

Draft Waste Management and Minimisation Bylaw

Background



- Completed community consultation: November 2024 – February 2025
- Deliberations report: August 2025
- Decision made to let the report lie on the table pending a workshop with elected members

Comparison of recommended changes



Consultation proposals

Recommended in deliberations

Strengthen licensing provisions



Adopt proposal with minor amendments



Strengthen requirements for events waste management



Adopt proposal with two changes



Include site waste management and minimisation plans for C&D waste



Don't proceed with proposal. Work with material suppliers, construction sector and waste facility providers to develop new waste diversion initiatives



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Recap of the proposal

- When a building consent is submitted, and the work was valued above a given threshold, the applicant would need to submit a waste management and minimisation plan for how they would deal with construction and demolition waste on site.
- Staff would review/approve the plan and applicant would be responsible for monitoring and reporting on compliance with the plan.
- Compliance with the plan would be a factor in issuing/withholding the building consent.
- Proposal was contingent on further work being done to assess the practicality of the proposal, and identifying what an appropriate threshold would be (intending to focus on significant construction projects rather than capturing all construction or demolition work.)

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Limitations

- There were several unknowns/limitations when the proposal was put out to the community for consultation:
 - What would be a suitable value threshold for construction or demolition work when submitting a building consent application?
 - How practical would the proposed approach be?
 - How much additional work would be required of applicants, Council staff, etc?

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Consultation findings

- There was support for the proposal, but submitters also identified limitations:
 - Demolition-only work is exempt from building consents, so this wouldn't be included in our proposal.
 - Council can't require information unrelated to the processing of a building consent (such as the estimated volume of waste to be generated).
 - Council can't withhold a building consent for not supplying the additional information or not getting approval for the site waste plan.
- If we impose additional requirements on the BC process it will likely reduce the percentage of BCs processed within the statutory timeframes.
- While the proposal had support, it was also deemed impractical and unenforceable as envisaged.

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Two alternatives considered

Alternative 1

Continue with the proposal, but
de-couple it from the building
consent process

Alternative 2

Do not continue with the proposal;
instead, facilitate an industry-led group to
develop practical waste diversion
initiatives.

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Alternative 1 - continue with the proposal, but de-couple it from the building consent process

- The requirement would sit under the Bylaw alone, not included as part of the building consent process.
- Staff would need to actively engage with the building sector to identify which projects would meet the threshold (to be determined) and advise them of the requirement to submit a site WMMP for approval. Staff would need to review the site WMMP, approve or reject it. Applicant would need to comply with the site WMMP, monitor and report on compliance.
- If non-compliant (failure to apply for approval of site WMMP, proceeding without an approved site WMMP, or non-compliance with approved site WMMP), then Council's only route for enforcement would be to prosecute for breach of the Bylaw.

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Alternative 2 - do not continue with the proposal; instead, facilitate an industry-led group to develop practical waste diversion initiatives

- Based on successful working model used in Hawkes Bay.
- Council facilitates a group comprising local material suppliers, building sector, and waste diversion facilities to develop practical solutions for diverting waste from building sites.
- Specific example – material suppliers provide collection bags for plasterboard offcuts, which are then collected by waste diversion facilities for recycling.
- Opportunities to build on these kinds of initiatives to create additional solutions.
- Complementary to actions in the Waste Management and Minimisation Plan (i.e. develop a site waste management and minimisation plan as a template and encourage it's use through education in the building sector)

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Staff analysis

- Proposal as initially developed isn't practical or enforceable
- Alternative 1 – relying on the Bylaw for enforcement – is likely to be resource-heavy without practical enforcement tools. Prosecution is often costly and should be used as a last resort. There is no effective intermediate step we could take to promote compliance.
- Alternative 2 – facilitating a sector-led group for practical solutions – is more likely to be effective in reducing C&D waste. Hawkes Bay provides a successful working model. Can be managed within existing staff resources. Support from Central Environmental as a waste diversion facility. Partnering with the building sector is more likely to be a sustainable ongoing approach.

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Staff analysis (cont'd)

- Both alternatives will require staff resourcing
 - Alternative 1 requires staff to review and sign off site WMMPs and monitor compliance. With existing staffing constraints, this can't be met within current resources.
 - Alternative 2 requires staff to engage with the sector to develop a working group and facilitate waste diversion initiatives. This could be supported from within the current Resource Recovery team, aligning with related education work.

Questions/discussion