

19 May 2009

Waste Minimisation Discussion Document Submission  
Ministry for the Environment  
PO BOX 10362  
WELLINGTON

Dear Sir/Madam

## **SUBMISSION TO THE WASTE MINIMISATION DISCUSSION DOCUMENT**

### **1.0 INTRODUCTION**

- 1.1 Hamilton City Council (HCC) welcomes the opportunity to make a submission to the Ministry for the Environment (MfE) in regard to the Waste Minimisation Discussion Document.
- 1.2 HCC endorses the comments made in Local Government New Zealand's (LGNZ) submission to the discussion document.

### **2.0 REVISING TARGETS FOR THE NEW ZEALAND WASTE STRATEGY**

- 2.1 **Target 1: By 2015, reduce the quantity of waste (tonnes) disposed to landfill per person per year by 20% relative to an established 2010 baseline.**

#### **What is your view on target 1?**

HCC supports target 1, however would like clarification on who is responsible for delivering the target. For example, is this a national target or individual council target? If it is a national target, there needs to be more detail around how it then relates to councils.

HCC also seeks clarification around what responsibility the commercial sector have to support the achievement of this target? If there is not a collective responsibility it will be difficult for this target to be achieved.

HCC is concerned that the target fails to recognise factors other than waste minimisation that influence the rate of waste production, and would like factors such as GDP to be considered, as waste production tends to increase with increases in GDP.

To enable territorial local authorities (TLA) to develop waste management and minimisation plans and benchmarking of performance, waste data would need to be accessible at a district level. As the lifecycle of waste is not confined to a district, many TLA's are reliant on the quality and comprehensiveness of data

collected at a national level for planning purposes. The importance of this information can not be overstated.

It is unclear who is responsible for this target and how it will be achieved.

Overall HCC would like more detail to be provided for this target.

**Is the timeframe for achieving target 1 realistic?**

HCC recommends that a staged incremental approach to achieving this target be taken, rather than an isolated date of 2015.

HCC notes that it is unclear how the 20% reduction target was derived and will be realistically achieved given that all other waste targets are based on an absence of quantifiable waste data.

**2.2 Target 2: By 2010, have a system in place for the ongoing monitoring of the composition of waste to landfill.**

**What is your view on target 2?**

HCC supports target 2, however, recommend that the system introduced be consistent nationwide and user-friendly.

HCC recommends that any system put in place for monitoring the composition of waste to landfill needs to distinguish the components of waste by waste categories. Solid Waste Analysis Procedure (SWAP) is the documented standard for measuring waste composition. Due to the practicality of conducting SWAP analysis at entry to landfills, the monitoring programme would need to encompass other point sources in greater detail such as Refuse Transfer Stations and the composition of specific household kerbside refuse collections.

HCC recommends that the target should clarify that MfE will be responsible for collecting the data, and that the data should be reported at a district level to enable benchmarking and consistent waste management and minimisation planning. As currently it is unclear who is responsible for this target and how it will be achieved.

**Is the timeframe for achieving target 2 realistic?**

HCC supports the timeframe of target 2.

**2.3 Target 3: By 2012, have a system in place for the ongoing monitoring of the composition of organic waste, the amount disposed of at landfills and diverted from the waste stream.**

**What is your view on target 3?**

HCC recommends removing 'and diverted from the waste stream' from the target as this is extremely difficult to measure. For example HCC is unable to gather valid data on the diversion of green waste and putrescibles via home composting systems and insinkers. The primary performance indicator will be the reduction of waste disposed to landfill.

HCC notes that under the cleanfill guidelines it is acceptable to deposit a proportion of greenwaste to cleanfill. The target should seek to capture this volume in addition to landfill data.

It is unclear what the purpose and to what extent composition data will be collected. For the purpose of waste management and minimisation the following delineations are recommended at minimum:

- Sludge (not meeting the biosolids guidelines)

- Greenwaste
- Putrescibles (dense food waste).

HCC notes that Council's are limited in their ability to obtain composition and volume data for 'diverted material' for which organic waste is included. Any system of monitoring organic waste composition should delineate the district of origin and this information should be made available to TLA's for waste minimisation and management planning purposes.

It is unclear who is responsible for this target and how it will be achieved.

**Is the timeframe for achieving target 3 realistic?**

HCC recommends that this timeframe be brought forward to have a system in place by 2010 and a target set by 2011. This will aid councils with the development of their Waste Minimisation and Management Plans.

