to hold such materials; or
- f) Any other prohibited waste as identified under the definition of "prohibited waste" in clause 6 of the Bylaw.

Note: Household substances which are excluded from kerbside waste collection services under clause 2.15 (above) may be taken to the Hazardous Waste Storage Facility located at the Southern Landfill.

Collection Services for Multi-Unit Developments

- 2.16. Pursuant to clause 12.6 of the Bylaw, any multi-unit development (comprising 10 or more residential units) shall be responsible for the appropriate deposit and disposal of all waste, recycling and other diverted material generated from the premises. This clause will become effective two years following the date on which the Wellington City Council Solid Waste Management and Minimisation Bylaw 2020 takes effect.

Note: For clarity, except as may be provided for by Council under clause 2.17 (below), no Council provided waste, recycling or other diverted material collection service will be available to any multi-unit development of 10 or more residential units from two years following the commencement date of the Bylaw.

- 2.17. The owner and/or manager of a multi-unit development may apply to the Council for an exemption from clause 2.16 (above) if:
- a) Immediately prior to clause 2.16 coming into effect, the Council provided both waste and recycling services to the premises; and
 - b) A multi-unit development waste management plan has been approved by the Council for the premises; and
 - c) The premises does not have adequate space to facilitate on-site waste and recycling service collection.
- 2.18. When considering whether or not to grant an exemption from clause 2.16 (above), the Council will take into account the following matters:
- The protection of pedestrian access and safety on and/or around the premises.
 - Traffic safety and the efficiency of the roading network.
 - Road gradient and associated accessibility issues for Council service vehicles.
 - The availability of public space located immediately adjacent to the premises.
 - Any negative impact on amenity for surrounding community.
 - Any potential benefits to pedestrian and road safety, and/or community amenity, which could be facilitated via private waste collection service arrangements.
 - Health and safety requirements.

Construction Site and Demolition Waste Management Plans

2.19. In accordance with clause 14.1 of the Bylaw, the Council will require any person who is applying for building consent for building work with an estimated value of \$2 million or higher to submit a construction site and demolition waste management plan to the Council for approval prior to the commencement of the building work. This clause will become effective one year following the date on which the Wellington City Council Solid Waste Management and Minimisation Bylaw 2020 takes effect.

Southern Landfill

- 2.20. The Council may refuse to accept for disposal to the Southern Landfill the types of waste material described in clause 2.15 (above).
- 2.21. Prior to entering the Southern Landfill, landfill users are required to separate green waste from general waste in accordance with landfill use and entry requirements.
- 2.22. In addition to the restrictions described in clauses 2.20 and 2.21 (above), the Council may also refuse to accept for disposal to the Southern Landfill any:
- a) Cleanfill.
 - b) Items or material it considers, at its sole discretion, can reasonably be expected to be diverted from the waste stream.
- 2.23. For any vehicle entering the Southern Landfill, it will be a condition of entry that the owner and operator of the vehicle may be subject to a random audit of the contents of their waste and/or waste containers whether carried in a vehicle, trailer, or by some other means. Such inspections, sampling, testing or monitoring of waste, to be undertaken by landfill staff, may be for the purpose of:
- a) Determining whether or not people are complying with the controls and any specified conditions of use of the landfill, with regard to the types of waste or diverted material they are carrying in for disposal or deposit; or
 - b) Monitoring the content of the waste stream for waste audit purposes.
- 2.24. Detection of any material that does not comply with the controls and/or any specified conditions made or set by Council for use of the Southern Landfill may result in:
- a) Refusal to accept that waste or load for disposal.
 - b) A notice being issued against that person by the Council to prevent them from using the landfill.
 - c) Any other steps that may be taken by the Council in law.
- 2.25. No person shall remove or disturb any deposit of waste or diverted material, or remove any article or material of any kind from the Southern Landfill, unless authorised to do so by the Council.
- 2.26. No person shall light any fire on the Southern Landfill or on land designated for the purposes of the landfill without the express permission of the Council.
- 2.27. Any Council officer authorised under the Bylaw is hereby empowered to:

- a) Ensure that anyone entering the Southern Landfill complies with the conditions of entry and any other conditions to ensure compliance with health and safety requirements, operational requirements and the laws governing the use of the landfill.
- b) Inspect waste and waste containers as provided for in clauses 2.23 and 2.24 (above).
- c) Prevent a particular person or organisation from entering the landfill for previous failure to comply with this part or any direction given under it, failure to pay landfill or waste collector/operator licensing fees, or failure to comply with operational requirements, the laws governing the use of the landfill, or health and safety requirements in relation to waste management.

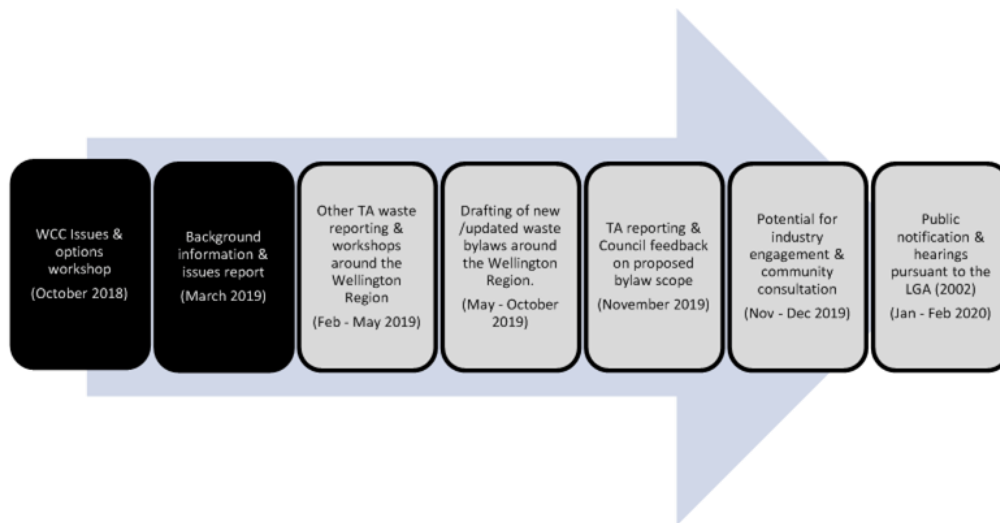
Waste Bylaw Review

Background Information and Issues Report

February 2019

1. Purpose of this report

This report presents a summary of local and regional waste management and minimisation issues that need to be considered for the purposes of informing the Council's waste bylaw review. It also reviews the effectiveness of Part 9 of the existing Wellington City Council Consolidated Bylaw 2008 (Waste Management) (the Bylaw) in addressing these issues.



2. Executive Summary

In August 2017, the Council adopted the Wellington Region Waste Management and Minimisation Plan (2017-2023) (WMMP). This regional-level plan was collaboratively developed, and subsequently adopted, by the eight territorial authorities of the Wellington Region. This Plan identifies the council methods for achieving effective and efficient waste management and minimisation within the respective city/districts.

Within the WMMP the eight councils agreed to investigate and if feasible develop, implement and oversee monitoring and enforcement of a regional bylaw, or a suite of regionally consistent bylaws. In addition, the Council made a local commitment to “ensure systems and resources are available for implementing, monitoring and enforcing the Wellington Consolidated Bylaw Part 9: Waste Management, the future Regional Waste Bylaw and any other waste-related bylaws, e.g. the Collection and Transportation of Waste and Wellington Trade Waste Bylaws” (Action R.1).

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Consistent with these bylaw-related WMMP actions, the Council also has a legal obligation to review Part 9 of the existing Bylaw every 10 years. This Bylaw is due for review in December 2018.

The legal requirement to review the existing Bylaw is timely, as several existing Bylaw provisions and associated terms and conditions are in need of an immediate update, including provisions pertaining to waste and divertible material collection times on high traffic roads; and the current lack of terms and conditions applicable to waste management storage and servicing areas in multi-unit dwellings.

Another area of the existing Bylaw requiring an immediate update is the extent to which it promotes waste minimisation. Currently the purpose of the existing Bylaw includes assisting with the implementation of the Waste Minimisation Act (2008). The primary purpose of the Waste Minimisation Act is to encourage waste minimisation and a decrease in waste disposal in order to: (1) Protect the environment from harm, and (2) Provide environmental, social, economic, and cultural benefits. Currently the Bylaw does not encourage waste minimisation and a decrease in waste disposal in order to provide environmental, social and economic benefits.

The first step in the bylaw review process, involves the Council determining whether a bylaw is the most appropriate way of addressing the perceived issue or problem. This report sets out the factors relevant to making this determination with respect to waste management and minimisation issues within Wellington City. These issues include:

- **The potential for inefficient & ineffective waste management operations** (i.e. There is a need to ensure efficiency and effectiveness by managing the type, use and placement of kerbside containers for collection; controlling collection times; service routes; regulating the types of waste and diverted material placed in kerbside collection containers and levels of recycling contamination; addressing littering and the inappropriate deposit of waste, the reliability of service provision, and the appropriate disposal of material at, and use of the Southern Landfill).
- **The potential for inappropriate and unsafe management of the collection, transport and disposal of dangerous, hazardous and/or infectious waste.**
- **Waste storage and collection activities that have the potential to create public nuisance issues and adverse impacts on amenity** (i.e. current issues include the siting of wheelie bins in a manner that impedes footpath access; the mass deposit or piling of rubbish and recycling on the kerbside and outside of multi-unit dwellings; inappropriate waste disposal in public places; noise associated with collections; and traffic congestion issues resulting from waste servicing on select streets within peak hour traffic).
- **Responding to inefficient and inappropriate waste management storage and servicing associated with multi-unit dwellings.**
- **The high quantity of waste sent to landfills.**
- **The lack of construction and demolition waste management and minimisation.**
- **Littering, waste and public nuisance caused by the delivery of unaddressed mail (otherwise commonly referred to as junk mail).**
- **Limited regional-level waste data.**
- **Lack of event waste management and minimisation on Council owned, administered or managed land.**

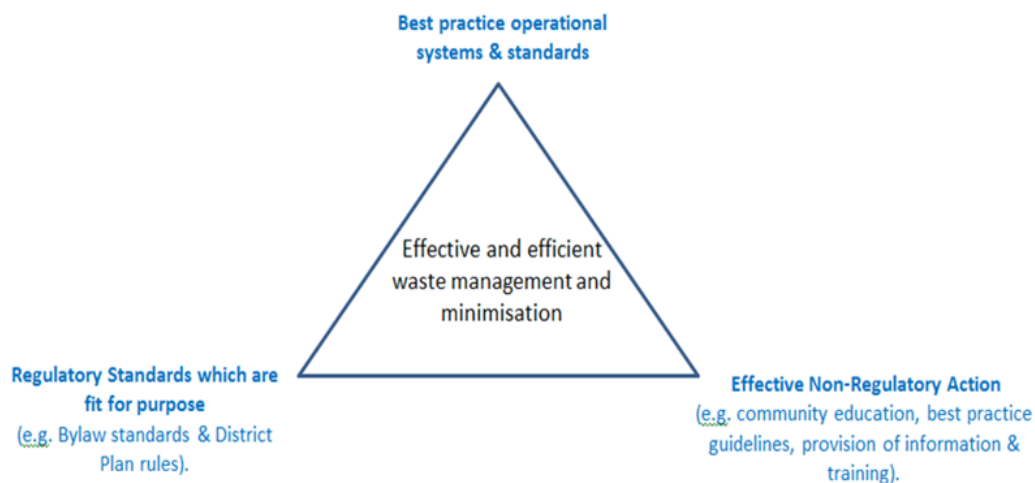
This report considers the issues identified above relative to their local and regional significance. Recognising the regional significance of waste management and minimisation issues is important given the commitment the Council has made to work regionally with other territorial authorities to establish appropriate regionally consistent bylaw provisions. As such, the following report initially considers issues specific to Wellington City, and then

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considers waste management and minimisation issues relevant to the broader Wellington Region. The report concludes that a bylaw is the most appropriate regulatory response to a number of waste management and minimisation issues within the City.

While non-regulatory guidance (e.g. community education, guidelines and the provision of information) and appropriate operational practices will also be necessary to address the issues discussed within this report, bylaw regulation is necessary as a means to establish the baseline waste management and minimisation standards applicable to waste service users and service providers. Together, regulatory standards, non-regulatory action and operational practice will support the delivery of effective and efficient waste management and minimisation (as depicted in Diagram 1).

Diagram 1: The core components of effective and efficient waste management and minimisation.



In order to establish the potential for regional-level cross-council bylaw consistency in addressing these issues, a series of council workshops is proposed within the region. These workshops will discuss a number of bylaw mechanism options available to Councils, and consider potential scope and nature of the revised bylaw provisions. Feedback from these workshops will subsequently inform the drafting of the revised waste bylaw.

3. Background – How waste is currently managed

3.1 Legislative Context

Collectively the LGA, the WMA, the Litter Act (1979), the Resource Management Act (1991), and the Health Act (1956), provide a legislative framework for waste management and minimisation in New Zealand. These Acts provide legislative direction to support the implementation of the New Zealand Waste Strategy (2010).

The LGA and the WMA are the primary pieces of legislation relevant to this Bylaw review. Underpinning this, the WMA (s42) stipulates that territorial authorities have an obligation to encourage effective and efficient waste management and minimisation within their district. The LGA further specifies that territorial authorities are required to have particular regard to the contribution that solid waste collection & disposal makes to its communities as a core service (s11A, LGA). As the WMA exists independently of the LGA, territorial authorities are obliged to give effect to both pieces of legislation.

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Territorial authorities have the ability to make bylaws in accordance with the WMA and LGA in order to:

- Prohibit or regulate the deposit of waste (WMA s56(1)(a)).
- Regulate the collection and transportation of waste (WMA s56(1)(b)).
- Prohibit the removal of waste intended for recycling from receptacles (WMA s56(1)(f)).
- Protect the public from nuisance (LGA s145(a))
- Protect, promote and maintain public health and safety (LGA s145(b)); and
- Regulate waste management, solid waste, and trade waste¹ (LGA s146(a)(ii, iii, iv)).

3.2 The Wellington Solid Waste Bylaw

On the 18 December 2008 the Council gave effect to the existing Bylaw. This Bylaw is made pursuant to sections 145 and 146 of the LGA, section 56 of the WMA, section 12 of the Litter Act 1979, and section 64 of the Health Act 1956. The purpose of this bylaw is to:

- a) Contribute to safe, effective and efficient waste management in the district, and, where appropriate, beyond the district.
- b) Protect the health and safety of the public, employees and contractors.
- c) Assist with the implementation of the WMA, the goals of the (previous) New Zealand Waste Strategy 2002, and the Councils (previous) Solid Waste Management Plan 2003 and Liquid Waste Management Plan 2005, and any subsequent waste minimisation activities.

It seeks to achieve this purpose by regulating:

- Collection service for waste and diverted material including from individual properties and where collection services are offered by commercial providers.
- The types of waste that may be disposed of.
- The prevention of nuisance in relation to waste collection, and litter and recycling bins provided by the Council in public places.
- The rules and conditions for use of the Southern Landfill which provides for the disposal of waste to ground, the temporary collection and storage of divertible material, the temporary holding of hazardous substances and hazardous waste, and information services.

The Bylaw applies to municipal waste and diverted material that is disposed of or collected within the district, transported through or within the district, and/or disposed at a waste handling facility sited within the district. For clarity, this Bylaw does not regulate trade waste, which refers to liquid waste discharged from a trade premises into the wastewater system (e.g. sewer, pumping station, storage tank etc.).

In summary, the Bylaw provisions apply to all waste and recycling service users, and specify controls relevant to all people using commercial collection systems for waste or divertible material. These controls prohibit the disposal of residential waste and other forms of material in a public place; set rules to protect against the interference with collection services; and sets controls relevant to any person entering the Southern Landfill to dispose of waste.

The Bylaw provisions are supported by a set of terms and conditions adopted by Council resolution (29 June 2016), which further regulate collection services and landfill use. The terms and conditions primarily control the disposal of hazardous and/or dangerous

¹ The LGA 2002 does not define any of these waste types.

substances specify the need for the correct separation of waste and/or divertible materials, detail the nature of approved containers, and specify kerbside container siting requirements. The terms and conditions also specify rules relating to the collection times relevant to kerbside collection services.

3.3 Bylaws

The Council has an obligation to review its bylaws made under the Local Government Act (LGA) initially every 5 years, and then subsequently at least every 10 years. The Waste Minimisation Act (WMA) further specifies that territorial authorities have an obligation to review bylaws made in accordance within the WMA, at least every 10 years. The Council's existing Bylaw (see Appendix 1) is due for review in December 2018. If this Bylaw has not subsequently been reviewed by 19 December 2020, it will be automatically revoked.

Before a local authority makes a bylaw, a council must determine whether a bylaw is the most appropriate way of addressing the perceived issue or problem. This report sets out the factors relevant to making this determination with respect to waste management and minimisation issues within Wellington City.

3.4 The Wellington Region Waste Management and Minimisation Plan

In August 2017, the Council adopted the WMMP. This regional-level plan was collaboratively developed and adopted by the eight territorial authorities of the Wellington Region. This plan outlines the Council's strategy for achieving effective and efficient waste management and minimisation within the City, and the region more broadly.

Together, the eight councils of the Wellington Region agreed to the primary regional WMMP target, to reduce the total quantity of waste sent to Class 1 Landfills from 600 kgs (per person/per annum) to 400 kgs (per person/per annum) by 2026. The Plan outlines how the Councils of the region intend to work together towards this goal, and identifies a range of local and regional methods proposed for achieving effective and efficient waste minimisation.

In conjunction with the other seven territorial authorities in the region, the Council have committed to investigate, and if feasible develop, implement and oversee the monitoring and enforcement of a new regional bylaw, or a suite of regionally consistent bylaws for waste management and minimisation. As signalled within the WMMP, this work reflects the Council's intent to work with other territorial authorities within the region in an effort to collaboratively advance solutions to waste management issues.

In addition to this regional-level bylaw commitment, the Council has made a local commitment to "ensure systems and resources are available for implementing, monitoring and enforcing the Wellington Consolidated Bylaw Part 9: Waste Management, the future Regional Waste Bylaw and any other waste-related bylaws, e.g. The Collection and Transportation of Waste and Wellington Trade Waste Bylaws" (Action R.1).

4. The Waste Management Context

4.1 Waste Management in Wellington City

Waste management services within Wellington City are currently facilitated through a combination of Council funded waste and recycling, and independent private sector services. Six private sector kerbside waste service providers are understood to be operating in the City.

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The Council currently operates City wide user pays waste, and Council funded recycling service delivery, but contracts out service delivery to the private sector. Separate waste service contracts have been established for the inner city and suburban area. Diagram 2 provides an overview of the level of waste and recycling service provision associated with these contracts.

Diagram 2: WCC Waste Service Provision Overview

WCC Inner City Waste Services	WCC Suburban Area Waste Services
<ul style="list-style-type: none"> ▪ Waste: User pays rubbish bags, kerbside service, serviced daily. ▪ Recurrent street cleaning service for other waste/litter. ▪ Recycling - Plastics, tin/ cans, paper and glass serviced weekly. ▪ Waste, recycling and street cleaning service provision is contracted to Downer Group (and subcontracted to Civic Contracting). 	<ul style="list-style-type: none"> ▪ Waste: User pays rubbish bags, kerbside service, serviced weekly. ▪ Recycling - <ul style="list-style-type: none"> - Plastics, tin/cans, and paper, serviced fortnightly. - Glass, serviced fortnightly (alternate). ▪ Waste and recycling services are contracted to EnviroWaste Services Ltd.

Within the suburban area the Council provides a weekly, user pays, waste collection service to residents that is funded through the sale of yellow rubbish bags. The delivery of this service is contracted out to EnviroWaste Services Ltd. The Council also provides a kerbside recycling service for residents. This is a two-stream recycling service, comprising of (1) paper & cardboard, metal and plastics, and (2) glass collection on an (alternate) fortnightly basis. This service is also contracted to EnviroWaste Services Ltd, but is funded primarily by the revenue generated from operations at the Southern Landfill.

Within the inner city area, the Council funded waste and recycling collection and street cleaning services are contracted out to Downer Group then subsequently subcontracted out to Civic Contracting. Inner city service provision includes daily user pays (via bag sale) kerbside waste servicing for residents and businesses, and the provision of a weekly kerbside recycling service.

In addition to this, the Council provide a nightly street cleaning collection service within the inner city area. Service delivery is also currently subcontracted out to Civic Contracting.

4.2 Waste Composition and Trends

Over time waste is more closely linked with real GDP than any other factor. In New Zealand, our GDP has increased by an average of 2.9% per year from between 2008 and 2017. In addition to increases in waste associated with GDP growth, in the Wellington Region the population is estimated to have increased by an average rate of 0.9% (per year) between 2008 and 2017. More specifically, in Wellington City the population is estimated to have increased a total of 11.5% between 2008 and 2017. As such, the link between GDP

growth and increased waste to landfill, and increased population growth will likely be resulting in increasing amounts of waste being sent to landfill.

In terms of waste to landfill trends, data suggests that the Wellington City is estimated to be sending 507 kg of waste (per person) to Class 1 landfill (per year). This rate is lower than the regional average of 608 kg of waste (per person) sent to Class 1 landfill (per year)². Within the Wellington Region however, city and district level waste to landfill data has the potential to be misleading due to the cross boundary movement of waste (e.g. waste from Wellington City may be sent either Silverstream Landfill in the Hutt Valley, or Spicer Landfill in Porirua City). This means that Wellington City’s waste estimates may not reflect the actual amount of waste generated in the city area. For this reason, the regional waste to landfill average of 608 kg (per annum/per person) is likely to be a more accurate reflection of waste generation within Wellington City.

See diagram 3 for an overview of the activity source of waste to municipal (Class 1) landfills in the Wellington Region. See table 1 for a snapshot of the estimated amounts of waste (per capita) sent to landfill in New Zealand.

