

3 August 2016

Memo to: Mayor and Councillors

Memo from: Administration Advisers

**Subject: WORKS AND INFRASTRUCTURE COMMITTEE – 4
AUGUST 2016 – LATE ITEM**

**12. Late Item: Submission to Tasman District Council on
Regional Landfill Business Unit Proposal 2 - 6**

Document 6414

A report titled Submission to Tasman District Council on Regional Landfill Business Unit Proposal is attached and to be considered as a major late item at this meeting.

In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Order 3.7.5, a procedural resolution is required before a major item that is not on the agenda for the meeting may be dealt with.

In accordance with section 46A(7)(b)(i) the reason why the item was not on the agenda is because it came to hand after the agenda had been distributed.

In accordance with section 46A(7)(b)(ii) the reason why discussion of this item cannot be delayed until a subsequent meeting is because a resolution on the matter is required to enable a timely decision to be made, and 4 August 2016 is the last scheduled meeting of the Works and Infrastructure Committee for this triennium.

Recommendation

THAT the item regarding Submission to Tasman District Council on Regional Landfill Business Unit Proposal be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable a timely decision to be made.

Submission to Tasman District Council on Regional Landfill Business Unit Proposal

1. Purpose of Report

- 1.1 To approve a submission to Tasman District Council on the 50:50 joint venture Regional Landfill Business Unit Proposal.

2. Summary

- 2.1 The Tasman and Nelson City Councils have been working together for some time now to establish a regional approach to landfilling.
- 2.2 A 50:50 joint venture Regional Landfill Business Unit has been proposed by both Councils and to be established along similar lines to the Nelson Regional Sewerage Business Unit.
- 2.3 The Tasman District Council are currently engaging and consulting with its community on the proposal. Submission close on Friday 5 August 2016.
- 2.4 The Nelson City Council should submit supporting the proposal.

3. Recommendation

It is recommended that the Committee

Receive the report Submission to Tasman District Council on Regional Landfill Business Unit Proposal (R6414) and its attachment (A1598092);

Approve a submission to the Tasman District Council (A1598092) that indicates full support for the establishment of a 50:50 joint venture Regional Landfill Business Unit.

4. Background

- 4.1 The Tasman and Nelson City Councils have been working together for some time now to establish a regional approach to landfilling.

- 4.2 Both Councils have prepared and adopted a Joint Waste Management and Minimisation Plan (JWMMP) dated April 2012 pursuant to section 45 of the Act. Policy 3.1.5 of the JWMMP states that the Councils will jointly make the most effective and efficient use of York Valley and Eves Valley landfill space. Method 3.1.5.1 to achieve this policy states:

The Councils will investigate a joint landfill solution as a matter of priority in the first year this plan is operative (and the options will include using one landfill as a regional facility serving both Districts or that the two landfills will be used for separate materials).

- 4.3 Policy 3.1.6 of the Joint Plan states that the Councils are to ensure jointly that there is landfill capacity in the two Districts for the safe disposal of waste. Method 3.1.6.1 to achieve this policy states:

The Councils will continue to provide a landfill disposal service for the disposal of approved waste that is sourced from within the Districts.

- 4.4 A 50:50 joint venture proposal comprising a business unit along similar lines to the Nelson Regional Sewerage Business Unit has been developed by both Councils.

- 4.5 The intent to establish this 50:50 joint venture was approved by both Councils on 3 March 2016.

- 4.6 The Nelson City Council included the proposal in its Draft Annual Plan 2016/17 deliberations. The Annual Plan 2016/17 was approved on 3 June with the proposal included as intended.

- 4.7 The Tasman District Council has listed its Eves Valley landfill as a strategic asset in its Significance and Engagement Policy. Consequently the decisions related to the transfer of control of Eves Valley required an amendment to its Long-Term Plan. An amendment of this significance required engagement and consultation with its community.

- 4.8 The Tasman District Council prepared a consultation document and is currently undertaking engagement and consultation. Submissions are due by 4pm Friday 5 August 2016. This report outlines the content of the submission which essentially supports the 50:50 joint venture Regional Landfill Business Unit proposal.

5. Submission Content

- 5.1 For many years both the Nelson City and the Tasman District Councils have been working together on aligning their respective solid waste services and delivery. In 2012 Councils adopted a Joint Waste Management and Minimisation Plan (The Waste Plan) which was a culmination of significant input over a period of time by both Councils.

- 5.2 The Waste Plan includes a goal to jointly make the most effective and efficient use of the Councils' respective landfills, York Valley and Eves Valley. Initial assessments confirmed that the joint use of Nelson's York Valley landfill was the most cost-effective approach. This was consulted

on by both Councils in 2014. At that stage it was intended that the joint landfill would become operational in 2016/17.