2.4 **Target 4: By 2012, have a system in place for the ongoing monitoring of the generation and composition of construction and demolition waste, the amount diverted from the waste stream and the amount disposed of.**

**What is your view on target 4?**

HCC recommends removing 'generation' and 'amount diverted' as these are not easily measurable and suggest the same measure as for all other types of waste i.e. 'quantity disposed of'.

Construction and demolition waste is a waste source and is made up of many different waste streams, most of which are inert and suitable for cleanfill (except treated timber). HCC recommends that the target should identify both landfill and cleanfill as disposal points.

As suggested, HCC recommends the target read "Target 4: By 2012, have a system in place for the ongoing monitoring of the composition of waste sourced from the construction and demolition sector and quantity disposed of at landfills and cleanfills."

As with previous targets 1, 2 and 3 it is unclear who is responsible and how it is going to be achieved.

**Is the timeframe for achieving target 4 realistic?**

HCC recommends treating this target in the same way as target 3 and bring forward the date to have a system in place by 2010 and a target set by 2011.

2.5 **Target 5: By 2012, the Ministry for the Environment will have established a national tracking system for all hazardous waste.**

**What is your view on target 5?**

HCC recommends that hazardous waste be defined.

Under the Hazardous Substances and New Organisms Act 1996 (HSNO) not all substances require tracking and it is dependent on the degree of hazard the substance poses.

HCC recommends that TLA's should be consulted, to ensure the national tracking system encompasses specific data requirements.

**Is the timeframe for achieving target 5 realistic?**

HCC are of the view that the target date of 2012 is too long considering there is already a framework established, and recommend bringing the target forward to 2010.

- 2.6 **Target 6: By 2011, the Ministry for the Environment will have investigated the need for, and propose if warranted, regulatory standards for storage, transport, recycling, recovery, treatment and disposal of hazardous wastes.**

**What is your view on target 6?**

HCC notes that this is not a waste minimisation target.

HCC accept that there is a need for regulatory standards for hazardous waste, but questions to what extent the HSNO Act already covers this.

**Is the timeframe for achieving target 6 realistic?**

Depending on the existing scope and framework of the HSNO Act, it should not take two years to 'investigate the need' or 'propose regulatory standards'. It is recommended that the date for achieving this objective be brought forward to 2010.

- 2.7 **Target 7: By 2012, specific industries will develop at least three accredited product stewardship schemes that increase the recovery or recycling of the hazardous components of waste.**

**And**

**Target 8: By 2014, specific industries will develop at least two other accredited product stewardship schemes that result in a reduction in hazardous substance production at source.**

**What is your view on target 7 and 8?**

The targets are viewed as unambitious considering there are at least five voluntary programmes currently operating, or very nearly operating. These include programmes around oil, paint, chemical containers, agrichemicals, and cell phone batteries. These schemes need work and input but the basic framework already exists. For this reason, HCC recommends the timeframe be brought forward or the number of programmes be increased. It should not take four years to get these schemes accredited.

HCC would like further definition around 'specific industries'.

The targets set around product stewardship schemes largely appear to be limited by resources available at MfE to accredit such programmes. If a national system for identifying and prioritising wastes was developed, industries would be able to self assess products and implement voluntary product stewardship schemes with the assurance that their resourcing and prioritisation is in line with the national strategic objectives. Arming industry with the tools to implement schemes will potentially avoid the unnecessary resource required to categorise the product as a priority requiring a mandatory scheme.

HCC recommends that detail around who will be responsible for measuring the success and quality of the product stewardship programme be determined.

Systems to enable independent verification of schemes to be provided by commercial enterprise could be developed, further reducing the dependence of schemes on MfE resourcing.

**Is the timeframe for achieving target 7 and 8 realistic?**

As mentioned above, it should not take four years to develop and accredit three product stewardship schemes, especially if the schemes are already in existence. HCC recommends that if 'at least three' is the limit the timeframe be brought forward to 2010. Otherwise the number of schemes should be increased to five with the achievement of at least three by 2010 and an additional two by 2012.

**Is the timeframe for achieving target 8 realistic?**

HCC recommends bringing this timeframe forward to 2012.

- 2.8 **Target 11: By 2015, all waste disposal facilities (including wastewater treatment plants, landfills, cleanfills and onsite wastewater systems) will be meeting existing regulatory standards and will be consented if this is a requirement.**

**What is your view on target 11?**

HCC notes that all facilities should be consented by now and therefore recommend that this target be deleted.

- 2.9 **Target 12: By 2010, the Ministry for the Environment will assess the need for a national environmental standard addressing environmental management of solid waste disposal facilities.**

**What is your view on target 12?**

HCC does not consider that this is a target.