Diagram 3: Activity source of waste to Class 1 landfills in the Wellington Region

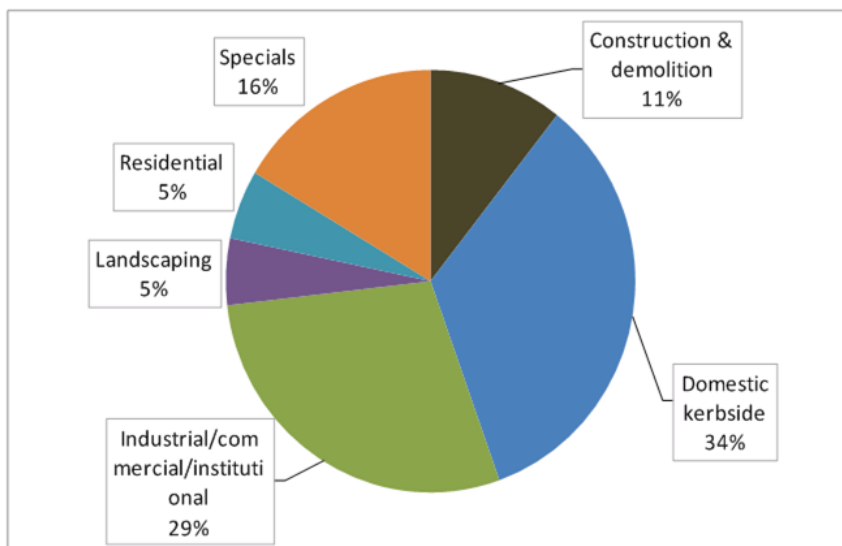


Table 1: Waste to Landfill in New Zealand

Overall waste to landfill (excluding cleanfill and cover materials)	Kilograms per capita/ per annum
Gisborne District 2010	305
Waimakariri District 2012	311
Westland District 2011	331
Carterton/Masterton/South Wairarapa Districts 2015	352

² Calculated using the most recent available district level data for the Wellington Region, listed in Table 33 of Wellington Region Waste Assessment 2016.

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Overall waste to landfill (excluding cleanfill and cover materials)	Kilograms per capita/ per annum
Ashburton District 2014-15	366
Tauranga and WBoP District 2010	452
Napier/Hastings 2012	483
Southland region 2011	500
Wellington City & Porirua City 2015	507
Christchurch City 2012	524
Taupo District 2013	528
Kāpiti Coast District 2015	584
Wellington region 2015	608
New Plymouth District 2010	664
Hamilton City	668
Queenstown Lakes District 2012	735
Rotorua District 2009	736
Auckland region 2012	800
Upper Hutt City & Hutt City 2015	874

Source: The Wellington Region Waste Assessment 2016, p.70.

Note – Within the table above, the districts with the lowest 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, major industrial work projects or with large numbers of tourists.

Wellington City is also recycling an estimated 58 kg (per person per annum), which is slightly more than the regional average of 53 kg (per person/per annum), but significantly less than the estimated average national recycling rate of 77 kg (per person/per annum). For clarity, the average national recycling rate is indicative only, and has been calculated using district/city level data for the 13 districts outside the Wellington Region (including Auckland) (Table 36 of the Wellington Region Waste Assessment 2016, p.74).

See table 2 for a snapshot of recycling rates in the Wellington Region.

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Table 2: Per Capita Kerbside Recycling (Kg/Capita/Annum) – By Area for the Wellington

Kerbside recycling - includes council and private collections - kg/capita/per annum	2010/11	2011/12	2012/13	2013/14	2014/15
Carterton (1)	34	53	58	60	57
Hutt	53	52	52	50	50
Kāpiti Coast	67	67	67	64	64
Masterton	50	55	51	52	52
Porirua	58	54	52	51	46
South Wairarapa (1)	14	92	95	93	92
Upper Hutt	44	43	28	22	22
Wellington	61	65	59	60	58
WELLINGTON REGION	56	59	55	54	53

Source: The Wellington Region Waste Assessment 2016, p. 75.

Note: (1) Includes transfer station drop-off tonnages.

The waste stream entering the Southern Landfill comprises (by weight) of approximately 29.2% potentially hazardous material, 22.8% putrescibles (referring to plant based material and other bio-degradable material such as food waste), 13.4% construction & demolition waste (timber & rubble), 12.2% paper & cardboard, and 9.4% plastics³. The remaining 13% of the waste stream is made up of nappies and sanitary waste (4.1%), glass (3.3%), textiles (3%), metals (2.4%), and rubber (0.2%).

In 2016 it was estimated that 40% of households within the Wellington City used the Council's user pays kerbside rubbish service. It was also estimated that of the total kerbside waste collected in Wellington (by weight), 24% is collected by Council contractors. Said differently, within the Wellington City the majority of kerbside waste (76%) is currently collected by private sector operators. These waste estimates have been calculated by measuring the individual council's share (by weight) of the domestic kerbside market. This is done by converting the number of refuse bags sold by the Council each year into a tonnage. This tonnage (based on a known average bag weight of 6.25 kg) is then used to calculate the Council's market share of the domestic kerbside refuse market for the year. It is emphasised that these are high level estimates⁴.

5. The Local Impact of Regulating Waste Management in the City

5.1 Ensuring efficient & effective waste management operations

Both waste service user, and operator actions have the potential to impact the efficiency and effectiveness of waste management operations. These actions include: the use and placement of kerbside containers for collection; collection times; service routes; the types of waste and diverted material placed in kerbside collection containers; levels of recycling contamination; littering and the inappropriate deposit of waste, the reliability of service provision, and the appropriate disposal of material at the Southern Landfill.

Within Wellington City, the existing Bylaw, together with the associated bylaw terms and conditions, regulate city-wide waste management operations to help maximise waste management effectiveness and minimise operational inefficiency. Current Bylaw provisions

³ Based on an audit of the Southern Landfill undertaken in June 2009, as prepared by Waste Not consulting.

⁴ See the Wellington Region Waste Assessment (2016, p. 77) for further information.

relating to waste service collection times, recycling stream content and disposal conditions and standards nevertheless need to be updated in order to improve the efficiency and effectiveness of the waste management system.

Without regulatory controls applicable to waste service users and commercial operators, waste management operations have the potential to generate a range of adverse public nuisance, health and safety, and environmental impacts. Regulatory controls are also necessary as they set clear and transparent kerbside waste and recycling collection standards applicable to Council contracted waste and recycling service operators.

The use of education strategies and programmes exists as the other option available to the Council to manage these issues. Community education promoting the correct use of kerbside collection systems will be essential if a collection service is to run effectively and efficiently. However, despite education being an effective tool for promoting behaviour change, it does not provide a satisfactory solution for a small percentage of the population who knowingly breach kerbside collection rules. Furthermore, education and advice will not, alone, be sufficient in managing commercial waste collectors who will largely be driven by cost considerations.

Bylaw controls therefore remain an essential regulatory mechanism necessary for the maintenance and potential enhancement of efficient and effective waste management operations across Wellington City.

As recognised in the NZ Waste Strategy (2010) efficiency in waste management is also recognised to extend beyond the consideration of operational efficiency and also includes the efficiency of resource use to reduce the impact on the environment and human health, and to capitalise on economic benefits. These aspects of efficiency are encompassed within the issues discussed in the remainder of this report.

5.2 Managing dangerous, hazardous and/or infectious waste:

The existing Bylaw allows the Council to control the deposit of waste in an approved kerbside container in a public place, as well as the types of waste deposited within the Southern Landfill. With respect to kerbside operations, the Bylaw stipulates that no one can put a hazardous substance into a container for collection, including:

- Explosive or any highly flammable material
- Radioactive material, asbestos or paint
- Trade refuse, offal, dead animals or infectious matter
- Any waste removed from any part of a drainage or sewerage system
- Hot ashes, and
- Unwrapped sharp objectives.

Notwithstanding the existing Bylaw, the disposal of hazardous waste within kerbside containers and into the Southern Landfill remains a waste management issue requiring attention. As national regulation, standards and codes of practice pertaining to hazardous waste management continue to evolve, it will be important the Council can respond and address related issues in accordance with bylaw provisions and conditions.

Regulating the disposal of dangerous, hazardous and infectious materials in the kerbside waste stream, and at the Southern Landfill is consequently necessary and bylaw provisions must ensure that risks such materials pose to human health, environmental wellbeing and waste service operator safety are minimised, and where possible avoided. As such, the use of a non-regulatory approach to controlling the disposal of hazardous waste is considered inappropriate.

In line with guiding legislation, specifically section 145(b) LGA 2002, and sections 23(e) and s64(1)(a) of the Health Act, a bylaw remains the most appropriate regulatory tool for controlling the deposition of dangerous, hazardous and infectious substances within the waste stream. However, it is recognised that in order to be effective, such bylaw controls

need to be supported by community education advocating best practice waste management behaviour.

5.3 Managing waste storage and collection activities to minimise public nuisance issues and adverse impacts on urban amenity:

Waste and recycling collection activities have the potential to reduce the level of amenity enjoyed within the urban environment and lead to public nuisance issues. Within Wellington City, such issues include: the siting of wheelie bins in a manner that impedes footpath access; the recurrent practice of the mass deposit or piling of rubbish and recycling on the kerbside and outside of multi-unit dwellings; inappropriate waste disposal in public places and on private property; the potential for unreasonable noise and disturbance associated with collections; and traffic congestion issues resulting from waste servicing on select streets within busy traffic.

Existing bylaw provisions require an update in this regard, as they fail to address trends associated with the increasing use of wheelie bins, ongoing kerbside waste dumping within the Central Business Area, traffic safety and congestion issues caused by inappropriate waste servicing times, and the mass piling of kerbside waste.

The Council also has the ability to minimise these issues using education strategies and programmes. While community education may be effective in promoting behaviour change for kerbside service users, addressing issues such as the inappropriate siting of wheelie bins and the mass piling of waste, the effectiveness of community education is likely to be limited where practices will result in a cost saving, or a short term time saving by a service user or service operator.

For this reason the use of community education would be best supported by bylaw provisions, which provide a regulatory standard that service users, and operators, are required to meet. A bylaw consequently exists as the primary regulatory tool available to the Council to effectively address these public nuisance and amenity-related issues.

5.4 Ensuring efficient and appropriate waste management storage and servicing for multi-unit dwellings:

At present multi-unit residential developments are not consistently being designed and developed to provide adequate on-site waste management storage and servicing areas within Wellington City. Broadly, a multi-development refers to a property comprising two or more separately occupied household/residential units, whether in the same building or in separate buildings, and held either in common ownership or in separate ownership located on the one site. However, differing District Plan rule triggers currently apply to multi-unit developments located across varying areas/zones.

Inappropriate multi-unit dwelling design can create difficult to access or no access sites for collection vehicles. In turn, associated servicing can cause kerbside (public place) public nuisance issues, result in a recurrent loss of amenity, and create traffic safety and nuisance issues.

Insufficient space provision in multi-unit developments for waste and recycling receptacles, and inappropriately designed and located waste management storage areas can also be problematic for residents, constraining a person's ability to sustainably manage and divert/minimise their waste for the life of the building.

Whilst the Building Code (Clause G15 Solid Waste) stipulates that such "buildings shall be provided with space and facilities for the collection, and safe hygienic holding prior to disposal, of solid waste arising from the intended use of the buildings", this clause does not apply to multi-unit dwellings if there is an independent access, or if there is a private open space at the ground level.

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Building Code provisions are therefore considered inadequate for amenity protection, and for accommodating the waste management needs of residents, for the following reasons:

- a) Where a development is exempt from Clause G15:
 - The provision of an independent site access does not guarantee that multi-unit developments are designed with sufficient on-site waste and recycling storage areas. Furthermore, existing bylaw provisions prohibit the storage of waste and recycling material within a public place.
 - The provision of a private open space at the ground level does not guarantee that this open space is available or accessible for waste storage or servicing needs.
- b) Where Clause G15 is deemed applicable to a development:
 - It does not specify a minimum site size for on-site waste and recycling storage. It is, however, noted that Building Code provision G15/AS1 provides detail of a possible 'acceptable solution' for waste storage, which when complied with, will be deemed acceptable in terms of Building Code compliance.

This issue is complex, and connects to the waste management servicing expectations of multi-unit dwelling residents.

When considering any potential solutions to this issue, it is important to differentiate between existing legally constructed multi-unit dwellings, and new (yet to be established) multi-unit dwellings. The use of a regulatory mechanism as a means to require suitable waste and recycling storage and servicing areas is only appropriate with respect to new multi-unit dwellings, or buildings being converted into multi-unit dwellings. Existing multi-unit dwellings are anticipated to be legally constructed in accordance with regulatory standards. Nevertheless, the Council can regulate waste and recycling service collection and standards applicable to both new and existing multi-unit dwellings.

For new (yet to be established) multi-unit dwellings and buildings being converted into multi-unit dwellings, there are two regulatory options relevant for consideration as a potential means to address the waste storage and servicing area capacity issue. These include the introduction of new bylaw controls, and the establishment of new District Plan controls. While the matter of multi-unit dwelling waste management and servicing will be considered as part of the District Plan Review, this review process will take a number of years to complete. Presently, the formal notification of new District Plan provisions is anticipated to occur in 2022.

Bylaw regulation consequently exists as an immediately appropriate mechanism to manage multi-unit dwelling storage and servicing. However, should appropriate District Plan standards be established and given effect to in the future, relevant clauses of the bylaw could be superseded by District Plan standards.

Due to the ongoing issues caused by inadequate waste management storage facilities in multi-unit dwellings, which are being exacerbated by new development and urban intensification, together with the public nuisance issues caused by inappropriate multi-unit development servicing, voluntary best practice guidance and community education cannot, alone, effectively address these issues.

In summary, the waste management issues discussed above highlight the appropriateness of a bylaw as a regulatory tool to promote effective and efficient forms of waste management. This includes the use of a bylaw to regulate the waste management activities, including (but not limited to) regulating: the use of the kerbside collection system; the collection, transportation, disposal and management of waste; waste management activities for the purposes of limiting public nuisance and litter issues; and controlling the potential for adverse amenity impacts connected to waste management; controlling the deposit of waste in kerbside containers and disposal of material at the Southern Landfill.

It should also be noted that the Council's existing Bylaw currently allows the Council to regulate on-site space for approved containers for multi-unit buildings (see Appendix 1,

clause 4.2.1). However, to date, this provision has not been given effect through the supporting terms and conditions for collection services.

6. Regional Waste Management and Minimisation Issues

This section of the report addresses the issue of landfill disposal, and discusses the appropriateness of using a bylaw to achieve waste minimisation. It also discusses the need for a bylaw to address the limited and inconsistent collection of regional-level waste data within the region.

In order to contextualise the issue of waste minimisation relative to the bylaw making process, the WMA stipulates that waste disposal is the least preferable form of waste management and minimisation (s44). As defined by the WMA, waste disposal refers to the final (or more than short term) deposit of waste into or onto land, or the incineration of waste.

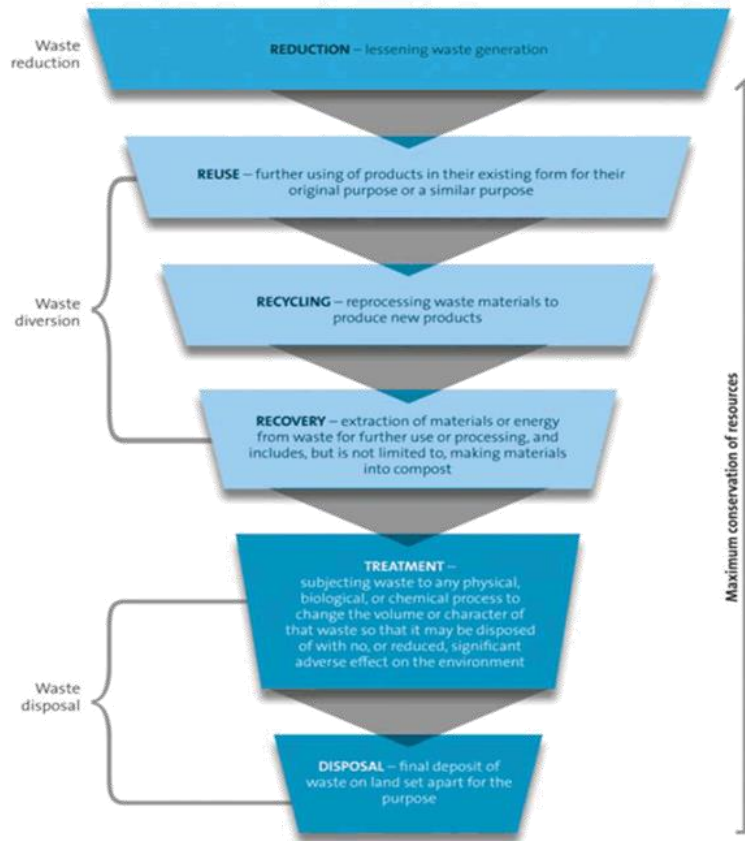
As stipulated by the WMA, territorial authorities have an obligation to promote effective and efficient forms of waste minimisation within their district (s42). When preparing these plans, councils must consider the following waste hierarchy priorities in descending order of importance (see diagram 4):

Territorial authorities also have the ability to make a bylaw that prohibits or regulates the collection and deposit of waste (s51(1)), as long as such a bylaw is not inconsistent with their waste management and minimisation plan (s56(1)).

Currently the purpose of the existing Bylaw includes assisting with the implementation of the Waste Minimisation Act (2008), the waste minimisation goals in the New Zealand Waste Strategy (2002), and the Council's Solid Waste Management Plan (2003), however the existing Bylaw does not directly encourage waste minimisation.

Diagram 4: WMMP Waste Hierarchy set by the Waste Minimisation Act.

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6.1.1 A large quantity of waste is being sent to landfill:

The Regional Waste Assessment (2016) established that the Wellington Region has a comparatively high (per capita) waste disposal rates, and comparatively low (per capita) kerbside recycling rates when compared to the rest of New Zealand. Given that territorial authorities are required to promote effective and efficient forms of waste minimisation within their district, the unrecognised potential for local authorities to further divert waste away from landfill should not be ignored by the Council.

While the existing Bylaw does not promote waste minimisation, a bylaw mechanism nevertheless remains a key tool for the Council to draw on to promote waste minimisation.

Currently the Council uses community programmes and education strategies to promote waste minimisation. The Council facilitates the Waste Heroes Waste Minimisation in Schools Program, supports Love Food Hate Waste initiatives, and runs regular social media campaigns to promote waste minimisation. These initiatives have raised the profile and importance of waste minimisation within the City, and have also responded to the increasing importance of waste minimisation within the community. As such, these education initiatives highlight the value and role of waste education in conjunction to bylaw controls.

The Council also promotes waste reduction by offering a Council funded recycling service that is free to residential households within the City, and provides community drop-off recycling facilities at the Southern Landfill.

Research undertaken in Auckland suggests the most important factor determining the per capita quantity of kerbside refuse is believed to be the proportion of households that use private wheelie bin collection services. Households that use private wheelie bins, particularly larger, 240-litre wheelie bins, tend to set out greater quantities of refuse than households that use refuse bags. As a result, in general terms the higher the proportion of households that use large private wheelie bins for waste in a given area, the greater the per capita quantity of kerbside refuse generated (The Wellington Region Waste Assessment, 2016, p.71).

While the use of community and education programmes, and the provision of kerbside recycling, are important and necessary for waste minimisation behaviour change within the community, the current effectiveness of these options for minimising waste within Wellington City should be reconciled against the City's relatively low per capita kerbside recycling rate and the region's moderate to high per capita waste to landfill disposal rate. While the Council has the potential to increase the level of community education to enhance diversion and more comprehensively optimise waste services to increase the diversion of waste to landfill (e.g. kerbside organics diversion and enhanced diversion facilities at the Southern Landfill) the effectiveness of waste minimisation services could be increased through appropriate bylaw conditions and standards.

For this reason, regulatory waste minimisation standards would likely be beneficial for waste minimisation and would assist the Council in working towards the achievement of their WMMP waste reduction goals. When advanced in parallel with community waste education programmes and engagement, waste minimisation bylaw provisions would be more effective than any standalone voluntary waste minimisation measure.

As illustrated in Appendix 2, a range of bylaw provisions orientated towards waste minimisation have already been put in place by numerous territorial authorities in New Zealand.

6.2 Littering, waste and public nuisance caused by the delivery of unaddressed mail

Advertising material is currently being deposited in mail boxes and on car windows. Inappropriate disposal or depositing of unaddressed mail in already full mailboxes can result in public nuisance issues for residents, increased waste to landfill, and litter in public places. The Wellington City Council community website currently reports that 30kg of advertising circulars are delivered to each New Zealand home every year.

Furthermore, when waste is deposited in a public place (e.g. car windscreens and advertising flyers) often becomes the liability of the Council for removal and disposal was litter and waste. Council has no ability to recover the costs of removal or disposal by the waste generators.

The Council has three options available in order to address this issue, including reliance on voluntary codes of practice, community education/promotional strategies, and bylaw regulation.

The voluntary Marketing Association Code of Practice for the distribution on unaddressed mail currently already exists. This voluntary standard advocates for the honouring of household "No Junk Mail" requests by advertisers, and is a standard that is, in principle, widely accepted by the marketing industry and endorsed by the Marketing Association and the New Retailers Association. However, notwithstanding the existence of this standard, waste and litter issues associated with unaddressed mail continue to remain an issue for many residents within the Wellington Region.

In response to this issue, the Council has produced and promoted letterbox stickers for households, stipulating the refusal of unaddressed mail and made them freely available at the WCC Service Centre. However, despite the availability and use of these stickers numerous retailers and service providers (including real estate agents) continue to deliver

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unaddressed mail. This situation suggests that on its own, a voluntary approach is limited in its ability to address this issue.

The main advantage of regulating unaddressed mail through a bylaw is that a bylaw has universal application and will apply to all advertisers. Also, a bylaw could explicitly prohibit putting marketing material under car windscreen wipers as a waste-related public nuisance issue.

A bylaw response clarifying the acceptable and unacceptable deposit of unaddressed mail is consequently considered the most appropriate response to this issue.

6.3 Shortcomings in terms of regional waste data:

As recognised within the New Zealand Waste Strategy (2010), "...the lack of data about waste hampers our ability to plan appropriate activities to improve waste management and minimisation". Consequently, the limited and inconsistent nature of regional waste (including cleanfill waste data) and recycling sector data currently constrains the Council's understanding of waste issues.

The establishment of waste operator bylaw licensing has the potential to address this issue. Waste operator licensing will be most effective when co-ordinated at the regional level and when developed to give effect to the National Waste Data Framework. From an operator perspective, a regionally co-ordinated waste operator licensing regime would likely be beneficial as it would reduce the burden of data provision for operators working across district/city boundaries within the Wellington Region. The National Waste Data Framework has the potential to inform the collection of waste related data across the Wellington Region, and New Zealand more widely.

Section 56(3)(b) of the WMA enables territorial authorities to require the provision of waste data from operators through operator licensing. Licensing may also stipulate licensing conditions that require the following:

- a performance bond or security, or both, for the performance of the work licensed, and;
- reports setting out the quantity, composition, and destination of waste collected and transported by the licensee (for example, household waste to a disposal facility).