- 5.3 The mutually acceptable governance and management model for this proposal was not reached. Further options were considered and a joint venture entity similar to the Nelson Regional Sewerage Business Unit (NRSBU) seemed the most appropriate. This entity would be 50:50 jointly owned and include the two landfills. Both Councils passed resolutions in March 2016 confirming their intentions.
- 5.4 The Nelson City Council included the joint entity proposal in its Draft Annual Plan 2016/17. This proposal to establish the joint entity with Tasman District Council was adopted without amendment.
- 5.5 The Tasman District Council had listed Eves Valley landfill as a strategic asset in its Significance and Engagement Policy. Consequently any decision to the transfer of control of Eves Valley into a joint venture would require an amendment to its Long-Term Plan 2015/25. An amendment of this significance required Council to engage and consult with its community. This letter is submitted as part of that consultation.
- 5.6 The Nelson City Council fully supports the Tasman District Council proposal. It believes the proposal will facilitate the cost-effective and efficient use of both Councils' landfills and provide a regional landfilling perspective. This aligns with the goals of the Waste Plan 2012.

6. Options

- 6.1 The Committee can choose to approve or decline the submission to the Tasman District Council regarding the Regional Landfill Business Unit Proposal.

7. Conclusion

- 7.1 The Nelson City Council has the Regional Landfill Business Unit identified as an objective in its Annual Plan 2016/17.
- 7.2 Consequently the Nelson City Council fully supports the Tasman District Council in its objective to establish a 50:50 Joint venture Regional Landfill Business Unit with the Nelson City Council.

Richard Kirby
Consulting Engineer

Attachments

Attachment 1: Submission to Tasman District Council A1598092 - Regional Landfill Business Unit Proposal Aug 2016

Important considerations for decision making	
1. Fit with Purpose of Local Government	The matter of a Regional Landfill Business Unit aligns with providing cost-effective services to the community.
2. Consistency with Community Outcomes and Council Policy	Council's Long Term Plan 2015-25 states that Nelson City and Tasman District Councils previously approved a Regional Landfill subject to the signing of a formal agreement.
3. Risk	There is little to no risk in deciding whether to lodge a submission on this matter.
4. Financial impact	There is no financial impact in deciding whether to lodge a submission on this matter.
5. Degree of significance and level of engagement	Although the matter of a Regional Landfill is significant, the lodging of a submission to Tasman District Council on this matter is of low significance, therefore no community engagement is recommended.
6. Inclusion of Māori in the decision making process	Maori have not been consulted on this matter.
7. Delegations	The Works and Infrastructure Committee has the power to consider and lodge submissions to external bodies regarding the provision and operation of solid waste services.

Chief Executive

Tasman District Council

Attention: Lindsay McKenzie

Dear Lindsay,

Submission on Proposal for a Regional Landfill Business Unit

For many years both the Nelson City and the Tasman District Councils have been working together on aligning their respective solid waste services and delivery. In 2012 Councils adopted a Joint Waste Management and Minimisation Plan (The Waste Plan) which was a culmination of significant input over a period of time by both Councils.

The Waste Plan includes a goal to jointly make the most effective and efficient use of the Councils' respective landfills, York Valley and Eves Valley. Initial assessments confirmed that the joint use of Nelson's York Valley landfill was the most cost-effective approach. This was consulted on by both Councils in 2014. At that stage it was intended that the joint landfill would become operational in 2016/17.

The mutually acceptable governance and management model for this proposal was not reached. Further options were considered and a joint venture entity similar to the Nelson Regional Sewerage Business Unit (NRSBU) seemed the most appropriate. This entity would be 50:50 jointly owned and include the two landfills. Both Councils passed resolutions in March 2016 confirming their intentions.

The Nelson City Council included the joint entity proposal in its Draft Annual Plan 2016/17. This proposal to establish the joint entity with Tasman District Council was adopted without amendment.

The Tasman District Council had listed Eves Valley landfill as a strategic asset in its Significance and Engagement Policy. Consequently any decision to the transfer of control of Eves Valley into a joint venture would require an amendment to its Long-Term Plan 2015/25. An amendment of this significance required Council to engage and consult with its community. This letter is submitted as part of that consultation.

The Nelson City Council fully supports the Tasman District Council proposal. It believes the proposal will facilitate the cost-effective and efficient use of both Councils' landfills and provide a regional landfilling perspective. This aligns with the goals of the Waste Plan 2012.

We thank you for the opportunity of supporting this proposal.

Yours Sincerely

Clare Hadley

A1598092