HCC agrees that there is a need for every regional council to set consistent landfill conditions, however proposes that regional issues should be taken into account when setting conditions. These conditions should also be appropriate to the scale of the facility and should incorporate cleanfills.

**Additional Comment:**

There is currently an inconsistent approach from regional councils with regards to management and consenting of cleanfills.

- 2.10 **Target 13: By 2012, the Ministry for the Environment will have implemented a waste monitoring and reporting programme to generate consistent data on national waste streams including waste to cleanfills and other disposal sites (e.g., industrial landfills).**

**What is your view on target 13?**

HCC supports the implementation of a nationally consistent system and recommend that region or district of origin be delineated.

**Is the timeframe for achieving target 13 realistic?**

HCC recommends moving the timeframe forward to 2010 to assist with waste management and minimisation planning.

- 2.11 **Target 14: By 2012, the Ministry for the Environment will work with local authorities to develop a national reporting template that councils will use to report to the Ministry on progress against their waste management and minimisation plans and other waste-related activities.**

**What is your view on target 14?**

HCC supports national consistency for reporting.

HCC recommends all diversion achievements be subject to an audit process. One process that would ensure validity is to publish the key achievements in Councils' Annual Reports.

HCC recommends kilograms per person per district be used as a consistent measure.

Waste does not necessarily remain within the boundaries of a particular district. TLA's have the authority to collect data from waste deposited within the district,

however are reliant on other TLA's to provide further information for waste that travels outside the district for disposal. Ideally, within the structure of the national standard for data collection central government would address this issue of origin so individual TLA's could utilise information for reporting purposes.

#### **Is the timeframe for achieving target 14 realistic?**

HCC recommends bringing this target date forward to 2010 to support councils with the review of their Waste Minimisation and Management Plans.

**Proposed Target: By 2012 MfE will fund and implement a programme to identify, and collect, legacy and orphan agrichemicals not covered by a product stewardship programme.**

Legacy chemicals should also include those that are not currently registered and those that are unidentified; i.e. those that would not necessarily be included in a voluntary product stewardship scheme.

**Proposed Target: "By 2012, all territorial local authorities will have identified options for composting or beneficial reuse of sewage sludge"**

A specific target recognising the national significance of sewage sludge and its contribution to the volume of waste deposited to landfill will strengthen TLA's focus and justification for continuing with existing programmes. At minimum a generic target to identify beneficial reuse options for sludge should be incorporated as suggested above.

#### **Proposed Target**

Targets 7 and 8 are focused on product stewardship for hazardous substances. Additional targets to address product stewardship should be developed with the focus of reducing solid waste to landfill.

### **3.0 IDENTIFYING PRODUCTS THAT ARE PRIORITIES FOR PRODUCT STEWARDSHIP**

#### **3.1 General Comments**

Many TLA's and regional councils have been waiting years for the Waste Minimisation Act (WMA) to be enacted. Now it is here, we want to utilise this tool to create real and effective steps forward with waste minimisation in New Zealand.

The three products proposed by MfE to be of priority do not illustrate full utilisation of the WMA. In fact, none of the three proposed priority products address the issue of minimising waste to landfill. For this reason, HCC does not support limiting the list to three products; rather we recommend the focus be on identifying products that minimise waste to landfill.

The three proposed priority products already have legislative and product stewardship frameworks that can easily be expanded and successfully implemented. These systems may not be perfect, but with input and support from MfE these programmes will easily be achieved. For this reason, HCC recommends an additional 3 or 4 more priority products be added to the list (our recommendations are listed below).

HCC strongly recommend reconsideration around the number, and kind, of priority products that have been proposed.

#### **3.2 Issues to Consider**

It is not clearly outlined in any of the documentation how the three proposed products have been derived. This criteria and information needs to be clearly developed and documented. It is recommended that this be made available to ensure transparency throughout this process.

Without a clearly documented methodology for deriving priority products there is little opportunity for industries to develop voluntary schemes with the assurance that resourcing is in alignment with the national strategic priorities.

With clear guidelines on how priority products are derived the resource required to assess priority products would be reduced and the uptake of voluntary schemes in order to pre-empt or avoid priority product status.

Because most schemes that will be developed either rely on, or will be replacing, existing local government programmes, local government should be involved in some way in the design of the schemes. This will ensure that the transfer of knowledge and issues of integration with existing infrastructure are adequately considered. However, local authorities should not subsidise the establishment of such schemes - this is the role of central government, industry and waste generators.