Recent engagement with waste industry stakeholders has confirmed that requesting the voluntary provision of waste data would not secure the provision of data for the Council. This is due to the commercial sensitivity of the data. In one instance, a waste company reported that it was their corporate policy to only release commercial waste data if required by regulation. Accordingly, a number of territorial authorities in New Zealand have already established operator licensing via bylaw provisions in order to secure the provision of waste data.

As such, a bylaw is considered the only mechanism available to the Council to effectively address this issue. It is noted that appropriate data confidentiality protocols will need to be applied to safeguard the commercial viability of the waste operators supplying the data.

6.4 Construction & Demolition Waste Minimisation

The New Zealand construction sector is relatively waste-intensive in New Zealand. Construction and demolition activity can generate substantial quantities of dense material, much of which is potentially recoverable, such as brick and concrete, timber, plasterboard, and metal.

In 2013/14, data suggested that approximately 32,099 tonnes of waste sent to municipal (Class 1) landfills in the Wellington Region was waste construction and demolition waste (being 12.7% of Class 1 Landfill waste stream). However, available data also indicates that the majority of C&D waste is currently being sent to Class 2-4 landfills.

Later in 2015, Class 2-4 landfill operators reported their C&D waste tonnages to be approximately 525,000 tonnes per annum. This converts into a per capita disposal rate of 1.06 tonnes per capita per annum (Wellington Region Waste Assessment, 2016, p.55). As such, on the basis that a significant part of the waste stream is potentially recoverable, the Wellington Region Waste Assessment has identified construction and demolition waste as being a priority waste stream that could be targeted by councils as a means to reduce waste to landfill (2016, p.87).

A range of options exist for the Councils to advance C&D waste minimisation. Such initiatives include investing in C&D waste processing activities to stimulate the recovery market, and incorporating C&D waste minimisation into Council procurement considerations. These options are worthy of further investigation by the Council.

In addition to these options, the Council could continue relying on voluntarily waste minimisation practices and sustainability certifications (e.g. the GreenStar building rating system) to promote C&D waste minimisation. This option nevertheless reflects the current situation and despite being useful to reduce C&D waste on discrete projects, it is limited in its capacity to promote or bring about significant reductions in the amount of C&D waste generated across the Region.

The establishment of bylaw provisions that require the consideration of C&D waste minimisation associated with large commercial building projects exists as a starting point for C&D waste minimisation in the Wellington Region. Bylaw provisions have the potential to require the consideration of C&D waste minimisation design, planning, materials recovery and reuse.

It is important to note however, that the establishment of such bylaw provisions will not significantly reduce the amount of C&D waste produced within the region in the absence of changes occurring in the Wellington Region waste market. Currently within the Wellington Region, the disposal of C&D waste to Class 2-4 landfills is relatively cheap in comparison to disposal to Class 1 municipal landfill waste. For this reason, C&D waste diversion would be incentivised and become more commercially viable if the cost of C&D waste disposal was to increase.

The Ministry for the Environment have recently signalled their interest in intervening in the C&D waste market through the application of C&D waste disposal levy. This has the potential to increase the price of a C&D waste disposal in the region. Should this national-level intervention occur and the cost of C&D waste disposal increase, it would act as an incentive for industry to divert and recycle C&D waste. If this waste to happen, the existence of Council required C&D waste minimisation plans would become a valuable tool for identifying the potentially divertible and recyclable waste material streams. Such plans would also contribute to the success of any C&D diversion facilities established within the region.

Bylaw provisions that require C&D waste management and minimisation planning on large construction and demolition projects consequently hold a key role in promoting construction and demolition waste minimisation in the Wellington Region.

6.5 Event Waste Management & Minimisation:

Public events, such as festivals, parades, concerts, and organised protests, have the potential to generate a significant amount of waste. However, as the amount of waste being generated at events typically remains unreported,



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the total volume of event waste generated within the City, and across the region, remains unknown.

Currently the Council encourage event waste managers to consider waste minimisation, and promote this through the provision of advice and free recycling bin hire. Where event organisers choose to run waste free events, or promote recycling and organics diversion at events, it has the dual benefit of normalising and promoting waste minimisation behaviour change within the community, and reducing the amount of waste sent to landfill.

Event organisers within Wellington City are not currently required to ensure or encourage waste minimisation at events. Despite the Council establishing event waste and recycling guidelines for event organisers in 2015, the uptake of these guidelines within the community has been extremely limited due to their voluntary nature.

As event organisers may be able to save time and money by ignoring event waste reduction techniques and sending all their accumulated event waste to landfill, voluntary approaches to event waste minimisation are consequently limited in their capacity to reduce waste. This is recognised as being a weakness of the current Bylaw.

In response to this issue, a number of local authorities around New Zealand have established bylaw provisions to regulate the encouragement of waste minimisation at events. For example, bylaws have the ability to require the lodgement of an Event Waste Management Plan prior to the commencement on an event over a certain size (e.g. over 1000 event attendees). Such plans have the ability to control the types of potential waste materials used and produced at events, require event organisers to specify the steps to be taken to minimise waste and maximise the diversion, and to provide waste information following the event.

Due to the limited effectiveness of non-regulatory event waste management approaches, and the absence of alternate regulatory approaches, a bylaw response is considered the most appropriate means to address the event waste issue.

As the use of bylaw provisions would establish basic waste-related planning considerations for events held on Council owned, managed or administered land, it would help minimise potential waste-related reputational risk issues for the Council. It was also act as a strong learn-by-doing learning tool for promoting and normalising waste minimisation behaviour change within the community.

Notwithstanding the need for regulatory invention to mandate appropriate event waste management planning across the City, events held on Council owned and/or managed land remain subject to Council events policy, and Council event-related planning processes and requirements. The scope and application of the Council's Events Policy concerning recycling and the use of compostable products at events therefore remains a key provision applicable to waste management and planning at events held on Council owned and/or managed land (see Direction 3, Action 3.1 of the Wellington City Events Policy, 2012, as detailed below). To date there remains scope to more consistently apply Action 3.1 at Council-run events, and, more broadly, to ensure that events held on Council owned, managed or administered land promote waste minimisation and provide an example for waste management and minimisation good practice.

Wellington City Events Policy (2012) Direction 3:

To ensure sustainable development

Goal: *Wellington events will strive to be environmentally friendly and sustainable in the long term.*

Iconic, Regional and Community Events Actions

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- 3.1 *Ensure that best green practices are used, including recycling, compostable products and efficient energy practices.*
- 3.2 *Leading environmental practices will be developed.*
- 3.3 *Public transport plans will be planned and implemented around major events and public transport options will be incorporated in all event promotions.*
- 3.4 *A focus on reducing the carbon footprint at events where possible.*

7. Conclusion

This report reviews a range of waste management and minimisation issues relevant to Wellington City. In summary, it concludes that a bylaw is the most appropriate regulatory response to a number of waste management and minimisation issues within the City.

More specifically, it has been determined that a bylaw is necessary to:

- Promote waste minimisation.
- Require event waste minimisation, planning and management.
- Address regional-level waste data gaps and collection issues (including cleanfill data).
- Ensure efficient and effective waste management servicing and operations across the City.
- Manage and/or avoid issues associated with the collection, transportation and disposal of dangerous and/or hazardous waste.
- Avoid public nuisance and adverse amenity impacts associated with waste service operations.
- Ensure new and converted multi-unit dwellings provide appropriate on-site waste management storage and servicing areas.
- Manage and/or avoid public nuisance, littering and waste issues associated with unaddressed mail.
- Ensure construction and demolition waste minimisation is appropriately considered at the time of building consent.

Given that it has been established that bylaw controls are the most appropriate means to address the waste management and minimisation issues discussed above, bylaw drafting will soon commence.

In response to the waste management and minimisation issues discussed in this report, a range of possible bylaw provision options will be workshopped with the eight Wellington Region territorial authorities over the coming months. These workshops will reveal the potential for cross-council consistency during the process of bylaw development, and enable staff to begin bylaw drafting.

As scheduled, draft bylaw provisions will be circulated to Council for consideration in late 2019.

Appendix One – Existing WCC Waste Management Bylaw Provisions

[Part 9 of the Consolidated Bylaw (2008) – including Terms and Conditions (2011)]

Pursuant to sections 145 and 146 of the Local Government Act 2002, section 56 of the Waste Minimisation Act 2008, section 12 of the Litter Act 1979 and section 64 of the Health Act 1956, the Wellington City Council amends the Wellington City Council Consolidated Bylaw 2008 to include a new part, Part 9 - Waste Management.

1. Short Title and Commencement

- 1.1 This is the Wellington City Council Consolidated Bylaw 2008: Part 9 – Waste Management. This part comes into force on 18 December 2008.

2. Purpose

- 2.1 This part of the Bylaw applies to all municipal waste and diverted material that is:
- (a) disposed of or collected within the district and / or
 - (b) transported through or within the district and / or
 - (c) received by a waste handling facility sited within the district.
- 2.2 The purposes of this part of the Bylaw are to:
- (a) contribute to safe, effective and efficient waste management in the district, and, where appropriate, beyond the district
 - (b) protect the health and safety of the public and of the Council's employees and contractors
 - (c) assist with the implementation of the Waste Minimisation Act 2008, the waste minimisation goals in the New Zealand Waste Strategy 2002 and the Council's Solid Waste Management Plan 2003 and Liquid Waste Management Plan 2005, and any subsequent waste minimisation initiatives.
- 2.3 It achieves these purposes by regulating:
- (a) collection services for waste and diverted material including from individual properties and where collection services are offered by commercial providers
 - (b) the types of waste that may be disposed of
 - (c) the prevention of nuisance in relation to waste collection, and litter and recycling bins provided by the Council in public places
 - (d) the rules and conditions for use of the Southern Landfill which provides for the disposal of waste to ground, the temporary collection and storage of divertible material, including for processing and sale, the temporary holding of hazardous substances and hazardous waste, and information services.

3. Interpretations

The following table sets out the meanings that apply in this part of the Bylaw. Where a difference in meaning arises between interpretations in this Bylaw and an Act, the Act shall prevail.

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approved container	any container for the deposit of divertible material ,or waste to be disposed to landfill, which is approved or provided by or on behalf of the Council, and which is used in a collection service
authorised officer	any person appointed by the Chief Executive of the Council for the purposes of acting as an authorised enforcement officer under this Bylaw
collection service	any service provided for the collection of divertible material or waste for disposal to landfill from producers of municipal waste
commercial collection	waste and divertible material collection services based on private user-pay agreements with commercial operators
depositing	in relation to litter, includes— (a) casting, placing, throwing, or dropping litter; and (b) allowing litter to be cast, thrown, dropped, or to escape, from any motor vehicle or trailer
destination	the location at which the waste will be disposed of, discharged or unloaded
disposal	the final (or more than short-term) deposit of waste into or onto land set apart for that purpose, and the incineration of waste
disposal facility	a facility, including a landfill, at which waste is disposed of; at which the waste disposed of includes household waste; and that operates, at least in part, as a business to dispose of waste, and any other facility or class of facility at which waste is disposed of that is prescribed as a disposal facility
dispose	the action where liquid waste is discharged or solid waste is unloaded from the vehicle transporting it
diverted and divertible material	any thing that is no longer required for its original purpose and, but for Council, commercial or other waste minimisation activities, would be disposed of or discarded, including material for reuse, recycling and recovery

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divertible material station	an area or container set aside by the Council for the deposit of specified types of divertible material
handle	in relation to waste, includes, but is not limited to, any collection, sorting, consolidation, storage or processing of waste
household waste	waste from a household that is not entirely from construction, renovation, or demolition of the house. Household waste includes ashes, sweepings, dust, bones, waste food, cans, cartons, bottles or other containers, paper and any other waste resulting from domestic housekeeping, but does not include trade waste or any material prohibited under this part of the Bylaw
incineration	the deliberate burning of waste to destroy it, but not to recover energy from it
landfill	a designated site for the permanent, underground disposal of waste, but noting also that landfill operations are also often used for the temporary collection and storage of divertible material
litter	includes 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 (Litter Act 1979)
municipal waste	solid waste in the Wellington District, including divertible material until such diversion has taken place, and including that generated by householders, visitors, commercial businesses, pedestrians and others
nuisance	has the same meaning as in section 29 of the Health Act 1956, the most relevant clauses being: <ul style="list-style-type: none">• (b) Where any accumulation or deposit is in such a state or is so situated as to be offensive or likely to be injurious to health:• (c) Where any premises, including any accumulation or deposit thereon, are in such a state as to harbour or to be likely to harbour rats or other vermin:

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- (k) Where any animal, or any carcass or part of a carcass, is so kept or allowed to remain as to be offensive or likely to be injurious to health:
- (n) Where the burning of any waste material, rubbish, or refuse in connection with any trade, business, manufacture, or other undertaking produces smoke in such quantity, or of such nature, or in such manner, as to be offensive or likely to be injurious to health:
- (o) Where any street, road, right of way, passage, yard, premises, or land is in such a state as to be offensive or likely to be injurious to health:
- (q) Where there exists on any land or premises any condition giving rise or capable of giving rise to the breeding of flies or mosquitoes or suitable for the breeding of other insects, or of mites or ticks, which are capable of causing or transmitting disease.

official bag	a bag, or other container approved by the Council under this Bylaw, identified with the Council logo and/or other images or text
operator	the person in control of a disposal facility or other facility
recovery	extraction of materials or energy from waste for further use or processing, including making waste or diverted material into compost
recycling	the reprocessing of waste to produce new materials
reduction	lessening waste generation, including by using products more efficiently or by redesigning products; and in relation to a product, lessening waste generation in relation to the product
reusable container	any container for waste or recycling that can be reused, including wheelie bins, recycling bins and skips
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

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solid waste	all waste generated as a solid, or converted to a solid form for disposal, including cleanfill
treatment	subjecting waste to any physical, biological, or chemical process, other than by dilution, to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment
waste	any thing disposed of or discarded, including: <ul style="list-style-type: none">a) a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste);b) abandoned material and litter; andc) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded
waste handling facility operator	any company, operator, contractor, partnership, or private non-profit agency that handles waste for treatment, storage/transport or disposal on a commercial basis
waste management and minimisation	waste minimisation, and treatment and disposal of waste
waste minimisation	the reduction of waste, and the reuse, recycling and recovery of waste and diverted material

4. Collection Services

4.1 Overview

4.1.1 This section of the Bylaw is to ensure that municipal waste and divertible material can be collected, transported and disposed of in a safe and efficient manner, and that waste does not cause a nuisance. It aims to prevent the contamination of recoverable resources and maximise the recovery of divertible resources.

4.1.2 This section does not cover high-risk waste, such as blades or needles, sourced from waste producers such as health services, tattooists or beauticians, which are the concern of the New Zealand Waste Strategy 2002.

4.2 Terms and Conditions

- 4.2.1 Any person using a collection service must comply with the terms and conditions for that service as determined by publicly notified Council resolution. The terms and conditions may include, but are not limited to, the following operational matters:
- (a) the types of waste and divertible material that may be placed in approved containers for collection
 - (b) the correct separation and treatment, such as wrapping or cleaning, of waste for disposal to landfill or divertible material into approved containers
 - (c) the use and placement of approved containers for collection
 - (d) collection times
 - (e) retrieval of reusable waste or recycling containers and of any uncollected waste or other material
 - (f) the provision of on-site space for approved containers for multi-unit buildings
 - (g) restrictions on the weight of approved containers when full
 - (h) additional rules as may be required for the efficient operation of the respective collection systems.
- 4.3 Commercial Collection Services**
- 4.3.1 Any person using a commercial collection service for waste or divertible material must comply with this Bylaw and the terms and conditions made under it, as determined by publicly notified Council resolution including, but not limited to, the operational matters identified in 4.2.1 and any additional rules as may be required for the efficient operation of the respective collection systems.
- 4.4 Pedestrian Waste and Divertible Material Bins in Public Places**
- 4.4.1 No person may deposit, or allow to be deposited, accumulated waste or divertible material arising from a resident's household, vehicle or business activities, including any offensive or dangerous matter, in any bin provided by the Council in any public place.
- 4.5 Restrictions on Disposal of Waste**
- 4.5.1 The Council may by publicly notified resolution prohibit certain material from being deposited in an approved container, recycling station or litter bin provided by the council in a public place.
- 4.5.2 If a resolution has been made under clause 4.5.1 then no person may place or allow such material to be deposited in any approved container, recycling station or litter bin provided by the Council in a public place.
- 4.6 Interference with Collection Service**
- 4.6.1 No person may interfere with or remove any waste or divertible material from an approved container or a Council waste collection point, except the Council or its agent, or with the consent of the person who deposited the material.
- 4.6.2 No one shall obstruct or hinder any person engaged in carrying out waste collection services as agents of the Council.
- 4.6.3 No person may deposit any waste in an approved container provided to any other person, without that person's consent.

4.7 Non-Compliance with Conditions for Collection Service

- 4.7.1 Any person who does not comply with the terms and conditions for the collection service that applies to them may be subject to one or more of the following actions being taken against them:
- (a) the rejection of any approved container left out for collection if the contents or placement of the container is non-compliant
 - (b) a notice being issued against that person by the Council to prevent them from using that collection service or area
 - (c) any other steps that may be taken by the Council in law.

5 Southern Landfill

- 5.1 Entry to the landfill is conditional upon the user abiding by directions given by notice and staff. Failure to abide by the rules stipulated by notice or staff is an offence under this Bylaw.
- 5.2 It will be a condition of entry to the landfill for vehicles that the owners and operators of the vehicles may be subject to random audits of the contents of their waste and waste containers whether carried in a vehicle, trailer, or by some other means. Such inspections, sampling, testing or monitoring of waste, to be undertaken by landfill staff, will be for the purpose of determining whether or not people are complying with the terms and conditions of use of the landfill, with regard to the types of waste or divertible material they are carrying in for disposal or deposit. Detection of material that does not comply with the terms and conditions for use of the landfill may result in:
- (a) refusal to accept that waste or load for disposal
 - (b) a notice being issued against that person by the Council to prevent them from using the landfill
 - (c) any other steps that may be taken by the Council in law.
- 5.3 A person wishing to dispose of waste or deposit divertible material at the landfill must comply with the terms and conditions as determined by publicly notified Council resolution. The terms and conditions may include, but are not limited to:
- (a) the hours during which the landfill will be open
 - (b) the types of waste which can be disposed of there, including in relation to any required special handling as defined by the Dangerous Goods and Substances Act
 - (c) the types of divertible material to be directed to a recycling area
 - (d) the charges for disposing of waste in the landfill and for depositing divertible material
 - (e) the part of the landfill where waste is to be placed at any time
 - (f) any other conditions considered necessary for the proper control and management of the landfill.
- 5.4 No one shall remove or disturb any deposit of waste or diverted material, or remove any article or material of any kind from the landfill, unless authorised to do so by the Council.
- 5.5 No one shall light any fire upon or near the landfill without the express permission of the Council.

- 5.6 Council enforcement officers authorised under this part of the Bylaw are hereby empowered to:
- (a) ensure that anyone entering the landfill complies with the conditions of entry and any other conditions to ensure compliance with health and safety standards, operational requirements and the laws governing the use of the landfill
 - (b) inspect waste and waste containers as provided for in clause 5.2
 - (c) prevent a particular person or organisation from entering the landfill for previous failure to comply with this part or any direction given under it, failure to pay landfill or waste operator licensing fees, or failure to comply with operational requirements, the laws governing the use of the landfill, or health and safety standards in relation to waste management.

6 Public Notification of Council Resolutions

- 6.1 Copies of Council resolutions made under this Bylaw will be made available at its offices and libraries, and online at www.wellington.govt.nz.
- 6.2. For Council resolutions made under 4.2.1, relevant terms and conditions will also be printed on approved collection bags.
- 6.3 For Council resolutions made under 5.3, relevant information will also be notified by signage at the landfill.

7 Offences

- 7.1 The provisions of Part 1 of this Bylaw notwithstanding, every person commits an offence against this Bylaw who does or permits anything contrary to this Bylaw or any resolutions made under this Bylaw.

Terms & Conditions for Collection Services & Landfill Use

These terms and conditions for collection services and landfill use were made by resolution pursuant to clause 4.2.1. of the Wellington City Consolidated Bylaw 2008 Part 9 - Waste Management.

May 2011

1. Introduction and commencement

1.1 These are Council resolutions made pursuant to the Wellington City Council Consolidated Bylaw 2008: Part 9 - Waste Management, and should be read in conjunction with it.

1.2 These resolutions shall come into force on 16 May 2011.

2. Terms and conditions for collection services

[For general information on the recycling collection service including suburban collection and sorting your recycling, see [Recycling - Overview](#).]

2.1 The Council has approved the following 'official containers' for use for Council collection services:

- a. yellow pre-printed plastic bags intended for non-divertible waste
- b. green plastic bins (45 litres) for divertible material
- c. white plastic bags for divertible material.

And, in respect of Council collection of recyclable materials from suburban areas (see clause 2.9):

- d. "Approved container for glass" - a 45 litre green crate embossed, *inter alia*, with the following: "for the collection of domestic recyclables only" and "this bin and the recyclables remain the property of Wellington City Council"
- e. Approved containers for other recyclable materials", either:

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A 140 litre Mobile Recycling Bin (MRB, commonly referred to as a "wheelie bin") issued by Wellington City Council and branded with the Wellington City Council logo; or

A 70 litre clear plastic bag branded with the Wellington City Council logo and printed with the following "official suburban recycling bag".

2.2 No person shall:

- a. put or cause or allow anyone else to put waste or divertible material or a collection container for waste or divertible material, approved or otherwise, in a public place other than during the permitted times, as stated in clauses 2.9.5, 2.9.6 and 2.12, as applicable, without the prior written permission of the Council
- b. allow or cause anyone else to allow the placement of waste or divertible material, including hazardous substances and building materials, in a public place in such a manner as to create a risk to members of the public
- c. allow or cause anyone else to allow any leakage, spillage or fugitive (wind-blown) waste or divertible material to be released from their containers onto public places.

2.3 No one shall put or cause or allow anyone else to put into any container for collection any hazardous substance, including those that require special handling as defined by the Hazardous Substances and New Organisms Act 1996, the most common of which are listed below:

- a. explosive or any highly flammable material
- b. radioactive material, asbestos or paint
- c. trade refuse, offal, dead animals or infectious matter
- d. any waste removed from any part of a drainage or sewerage system
- e. hot ashes. Cold ashes must be well wrapped to protect anyone handling the bag from the risk of breathing ash dust
- f. unwrapped sharp objects. Any broken bottles, glass items or sharp objects must be well wrapped to protect anyone handling the bag from injury.

Note to clause 2.3:

Household substances which are excluded from the collection services may be taken to the Hazardous Waste Storage Facility at the Southern Landfill.

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2.4 No person shall put out any approved container, other than an approved 140 litre Mobile Recycling Bin, for Council collection that, with contents, weighs more than 15 kilograms.