HCC would like to make it clear that TLA's should no longer be relied on to manage industry's waste.

HCC recommends once a scheme has been achieved, another scheme should be added so there is a constant rollover of schemes.

What information should be supplied to support priority product status? As many parties are not aware of issues of waste generated from certain products they do not have knowledge to develop appropriate product stewardship schemes. Industry may develop schemes at great expense that do not achieve the desired outcomes.

HCC recommends that all product stewardship schemes be audited and appropriate data gathered.

**3.3 Which products do you think should be the highest priority for a mandatory product stewardship scheme? These may already be one of the products we have identified, or they may be other products you think we should consider.**

HCC recommends the list be expanded to also include:

- Electronic Waste
- Tyres
- Packaging

HCC supports the following priority products:

- Agricultural Chemicals.
- Used Oil.

HCC does not support the following priority products:

- Refrigerant Gases - Ozone depleting refrigerants have not been used in new fridges for about 10 years. It is very hard to find an old fridge brought in to a resource recovery facility that still has the fluorine based gas in its system. They stop working due to a leak in the gas system or the copper tubing has been stripped prior to arriving at the facility. The minor environmental benefit from collecting this gas is global not local. There is also a legislative framework in place i.e. The Ozone Depletion Act. Further recommendations which HCC support can be found in the report by URS consultants commissioned by MfE.

### 3.4 **Product: E-waste**

E-waste is defined as including IT equipment, televisions, computers, mobile phones, whiteware, lamps, batteries, other electrical and electronic equipment.

#### **What is the problem?**

E-waste is subject to ever shorter life spans and rapid obsolescence which increases the urgency for safe, effective ways to recover and dispose of electronic waste. There are limited systems in place for the collection of the majority of this waste.

Some voluntary initiatives exist for e-waste drop-off. These are heavily subsidised by ratepayer/taxpayer funds and some corporate sponsors, but they do not promote upstream waste reduction through design innovation that would also result in easier recycling of products.

#### **What is the volume of waste product?**

There are high and increasing volumes of e-waste with limited available opportunities for resource recovery e.g. CRT televisions are rapidly becoming obsolete in favour of LCD or plasma display sets. Due to this and a move to digital television it is expected that there will be a large number of CRT sets becoming redundant in the next few years.

It is estimated that there are 10 million computers and televisions in New Zealand. In addition there are around 4 million mobile phones (with a life expectancy of approximately 18 months) representing an estimated 50 tonnes of cellphones going to landfill per annum. (MfE 2009).

#### **What is the nature of the harm associated with the product?**

There is long-term toxicity of many components of this waste. These toxic substances are often embedded in composite materials that are difficult to recycle. Computers and some televisions contain hazardous materials such as lead, cadmium, mercury, flame retardants and chromates.

Whiteware contains greenhouse gases, oils, greases and various toxic and hazardous substances.

Cellphones and their batteries contain heavy metals. These may have adverse impact on human health and the environment when disposed of.

Energy efficient lamps contain mercury which is toxic to human health and bio-accumulates in the environment.

#### **Where in the lifecycle of the product is harm occurring (e.g. manufacture, use, disposal?)**

Manufacture - hazardous components.

Disposal - there is a need to play a more significant role in maximising the environmental performance of e-waste while reducing risk, toxicity and hazardous impacts. This can be done through design modifications and providing recovery infrastructure.

Storage of e-waste can produce fire risk.

#### **What should we be trying to achieve in managing this waste?**

We should be trying to achieve maximisation of the environmental performance of e-waste while reducing risk, toxicity and hazardous impacts.

It is important that consumers are influenced to purchase those products that are least damaging to the environment.

There is potential to improve the design of e-waste to reduce this toxicity and improve the downstream recyclability of these products.

**Why are existing waste management tools not adequate to deal with these problems?**

There is currently no system in New Zealand for the collection of obsolete televisions.

The consumer electronics sector is unwilling to begin an industry-wide voluntary product stewardship scheme for televisions and IT equipment due to concern about 'free-riders' and the high cost of recycling CRT monitors and televisions unless it is made mandatory. Both Vodafone and Telecom have voluntary mobile phone collection and recycling programmes but these account for only small amounts of e-waste.

Fisher and Paykel take back old whiteware through their dealerships and service centre's which they then recycle.

MfE is working with the lighting industry to develop voluntary product stewardship for energy efficient light bulbs. This is focused on minimising problems early in the lifecycle rather than waste management. It is yet unclear whether the economic viability of recycling may exceed the benefits of reduced environmental harm. (MfE, 2009).