2.5 Waste or divertible material must be correctly separated and treated before being put into approved containers, or public litter or recycling bins, for collection. Divertible material put out for collection must be clean, and not contaminated by food or other organic material which may attract rats or disease.

2.6 The following can be placed in approved containers for collection:

- a. aluminium cans - wash and squash
- b. steel - wash and squash where possible
- c. glass bottles and jars - washed and lids removed
- d. plastic bottles - all grades except polystyrene - wash, squash and remove the lids
- e. cardboard and paper unless it is waxed, foil backed, or has plastic or food on it.

2.7 Approved containers put out for collection must securely contain all material within the container and be placed:

- a. as close to the kerb as possible, or in line with any permanent obstructions, without obstructing the footpath or carriageway
- b. directly in front of the residence or premises discarding the refuse, where possible
- c. out at times consistent with 2.12 (a) or (b)
- d. out at any other specified place or time as determined by the Council from time to time.

2.8 The following additional material may be put out for collection:

- a. cardboard - flattened and securely tied with string or tape into bundles under 15kg in weight
- b. paper of any kind, unless it is waxed, foil backed, or has plastic or food on it - contained in a bag, such as the standard plastic supermarket bags, with handles tied.

2.9 Notwithstanding clauses 2.6, 2.7, 2.8 and 2.12, the following special terms and conditions apply to Council collection of recyclable materials in areas outside the Central Area as defined in the District Plan.

2.9.1 The following types of material are permitted for kerbside recycling:

- a. **Permitted Glass:** only the following materials may be placed in an "approved container for glass" for collection: uncontaminated and unbroken bottles and jars with lids or caps removed.

Note to clause 2.9.1(a):

All others materials are not permitted, including: general waste; organic waste; non-permitted glass; hazardous materials (for example: sharp objects, gas canisters, aerosols, batteries); clothing; cardboard and paper; plastics; metals; or anything contaminated with paint, chemicals or petroleum products. Examples of non-permitted glass include: broken glass; pane glass; contaminated glass (for example with paint, petroleum products, chemicals, or organic materials); light bulbs; fluorescent tubes; automotive glass; laminated glass; 'Pyrex' type glass; and ceramics.

- b. **Permitted Other Recyclable Materials:** Only the following materials may be placed in an "approved container for other recyclable materials" for collection: uncontaminated paper and cardboard; uncontaminated cans and tins; all grades of uncontaminated plastics except polystyrene (for example meat trays and packaging).

Note to clause 2.9.1(b):

All other materials are not permitted, including: general waste; all forms of glass; organic waste; hazardous materials (eg. sharp objects, gas canisters, aerosols, batteries); clothing; paper or cardboard that is waxed, foil backed, or has plastic or food on it; or anything contaminated, such as with paint, chemicals, or petroleum products.

2.9.2 Approved containers for glass and approved containers for other recyclable materials will be collected on alternate weeks and only on the designated collection days specified by the Council for a geographic location.

2.9.3 The Council may vary designated collection days from time to time and will advise affected residents accordingly.

2.9.4 Approved containers for glass and approved containers for other recyclable materials put out for collection must securely contain all material within the container and be placed:

- a. as close to the kerb as possible, or in line with any permanent obstructions, without obstructing the footpath or carriageway
- b. directly in front of the residence or premises discarding the material, where possible
- c. out at times consistent with clauses 2.9.5 and 2.9.6
- d. on a public street

or

- e. out at any other specified place or time as determined by the Council from time to time. Containers must be placed as close as possible to the kerb in a manner that does not unduly restrict pedestrian or traffic access.

2.9.5 Containers must be placed at an appropriate pick-up location:

- a. between the hours of 7.00pm the day before the designated collection day and 8.00am on the designated collection day
- b. for streets with dispensation for earlier collections, containers must be placed at an appropriate pick up location between the hours of 7.00pm the day before the designated collection day and 7.00am on the designated collection day
- c. the Council may, from time to time, determine streets with dispensation and will advise affected residents accordingly.

2.9.6 Any material that is uncollected, for whatever reason, and all approved containers must be retrieved from the kerbside area by 10 pm on the designated collection day.

2.9.7 The Council may declare some streets, or parts of streets, unsafe for collection where it is not possible to safely undertake the collection of containers. There will be no collection of recycling from areas so declared, and approved containers, or any other containers for recycling, must not be placed for collection in the affected area.

2.9.8 Where a resident or household fails to comply with the special conditions for Council collection of recyclable materials described in clauses 2.9.1 to 2.9.7, the Council may withdraw collection services and advise the resident or household accordingly. In such circumstances, the resident or household must not place recyclable materials out for collection by the Council.

2.10 The containers, and any uncollected waste or divertible material outside of an approved container, intentionally or otherwise, remains the property and responsibility of the depositor and is considered litter under the Litter Act 1979 if not removed from the public place.

2.11 The noise generated during the collection and placement processes of any waste and divertible material management is subject to the District Plan noise controls requirements at all times.

2.12 The permitted times for placing approved containers, and any additional material as set out in clause 2.8, in public places for the collection of waste and divertible material are as follows:

- a. For the Central Area, as defined in the District Plan, no container, waste or divertible material is permitted in public places between 7.00am and 5.00pm.
- b. For all other areas in the District Plan, containers may be put out from 7.00pm on the day preceding collection and must be out before 7.00am, or by the latest time as notified by the relevant service provider, on the day of collection. All containers and any uncollected waste and divertible material are to be removed from the public place by 12 midnight on the day of collection.

2.13 The permitted times for the collection of waste and divertible material are as follows:

- a. Collection is permitted at any time where the operation is completed entirely on private property.
- b. Collection activity is not permitted to generate any unreasonable adverse impact on the operation of the transport network or safety. Collection during peak commuter traffic times on Principal, Arterial and Golden Mile roads (as defined under the District Plan) must be avoided. Wellington City Council's Code of Practice for Working on the Road specifies that these peak times are typically weekdays between 7.00am and

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9.00am and between 4.00pm and 6.00pm, and that vehicle and pedestrian traffic may not be disrupted at any time for more than 2 minutes without a Council-approved Temporary Traffic Management Plan.

- c. For the Central Area, as defined in the District Plan, collection is permitted 7 days per week between 6.00pm and 7.00am.
- d. For all other areas in the District Plan, collection is permitted only on week days and only between 7.00am and 10.00pm.
- e. The Wellington City Council may approve variations to collection times for reasons of health, safety or congestion. Requests can be made to the relevant Council Director. Where a request for variation also requires a change in existing collection times, affected parties must be notified and given the opportunity to have their views considered. If a variation is approved, the collection service provider must notify all affected customers in writing of the times for when waste and divertible material must be put out.

2.14 The emptying of pedestrian bins in public places in association with street cleaning activity may occur on any day and time.

2.15 The provision and maintenance of temporary bins in areas of short-term increased demand, such as for events, may be approved under the Footpath Management Policy 2007.

2.16 Inorganic collections, such as community clean-ups at beaches or other public areas, may occur on any day.

Terms and conditions for household use of the Southern Landfill

3.1 The landfill may operate during the hours as determined by the Council from time to time and published on the Council website.

3.2 A full list of material prohibited from disposal into the landfill, but which may be received from households at the Hazardous Waste Storage Facility at the Southern Landfill is to be published on the Council website.

3.3 The Council may refuse to accept for disposal to landfill the types of waste and divertible material described in clause 2.3, except that:

- a. while the landfill is not intended for the disposal of green waste, it will be accepted if necessary. As garden waste emits significant greenhouse gas emissions when disposed to landfill where its decay is anaerobic, home composting is by far the preferred option for this material.
- b. sharp objects need not be wrapped.

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3.4 In addition to the restrictions described in clause 3.3, the Council may also refuse to accept for disposal to landfill:

- a. cleanfill
- b. items and material it considers, at its sole discretion, can reasonably be expected to be diverted from the waste stream.

3.5 Commercial operators are also referred to the Collection and Transportation of Waste Bylaw 1997:

[Collection and Transportation of Waste Bylaw](#)

3.6 The charges for disposing of waste in the landfill and for depositing divertible or hazardous material shall be as determined annually by Council through the Annual Plan process. The Council may make additional charges where special handling and/or storage is necessary, and as required by the Waste Minimisation Act 2008.

Appendix Two – National Examples of TA Bylaw Mechanisms Promoting Waste Minimisation

Kāpiti Coast District Council	Requires waste operator licensing to provide waste data. Requires residential waste service providers to provide a kerbside recycling service.
Far North District Council	Bylaw sets a 20% limit for the total amount of organic material in a waste container/bag. Bylaw sets a 20% limit for the total amount of recyclable material in a refuse container. Requires waste collectors and transporters (from and to land within the district) to obtain a license from the Council. Requires the developer, owner and/or manager of a multi-unit development to make provision for the management of all waste generated within a multi-unit development; and obtain approval and comply with their waste management and minimisation plan (exemptions apply). Requires event organisers to lodge a waste management and minimisation plan prior to an event. An 'event' is defined as :any organised temporary activity of significant scale that is likely to create litter in a public place include an organised gathering, open-air market, parade, protest, festive, film shoot, concern or celebration".
Auckland Council	Bylaw sets a 5% limit for the amount of recyclable material allowed in a refuse container left for collection from a public place. Upon introduction of a separate organic waste collection service in Auckland, the bylaw will set a 5% limit the total proportion of food waste in a refuse container on a public place. Requires waste collectors and transporters, and resource recovery facilities and fill sites to be licensed by the Council. Requires the owner and manager of a multi-unit development to make provision for the management of waste generated within a property; and requires the provision of an event waste management plan, subject to exemptions. Event organisers are required to lodge, and comply with, an event waste management plan for an event.
Taupo District Council	Bylaw uses the licensing system to limit the maximum wheelie bin size available to residential properties for waste – 120 litres. A \$20,000 bond is also required as a condition for licensing. Regulates various aspects of multi-unit dwelling waste collection.
Christchurch City Council	Based on the Council operation of a weekly organics (food and garden waste) service (80 litre wheelie bin), a fortnightly collection of recycling (240 litre wheelie bin) and a fortnightly collection of rubbish (140 litre wheelie bin), this bylaw specifies what material is to be put into recyclables and organic kerbside collection containers. All remaining material goes to waste. Regulates and monitors operators collecting, managing, storing cleanfill (more than 50 cubic metres per year) and waste through

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	licensing.
Rotorua 2016	<p>Waste operator licensing (for operators who transport over 20 tonnes of transported waste per year).</p> <p>Requires kerbside waste operators to make available a separate recycling service.</p> <p>Enables the Council to require the separation of waste, recycling and organics, and set maximum allowable limits for such materials.</p> <p>Licensing for resource recovery facilities and fill sites (subject to conditions and the provision of waste and waste diversion data).</p> <p>Requires the owner and manager of a multi-unit development (10+ dwellings) to make provision for the management of all waste generated within the property. This includes making identification of an adequate and accessible area for the storage of refuse and recycling containers. Exemptions may be granted by the Council.</p> <p>Event waste management and minimisation plans required.</p> <p>Regulates various aspects of multi-unit dwelling waste collection.</p>
New Plymouth 2013	<p>The Council can, by resolution, require the separation of waste and recycling.</p> <p>Sets requirements for transfer station use, which includes separating refuse into compostable refuse, recyclable refuse, and residual waste categories.</p> <p>Requires waste service operator licensing, with conditions and the provision of waste data. Enables the Council to require a post a bank guaranteed bond. Licensing is a transitional provision, which comes into effect two years after the bylaw comes into force.</p> <p>Requires licensing of resource recovery facilities and fill sites (including cleanfill, municipal solid waste/industrial landfill, controlled/managed fill sites, construction and demolition waste industrial landfill sites).</p>
Palmerston North 2016	<p>Licenses waste and diverted material transporters and collectors (more than 10 tonnes in any one twelve month period).</p> <p>All events hold on Council land or with Council funding must comply with the conditions for event waste management and minimisation.</p>
Timaru 2013	<p>Requires landlords ensure tenants receive the appropriate allocation of approved containers, and that they provide adequate space for the storage of such containers. Each bin will require 450cm².</p> <p>Includes a schedule of banned materials.</p> <p>Kerbside service users must separate their waste in accordance with acceptance criteria (listed in schedule) and separate compostable materials, recyclable materials and landfill materials.</p> <p>Requires commercial solid waste collectors and operators to be licensed by the Council.</p> <p>Licensees shall ensure recyclable and compostable materials taken to the appropriate waste management facility for processing. Recycling and compostable material shall not be disposal of as rubbish into Councils landfill.</p> <p>No person shall import from outside the district commercial solid waste for disposal to the Council's landfill unless approved by the</p>

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	Council.
Marlborough 2016	Requires an event organiser, prior to an 'event' (includes an open-air market, parade, protest, festival, commercial film shoot, or concert) to lodge an event waste management plan. Restricts the deposit of "any unaddressed mail, advertising material, community newspapers, clothing donation bags, circulars, leaflets, brochures, samples or flyers in any letterbox which is clearly marked "addressed mail only" "no circulars", "no junk mail" or words with similar effect".

**The Proposed Wellington City Council Solid Waste
Management and Minimisation Bylaw 2020
Statement of Proposal June 2020**

Summary of information

The Wellington City Council is reviewing its waste management bylaw provisions, which are contained in Part 9 (Waste Management) of the Wellington City Council Consolidated Bylaw 2008 (the bylaw).

The review process has identified a number of issues to be addressed so the bylaw can effectively provide for waste management and minimisation, and better respond to Council's Waste Management and Minimisation Plan (WMMP), the New Zealand Waste Strategy (2010), the Waste Minimisation Act 2008, and Council and community goals for being a zero carbon city by 2050.

The Council is proposing a new bylaw to better address the problems that arise in relation to solid waste management. For example, some existing bylaw provisions and associated terms and conditions for waste and recycling collection times on high traffic roads need updating, and new provisions are required to ensure effective waste management for multi-unit developments. The bylaw also requires updating to increase its focus on waste minimisation and to ensure greater consistency with the WMMP.

The new proposed bylaw will enable the Council to meet its legal obligations and to more effectively manage the negative impacts of waste on the environment, as well as ensure the protection of the health and safety of the public and those involved in waste management. It will also assist the Council to improve its understanding of the waste collection services in the city and how waste is being disposed of.

As part of the review we propose to:

- Encourage better waste management and minimisation practices at large public events.
- Provide the ability for Council to better understand and manage waste generated by large construction site and demolition activities.
- Enable Council to more effectively manage waste, public nuisance and litter issues created by unaddressed mail and advertising material.
- Require better provision for the management of waste and recycling generated by multi-unit developments (10 or more residential units) and limit Council provided collection services for multi-unit developments.
- Clarify the appropriate deposit, collection and disposal of waste.
- Require registration (licencing) of waste collectors and waste operators to enable Council to obtain better data on waste streams and waste services/operations, and effectively regulate private collection services to ensure they are aligned with the Council's waste management objectives.

The proposed Wellington City Council Solid Waste Management and Minimisation Bylaw 2020 will be a new bylaw. If adopted, it will be established as a standalone bylaw, and Part 9 (Waste Management) of the existing Wellington City Council Consolidated Bylaw 2008 will be revoked.

The proposed Bylaw (and supporting bylaw controls) is attached to this Statement of Proposal.

Have your say

The Council invites your views on the proposed new Wellington City Council Solid Waste and Minimisation Bylaw 2020. To have your say on the proposed Bylaw you can:

- make a submission online at wellington.govt.nz/have-your-say/consultations
- email your completed submission form or feedback to policy.submissions@wcc.govt.nz
- fill in the attached submission form and send it to:
Freepost 2199, Solid Waste Management Bylaw Review 2020, PO Box 2199, Wellington 6140
- Make an oral submission. You can speak directly to the councillors as part of oral hearings. They are scheduled for Thursday 22nd October 2020. Please indicate in your submission if you wish to be heard by councillors.

You can get more copies of the consultation documents online at wellington.govt.nz, the Service Centre, libraries, by emailing policy.submission@wellington.govt.nz or phoning 04 499 4444.

Written submissions open on Tuesday 4th August 2020 and close at 5pm on Friday 25th September 2020.

Next steps

Please submit your feedback on the proposed Bylaw by 5pm on Friday 25th September 2020.

A report on the submissions will be considered by the Council's Strategy and Policy Committee on 5th November, and the Council will make a final decision on 25th November 2020.

Key dates	Activity
4 th August 2020	Submissions open
25 th September 2020	Submissions close
22 nd October 2020	Oral hearings
5 th November 2020	The Strategy and Policy Committee considers submissions
25 th November 2020	The Council decides whether to adopt the proposed Bylaw
25 th January 2021	If adopted the new Bylaw become effective

What happens to your feedback?

Your submission, those of other submitters and will help inform Councillors and finalise the new waste management and minimisation bylaw.

Review Process

In 2017, all eight territorial authorities (city and district councils)¹ in the Wellington Region adopted the Wellington Region Waste Management and Minimisation Plan (WMMP) 2017-23.

This plan, as required under the Waste Minimisation Act 2008, was developed collaboratively by the councils and sets a regional target to reduce the total quantity of waste sent to Class 1 landfills from 600 kilograms per person per annum to 400 kilograms per person by 2026.

To achieve this, the WMMP outlines a number of council actions for achieving effective and efficient waste management and minimisation, including working collaboratively to advance solutions to regional waste management issues.

Under the umbrella of the WMMP, the councils agreed to *“investigate and if feasible develop, implement and oversee monitoring and enforcement of a regional bylaw, or a suite of regionally consistent bylaws”*.

In line with this decision, a joint project was set up by the councils in 2018 to review the existing solid waste bylaws around the region.

Consistent with the bylaw-related WMMP actions, the Council also has a legal obligation to review Part 9 of the existing Consolidated Bylaw every 10 years.

The recent review process has resulted in the development of the new proposed Solid Waste Management and Minimisation Bylaw. This bylaw has been developed in collaboration with the eight other Councils in the Wellington region and, as proposed, reflects a suite of regionally consistent bylaw provisions.

Statement of Proposal

Introduction

Wellington City Council is reviewing its current waste management bylaw provisions (contained in Part 9 of the Wellington City Consolidated Bylaw 2008) and proposes to create a new stand-alone Wellington City Council Solid Waste Management and Minimisation Bylaw 2020 (“the proposed Bylaw”).

This Statement of Proposal has been prepared in accordance with section 86 of the Local Government Act 2002 (LGA) and provides information about the review process and whether it is appropriate to have the proposed Bylaw for Wellington City.

Background

Legislative requirements

Under section 56 of the Waste Minimisation Act, a territorial authority may make bylaws for the following purposes:

- a) prohibiting or regulating the deposit of waste:
- b) regulating the collection and transportation of waste:

¹ The eight councils are: Wellington City Council, Hutt City Council, Upper Hutt City Council, Porirua City Council, Kapiti Coast District Council, South Wairarapa District Council, Carterton District Council and Masterton District Council.

- c) regulating the manner of disposal of dead animals, including their short-term storage pending disposal:
- d) prescribing charges to be paid for use of waste management and minimisation facilities provided, owned, or operated by the territorial authority:
- e) prohibiting, restricting, or controlling access to waste management and minimisation facilities provided, owned, or operated by the territorial authority:
- f) prohibiting the removal of waste intended for recycling from receptacles provided by the territorial authority by anyone other than—
 - the occupier of the property from which the waste in the receptacle has come; or
 - a person authorised by the territorial authority to remove the waste.

Bylaws made for the purposes of regulating the collection and transportation of waste may also provide for the licensing of persons who carry out the collection and transportation of waste.

The Council may also make bylaws under sections 145 and 146 of the LGA, for the purposes of:

- a) protecting the public from nuisance
- b) protecting, promoting, and maintaining public health and safety
- c) minimising the potential for offensive behaviour in public places.
- d) regulating waste management; and
- e) regulating solid waste.

This Bylaw is further made pursuant to section 64 of the Heath Act 1956, and section 12 of the Litter Act 1979.

In accordance with section 155 of the LGA, before making a bylaw, the Council must determine whether a bylaw is the most appropriate way of addressing the perceived problem. If so, the Council must determine whether the proposed bylaw is the most appropriate form of bylaw, and whether the proposed bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (“NZBORA”).

Wellington City Council Consolidated Bylaw 2008: Part 9 Waste Management

The current bylaw regulates the deposit of kerbside waste, recyclables and other diverted material for collection, prohibits the disposal of dangerous, hazardous, or otherwise inappropriate waste within the kerbside waste stream, and sets out rules and conditions for use of the Southern Landfill.

The review process has identified a number of issues to be addressed in order for the Bylaw to effectively provide for waste management and minimisation, and to better respond to the WMMP, the NZ Waste Strategy, the Waste Minimisation Act 2008, as well as to help achieve Council’s broader goals, including being a zero carbon city by 2050.

The review has resulted in the proposed Bylaw addressing a wider range of waste management and minimisation issues compared to the existing bylaw.

Current Waste Issues and Options

1. Ensuring efficient and effective waste management

Both waste service user and provider actions have the potential to impact the efficiency and effectiveness of waste management. These include:

- the use and placement of kerbside containers for waste disposal and collection
- the types of waste and diverted material placed in kerbside collection containers
- levels of recycling contamination
- littering and the inappropriate deposit/discarding of waste
- the effectiveness and reliability of service provision
- the appropriate disposal of waste materials at the Southern Landfill.

The existing Bylaw sets controls over the time and placement of material on the kerbside for collection. It also set limits on the deposit of dangerous and hazardous wastes. These controls require updating to ensure the Bylaw addresses waste issues that exist within the community and that could arise over the next ten years.

Waste collection services in Wellington City are provided by a variety of commercial (private sector) and Council contracted providers. Regulatory requirements and controls are necessary in order to set clear and transparent kerbside waste and recycling collection standards applicable to all waste and recycling service providers.

Opportunities exist to better support and safeguard the efficiency and effectiveness of waste and recycling servicing operations within Wellington City. This could be achieved through revising and updating the standards relevant to the deposit of material for kerbside waste collection and recycling.

Education strategies and programmes are an option available to the Council to manage efficiency and effectiveness issues. Community education promoting the correct use of kerbside collection systems are essential for ensuring a collection service is effective and efficient. However, despite education being an effective tool for promoting understanding and behaviour change, it does not provide a satisfactory solution for a small percentage of people who knowingly breach collection rules. Furthermore, education and advice will not, alone, be sufficient in managing commercial waste collectors who will largely be driven by cost considerations.

Bylaw controls therefore remain an essential regulatory mechanism for the maintenance and potential enhancement of efficient and effective waste management operations across the city.

2. Managing dangerous, hazardous and/or infectious waste

The existing Bylaw prohibits the deposit of a range of dangerous, hazardous and infectious material within Council approved containers. However, the disposal of dangerous and/or hazardous waste into any kerbside waste or recycling containers, and potentially into the Southern Landfill, remains a waste management problem. As national regulation, standards and codes of practice pertaining to hazardous waste management continue to evolve, it is important that Council can respond to and address this problem.

Regulating the disposal of dangerous, hazardous and infectious materials remains necessary and Bylaw provisions must ensure that risks such materials pose to human health, environmental wellbeing, and waste service provider safety are minimised and where possible avoided. As such, the

use of a non-regulatory approach to controlling the disposal of hazardous waste is considered insufficient. In order to be effective, Bylaw provisions (and any associated controls) need to be supported by community education encouraging best practice behaviour, and the availability of relevant services, such as a drop off point for certain hazardous waste materials and products.

In line with guiding legislation, specifically section 145(b) LGA 2002, and sections 23(e) and s64(1)(a) of the Health Act, a Bylaw remains the most appropriate regulatory tool for controlling the deposition of dangerous, hazardous and infectious substances within the waste stream.

3. Managing waste storage, disposal and collection activities to minimise public nuisance issues and adverse impacts on urban amenity

Waste and recycling collection activities have the potential to reduce the level of amenity enjoyed within the urban environment and to create public nuisance issues. This can include:

- the siting of wheelie bins in a manner that impedes footpath access
- noise disturbance associated with collection activities
- the recurrent practice of the mass deposit or piling of rubbish and recycling on the kerbside and outside of multi-unit dwellings
- inappropriate waste disposal in public places and on private property.

The existing Bylaw requires updating to ensure it can better address the issues associated with the increasing use of wheelie bins, the illegal disposal of waste, and the mass piling of rubbish and recycling on the kerbside and outside of multi-unit dwellings.

While community education may be effective in promoting behaviour change for kerbside service users, it is important to set clear minimum operational standards to work towards. Also, when attempting to address issues such as the inappropriate siting of wheelie bins and the mass piling of waste, the effectiveness of community education is likely to be limited where practices will result in a cost saving or time saving by a service user or service provider.

For this reason the use of community education is best supported by Bylaw provisions that provide minimum regulatory standards that service users and providers should meet. A Bylaw is the primary regulatory tool available to the Council to effectively address these waste-related public nuisance and amenity issues.

4. Ensuring efficient and appropriate waste management storage and servicing for multi-unit developments

As urban densities increase, not just in Wellington's central area but across the wider city, the provision of adequate on-site waste management storage and servicing areas has the potential to be an issue within areas subject to more intensive residential living.

The inappropriate design of waste storage and servicing areas in multi-unit developments (developments with 10 or more residential units) can create difficult-to-access or no-access sites for waste collection vehicles. In turn, associated waste and recycling servicing can create public place nuisance issues caused by the deposit of waste and a loss of amenity. Insufficient space provision in multi-unit developments for waste and recycling receptacles, and inappropriately designed and located waste management storage areas, can also be problematic for residents, constraining the ability to sustainably manage and divert/minimise their waste.

Whilst the Building Code (Clause G15 Solid Waste) stipulates that such *"buildings shall be provided with space and facilities for the collection, and safe hygienic holding prior to disposal, of solid waste*

arising from the intended use of the buildings”, this clause does not apply to multi-unit dwellings if there is an independent access, or if there is a private open space at the ground level.

Building Code provisions are considered inadequate both for amenity protection and for accommodating the waste management needs of residents for the following reasons:

- Where a development is exempt from Clause G15:
 - The provision of an independent site access does not guarantee that multi-unit developments are designed with sufficient on-site waste and recycling storage areas.
 - The provision of a private open space at the ground level does not guarantee that this open space is available or accessible for waste storage or servicing needs.
- Where Clause G15 is deemed applicable to a development:
 - It does not specify a minimum site size for on-site waste and recycling storage. It is, however, noted that Building Code provision G15/AS1 provides detail of a possible ‘acceptable solution’ for waste storage, which when complied with, will be deemed acceptable in terms of Building Code compliance.

When considering any potential solutions to this issue, it is important to differentiate between existing legally constructed multi-unit developments, and new (yet to be established) multi-unit developments. The use of a regulatory mechanism as a means to require suitable waste and recycling storage and servicing areas are provided in multi-unit design is only appropriate with respect to new multi-unit developments or buildings being converted into multi-unit developments.

Existing multi-unit developments are anticipated to be legally constructed in accordance with regulatory standards. Therefore, the Council cannot retrospectively apply new building development standards to these buildings. However, the Council can regulate waste and recycling service collection requirements to both new and existing multi-unit developments.

For new (yet to be established) multi-unit developments (and conversions), there are two main regulatory options relevant for consideration as a potential means to address issues associated with inadequate waste storage and servicing areas. These include the introduction of new District Plan requirements or the introduction of revised waste bylaw controls.

Currently there are no specific District Plan rules or standards relating to the provision of waste servicing areas in multi-unit developments. As part of the upcoming review of the District Plan, this matter has the potential to be considered. However, should future District Plan rules be unable to address this issue, and to manage the issues currently being experienced, bylaw provisions to encourage better planning and provision of waste facilities and servicing are considered appropriate.

With increasing levels of intensification expected over the next decade, issues caused by inadequate waste management and storage facilities in multi-unit developments can be anticipated to increase. For this reason, the Bylaw should provide the Council with the ability to require better consideration and provision of waste management for multi-unit developments.

5. Reducing Kerbside Waste

The use of non-regulatory action and the provision of kerbside recycling are important and necessary for waste minimisation behaviour change within the community. However, the relative effectiveness of these options for minimising waste should be considered against the City’s relatively low per capita kerbside recycling rate, and the region’s moderate to high per capita waste to landfill disposal rate. While community education has the potential to decrease waste generation and

increase the diversion of waste from landfill to reuse or recycling, the effectiveness of waste minimisation services could also be increased through appropriate Bylaw provisions and controls.

Potential opportunities to reduce kerbside waste within the proposed Bylaw are connected to:

- Providing the ability to establish controls requiring waste separation, for example limiting the amount of green waste material allowed to be disposed of into residential kerbside waste receptacles and requiring recyclables to be clean.
- Providing the ability to establish a maximum size limit for residential waste containers. It would be useful to have this option available if such an approach is considered appropriate in the future.
- Licensing operators to ensure the appropriate collection, storage and processing of waste and recycling material.
- Requiring business name identification and contact details to be provided on all waste and recycling containers used for collection from public places.
- Providing the ability to require content control messaging on all kerbside waste and recycling containers.

6. Littering, waste and public nuisance caused by unaddressed mail and advertising

Advertising material is currently being deposited in mailboxes and on car windows. Inappropriate disposal or depositing of unaddressed mail in already full mailboxes can result in public nuisance issues for residents, increased waste to landfill, and litter in public places. It is currently estimated that 30kg of advertising circulars are delivered to each New Zealand home every year.

Furthermore, when waste is deposited in a public place (e.g. car windscreens and advertising flyers), the resulting litter and waste often becomes the liability of the Council for removal and disposal. Council has no ability to recover the costs of removal or disposal by the waste generators.

The Council has three options available in order to address this issue: reliance on voluntary codes of practice, community education/promotional strategies, and bylaw regulation.

The voluntary Marketing Association Code of Practice for the distribution on unaddressed mail currently already exists. This voluntary standard advocates for the honouring of household "No Junk Mail" requests by advertisers, and is a standard that is, in principle, widely accepted by the marketing industry and endorsed by the Marketing Association and the New Retailers Association. However, notwithstanding the existence of this standard, waste and litter issues associated with unaddressed mail continue to remain an issue for many residents.

In response to this issue, a number of residents choose to use letterbox stickers to specify the rejection of unaddressed mail. Nevertheless, despite the availability and use of these stickers, numerous retailers and service providers (including real estate agents) continue to deliver unaddressed mail. This situation suggests that on its own, a voluntary approach is limited in its ability to address this issue.

The main advantage of regulating unaddressed mail through the proposed Bylaw is that it has universal application and will apply to all advertisers. A Bylaw response clarifying the acceptable and unacceptable deposit of unaddressed mail is considered appropriate for better managing this issue.

7. Limited, incomplete and inconsistent waste data

The limited and inconsistent nature of regional waste and recycling sector currently constrains the Council's understanding of waste issues. The establishment of waste collector and operator licensing has the potential to address this issue. Licensing of private servicing providers will be most effective when co-ordinated at the regional level and when developed to give effect to the National Waste Data Framework.

From a provider perspective, a regionally co-ordinated waste operator licensing regime would likely be beneficial as it would reduce the burden of data provision for operators working across district/city boundaries within the Wellington region.

Section 56(3)(b) of the WMA enables territorial authorities to require the provision of waste data from operators through operator licensing. Licensing may also stipulate licensing conditions that require the following:

- a performance bond or security, or both, for the performance of the work licensed, and
- reports setting out the quantity, composition, and destination of waste collected and transported by the licensee (for example, household waste to a disposal facility).

Engagement with waste industry stakeholders in our region in 2018 has confirmed that requesting the voluntary provision of waste data would not secure the provision of data for the Council. This is due to the commercial sensitivity of the data. In one instance, a waste company reported that it was their corporate policy to only release commercial waste data if required by regulation. Accordingly, a number of territorial authorities in New Zealand have already established licensing via bylaw provisions in order to secure the provision of waste data.

As such, a bylaw is considered the only mechanism available to the Council to effectively address this issue. It is noted that appropriate data confidentiality protocols will need to be applied to safeguard the commercial viability of the waste operators supplying the data.

8. Reducing construction and demolition (C&D) waste

Construction and demolition activity can generate substantial quantities of waste material, much of which is potentially recoverable, such as brick and concrete, timber, plasterboard and metal. In 2013/14, approximately 32,099 tonnes of waste sent to municipal (Class 1) landfills in the Wellington Region was waste construction and demolition waste (being 12.7% of Class 1 Landfill waste stream). However, available data also indicates that the majority of C&D waste is currently being sent to Class 2-4 landfills.

In 2015 Class 2-4 landfill operators reported their C&D waste tonnages to be approximately 525,000 tonnes per annum. This converts into a per capita disposal rate of 1.06 tonnes per capita per annum (Wellington Region Waste Assessment, 2016, p.55). As a significant part of this waste stream is potentially recoverable, the Wellington Region Waste Assessment identified construction and demolition waste as a priority waste stream that could be targeted by councils as a means to reduce waste to landfill (2016, p.87).

In late 2018, councils from the Wellington Region cooperated and jointly commissioned a report from Tonkin & Taylor Ltd to analyse the waste minimisation issues and challenges associated with construction and demolition (C&D) waste, and to identify the range of options available to councils in response to these issues.

The key issues include, but are not limited to constrained capacity to process and recover C&D waste, the availability of low cost disposal for C&D waste close to where many major projects are occurring, and a lack of incentives that would encourage or promote C&D waste minimisation.

While some of the identified options are not within the scope of Council's role (e.g. increasing the waste levy to incentivise diversion of C&D waste), some options exist for the Council to advance C&D waste minimisation. Such initiatives could include investing in C&D waste processing activities to stimulate the recovery market, and incorporating C&D waste minimisation into Council procurement considerations.

Alternatively, the Council could continue to rely on voluntary waste minimisation practices and sustainability certifications (e.g. the GreenStar building rating system) to promote C&D waste minimisation. This option reflects the current situation. However, despite being useful to reduce C&D waste on discrete projects it is limited in its capacity to promote or bring about significant reductions in the amount of C&D waste generated in Wellington City or across the Region.

The establishment of Bylaw provisions that require the consideration of C&D waste minimisation associated with large commercial building projects exists as a starting point for C&D waste minimisation. Bylaw provisions have the potential to require the consideration of C&D waste minimisation design, planning, materials recovery and reuse.

It is important to recognise that the establishment of such Bylaw provisions will not significantly reduce the amount of C&D waste produced within the region in the absence of changes occurring in the Wellington Region waste market. Currently within the Wellington region, the disposal of C&D waste to Class 2-4 landfills is relatively cheap in comparison to disposal to Class 1 municipal landfill waste. For this reason, C&D waste diversion would be incentivised and become more commercially viable if the cost of C&D waste disposal was to increase.

The Ministry for the Environment recently consulted on a potential increase, and expansion of the scope, of the waste disposal levy. This has the potential to increase the price of a C&D waste disposal in the region. Should this national-level intervention occur and the cost of C&D waste disposal increase, it would act as an incentive for industry to divert and recycle C&D waste. If this was to happen, the existence of Council required C&D waste minimisation plans would become a valuable tool for identifying the potentially divertible and recyclable waste material streams. Such plans would also contribute to the success of any C&D diversion facilities established within the region.

Bylaw provisions that require C&D waste management and minimisation planning on large C&D projects consequently could hold a key role in promoting C&D waste minimisation in the Wellington region.

9. Event waste management and minimisation

Large public events, such as outdoor festivals, parades and concerts have the potential to generate a significant amount of waste. However, as the amount of waste being generated at events typically remains unreported, the total volume of event waste generated within the city and across the region remains unknown.

Currently the Council encourages event waste organisers to consider waste minimisation, and promotes this through the provision of advice and regionally consistent guidance. Where event organisers voluntarily choose to run waste free events, or promote recycling and organics diversion

at events, it has the dual benefit of normalising and promoting waste minimisation behaviour change within the community, and reducing the amount of waste sent to landfill.

As event organisers may be able to save time and money by ignoring event waste reduction guidelines and techniques, and by sending all their accumulated event waste to landfill, voluntary approaches to event waste minimisation are consequently limited in their capacity to reduce waste.

In response to this issue, a number of local authorities around New Zealand have established bylaw provisions to regulate the encouragement of waste minimisation at events. For example, some bylaws have the ability to require the lodgement of an Event Waste Management Plan prior to the commencement on an event over a certain size (e.g. over 1,000 event attendees). Such plans require better planning and management of waste generated by events and can reduce the amount of waste produced at events by requiring event managers to specify the steps to be taken to minimise waste and maximise diversion. They can also require event managers to provide waste information to the Council following the event to help improve Council's waste data and understanding.

Due to the limited effectiveness of non-regulatory event waste management approaches, and the absence of alternate regulatory approaches, a bylaw response is considered the most appropriate means to address these event waste-related issues. The use of bylaw provisions would establish basic waste-related planning considerations for large events.

Most Appropriate Way to Address the Problems/Issues

The discussion above outlines the range of waste management issues relevant to Wellington City and the options considered to address these issues.

In summary, voluntary compliance and education cannot be relied on to fully address the issues. Educational measures may not reach everyone and may not provide an effective deterrent where there are issues. Where activities have the potential to adversely affect the general public, it is necessary for the Council to have a greater ability to enforce its policies and rules.

While non-regulatory guidance (e.g. community education, guidelines and information provision) and appropriate operational practices can help address a range of waste management issues, bylaw regulation is necessary as a means to establish a range of baseline waste management and minimisation standards for waste service users and service providers. Together, regulatory standards, non-regulatory actions and operational practice will support the delivery of effective and efficient waste management and minimisation within the City.

While some of the provisions in the Bylaw have the potential to be covered by common law remedies, such as public nuisance or negligence offences, it is preferable for the Council to retain provisions in the Bylaw for these matters.

Most Appropriate Form of Bylaw

The proposed Bylaw effectively and efficiently addresses the identified issues by addressing a number of unwanted consequences resulting from the management and minimisation of waste. The proposed Bylaw also provides flexibility and allows for changing circumstances to be recognised by enabling Council to be able to take action on matters if required.

Proposed controls to support the implementation of the Bylaw are separate from the proposed Bylaw but are provided as part of this proposal to provide transparency. Controls (rules) to support

the implementation of the proposed Bylaw can be made by Council resolution following Bylaw adoption. This separation allows the controls to be amended as appropriate rather than requiring a full review of the Bylaw. This gives Council the necessary flexibility to recognise that changes may be needed to procedures or other associated implementation matters over time.

The proposed Bylaw clearly states the Council's position by stating whether an activity is permitted or prohibited. The proposed Bylaw sets out what action needs to be taken to comply with it, for example, whether prior written permission of the Council is required. It also sets out some considerations that will be taken into account in granting consents.

The proposed Bylaw is consistent with the goals, aims and actions of the WMMP. It also provides consistency with Council's existing policies and practices and reflects community goals identified by the Council.

The review of Council's existing waste bylaw provisions has also considered whether the proposed Bylaw should remain within the existing consolidated bylaw or be split into a stand-alone bylaw. Standalone bylaws are now common with other Councils, and are considered to provide advantages including:

- Improved interpretation and understanding of bylaws with all relevant information located together within a single document, and
- Allowing the Council to establish a more staggered and clear approach to reviewing its bylaws.

The proposal is that the Solid Waste Management and Minimisation Bylaw 2020 would be established as a standalone bylaw, in effect, replacing the existing bylaw provisions in Part 9 of Council's Consolidated Bylaw 2008. Part 9 of the existing Consolidated Waste Bylaw would be revoked.

The proposed Bylaw is therefore the most appropriate form of bylaw. It clearly states the Council's position on each issue, how the Bylaw can be complied with, reflects the Council's existing policies and practices, and addresses waste-related issues relevant to Wellington City.

New Zealand Bill of Rights Assessment

Before making a bylaw, section 155 of the Local Government Act requires the Council to determine whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 ("the Bill of Rights Act"). No bylaw may be made which is inconsistent with the Bill of Rights Act.

Section 5 of the Bill of Rights Act provides for justified limitations on rights, specifically that the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

The only rights or freedoms under the Bill of Rights Act potentially engaged by the proposed Bylaw are likely to be the rights to freedom of movement and freedom of expression. Limitations on these rights must be no more than is reasonably necessary to achieve the purpose of the Bylaw. The proposed Bylaw limits these rights only to the extent that they create a danger to health and safety or a nuisance to others or the public generally, or create the potential for environmental harm. In addition, while the Bylaw will require waste collectors and operators to be licensed and comply with minimum standards, it does not limit public access to these services. The Bylaw only controls the methods used to carry out these services in order to meet waste management goals.

The proposed Bylaw does not raise any implications under and is not inconsistent with the Bill of Rights Act, because any limitations of the rights in question are justified in accordance with the Act.

Proposed Bylaw Summary

The proposed Bylaw has updated the Council’s existing Waste Management bylaw provisions in a number of ways to ensure the requirements are clear, relevant and consistent with current legislation, national practices, and with Council’s WMMP and broader goals. A number of the provisions in the proposed Bylaw are new to Wellington City. They will enable the Council to take action on particular issues where this has not previously been possible.

The purpose of the Bylaw is to:

- Promote and deliver effective and efficient waste management and minimisation;
- Implement the Wellington Region Waste Management and Minimisation Plan;
- Encourage waste minimisation and a decrease in waste disposal in order to protect the environment from harm; and provide environmental, social, economic, and cultural benefits;
- Regulate waste collection, transport and disposal, including recycling, waste storage and management;
- Set controls regarding the responsibilities of customers who use approved solid waste services, and the licensing of waste collectors and waste operators;
- Protect the health and safety of waste collectors, waste operators and the public; and
- Manage litter and nuisance relating to waste in public places.

The Bylaw must be consistent with the WMMP. The proposed Bylaw supports the key goals of the WMMP which include maximising opportunities to reduce the amount of waste sent to landfill, reduce the harmful and costly effects of waste, and improve efficiency of resource use.

Summary of key changes proposed

Waste management responsibilities	
<i>Current bylaw:</i> Outlines some responsibilities but not in a comprehensive manner.	<i>Proposed Bylaw:</i> Provides greater clarity and detail in terms of the general and specific responsibilities of owners, managers and occupiers of premises, and of waste collectors and waste operators.
Licensing of waste collectors and operators	
<i>Current bylaw:</i> There are no requirements for licensing of service providers/operators.	<i>Proposed Bylaw:</i> Introduces a mandatory registration (licensing) system for waste collectors and waste operators to enable Council to: <ul style="list-style-type: none"> • Effectively regulate private collection services to ensure they are aligned with the WMMP and Council’s waste management objectives • Collect better data on waste streams, waste management and service operations, and • Fulfil its responsibilities to promote effective and efficient waste management and minimisation. A two-year delay is proposed before the provisions come into effect to allow the Council, along with other Councils in the Wellington region, to establish an appropriate regional system (and resourcing) to manage the applications and data collected.

Waste Management for Multi-Unit Developments	
<p><i>Current bylaw:</i> There are no requirements for dealing with waste generated by multi-unit developments.</p>	<p><i>Proposed Bylaw:</i> Multi-unit developments (defined under the proposed Bylaw as 10 or more residential units) such as apartments, townhouses, retirement villages and gated communities can be problematic in terms of waste management and minimisation, particularly if inadequate provision is made for waste storage and servicing within the development. The proposed provisions are intended to encourage appropriate planning and provision for waste management in all multi-unit developments, and ensure adequate provision is made for waste management facilities and servicing in new multi-unit developments. In addition, a supporting control is being proposed that will limit the future provision of Council-provided collection services for new multi-unit developments of 10 or more.</p>
Waste Management for Events	
<p><i>Current bylaw:</i> There are no regulatory requirements for dealing with waste generated by events.</p>	<p><i>Proposed Bylaw:</i> The provisions provide the ability to manage waste at events and ensure adequate provision is made for waste management. Requires the preparation of a waste management plan (for approval by Council) for public events of a significant scale (an expected attendance of 1,000 or more people over its duration) that will generate waste (exceptions apply). The intent is to encourage better planning and management of waste and to ensure adequate provision is made for waste management facilities and services for events. The proposed 1 year delay in the commencement of these provisions allows Council to work in partnership with the other Wellington councils to establish appropriate guidance and resourcing to support event managers, and the collection and analysis of the waste data provided.</p>
Management of Construction and Demolition (C&D) Waste	
<p><i>Current bylaw:</i> There are no requirements for dealing with waste generated by C&D activities.</p>	<p><i>Proposed Bylaw:</i> Waste generated from construction and demolition activities can be a significant issue. The provisions provides the ability for Council to make a control to require the preparation of a waste management plan (for approval by Council) for building work over a certain specified dollar value (as set by Council). The focus is on high value builds that generate a lot of waste. Providing the ability for Council to set a control to require the preparation of a waste management plan for high value builds aims to reduce waste by encouraging the consideration of waste issues early in the building/ construction process. It also supports the WMMP objectives for construction and demolition waste. It will help improve local and regional data on the management of construction and demolition waste, encourage reuse and recycling, and help ensure residual materials are taken to an appropriate disposal or recovery facility. Better data will also support increased understanding of construction and demolition waste issues and will inform</p>

	and support the development of appropriate tools to help manage the issues. A supporting control is being proposed that will require a C&D waste management plan for projects with an estimated value of \$2 million or greater.
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Management of Unaddressed Mail and Advertising Material	
<i>Current bylaw:</i> There are no requirements for dealing with waste, litter and nuisance issues generated by unaddressed mail and advertising material.	<i>Proposed Bylaw:</i> Unaddressed mail and advertising material can generate significant amounts of waste and can create litter issues. The proposed provisions support and enable the Council to regulate and take action on waste and litter issues that are caused by unaddressed mail and advertising material.