Annual e-day collections, sponsored by government, local government and some corporate organisations, have occurred for the public drop-off of computers and mobile phones but they are costly, difficult to manage and do not help to promote waste reduction or better 'recyclability' in general.

**Are there alternatives to product stewardship? - would these work?**

Investigate landfill bans for e-waste.

There is a need to influence consumer purchasing to favour products which are most environmentally friendly.

**Are regulations required to effectively manage the product? - why or why not**

In many countries there are mandatory approaches requiring industry and other stakeholders to play a more significant role in maximising the environmental performance of electronic equipment while reducing risk, toxicity and hazard impacts through design modification and by providing recovery infrastructure.

There is a need for a suitable regulatory framework for managing electronic equipment in New Zealand to eliminate 'free-riders' from taking advantage of any voluntary scheme.

**Who would be affected by a new product stewardship regime for this product and to what extent?**

- Government - low
- Producers/users - high
- Brandowners and retailers - medium
- Recyclers - high due to increase in recycling
- Other stakeholders

**Who would need to be involved in designing and running any product stewardship scheme?**

- Government
- Producers
- Brandowners and retailers
- Recyclers
- Other stakeholders

**Who should bear the costs of establishing a scheme?**

- Producers
- Government

**What would be the barriers to implementing new measures for this waste**

The cost of compliance by producers.

**3.5 Product: Tyres**

**What is the problem?**

The TyreTrack voluntary scheme is obviously not working with only a 25% uptake after five years of operation. This is a voluntary 'accounting' system that collects data on where tyres are sent at the end of their first life but there are no requirements for disposal or recycling. There are also some types of tyres that are not included in this scheme, e.g. motor bike tyres. HCC recommends mandatory membership and expansion of this scheme to include a greater number of tyres.

Managing end of life tyres is placing significant costs on:

- Owners of properties - for the removal of illegally dumped tyres
- Councils - for disposal costs related to illegally dumped tyres, dealing with effects of tyre fires, and legal costs in attempted prosecutions.
- Fire service - extinguishing tyre fires.

There could be a greater focus on improving safety and environmental outcomes by focusing attention on practices and technologies that increase tyre life, e.g. correct tyre inflation can increase tyre life and reduce fuel consumption.

There is a need for direct measures to encourage recycling, or a management measure to reduce the impact of tyre waste through longer-life tyres, ensuring proper use of tyres and managing additives that they contain.

Currently some tyres collected for recycling are exported to Asian destinations, which is in contravention of the Basel Agreement of which New Zealand is a signatory.

**What is the volume of waste product?**

This is a growing problem and it is estimated that 3-4 million tyres require disposal or recycling annually, this is expected to steadily increase in the next 3-5 years with increasing vehicle numbers. It is estimated that 75% of tyres are sent to landfill currently. This is estimated to be in the range of 40,000 tonnes of tyres each year.

**What is the nature of the harm associated with the product?**

Tyres are difficult to dispose of, they do not break down, are not easily compactable and consume large amounts of landfill space due to the elasticity of tyres, and voids allow for movement of liquid and gases which can destabilize landfill sites.

Stockpiled or illegally dumped tyres, have the potential to adversely impact on the environment, and pose threats to public health and safety. Tyres stored in stockpiles present a significant fire hazard.

**Where in the lifecycle of the product is harm occurring (e.g. manufacture, use, disposal?)**

Harm is occurring predominantly in disposal.

HCC recommends recovery of the cost of disposal from the producer, retailer and user.

Alternatives to disposal of used tyres to landfill could include:

- energy recovery - fuel for smelters, kilns etc.
- use as a material in road paving, erosion control, retaining walls etc.
- material recovery - steel production, new tyres, flooring etc.

**Why are existing waste management tools not adequate to deal with these problems?**

The low cost of landfill disposal provides a major barrier to the economic viability of alternative reuse of tyres.

The Tyregone pyrolysis process (currently under trial in Auckland) requires a certain amount of feedstock to be viable, which equates to all available tyres from the North Island. In addition there is a need for market demand for the outputs (carbon, steel, gas, oil). A market has been found for the carbon char but there still needs to be assurance for these processors, of incentives to capture the whole tyre stream. The Tyregone trial requires further investment funds for its completion.

Currently the cost of tyre disposal is being met predominantly by ratepayers and other public organisations and not the producers or polluters.

**Are there alternatives to product stewardship? - would these work?**

The voluntary scheme Tyre Track is in place but as outlined previously this is not capturing enough of this waste stream (only 25%). HCC recommends that mandatory membership of TyreTrack or another product stewardship scheme should be enforced.

Tyre industry recyclers and councils support regulation and consequences for those who do not participate in the reclamation and processing of used tyres as well as harsher penalties for illegal dumpers of tyres.

**What targets (for reducing, reuse, recycling, recovery, treatment or disposal) need to be set to guide management efforts?**

HCC supports regulation requiring 100% reclamation and processing of used tyres.

**Are regulations required to effectively manage the product? - why or why not**

Regulations are required to ensure reclamation targets are met through an accredited product stewardship scheme.

**Who would be affected by a new product stewardship regime for this product and to what extent?**

- Government - low
- Producers - high
- Retailers - high
- Users - medium

- Landfill operators - low
- Tyre recyclers - high
- Users of recycled tyres - low

**Who would need to be involved in designing and running any product stewardship scheme?**

- Government
- Producers
- Retailers
- Recyclers
- Motor Trade Association
- Other stakeholders

**What would be the types of costs and benefits of developing and operating the desired product stewardship activity? Do you have any information on the magnitude of any costs and benefits?**

In the case of tyres, it would be relatively easy to establish a 'take back' scheme arrangement funded through a built in disposal/take back fee on the sale of each tyre. This would be an efficient way to administer such a system and would at the least ensure proper disposal at landfill if not alternatives such as recycling.

**Who should bear the costs of establishing a scheme?**

- Producers
- Government

**What would be the barriers to implementing new measures for this waste?**

Ensuring the successful enforcement of new regulation and the economic viability of tyre recycling compared to landfill disposal costs.

### 3.6 **Product: Packaging**

**What is the problem?**

There is a need to address a reduction of packaging due to the following reasons:

- high level of public concern about the amount of packaging.
- voluntary approaches - do not appear to be working.
- packaging waste uses substantial non-renewable resources.
- the high cost to ratepayers to support recycling collection, transportation, sorting, and processing of packaging through rates subsidies that do not address producer responsibility.
- not all packaging can be recycled through domestic kerbside collection services.
- the cost of collecting, transporting and processing and/or disposing of packaging materials is excessive and could be somewhat offset or avoided through reduction.
- packaging from fast food, drink bottles and plastic bags often becomes litter.
- health and safety issues arising from the collection of packaging that has become litter.
- the management and collection of litter imposes unnecessary costs on councils and their ratepayers.

**What is the volume of waste product?**

Packaging waste represents 12% by weight of landfill waste (representing approximately 300,000+ tonnes per annum to landfill).

Examples of volumes of packaging waste are:

- 1.92 billion beverage containers are produced per annum. One billion of these end up in landfills.
- It is estimated only 30-40% of beverage containers are recovered - these are primarily recovered through recycling schemes.
- Plastic bags represent a small portion of the total waste stream (0.2%) but it is estimated that a billion are disposed to landfill each year.
- Expanded polystyrene (EPS) accounts for less than 0.1% by weight of waste disposed to municipal landfills. Plastics NZ estimate that over 6,800 tonnes of NZ produced polystyrene (PS) and EPS were consumed for packaging in 2003, with at least 450 tonnes of PS collected for recycling.

**What is the nature of the harm associated with the product?**

Packaging waste that becomes litter impacts on wildlife and ecosystems, can be a safety hazard and reduces visual amenity of environments.

Paper and cardboard are organic wastes that produce methane (a greenhouse gas) when they break down in landfill.

Plastic bags and packaging take a substantial time to breakdown in landfills.

Expanded polystyrene is difficult to dispose of due to its low density, even though it is inert, non-toxic, odour-free and non-biodegradable.

Waste comes as a result of the manufacturing process.

**Where in the lifecycle of the product is harm occurring (e.g. manufacture, use, disposal?)**

Prior to use and at disposal.

**What should we be trying to achieve in managing this waste?**

Producer responsibility for reducing the proliferation of packaging and responsibility for its recovery or disposal.

A reduction in packaging waste is crucial to assist New Zealand in becoming a more sustainable country. Greater consumer education about packaging choice and correct recovery or disposal is also required.

**Why are existing waste management tools not adequate to deal with these problems?**

Certainty is required that there will be the tools in place to adequately deal with packaging issues when the Packaging Accord ends in June 2009. The success of the voluntary Packaging Accord and the relevance of the data it has provided to substantiate diversion rates for packaging is questioned by many in the waste industry. Many are of the view that the packaging industry has a vested interest in the increased use of packaging and that diversion target rates have in part been achieved due the increased proliferation of packaging and with the subsidy of ratepayers to collect recyclables. Targets need to address the overall reduction of packaging materials by measuring reductions in mass balance (materials produced and imported) and these need to be supplemented by accompanying targets for diversion.