To support the implementation of the proposed Bylaw within Wellington City, the Council can make controls under the Bylaw. The proposed controls to be made by Council resolution following Bylaw adoption are attached to this proposal for enhanced transparency. In summary the proposed controls:

- Set out the permitted times for waste collection services (whether provided by Council or a privately owned service provider)
- Restrict the storage of waste in public places
- Set out the requirements for the placement and retrieval of waste receptacles (containers)
- Set out requirements for the separation of waste types
- Restrict the deposit of specific waste material including prohibited waste
- Specify restrictions (with exemptions) for Council-provided waste collection services for multi-unit developments
- Specify requirements for the preparation of construction site and demolition waste management plans for large value building projects
- Set out specific requirements for the use of the Southern Landfill.

The proposed Bylaw and associated controls will apply throughout the Wellington City district.

The proposed Bylaw is attached to this proposal. The following provides a summary outline of the key sections of the proposed Bylaw.

Outline of proposed Bylaw sections

Clause	Description	Purpose / Reasons
PART A: INTRODUCTION		
1	Title and Application	Specifies the title of the Bylaw and the district to which it applies.
2	Commencement	Specifies the date the Bylaw is adopted by Council and comes into effect. Also lists some exceptions to allow for the delayed start of some Bylaw provisions (e.g. licencing and event waste management plans) to give Council time to put in place appropriate implementation resourcing, mechanisms and systems.
3	Revocation	Confirms the existing Bylaw that the proposed Bylaw will replace.
4	Purpose	Explains why the Bylaw has been adopted, the context for the Bylaw, its intention and the key outcomes it seeks to achieve. Also identifies

Clause	Description	Purpose / Reasons
		the relevant legislation the Bylaw is made under.
5	Compliance with Bylaw	Provides clarity and specifies that no person can act in a way that is not in accordance with the Bylaw, and that compliance with the Bylaw doesn't remove the need to comply with any other applicable legislation, regulation, Council bylaws or rules of law.
6	Interpretation	Supports the interpretation and implementation of the Bylaw. Defines key terms used in the Bylaw. Where possible, defined terms from existing relevant legislation, Council plans or national strategies and guidelines have been used.
7	Controls	Enables the Council to make/amend/revoke specific controls to support the implementation of the Bylaw. Controls can be used to prohibit, restrict or control any matter related to waste deposit, collection, transportation, storage or disposal from any property or premises. Controls must be made by a resolution of Council that is made publicly available. The clause provides assurance to any person as to the process that will be undertaken to make controls. Confirms that Council is complying with its significance and engagement policy.
PART B: DEPOSIT, COLLECTION, TRANSPORTATION, STORAGE, PROCESSING AND DISPOSAL OF WASTE		
8	General responsibilities	Outlines the general responsibilities of all people and agencies for solid waste management and minimisation under the Bylaw. Includes households, occupiers, and the owners and managers of any premises. Provides clarity as to what the expectations are in terms of waste disposal, storage, transportation and collection and who is responsible for what.
9	Waste collections from a public place	Sets out basic requirements for waste collections from any public place. Explains what waste is acceptable for collection and what types of waste must not be placed in a public place for collection. Also enables Council to ensure waste collection receptacles provided for waste collections (approved containers, bins, bags etc) are appropriate, fit for purpose, and are labelled clearly and appropriately.
10	Approved Collection Points	Provided for clarity and ensures Council can set controls in relation to approved collection points for the collection of waste (for example, in rural areas or any areas not served by kerbside services).
11	Licensing of Waste Collectors and Waste Operators	Requires waste collectors and waste operators to obtain an approval (licence) from Council. Provides the ability for Council to take action if a licensed waste collector or operator is not fulfilling their requirements under the Bylaw. Proposed 2 year commencement delay (clause 2) to allow Council to work with the other Wellington councils to establish an appropriate licence system and resourcing.
12	Multi-Unit Developments	Requires the preparation of a waste management plan (for approval by Council) for new multi-unit developments, and for existing developments where there are issues in terms of inadequate provision for waste storage and disposal. Enables councils to set controls, if required, in relation to the deposit, collection, transportation or storage of waste from multi-unit developments. Supports the achievement of the goals and actions set out in the WMMP and clarifies waste management roles and responsibilities during planning, construction and occupation of multi-unit

Clause	Description	Purpose / Reasons
		developments.
13	Events	Requires the preparation of a waste management plan (for approval by Council) for public events of a significant scale (an expected attendance of 1,000 or more people over its duration) that will generate waste (exceptions apply). The intent is to encourage better planning and management of waste and to ensure adequate provision is made for waste management facilities and services for events. The proposed 1 year delay in the commencement of these provisions under the Bylaw (refer clause 2) allows Council to work in partnership with the other Wellington councils to establish appropriate guidance and resourcing to support waste plan development and the collection and analysis of the data provided.
14	Construction Site and Demolition Waste Management Plans	Provides the ability for Council to make a control to require the preparation of a waste management plan (for approval by Council) for building work over a certain specified dollar value (as set by Council). The focus is on high value builds that generate a lot of waste. A control is proposed to be made by Council under the proposed Bylaw to require the preparation of C&D waste management plans for building projects with an estimated value of \$2 million or greater.
15	Inorganic waste	This clause can be used by Council (if and as may be needed) to ensure that any potential inorganic collection service can be regulated and managed appropriately and issues like scavenging can be prevented.
16	Nuisance and litter	Supports the Council to take action on issues such as responsibility for waste or diverted material accumulations, use of approved receptacles, the burying of waste, waste disposal or scavenging, to ensure that they do not become offensive, a public nuisance, or likely to be injurious to health.
17	Unaddressed mail and advertising material	This clause supports and enables Council to regulate and take action on waste and litter issues that are caused by unaddressed mail and advertising material.
18	Donation Collection Points	There can be a number of waste-related issues associated with donation collection points on public places such as illegal dumping, littering and scavenging. This clause gives Council the ability to manage and prevent any such issues.
PART 3: OTHER MATTERS		
19	General Offences and Penalties	This clause sets out the enforcement action available to Council for breaches of the Bylaw and any controls made under it. In some cases enforcement is easier and more effective through other mechanisms such as the Litter Act; but in other cases specific provision needs to be made through this Bylaw.
20	Other Enforcement Powers	Provides for additional enforcement action to be taken by Council under the Bylaw where the specific provisions of a sub-section enable other actions, besides prosecution, to be taken. For example, the withdrawal or suspension of waste collection services for non-compliance with the Bylaw requirements, or the issue of a written warning or suspension of a waste collection licence for non-compliance with the licence terms and conditions.
21	Exceptions and Saving Provisions	Provided for clarity.

Clause	Description	Purpose / Reasons
22	Fees	Provided for clarity. The Council may in accordance with the provisions of section 150 of the Local Government Act 2002 set prescribed fees under this Bylaw, and may refund, remit or waive any fee as it sees fit.
23	Forms and processes	Provided for clarity.

**Proposed Wellington City Council Solid Waste Management and
Minimisation Bylaw 2020**

Solid Waste Management & Minimisation Bylaw Communications & Engagement Plan – Overview

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

What we're doing

Project background

- In August 2017, WCC adopted the Wellington Region Waste Management and Minimisation Plan (2017-2023) (WMMP).
- Eight other TA's in Wellington region adopted the plan and agreed to a regional bylaw.
- In April 2019, WCC formally agreed on the scope of the waste-related issues to be addressed by the bylaw for the purpose of promoting effective and efficient waste management and minimisation within the city.

Engagement objectives

- **Aware:** Raise key stakeholder awareness of the Solid Waste Management and Minimisation bylaw – when, where, what, how.
- **Inform:** Inform key stakeholders of the purpose of the bylaw and ensure they understand the benefits.
- **Engage:** Encourage participation in the formal consultation and engagement process to all stakeholders. Deliver a digital solution for consultation to ensure we get the best possible results and feedback required.
- **Prepare:** Work with eight other regional TA's to ensure the message and process is consistent. Ensure communications are accessible to all key stakeholders.

How we'll do it

Engagement tools

- Online Hub on Kōrero Mai | Let's Talk (WCC's engagement portal) including key dates, timelines, surveys and more. Will provide full analytics of the HUB reach, use, submission rates and analysis
- Promotion of consultation via:
 - Social media (organic and paid)
 - eNewsletters, Media releases
 - Advertising (radio, newspaper, online)
 - Direct emails and phone calls to key stakeholders.

Key stakeholders

- Residents and ratepayers in Wellington City as waste and recycling service users
- Waste and recycling service operators
- Owners and occupiers of multi-unit dwellings
- The Inner City Residents Association
- Local Iwi
- Generation Zero (Wellington)
- Environment and sustainability groups.
- Wellington City Council Mayor and Councillors
- The WCC Executive Leadership Team

Key contacts

- Emma Richardson, Senior Waste Planner, Resilience-Waste Operations: 021318057
- Emily Taylor-Hall, Operations Manager, Resilience-Waste Operations: 0212479769
- Mike Mendonca, Chief Resilience Officer, Resilience: 0212278097

Key messages

Have your say on how we regulate solid waste and related waste management activities, to promote effective and efficient waste management and minimisation within Wellington City.

The Bylaw key changes, in summary -

- Provide greater clarity in terms of the responsibilities of owners, managers and occupiers of premises and of waste collectors and operators;
- Provide the ability to better manage waste generated by multi-unit developments (10 or more residential units);
- Provide the ability to manage waste at events and to ensure adequate provision is made for waste management for events;
- Provide the ability for Council to manage waste generated by construction site and demolition activities;
- Enable Council to manage waste and litter issues created by unaddressed mail and advertising material; and
- Provide a greater amount of detail on the appropriate deposit and disposal of waste, including how the different types of waste (including recyclables and other divertible material) are to be managed;
- Require mandatory registration (licencing) of waste collectors and waste operators to enable Council to effectively regulate private collection services to ensure they are aligned with the WMMP and Council's waste management objectives, and to obtain better data on waste streams and waste services/operations in the district; and
- Provide the ability to enforce new requirements under this Bylaw.

Timings 2020	June	July	Aug	Sept	Oct	Nov
Engagement planning	✓	✓	✓			
Consultation process			✓	✓		
Analysis of submissions				✓	✓	
Public hearings					✓	
SPC Policy Committee Decisions	November					
Drafting of final bylaw	November					
Council Decisions on the bylaw	November					
Bylaw Adoption	25 th January 2021					

Success measures

- Increased participation in and awareness of the Bylaw.
- Feedback through consultation is relevant to key messages.
- The bylaw is adopted and stakeholders and the community understand what is changing and why.

Key risks and mitigations

- Concern from the waste sector regarding the regional waste operator licensing system proposed in the bylaw.
 - Early communications within the sector - providing information about the proposed bylaw and the two-year licensing implementation delay, and industry engagement proposed concerning future waste operator licensing.
- Concern from multi-unit development owners regarding the standards proposed for new and existing multi-unit dwellings.
 - Targeted consultation with, and information being provided to, the Inner City Residents Association on this issue.
- Concern from waste service users that the bylaw is extensive, with it being difficult to understand the implications of the bylaw on general waste service use.
 - The public notification of the operational controls that have been proposed to support the bylaw will enable people to better understand the implications on service use. Further, the extended consultation period allows additional time for people and groups to review, consider and submit on the proposed bylaw provisions.

ADVISORY GROUP ANNUAL REPORTS 2019

Purpose

1. This report provides the Strategy and Policy Committee with the annual reports of Council's four advisory groups for 2019:
 - Accessibility Advisory Group
 - Environmental Reference Group
 - Pacific Advisory Group
 - Youth Council

Recommendation/s

That the Strategy and Policy Committee:

1. Receive the information.
2. Thank the Advisory Groups for their contributions.

Background

2. Wellington City Council operates the following advisory groups:
 - Accessibility Advisory Group
 - Environmental Reference Group
 - Pacific Advisory Group
 - Youth Council
3. The advisory groups serve a range of general purposes:
 - To advise Council officers working on relevant policies, strategies and operations on how to improve outcomes for the city and communities, based on their experience and knowledge; and
 - To pass information on issues relevant to communities between Council and advisory groups.
4. Each advisory group has a terms of reference, which sets out its purpose and expectations.
5. Each advisory group is required to submit an annual report to the Committee which outlines work achieved over the previous year. Starting from 2016, the advisory groups report on the previous calendar year.
6. This report covers the 2019 year for the Accessibility Advisory Group, Environmental Reference Group, Pacific Advisory Group, and the Youth Council.

Discussion

Accessibility Advisory Group

7. Under the terms of reference the Accessibility Advisory Group's purpose is to:

- Advise Council on how to help grow a great and accessible City, where barriers to people with impairments are minimised.
 - Bring lived experience and knowledge to Council around accessibility issues in the context of Council's roles and priorities.
8. A particular highlight of the AAG was the Accessibility Awards and the Royal New Zealand Ballet being recipients of the Arts Access Creative New Zealand Arts For All Award 2019. The AAG were involved in the assessments of applications for these awards.
9. AAG was able to provide advice to several WCC projects during this report period, a full list of which can be found in Attachment 1.
10. The AAG feels it has given Council valuable advice and feedback over the years and looks forward continuing this throughout the rest of 2020.

Environmental Reference Group

11. Under the Environmental Reference Group's (ERG) terms of reference its purpose is to:
- Advise Council on the best ways to improve Wellingtonians' quality of life environmentally, socially, culturally and economically by protecting and enhancing the local environment.
 - Bring knowledge and insight into Council around the environment, including water, energy, waste, biodiversity urban design and transport management, in the context of the Council's roles and priorities.
12. The ERG's focus over 2019 when providing advice and feedback to Council and its officers was to highlight that climate change adaptation will be a critical part of building a resilient city, that water sensitive urban design is critical to Wellington's future and the need for cultural change, and to highlight the importance of developing good performance indicators and targets that will encourage work towards priority outcomes.
13. The ERG has provided feedback and submissions on a number of strategies and plans, including:
- Parking Policy Review
 - Backyard Tāonga
 - Stream Restoration and Whaitua Whanganui-a-Tara
 - Te Atakura First to Zero, Low Carbon Capital
 - Outer Green Belt Management Plan Review
 - Planning for Growth
14. The ERG feels it has given Council valuable advice and feedback over the past year and looks forward to the remainder of 2020.

Pacific Advisory Group

15. Under its terms of reference the purpose of the Pacific Advisory Group is to:
- Advise Council on how to help grow a great City, where Pasifika peoples thrive and contribute to Council's priorities.

- Bring knowledge and extra insight into Council about how the different needs of Wellington's Pasifika communities can be addressed in the context of Council's roles and priorities.
16. A priority for the Pacific Advisory Group for 2019 was providing feedback on Council plans, policies, and other initiatives. Some highlights were providing feedback on:
- Planning for Growth
 - Central City Safer Speeds
 - Let's Get Wellington Moving
 - Smokefree Wellington Action Plan
 - Parking Policy
 - Advisory Groups Review
17. The Pacific Advisory Group was also pleased to hear a report back from the Wellington City Council Policy Team on the implementation of Kapasa: The Pacific Policy Analysis Tool. Kapasa is a policy tool which provides Council with a Pacific perspective for developing policy.
18. The Pacific Advisory Group is looking forward to continuing to build its internal and external relationships in the coming year.

Youth Council

19. Youth Council sees its role as providing a youth voice at local government. Under its terms of reference, Youth Council's main functions are to:
- Assist and advise the City Council on how to help grow a great City where young people thrive and contribute to the City Council's priorities
 - Bring extra insight to Council (a youth perspective) to solve problems facing a changing world
 - Develop the capabilities of its members (including leadership and engaging wider youth)
20. In 2019, a key focus of Youth Council was to participate in the consultation processes of Wellington City Council, Parliament, and other public entities. Highlights included:
- Wellington City Council Alcohol Control Bylaw – Kilbirnie and Kelburn
 - Wellington City Council Planning for Growth
 - New Zealand's 2020-2049 Biodiversity Strategy (Department of Conservation)
 - Inquiry into the 2016 Local Authority Elections (Justice Select Committee)
 - Zero Carbon Bill (Environment Select Committee)
21. In addition to the above, Youth Council engaged young Wellingtonians in the 2019 Local Authority Elections through social media posts, including the creation of a short video to promote voting.
22. Youth Council feels that it had "another fantastic period" and is looking forward to the remainder of 2020.

Next Actions

Review of advisory groups

23. A review of the advisory groups will be brought to this Committee for consideration later this year.

Attachments

Attachment 1.	Accessibility Advisory Group Annual Report ↓	Page 112
Attachment 2.	Environmental Reference Group Annual Report 2019 ↓	Page 117
Attachment 3.	Pacific Advisory Group Annual Report 2019 ↓	Page 125
Attachment 4.	Youth Council Annual Report 2019 ↓	Page 130

Authors	Hedi Mueller, Democracy Advisor Sean Johnson, Democracy Advisor
Authoriser	Jennifer Parker, Democracy Services Manager Stephen McArthur, Director, Strategy and Governance

SUPPORTING INFORMATION

Engagement and Consultation

N/A

Treaty of Waitangi considerations

N/A

Financial implications

None identified at this time.

Policy and legislative implications

None identified at this time.

Risks / legal

N/A

Climate Change impact and considerations

N/A

Communications Plan

Not required.

Health and Safety Impact considered

None identified at this time.

Accessibility Advisory Group Annual Report 2019

Accessibility Advisory Group.

Purpose

The Purpose of the Accessibility Advisory Group (AAG) is to:

- Advise Council on how to help grow a great and accessible City, where barriers to people with impairments are minimised.
- Bring lived experience and knowledge to Council around accessibility issues in the context of Council's roles and priorities.

Group Composition

AAG membership has been selected to provide a considerable range and depth of accessibility expertise. All members have lived experience of disability and a variety of access needs. We do not purport to represent any particular community or the full spectrum of accessibility perspectives, however we do have a diverse mix of gender, ethnicity, age, impairments, and accessibility experiences.

AAG Members in 2019

Rachel Noble (Co-chair)
Alan Royal
Amy Evanson (new)
Michael Bealing (resigned)
Rosie MacLeod
Stuart Mills

Tristram Ingham (Co-chair)
Ali Bradshaw (new/resigned)
Erikka Helliwell
Nick Ruane
Solmez Nazari Orakani

Council appointed members

Councillor David Lee (outgoing)
Councillor Rebecca Matthews (incoming)

Council officers

Moana Mackey (ELT Representative)
Hedi Mueller (AAG Secretariat)

Acknowledgements

AAG would like to thank the council officers who have taken their time to engage with AAG or consult on work programmes.

In particular AAG would like to thank our ELT representative Moana Mackey for her commitment to attending our meetings and for championing accessibility within the Executive. Hedi Mueller has been amazing support to our members and provided very efficient and effective secretariat services.

AAG would also especially like to thank Councillor Rebecca Matthews for her passion and effective advocacy at the council table as our Council representative.

We are sure that commitment is shared by all councillors and we look forward to working together to shift the dial for accessibility in the year ahead.

Reporting Structure

The Accessibility Advisory Group reports as a single body.

Membership and Meetings

AAG does not have any current internal or external memoranda of understanding or formal relationships.

Member attendance has been extremely high, despite several members suffering inter-current illnesses. Overall engagement from members, including engagement between meetings and involvement in other fora, has been excellent.

Attendance at AAG meetings over the 2019 calendar year has been as follows:

Name	Number attended	Percentage
Alan Royal	10	91%
Rachel Noble	10	91%
Rosie Macleod	10	91%
Tristram Ingham	10	91%
Nick Ruane	8	73%
Erikka Helliwell	7	64%
Solmaz Nazari Orakani	7	64%
Stuart Mills	7	64%
Ali Bradshaw	2	18%
Michael Bealing	1	9%

Annual Work Programme

As reported in last year's report, AAG proposed a bold forward work programme for the present year that, with appropriate support and buy-in from WCC, may have seen a greater level of engagement and progress on accessibility issues in partnership with WCC. The work programme was drafted and submitted by AAG but not formally agreed or adopted by WCC.

Some uncertainty has certainly been felt as we eagerly await the result of the review of the advisory groups to enhance WCCs efficient and effective use of these important groups.

Activity

This reporting period has seen AAG engage with a wide range of council officers, projects and initiatives.

We were encouraged by early and positive engagements around the ‘Lets Get Welly Moving’ programme which AAG see as a critical work programme that will have far reaching consequences for accessibility over the coming decades. We remain committed to ensuring that accessible design and modelling is integrally woven into all aspects of that programme as it moves into detailed design and delivery.

We were involved in the assessment of applications for the Accessibility Awards and were gratified to see some businesses really embracing the opportunity to showcase inclusive initiatives – a real highlight for AAG was the Royal New Zealand Ballet award. The fact that there were limited applications and one category that could not be awarded indicates the need to publicise the opportunities and engage with the business community throughout the year to encourage more initiatives that can be celebrated in this way.

Provision of Advice

AAG was able to provide advice to the following projects during this report period:

- Jan: Outer Green Belt Management Plan consultation
- Feb: New Customer Service Centre in Manners St
- Mar: Frank Kitts Children’s Playground Upgrade, Wellington Convention and Exhibition Centre and Basin Reserve Museum Stand, Annual Plan, Accessibility Action Plan, E-Scooter trial
- April: Proposed Changes to Mobility Parks in Bunny St, Planning for Growth
- May: FIXiT app, collaboration between WCC AAG and GWRC Accessibility Group
- June: Let’s Get Welly Moving, Advisory Group Review
- July: Mobility Parking Survey, Parking Policy
- Aug: Accessibility Awards, Local Authority Elections, Let’s Get Welly Moving
- Sept: Third CBD Library Site, Advisory Group Review
- Oct: Swan Lane and Garrett St Laneways Project, Karori Public Space Improvement Project and Bowen St Steps,
- Nov: E-Scooter review, Workshop on Emergency Management

Aspirations and challenges for the year ahead

COVID-19 has certainly left its mark on the functioning and psyche, not only of WCC but the region and nation as a whole. In many cases, the pandemic response has highlighted a number of things we do well, but also a number where we have room for improvement, and created opportunities for us to learn from this emergency to strengthen our communities, ensure our services are accessible by all, and even change our fundamental ways of working. The AAG is committed to supporting the Council to be a national leader in accessibility and striving to achieve a fully inclusive

society. We remain committed to being of service to officers and individual business units who need our input to their various projects and initiatives.