To be successful any subsequent Packaging Accord that replaces the current one must set bold targets, have broad participation by industry and the confidence of the community (including local government) e.g. O-I New Zealand has a monopoly on the manufacture of recycled glass bottles in New Zealand. There is a need for the glass manufacturing industry to take responsibility for recovered glass, such as through council recycling collection services, or if this is not practicable, then the use of glass packaging should be reduced through proper policies, targets and incentives.

Ratepayers pay for the collection and disposal and/or processing of packaging through their refuse and recycling collection and disposal services. They also fund services to address litter nuisance and to maintain street amenity as well as the cost of educational litter reduction programmes, as a 'public good'. At present the producer of the packaging and/or the polluter is not held responsible for the consequences of littering.

**Are there alternatives to product stewardship? - would these work?**

Membership of industry associations and subscription to agreements which commit to:

- Enhancing existing and initiating new programmes which enable packaging to meet environmental standards regardless of country of origin.
- Promoting use of recycled packaging products.
- Green procurement policies to support development of additional markets for some recovered products.
- Continuing to work towards uniform and consistent international environmental standards and waste management programmes between the packaging industry, product manufacturers, government, association members and consumers. This initiative may assist but is not the complete answer.

**What targets (for reducing, reuse, recycling, recovery, treatment or disposal) need to be set to guide management efforts?**

Targets should be set in consultation with stakeholders and may vary depending on the product.

**Are regulations required to effectively manage the product? - why or why not**

Yes, as the product class of packaging is not adequately being dealt with. The Act provides tools to potentially mandate extended producer responsibility/product stewardship schemes, such as container deposit/refund schemes or performance standards and targets. Any such performance standards could be met through a refundable deposit on beverage containers to incentivise the return of containers to collection points and would also assist in the reduction of packaging litter. This action is also likely to have an impact and benefit of reducing the production and import of materials as a method to avoid cost.

Another example would be a mandatory levy or ban on plastic bags.

**Who would be affected by a new product stewardship regime for this product and to what extent?**

- Government - low
- Packaging producers (importers and internal producers) - high
- Brandowners and Retailers - medium
- Consumers - low to medium (through price and behavior)

- Recyclers (glass and plastics) - high due to increase in recycling
- Other stakeholders

**Who would need to be involved in designing and running any product stewardship scheme?**

- Government
- Packaging producers (importers and internal producers)
- Packaging Accord (if still exists)
- Brandowners and Retailers
- Recyclers (glass and plastics)
- Other stakeholders

**Who should bear the costs of establishing a scheme?**

- Producers
- Government
- Other stakeholders (to be decided)

**What would be the barriers to implementing new measures for this waste?**

The Government's desire to pursue further voluntary schemes is considered a barrier. It may be perceived that the Government's withdrawal of support for the 'Recycling in Public Places Initiative' and its associated promotional aspects is seen as a lack of support for measures for dealing with packaging waste.

#### **4.0 IDENTIFYING FUNDING CRITERIA FOR THE WASTE MINIMISATION FUND**

##### **4.1 Are the criteria identified by the Ministry for the Environment appropriate for determining projects that may be funded by the Waste Minimisation Fund?**

Overall yes, however there are a few comments under the following section.

**If you do not agree with the criteria, what changes would you suggest?**

HCC recommends that the following measure be added to the criteria to give potential projects a predicted rating of \$/tonne diverted from landfill. For lightweight materials a volume measure (\$ per m<sup>3</sup> diverted) will be more appropriate than tonnage (for example polystyrene foam).

**Do you have any other comments to make on the operation of the Waste Minimisation Fund?**

HCC recommends encouraging projects that take regional and cross-regional approaches delivering large scale solutions.

In addition 'Help develop waste infrastructure' further clarification around this is required. There needs to be clear boundaries around funding being used for the enhancement of landfills, as this does not enable waste minimisation.

Any projects funded need an aspect of public notification to ensure awareness of prospective projects and co-ordination of the uptake for emerging opportunities.

Applications that demonstrate financial viability and a sustainable market approach should be favoured.