As we indicated last year, there are a number of initiatives at international, national and local levels that provide exciting opportunities for us to collectively provide more strategic influence in the next twelve months to leverage accessibility improvements for our population, including:

- National and Regional COVID-19 Pandemic Response and Recovery programmes – including ‘shovel ready projects’, inclusive employment opportunities, and community resilience initiatives;
- The Second Examination of New Zealand under the United Nations Convention on the Rights of Persons with a Disability (UNCPRD) – including addressing issues raised in the ‘Making Disability Rights Real’ Report of the NZ Independent Monitoring Mechanism to the UNCPRD;
- The commitment by government to explore national accessibility legislation, and the implications of this for WCC as local government;
- The newly revised Disability Action Plan 2019-2023 (by Office for Disability Issues);
- The opportunity for WCC to sign the Accessibility Charter (led by the Ministry of Social Development - currently signed by all central Government Departments);
- Modernisation of local election processes (removing barriers to equity in voter participation, particularly for people with accessibility needs);
- The Reform of the Local Government Regulatory Systems Amendment Bill (will provide an opportunity to ensure council documents are accessible by requiring accessible formats through rules created by the Secretary of Local Government);
- The WCC ‘Planning for Growth’ Programme (to accommodate up to 30,000 new residents over the next 30 years);
- The WCC Earthquake strengthening projects of the Michael Fowler Centre, Town Hall, City Council Offices and Central Library.

As always, AAG stands ready to provide strategic leadership on these and other accessibility matters and willingness to partner with all of WCC to co-design a more accessible, inclusive environment for the population of Wellington.

Dr Tristram Ingham & Rachel Noble
Co-Chairs, On behalf of AAG

Environmental Reference Group

Annual Report for the period January 2019 – December 2019

Purpose

The Environmental Reference Group's (ERG) purpose is to:

- Advise Council on the best ways to improve Wellingtonian's quality of life environmentally, socially, culturally and economically by protecting and enhancing the local environment.
- Bring knowledge and insight into Council around the environment, including water, energy, waste, biodiversity, urban design and transport management, in the context of Council's roles and priorities.

Portfolios

During 2019 the ERG had a small membership for most of the year but benefited from a diverse mix of well qualified and experienced members across a wide range of disciplines. The principal areas of interest to the ERG are split into portfolios with portfolio leads for most of 2019 as displayed in the table below:

Portfolio Group	ERG Lead
Transport	Paula Warren
Climate Change	Chris Watson
Waste	Martin Payne
Water	Chris Paulin
Resilience	Lynn Cadenhead
Urban Design Agency/Urban Growth	Mark Higham
Mana whenua iwi & Treaty Relations	Mark Fenwick
Biodiversity/Open Space	Mike Britton
Heritage	Lynn Cadenhead

Policies and Strategies

During the period of this report, the ERG consulted with various WCC officers on a number of plans and strategies, including:

- The Whaitua process
- First to Zero project
- Waste Bylaw Review
- Waste Minimisation Plan
- Smoke Free Action Plan
- Electric Vehicle Charges Scheme
- Endeavour project - Rivers as Vectors of Plastic Pollution
- Independent review of advisory groups in June 2019

- Waste Bylaw Review and Waste Minimisation Plan Update

Feedback

During the period, the ERG provided feedback on:

- The WCC Parking Policy review
- Backyard Tāonga project
- Stream Restoration and Whaitua Whanganui-a-Tara for Councillor Gilbert

Submissions

During the period, the ERG provided submissions to Council on:

- Te-Atakura First to Zero, Low Carbon Capital
- Outer Green Belt Management Plan Review
- Planning for Growth

The main themes that the ERG has focused on through their submissions have been:

- Encouraging Council's efforts to increase integration across units, to overcome the negative effects of "silos".
- Highlight to the council the importance of developing good performance indicators and targets that will encourage work towards priority outcomes and help mainstream programmes such as 'Pest Free Wellington'.
- Emphasising the need to invest in cultural change, not just infrastructure change, to address some of the long-term issues facing the city, including climate change, population growth and resilience.
- Highlighting climate change adaptation as we predict it will be a critical part of building a resilient city. That adaptation should address a range of issues, including but not limited to sea level rise, changes in rainfall patterns and more frequency and strength of extreme weather events. It is important that any adaptation improves biodiversity and environmental outcomes and community resilience.
- ERG emphasised that water sensitive urban design is critical to Wellington's future. While the Council has a good policy, it should be moved in a timely manner to implementation and it should be ensured that work is integrated with regional water planning and the three waters policy.
- While acknowledging that Wellington has made great progress in tackling biodiversity issues and building community involvement through initiatives such as Predator Free Wellington, ERG believes that it is vital to ensure that support for work with biodiversity priorities in other areas and initiatives also continues to grow.

Assessment on Process

More and more Councillors and Council officers have adapted to the ERG's preferred strategy of early engagement and targeted advice. Positive and constructive submissions have been made on key plans and policies. For example, the Outer Green Belt Management Plan Review that was supported by ERG.

Working closely with Council officers can only enhance this process in the future and the ERG members are keen to be involved with workshops and meetings outside of the monthly meetings. Some support for this time should be considered as should the level of remuneration for members that has not increased overtime.

We are hopeful that the long overdue reference groups review will be completed soon.

We would like to thank Councillor Gilberd for his feedback, information and encouragement until October 2019 and David Chick and Moana Mackey for their continuing support.

We are delighted with our councillor representatives Councillors Tamatha Paul and Councillor Laurie Foon and with Councillor Teri O'Neill's frequent attendance. We welcome all councillors to our meetings.

Challenges

A major challenge that faced the ERG in 2019 was the small group size. The ERG has been lucky to attract high calibre members covering many disciplines, but these people are in demand in the workforce and increasingly they struggle to find time for ERG or their circumstances change with new roles and challenges. ERG was not able to recruit members in a timely fashion so the group size remained small. Recruitment has now occurred and the ERG was up to strength in December 2019 with high calibre members from a range of backgrounds and ages.

A second major challenge was the number of different Democracy Advisors that assisted the group over the year. They included;

- Hedi Mueller, Democracy Advisor
- Kay Houlahan, Democracy Advisor
- Esther Hoskin, Democracy Advisor
- Manjori Sanyal, Democracy Advisor
- Crispian Franklin, Democracy Team Leader (filling in)

This constant change created many problems including continuity in the work programme and lack of document filing. We would be delighted if Hedi stayed.

Issues to Consider

The ERG would like to recommend the following:

- ERG would like to remind Council officers that we encourage them to provide background reading prior to presenting at meetings and to provide specific questions they would like advice on. Presentations should be brief with plenty of discussion time.
- The ERG is keen for more involvement with Councillors outside of meetings and submission processes but also continued and increased involvement within meetings and workshops.
- The ERG feels that Council could better utilise the extensive network the ERG members have within the environmental space.
- The ERG believes it would be an immense help to create feedback loops after discussion and submissions. For example, the involvement of Councillor Gilberd, David Chick and Moana Mackey in the ERG meetings has made the ERG's efforts feel valued and heard.
- The ERG would like to review representation from iwi, and other groups that could contribute on environmental matters, for example currently there is no representation from Iwi on ERG possibly due to a funding loop. This should be redressed by an amendment to the ERG terms of reference.

Wellington City Council Environmental Group

Profile of members from January 2019 to December 2019

Mark Fenwick (Chair until October 2019)

For the last ten years Mark has been employed by the National Institute of Water and Atmospheric Research Ltd (NIWA) as a marine ecology technician. He has a varied role, working on the environmental impacts of fishing on marine habitats and fisheries stock assessments for hoki, oreo, orange roughy, blue cod and crayfish. He also works on environmental impact studies for major developments, including roading and sea floor mining.

Mark is a beneficiary member of the Port Nicholson Block Settlement Trust, the Wellington Tenth Trust and the Palmerston North Maori Reserves Trust and he affiliates to Te Atiawa and Taranaki Iwi and is a descendant of Te Whiti O Rongomai. His marae is Te Tatau o te Po in Petone and he currently sits on Te Atiawa ki Te Upoko o te Ika a Maui Potiki Trust (the marae fisheries trust).

He has an MSc from Victoria University, Wellington where he studied the genetic relationships of the New Zealand freshwater mussels (Kakahi) in conjunction with DOC, Iwi and Te Papa. While studying he worked in various roles at the National Museum, Te Papa Tongarewa in the Natural Environment department, the highlight of which was his involvement with the defrost and preservation of the colossal squid where he had a high-profile role as the lead technician.

Outside of work, Mark is a keen fisherman and diver and a part-time dive instructor, helping other people discover our fantastic coast and underwater world. He spends time tramping in the Tararua Ranges, chasing trout, and just generally enjoying the great outdoors. Mark is passionate about our natural environment and believes that tangata whenua have a key role to play in ensuring that our environment is used in cautious, sustainable ways.

Chris Watson

Chris is an architect and author.

He has promoted low/zero carbon cities and countries, to local authorities, public forums, select committees and the environment court. His main interests are zero carbon buildings, cities and travel.

His architectural practice includes world-leading work evaluating quality of buildings and building programs, to feed forward lessons learned. He has been commissioned to undertake numerous projects in Australia and Europe as well as NZ.

His books on building quality and climate safe travel were published in Oxford and Cambridge, UK.

Chris Paulin

Chris Paulin is a marine biologist with 37 years' experience as a marine biology curator at the National Museum of New Zealand (Te Papa Tongarewa), where his research ranged from the taxonomy of New Zealand fishes to traditional Māori fish-hooks and customary fishing techniques.

Chris has published in over 60 scientific papers, including descriptions of 17 species new to science, as well as eight books on NZ fishes and marine life, and fishing in New Zealand. Now self-employed (fishhook Publications & Photography), Chris specialises in macro-photography and has produced two books on the intertidal biota of the Wellington South Coast, and Taranaki regions, and in 2016 published "Te Matau a Maui: fish-hooks, fishing and fisheries in New Zealand".

Mike Britton

Mike has a background in protected area management with a special interest in national parks and nature protection. He is a former General Manager of Forest & Bird and also Assistant Director of Fish & Game New Zealand. More recently, Mike has become involved in fundraising, primarily for nature protection. Over the last three years he has helped raise money with BirdLife International for island restoration, predator control and the development of sustainable livelihoods in the Pacific. Mike is a member of the Tongaririo Taupo Conservation and the Taupo-nui-a-Tia Management Boards.

Lynn Cadenhead

Lynn Cadenhead is a registered landscape architect with a zoology honours degree and an environmental science background. She recently relocated to Wellington from Nelson where she was an active member in Heritage Nelson and the New Zealand Institute of Landscape Architects Nelson branch, chairing both groups and writing submissions.

Lynn has been involved in a wide range of environmental and community projects, both as a professional landscape architect and as a volunteer. These have included landscape assessments, revegetation reports and projects, reserve and playground designs, and involvement in roading and transport issues.

Martin Payne (Chair from October)

Martin, a professional qualified engineer, runs a design and consultancy company focussed on sustainable water and energy management systems. His particular interest in Water Sensitive Urban Design (WSUD) principles recognises the impacts of stormwater, transport, waste management and land development on aquatic environments. He has currently completed several papers towards a Master's in Public Health (Environmental Health) with a focus on residential rainwater harvesting.

As a long time environmental advocate, urban water researcher and resident in Wellington City, Martin firmly believes that the natural environment makes an essential contribution to the prosperity and liveability of Wellington City and that protecting this taonga can be achieved by an engaged community. As co-ordinator of Friends of Owhiro Stream, he has been involved in the physical restoration of this urban stream, as well as acting as a strong advocate for the protection of these sensitive environments at local and regional government levels.

Paula Warren (until Nov 2019)

Paula is an ecologist who works as a policy advisor for the Department of Conservation. Her work over the last 26 years has covered a wide range of legislative and systems reforms, including development of the Resource Management Act, foreshore and seabed legislation, development of an outcomes approach for conservation management, and prioritising and reform of protected areas legislation.

Paula was New Zealand's lead technical delegate for the Convention on Biological Diversity for 6 years, including being a member of the technical bureau for the Convention, and being the NZ Clearing House Mechanism and Global Taxonomy Initiative focal point. She has done voluntary and paid work in Latin America focused on biodiversity and biosecurity systems reforms, and is Secretary of the Friends of Galapagos NZ.

Paula is involved with a number of restoration projects in the region, including chairing the Growing Places Trust that has been set up to implement place-making initiatives in transport corridors. She is also a walking and public transport users' advocate. She is a former member of the Wellington Regional Transport Committee.

Andrew Wilks

Andrew Wilks leads the Sustainability Office at Victoria University. He has experience in planning and delivering environmental initiatives including climate change action, energy efficiency, travel demand management, water conservation and waste minimisation. He has a strong network with sustainability practitioners in business, academia, the student body and has good relationships with council officers. He is also a board member of Australasian Campuses Towards Sustainability. He has lived in Wellington for 20 years and has 2 children who he chases around the recreational facilities of the northern suburbs.

Mark Ashby (until September 2019)

Mark is a professional RMA planner with experience in consulting to private interests, as well as local, regional and central government. He has worked on planning projects throughout NZ, and in Australia and Brunei, and manages the Wellington office of a national planning and environmental consultancy. His skills include project team management, impact assessment, peer reviews, policy analysis and development, site/scheme options assessments, district and regional planning, general research work and preparation and presentation of expert evidence. He has a history of working closely with environmental and engineering experts. As a professional planner, an important part of Mark's role is to act as an expert witness at council hearings or the Environment Court which requires a focus on professional opinions, rather than direct advocacy. Mark is certified as an RMA hearings commissioner.

Amy Brasch (until March 2019)

Amy has a Bachelor's degree in Environmental Management and a Master's degree in Ecological Restoration. She has worked for the Department of Conservation for over 5

years, both as an Operations Ranger (Community) and a Systems Design Advisor. During her time as a Ranger, she worked closely with the Community Restoration Groups around the greater Wellington Region. Her role involved organizing various upskilling workshops and information sharing opportunities for the public. As a Systems Design Advisor, Amy looks for ways to improve the Department's efficiencies around the way in which it operates. Amy's interest is around ecological restoration, urban sustainability, citizen science and application of innovative methods in conservation practice.

Mark Higham (until October 2019)

Mark is a Registered Architect with twenty-seven years' experience in architecture practice here and overseas, joining Callum McKenzie in 1999 to form McKenzie Higham Architects.

Mark is interested in sustainable and energy efficient design and is a member of the New Zealand Green Building Council. He is registered as a Homestar Practitioner with this organisation.

Nicole McCrossin (until September 2019)

Nicole McCrossin is a senior advisor in Māori Crown relations for Te Arawhiti. She has skills in relationship management, communication, and analysis and advice.

New ERG Members from December 2019

Steven Almond

Steven's background is in industrial design, previously working in the UK before moving to New Zealand in 2012. Steven has increasingly focussed his work on sustainable design and sustainability issues, recently completing a Master's degree in design at Victoria University of Wellington, researching design for a 'Circular Economy'. For the last year Steven has worked at Garage Project as their Sustainability Ambassador, during which time Garage Project became a zero-carbon brewery.

George Hobson

George is a passionate 16-year-old advocate for the environment. He has been involved in many on-the-ground conservation projects over the last four years, from reptile monitoring on Mana Island, to Black Petrel research on Great Barrier Island.

He is a Coordinator of Forest & Bird Youth, where he works to empower young people across Aotearoa New Zealand to make environmental change. He was also one of the first ZEALANDIA Youth Ambassadors, where he worked with young people from all over Wellington.

George is fascinated by politics and environmental policy, and is passionate about ensuring that youth voices are not overlooked in these areas.

Eleanor West

Eleanor has a background in Environmental Science and Geography, with a focus on urban issues. She currently works for the New Zealand Green Building Council on the technical team. In her free time, Eleanor volunteers for Generation Zero where she works predominately on local transport and urban design issues.

Sally Faisandier

Sally Faisandier has worked as a research and evaluation advisor for central government agencies for the past twenty years (ten as a Principal Advisor), which included Health, Education, Social Development, Justice, Māori Development and Land Information. She has a passion for supporting the mitigation of, and adaptation to, climate change; and joined the ERG as a generalist, providing expertise in understanding and interpreting research reports over a wide range of topics, to inform policy within a political context.

Isla Day

Isla is studying Physical Geography and Biomedical Science at Victoria University. She was a founding member of School Strike 4 Climate in New Zealand, a national youth led movement that mobilised 170,000 people in its most recent September 27th strike. Both her interest in science and love of the outdoors (through mountain biking) have influenced her passion for protecting the natural environment and in the future she has ambitions in scientific research and policy advice.

Arron Cox

Arron works in environmental policy focusing on how we protect and enhance water in our urban areas. He has a background in the three waters (drinking water, wastewater and stormwater) and has worked as both an engineer and resource consents planner. Outside of water he is passionate about how Wellington can undertake a just transition to become zero carbon by 2050 or earlier. He is particularly focused on how this can be achieved through the way the city grows and the way its residents get around. He is keen to ensure youth continue to become more engaged in Council's decisions and that their concerns are reflected in Council policy.

Michelle Rush

Michelle Rush is a facilitator, trainer and consultant specialising in collaborative processes and effective stakeholder engagement. She has a background in natural resource management with particular expertise in sustainable land and water policy and sustainable agriculture. She has more than 25 years' experience as a professional facilitator working with businesses, science, industry and government organisations, councils and community groups. Michelle is an authorised trainer for the Technology of Participation (ToP™) Facilitative Leadership Program through the Institute of Cultural Affairs (Australia). Michelle is a Certified ToP™ Facilitator.

Through their company Participatory Techniques Ltd, Michelle and colleague Dr Helen Ritchie, design and deliver specialised training for catchment facilitators, environmental educators and practitioners working with conservation groups equipping them with skills to work effectively with their communities in an Aotearoa New Zealand context.

Michelle has a Masters in Applied Science (Agriculture and Rural Development), a BSc in Geography, and a national certificate in Journalism. She is currently Chair of Onslow College Board of Trustees.

Clare Stringer

Clare's career has been focused on biodiversity conservation and invasive species management. She has worked in policy development as well as project implementation in New Zealand and around the world. Clare works at Biosecurity New Zealand.

Pacific Advisory Group

Annual Report 2019

Chair's Introduction

Talofa Lava, Noa'ia, Malo ni, Mauri, Fakaalofa lahi atu, Ni Sa Bula Vinaka, Kia orana, Malo e lelei, Kia ora.

Warm Pacific Greetings from the Pacific Advisory Group (PAG).

This past year marked many turning points for PAG. Global events are continuing to impact on our communities in unprecedented ways, resulting in many changes and challenges we are facing head on as a country, a city and as communities. This season highlights the responsibility on PAG to fulfil our role as representatives of our Pacific communities, providing at all times a Pacific perspective to Wellington City Council (WCC). The need for robust relationships and an expansive network in Council is crucial. We aim to agree in principle to achieve well-being and success for our communities in our Wellington, our city, our home. Hence why we continue to emphasise a preferred strategy of early engagement of PAG when providing targeted advice to Council.

Our people are our biggest and most valuable asset. Le va (the space between) for Pacific peoples represents the relationships that co-exist between people and our environment. The value of those connections and the benefits it brings is the platform on which we aim to do all things. Maintaining that balance helps make our advisory role to Council and on behalf of our Pacific communities continuous and efficient. It enables us to provide advice that is ongoing, robust and invaluable.

As the Pacific eyes and voices within the Council, the value of our words and our genuine consultation as the voice of Pacific peoples is of utmost importance. We aim to encourage partnerships that promote the right kind of development especially in areas where Pacific residents are high and needs are targeted. This also highlights the importance of having accurate and up to date Pacific ethnicity data in our consultations with Council. We are acutely aware of the many critical projects and policies that identify evidence and solutions that take into account the wider needs, issues and views of our communities. We endeavour to provide advice of a specific perspective towards strategies and programs that are developed to reflect the needs of a growing Pacific people in our great city.

Jocelyn Kua, Chair Pacific Advisory Group



1. Membership

Jocelyn Kua	Tokelau	Chair
Anthony Carter	Samoa	Deputy Chair
Merio Marsters	Cook Islands	
Dr Alvin Mitikulena	Niue	
Ofania Ikiua	Niue	
Kira Hundleby	Melanesia (Solomon Islands, Vanuatu, Papua New Guinea)	
Sai Lealea MNZM	Fiji	
Aseri Kua	Fiji	
Mino Cleverley	Samoa	
Natalia Fareti	Samoa	
Dr Sunia Foliaki	Tonga	
Lisa Pouvalu	Tonga	

Vacancies (as at year end 2019):

Cook Islands – 1

Micronesia – 1

Tokelau – 1

Tuvalu – 2

2. Pacific Advisory Group: Priorities

PAG remains committed to contributing meaningfully to Council's priorities. Here is how our work matched up against the priorities in the Long-term Plan 2018-28.

2.1 Resilience and Environment - *Te manahau me te taiao*

There is a need for PAG to strengthen its relationship with the Environmental Reference Group.

PAG has provided feedback on Our City Tomorrow - Planning for Growth, with a focus on its impact on the Pacific communities in Wellington.

Climate change in the Pacific and its links into our Pacific community in Wellington, has the potential to inform other advisory groups and Council work in this area.

2.2 Housing - *Ngā kāinga*

With an increasing Pacific population in certain parts of Wellington, PAG's feedback into the City Housing - Growth and Urban Planning is critical. Having Pacific communities' perspectives included, on aspects such as urban amenities in different neighbourhoods and speed limits, is important. This is so that the ongoing development and provision of Council Housing services reflect the needs of its tenants. For instance, the intergenerational structure of many Pacific households means that housing layouts would need to take into account different demographic needs, such as rails in bathrooms for the elderly.

In 2019 PAG gave feedback on housing design and planning as part of a presentation made to the Accessibility Advisory Group.



2.3 Transport - Ngā waka haere

PAG has provided feedback on the following:

- Let's Get Wellington Moving
- Cycling Master Plan
- Accessible Parking around the City
- Parking policy Review

2.4 Sustainable Growth - Te kauneke tauwhiro

PAG supports Council policies and initiatives that seek to boost sustainable economic growth. In particular, those that can help increase the number of Pacific people getting into jobs, progress in their careers, and that encourage more Pacific people to get into business. PAG were invited to attend a presentation by the Embassy of Indonesia, about a planned Pan-Pacific business expo in Auckland in late 2019. PAG is a strong advocate of the Living Wage.

Empowering Young Pasifika for the Future

PAG partnered with the Wellington Central Branch of national organisation P.A.C.I.F.I.C.A Inc. to host a youth focused event targeted at sharing insights, tips and learnings on multiple topics. These topics included wellbeing, networking, financial literacy, knowing your niche, and practical tips for transition into the workforce.

2.5 Arts and Culture - Ngā toi me te ahurea

PAG celebrates and reinforces that Pacific communities offer a huge contribution to the New Zealand cultural fabric, whether that be in our social, societal, educational, spiritual, and economic spheres. It is the thread of fibre on the tapa that together creates and pulls together a powerful union of intelligent and strong people within our communities of Aotearoa. PAG understands and supports Pōneke (Wellington) as an arts and cultural hub in New Zealand, where Pacific Artists thrive and connect their stories through their craft in storytelling through music, dance, visual art, theatre and film from the many diverse cultures that make up our Pacific nations within Aotearoa. This rich and connective bond make our communities a strong and colourful ta'ovala woven and brought together by a vibrant and colourful people.

Wellington Pasifika Festival

PAG recognises Wellington as a significant city for Pacific peoples to thrive:

- Wellington is a centre for world class Pasifika arts and cultural performances
- Traditional Pasifika art forms and cultural activities are preserved and protected
- Pasifika businesses, arts organisations and communities are strong, vibrant and active

PAG would like to see the Wellington Pasifika Festival grow and expand into other areas such as:

- Increasing the number of Pasifika cultural performances within Wellington (both traditional and contemporary)
- Increasing local business sponsorship and government agency participation at the Wellington Pasifika Festival
- Increasing the presence within the arts and cultural interface within Wellington and nationally



- Expanding on partnerships to diversify business networks and opportunities within New Zealand and into the Pacific
- Being open to and encouraging new activities associated with the Wellington Pasifika Festival as part of a regional festival programme, for example including tertiary institutions, universities, schools, and Pacific Language weeks

The Wellington Pasifika Festival needs to retain its Pasifika integrity and reflect the heart of the Pacific community in Wellington.

Fale Malae

The Fale Malae dream has been long in the making. It originally was a collective idea of PAG and Pacific communities. It has been a shared project, currently lead by the Honourable Luamanuvao Dame Winnie Laban DNZM QSO, Assistant Vice Chancellor (Pasifika) of Victoria University, as a member of the Fale Malae Trust, along with Te Herenga Waka—Victoria University of Wellington, Central Government, and Pacific communities.

PAG fully supports the vision and building of the Fale Malae project and has supported in areas such as:

- Inviting the Honourable Luamanuvao Dame Winnie Laban to speak at PAG meetings to update us and our Pacific communities
- PAG attending meetings and presentations at various locations on the Fale Malae project in support of the Fale Malae Trust and other stakeholders
- PAG wrote a letter of support together with various Pacific community groups in support of the Fale Malae

3. PAG Consultations, Presentations and Feedback

PAG has provided feedback and consultation on the following:

- Let's Get Wellington Moving
- Smoke-free Wellington Action Plan
- Our City Tomorrow – Planning for Growth
- Alcohol Control Bylaw Review – Kilbirnie and Kelburn
- Parking Policy Review
- Review of WCC Advisory Groups

4. External Presentations and Programs

We continue to increase our awareness and engagement beyond WCC, re-iterating the principle of Le va (the space between) – strengthening relationships and remaining connected to our environment. PAG has achieved this with the following initiatives:

- Pasifika Financial Literacy Program
- Empowering Young Pasifika for the Future – P.A.C.I.F.I.C.A Inc. Event – Victoria University
- Pacific Heritage Arts Fono 2019
- Ministry for Pacific Peoples and WCC - Utilising Kapasa: The Pacific Policy Tool
- Palliative Care Amongst Pacific People in Aotearoa - Massey University (Dr Sunia Foliaki)
- 531PI Radio Interview – Local Authority Elections 2019
- Fale Malae Proposal
- Pacific Language Programs. Encouraging WCC to promote the use of Pacific languages.



Acknowledgements

PAG would like to acknowledge and farewell our following members - champions of our Pacific communities who have respectfully concluded their tremendous service to PAG and also those who will be outgoing following their second term. They have carried faithfully with great conviction the heart and desires of our Pacific people to Wellington City Council. We are in gratitude for their strength of mind, strength of character and firmness of purpose.

- Samson Samasoni – Tokelau (left 2019)
- Anne Allan-Moetaua - Cook Islands (left 2019)
- Dr Alvin Mitikulena – Niue (outgoing)
- Merio Marsters - Cook Islands (outgoing)
- Sai Lealea MNZM – Fiji (outgoing)

We would like to acknowledge and give thanks for the support and advocacy of our past and current Councillors Reverend Brian Dawson, Sarah Free, Jill Day, Rebecca Matthews and Teri O'Neill.

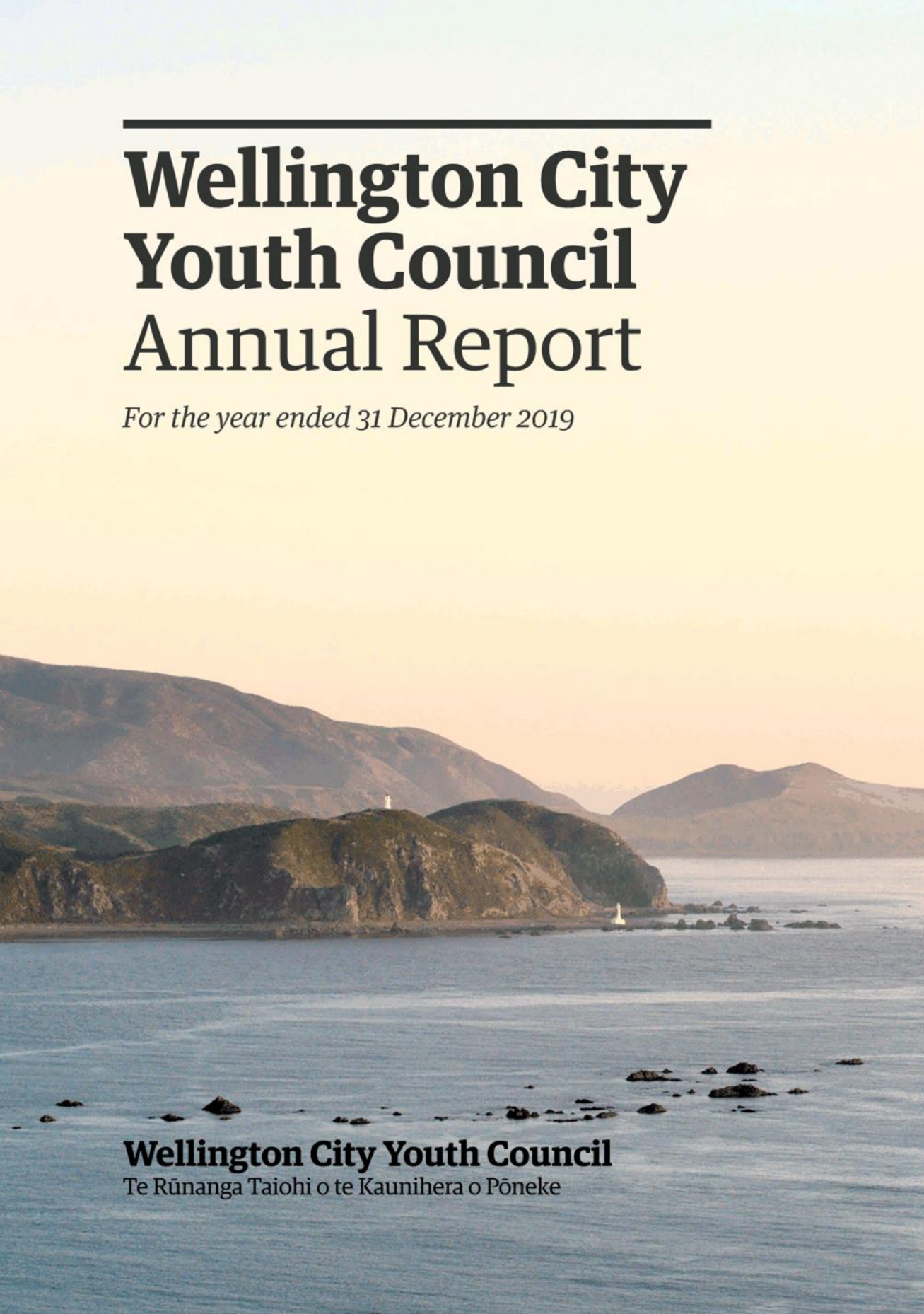
To Sean Johnson our Democracy Advisor and the team at Strategy and Governance; faafetai tele lava, vinaka vakalevu for your excellent service and support during this time.

Faafetai lava, Malo 'aupito, Fakaaue lahi, Meitaki maata, Vinaka vakalevu, Fakafetai, Tangkiu tumas, Fāiāk se'ea, Ngā mihi nui.



Wellington City Youth Council Annual Report

For the year ended 31 December 2019



Wellington City Youth Council
Te Rūnanga Taiohi o te Kaunihera o Pōneke

Purpose

Youth Council's purpose is to:

Assist and advise

Assist and advise the [Wellington] City Council on how to help grow a great City where young people thrive and contribute to the City Council's priorities

Bring insight

Bring extra insight to Council (a youth perspective) to solve problems facing a changing world

Develop members

Develop the capabilities of its members (including leadership and engaging wider youth).

Membership

Leadership

Ella Flavell (Deputy Chair August 2019 -)

Freja Cook (Chair August 2019 -, Deputy Chair March 2019 - July 2019)

Shine Wu (Chair March 2019 - July 2019)

Members

- Carl Bennett
- Watene Campbell
- Freja Cook
- Raihaan Dalwai
- Liam Davies
- Neesha Dixon
- Ella Flavell
- Bethany Kaye-Blake
- Jackson Lacy
- Melania Lui-Fai
- Brad Olsen (Chair until March 2019)
- Tim Rutherford
- Dexter Smith
- Shine Wu (term ended July 2019)
- Sarah Gardener (term ended August 2019)



Youth Councillors with Councillor Jill Day at our 2019 end-of-year function.

- Ollie Michie (term ended August 2019, Deputy Chair until March 2019)
- Laura Somerset (term ended August 2019)
- Teri O'Neill (term ended October 2019)
- Grace Day (term began August 2019)
- Tony Huang (term began August 2019)
- Laura Jackson (term began August 2019)
- Shelly Liang (term began August 2019)
- Anastasia Reid (term began August 2019)
- John Sibanda (term began August 2019)

Chair's introduction

The 2019 year marked another fantastic period for the Wellington City Youth Council. Local Body elections cultivated a different dynamic for the work undertaken by Youth Council, with a focus on engaging young Wellingtonians, providing advice to a range of organisations, and member development.

In 2019, Youth Council built on the success and networks of 2018 to enable a diverse portfolio of work and opportunities for Youth Councillors. Council engagement was focussed at the start of the year on the local elections, resulting in a slowdown in projects towards the end of the year. Consultation spanned from e-scooters to alcohol bylaws to Planning for Growth. Youth Councillors aided the Council in engaging a significant number of young people for Planning for Growth.

The focus on the election freed up time for external consultation in 2019. We began our year by providing our perspective for the Independent Review of the StatsNZ Census 2018. External consultations towards the end of the year increased, ranging from submitting on the Biodiversity Strategy, giving feedback to the Ministry of Education on civics education resources, and submitting to the Environment Select Committee on the Zero Carbon Bill. A key focus of our external consultation was to highlight the need for organisations to bear the Youth Engagement Framework in mind, and not simply consult with us but engage with a diverse range of young people from across the country where applicable.



Collaboration with youth councils from across Aotearoa was a focus in 2019. We held a workshop and discussion with Nelson Youth Council in June, and Youth Councillors enjoyed the opportunity to share ideas and experiences. Youth Council also facilitated a gathering of youth councils from across the country who were attending Festival for the Future in July.

Much like the Council, Youth Council saw change in leadership in 2019. In March, Brad Olsen and Ollie Michie indicated their intentions to step down as Chair and Deputy Chair of Youth Council. I would like to thank them both for their incredible contributions to Youth Council. Without the connections they forged and their effective leadership we would not be where we are today. Shine Wu and Freja Cook were elected as Chair and Deputy Chair respectively and remained until August when Shine travelled to the United States to pursue studies at Duke University. I would like to thank Shine for everything he contributed to Youth Council as a very hard worker and clear communicator. Freja Cook was duly elected Chair and I as Deputy Chair. Freja remained in the position of Chair until early 2020 when she headed to Otago to pursue her studies. I would like to thank Freja for her contributions to Youth Council as a great leader and for showing me the ropes in my time as Deputy Chair.

With a new Council and new goals for 2020, Youth Council will be tackling new issues. The foundation built, connections forged, and experience shared in 2019 has been invaluable to the future of Youth Council and we will continue to reap the benefits for years to come.

Ella Flavell

Youth Council Chair

June 2020

Priorities

Youth Council's priorities for 2019 included:

- Work around the 2019 local authority election
- Engaging with young Wellingtonians
- Consultation on plans, policies, and reviews
- Member development

2019 Local Authority election

Youth Council's work in 2019 was underscored by the local body elections, shifting the focus away from Council submissions towards external opportunities towards the end of the year. In May, Youth Council participated in a local election communication workshop. Further in the year, the group worked on a video to promote the importance of voting in local body elections, and how to vote. The video was posted on social media to a wide audience. Youth Councillors, through their own networks, also pushed for young people to place their mark on Wellington.

Engaging with young Wellingtonians

In 2019, Youth Council engaged with young Wellingtonians in a range of ways and with a range of communities.

One way we engaged was by providing assistance to an event run by the Multicultural Council of Wellington. This event allowed Youth Councillors to engage with many of the cultural minorities in our community and especially the youth across these cultures. It was also an opportunity for Youth Councillors to interact with and get to know people whose voice is not heard enough throughout our community.

In 2019, Youth Council also held two workshops in order to engage young Wellingtonians in local council bylaws and strategies, but specifically those that could affect young people the most. The first of these was on Planning for Growth, which we invited other young people to. Youth Council viewed this workshop was incredibly important as future growth is something that will affect young people very directly for a long period of time. Consequently, we held the workshop in order to reach a large range of young people's thoughts and allow them to be acknowledged and discussed. The second workshop Youth Council held was on the Alcohol Management Strategy and Alcohol Control Bylaw, and a number of important points were raised at this workshop that helped to broaden our perspectives and engage with young Wellingtonians.

Finally, Youth Council promoted a range of opportunities and events throughout the year. One significant area of focus was our promotion of the volunteer options and support available by Take 10. Take 10 is an initiative, mainly for young people, to create safe spaces in Wellington's entertainment zone at night. Youth Council believe these spaces help make our city safer for all and also encourages more people to enjoy Wellington. This promotion of Take 10 has also allowed Youth Council to engage with young people in Wellington through the Take 10 initiative.

Consultation on plans, policies, and reviews

In 2019, Youth Council was consulted on and submitted on a wide range of plans, policies and reviews. These can broadly be categorised as internal consultations to Wellington City Council) such as the Alcohol Bylaw Submission (Kilbirnie & Kelburn) and Planning for Growth, and external consultations such as the Zero Carbon Bill and New Zealand's 2020-2049 Biodiversity Strategy.

Alcohol Bylaw submission (Kilbirnie & Kelburn)

Youth Council made both written and oral submissions on this proposal, citing partial support for the plan. In particular, Youth Council supported the proposed changes for an alcohol ban in Kilbirnie, on the basis that a harm reduction approach was taken in dealing with members of the community who were found to be breaching this ban. The focus of our support was due to the identification that it was a small group of individuals who the ban would affect, and that a harm reduction approach would be more appropriate in helping these individuals rather than a penal approach through a ban. However, Youth Council submitted that we did not support the proposed expansion to the alcohol ban area to cover Kelburn Park, on the basis that the Park provides a safe space for students to drink in a controlled manner. Youth Council highlighted that Kelburn Park is seen as an iconic space for university students, and the removal of this space could cause students to drink in other areas surrounding Kelburn Park which has major safety risks for both those drinking and the general public.

Planning for Growth

Submitting on each of the four scenarios proposed by the Council in the Planning for Growth strategy, Youth Council ultimately supported the second scenario. This scenario focused on a commitment to sustainable growth, the ability to facilitate diverse and mixed-use urban form, and allows the potential to promote strong communities. These areas were important areas of focus for Youth Council as they allow for the improvement of public transport, particularly in a way that would benefit young people in Wellington in a sustainable way. Another important value in the submission was the importance of providing housing options for all income brackets through having a variety of house types that vary in price and form. However, the medium-high density housing possibilities meant that it would be more difficult for Wellingtonians to purchase houses with property, rather than simply apartments. Similarly, the concern was raised regarding the need to upgrade infrastructure such as community facilities in order to cater for the increased population in high-rise complexes. Overall, Youth Council supported the scenario proposed by the Council as it would allow for increased accessibility and promote stronger communities in Wellington City.

Other internal consultations

- Met with Council's Library team to better understand changes to Wellington's library system after the closure of the Central Library
- Regularly attended the Safe and Sustainable Transport Forum (SASTF) to discuss mobility and transport issues
- Provided feedback to Council Officers on the design of Arapaki Manners Library and Service Centre
- Provided a submission and advice on the review of Central City Safer Speeds
- Provided a submission and advice on the 2019/20 Annual Plan
- Provided advice on the Southern Landfill consultation
- Provided advice on the review of advisory groups as part of the Advisory Group review session with Martin Jenkins
- Provided advice on the Wellington City Council Social Wellbeing Framework
- Provided advice to the Let's Get Wellington Moving project team
- Provided advice on social media engagements planned for Planning for Growth and Smarter Parking Management
- Provided a submission and advice on the Outer Green Belt Management Plan
- Held a discussion around Council's Land, Customer and Property Information work
- Provided advice to the introduction of the e-scooter trial

Zero Carbon Bill

Having initially submitted on the proposed Zero Carbon Bill to the Ministry of the Environment in July 2018, Youth Council further submitted on this bill to Parliament. The main areas of submission were around the Climate Change Commission, Māori partnership, setting emissions budgets, monitoring and the effect of the 2050 target

and emissions budgets. The Climate Change Commission was generally supported, noting the importance that expertise in ensuring the success of the commission, as well as highlighting the role that Te Ao Māori should have in the appointment of Commission members. A crucial aspect of the submission discussed the critical nature of the Commission representing Māori interests and including Māori as governance partners, namely in increasing the number of Māori who are constitutionally required to sit on the Climate Change Commission. When considering the setting of emissions budgets, Youth Council acknowledged the need for a robust, cross-political target and process, highlighting the strict conditions under which the budget could be revised. Overall, the Youth Council was supportive of the proposed bill, however, noted the issue of lacking enforceability of the bill if the target and emissions budgets were not met.

New Zealand’s 2020-2049 Biodiversity Strategy

Youth Council submitted a video submission on the Department of Conservations 2020-2049 Biodiversity Strategy in September 2019. In the submission, Youth Council focused on the three principles of the Biodiversity Strategy. These were tiaki, protect and restore; whakahau, empower; and wananga, systems and behaviour. Youth Council thought about what the environment of New Zealand should look like in 50 years, what steps can be taken to ensure youth have the power and support to act as kaitiaki of the environment in their communities, and how can we implement systems to support youth and teach them more about the environment and biodiversity. Youth Council believe that currently there is not enough education for young people about the importance of the environment. Additionally, Youth Council highlighted that many young people want to take action but aren't sure what needs to be done. Youth Council gathered the opinions of a variety of different youth in Wellington as this was a submission which encouraged creativity. By creating an inquisitive video, Youth Council submitted a view that generally supported the Biodiversity Strategy.



Youth Councillors Shine Wu and Freja Cook submitting before the Justice Select Committee.

Other external consultations

- Provided advice to the StatsNZ Census 2018 Independent Review
- Provided advice on draft civic engagement resources to the Ministry of Education
- Provided advice on countering violent extremist content online to the Department of Internal Affairs
- Provided a submission and advice on the Inquiry into the 2016 Local Authority Elections to the Justice Select Committee at Parliament

Member development

Youth Council continued to develop its members through engaging with a range of speakers from external organisations. The Youth Council was honoured to have



Youth Councillors Brad Olsen, Bethany Kaye-Blake, and Ella Flavell with Her Excellency The Right Honourable Dame Patsy Reddy GNZM, QSO, Governor-General of New Zealand.

His Excellency Jesus “Gary” Domingo, the Ambassador of the Republic of the Philippines, give a presentation about “Universal diplomacy”. This is the concept of integrating the political, economic, and cultural aspects of diplomacy when it comes to international relations. His Excellency also spoke to the value of young people when it comes to forming international ties, especially with regards to New Zealand’s role within the Asia-Pacific region.

Youth Council also had the opportunity to hear from Alecia Love from Oranga Tamariki (Ministry for Vulnerable Children), to give a presentation on their Youth Advisory Group, and the systems in place for how they consult with youth. She also led a discussion around how to make Wellington a more inclusive environment, in particular for youth who may not be in care. Youth Council learned about how youth are consulted in the context of a central government agency, as well as having our say on how to make Wellington a better place for young people of all backgrounds. Youth Council were also fortunate enough to host members of the Nelson Youth Council in Wellington, which included a discussion about how they run their Youth Council. This discussion was so we could see what was working for us as a Youth Council and what other ideas we could seek to implement.

In 2019, Youth Council also heard from Tania Mead from JustSpeak about how they lift up young people to share their views and opinions on the youth justice system. Their focus is changing these opinions.

Other projects

Sharing youth opportunities

In 2019, Youth Council continued to share a variety of opportunities with its networks, to promote youth engagement and interactions. Youth Council used its social media channels, and word of mouth from Youth Councillors, to share opportunities. Among these opportunities were UN Youth events, which are well regarded by youth people as an influential youth development opportunity, alongside the Climate Challenge.

Other items

Youth Council was also involved with a limited number of other items which do not fall under any other priority categories:

- Wellington City Council Democracy Advisor Sean Johnson and Youth Councillor Brad Olsen (substituting for the Chair) presented to a group of students undertaking a Bachelor of Youth Development at WelTec/Whitireia about youth engagement with local government and what Youth Council does.
- Youth Councillor Brad Olsen organised a meeting between the Mayor, Deputy Mayor, and Children’s Commissioner to discuss children and young people in Wellington, and the importance of different views being considered by local government leaders.
- A delegation from Youth Council met with Hon Grant Robertson, MP for Wellington Central and Minister of Finance, and discussed a range of issues.



Youth Councillors meeting Hon Grant Robertson, MP for Wellington Central and Minister of Finance.