#### **5.0 MONITORING WASTE IN NEW ZEALAND**

##### **5.1 Given that so many of the Waste Strategy 'targets' are based around information gathering, there is strong support for accurate information gathering.**

**5.2 Do you consider that waste facility operators should be required to supply data on the composition of waste disposed of at landfills?**

Yes HCC supports waste facility operators supplying data.

**5.3 If so, are the waste classifications proposed the right ones?**

No - they are too broad to extract meaningful compositional data to monitor progress on targets. Councils require information to determine priorities for Waste Management and Minimisation Plans and Long Term Council Community Planning processes.

Origin data such as Refuse Transfer Station (RTS), commercial and residential is supported as this will enable the application of further data, e.g. RTS SWAP's in the context of the effect on landfill volumes.

Many TLA's are reliant on information obtained by other councils and the MfE to determine the magnitude and nature of waste generated within the district due to waste being deposited outside district boundaries. To enable accurate waste management and minimisation planning landfill operators should be required to identify the volume and composition of waste received from a particular district. This information should be made available to TLA's via the MfE.

**5.4 What are the practical implications of gathering this compositional data?**

To obtain useful data under the high level proposal, the more accurate SWAP composition surveys will need to be transferred up to the source categories i.e. at Transfer Stations.

**5.5 Do you think it will impose additional costs on landfill operators, what will those costs be, and do you think they are reasonable?**

'Costs on landfill operations' are actually operational costs that are reflected in the price.

**5.6 Can you suggest other options for obtaining compositional data that would be more efficient and effective?**

HCC preferred option would be Full Solid Waste Analysis Protocol surveys. It is recommended that landfills be required to perform SWAP surveys as suggested in the document's second option. We suggest reducing 'Quarterly surveys' to a lesser number which could be measured by tonnage received. For example, landfills receiving greater than 100,000 tonnes require an annual SWAP, landfills receiving 10,000-100,000 tonnes require three yearly surveys and landfills receiving less than 10,000 tonne are exempt.

As mentioned earlier 'cost to landfill operators' would be reflected in the gate price. The \$800,000 per annum quoted would increase the price by 30cents per tonne on the 3million tonnes per annum disposal to landfill in New Zealand and would affect price by less than 1%. Lower levels of data collection could be considered to achieve information and most of the waste from most of the landfills. For example, smaller landfills may be exempted. Another option could be reducing 'Quarterly surveys' to a lesser number with annual seasonal rotation of timings. However, since so many of the decisions on targets, priority products and environmental effects rely on accurate compositional data, it is important that this is gathered from the start of waste minimisation initiatives.

HCC recommends expansion of the monitoring programme to incorporate diverted materials.

## **6.0 IMPROVING THE OPERATION OF THE WASTE LEVY**

### **6.1 What is the maximum amount of cover material required for effective environmental management purposes (up to 10% of the weight of waste deposited in the landfill)?**

A recommended allowance for cover material is 5%, (noting that any exemption limit in terms of 'up to a maximum' will in fact be claimed to the stated maximum).

### **6.2 Should material used for environmental management purposes be exempt from the waste levy? If not, why not?**

Yes but only under specified acceptance criteria. It is recommended that only inert material as specified in the MfE Cleanfill Guidelines be exempt from the levy.

If this provision was implemented then a limit under question 1 would be unnecessary, the volume being self limiting under the economic use of landfill space.

If so:

- What should be the maximum allowable percentage of cover material exempt from the levy?
- What are the benefits of a zero rate for cover material?

Efficiency - provided only inert material is used.

**Would this impose any additional operational costs?**

No.

**Are there any other options for addressing the potential perverse effects of applying a \$10 per tonne levy rate?**

HCC recommends that the same levy be applied to Cleanfills that do not operate under the Cleanfill Conditions.

## **7.0 GENERAL COMMENTS**

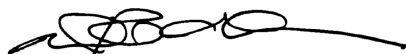
7.1 HCC recommends that a process be put in place to ensure ongoing monitoring and review of the targets set out in the discussion document.

## **8.0 CONCLUDING COMMENTS**

8.1 HCC trusts that the points made in this submission are helpful to the Ministry for the Environment when considering all submissions to the March 2009 Waste Minimisation Discussion Document.

8.2 If you require clarification or additional information on the points raised in this submission, please contact: Bridget Morgan on 07 838 6958 or email [bridget.morgan@hcc.govt.nz](mailto:bridget.morgan@hcc.govt.nz) - Tim Newton on 07 838 6878 or email [tim.newton@hcc.govt.nz](mailto:tim.newton@hcc.govt.nz)

Yours faithfully



**Michael Redman**

CHIEF EXECUTIVE