

14 April 2021

Official Information Request 8140008303
(Please quote this in any correspondence)

William Foster

By email: fyi-request-14913-4ead0303@requests.fyi.org.nz

Dear William

Local Government Official Information and Meetings Act 1987 (LGOIMA)

Re: New Regional Landfill

Thank you for your information request dated 15 March 2021, for information about management of waste as a Long Term Plan issue.

The specific details of your request and our response is below.

The 2021-2031 10 Year Budget (Long Term Plan) consultation document and supporting documents are consultation documents following the special procedure requirements of the Local Government Act 2002 (LGA).

These long term plan documents make no reference to a new regional landfill. Nor does any new regional landfill provision appear in the Auckland Plan 2050.

The private proposal to establish a regional landfill at Wayby valley has received significant attention and the plan change and resource consent application to vary the Unitary Plan are currently under consideration by Commissioners.

Management of regional waste is a significant and important issue and Auckland Council (AC)'s plans for that are set out in Auckland's Waste Management and Minimisation Plan of 2018 which aims for zero waste by 2040 and has no reference to a new regional landfill.

Please provide any documents associated with the preparation of the Long Term Plan consultation documents that:

- * refer to the proposal for a new regional landfill in the Wayby Valley (or elsewhere);**
- * identify whether the provision of a new regional landfill is a significant or important issue or choice;**
- * refer to whether or not provision of, or for, a new regional landfill should be provided for in the proposed long term plan;**
- * consider how the local authority is informing discussions with its communities about this choice; or**
- * refer to whether AC is complying with the requirements of the LGA by not including reference to the new landfill in the consultation document, or by failing to refer to whether or not AC has any plans for a new regional landfill or alternatives for waste disposal.**

The Long-term Plan (LTP) consultation document sets out the proposed investment plans for the Auckland Council group for the next 10 years and how it proposed to pay for those investments.

Auckland Council is satisfied that the LTP consultation document complies with all relevant legislative requirements and notes that it has also been audited and the Deputy Auditor-General has confirmed (in his opinion included in the consultation document) that he is satisfied that the consultation document is fit for purpose.

The new regional landfill is being proposed by Waste Management New Zealand which is not part of the Auckland Council group and is therefore outside the scope of the LTP. The council's primary role in relation to this proposal is in regard to its regulatory and planning functions under the Resource Management Act 1991.

Auckland Council does not hold any documents or information, associated with the preparation of the Long Term Plan consultation, regarding a new regional landfill. We are therefore unable to provide the information you have requested, in accordance with Section 17(e) of the LGOIMA, as the documents alleged to contain the information requested do not exist.

Auckland Council's decision on the above response was made by Ross Tucker, General Manager, Financial Strategy and Planning.

All councils in New Zealand are required by the Waste Minimisation Act 2008 to adopt a Waste Management and Minimisation Plan (WMMP). Auckland's WMMP has an aspirational goal of Zero Waste by 2040 and actions to reduce and minimise waste production in Auckland. The private proposal to establish a landfill at Wayby valley is a private venture including applications in accordance with the Resource Management Act 1991 that have been submitted to Auckland Council as the relevant consenting authority. Consideration of these applications, which include the proposed location, construction and operation of this facility, lies with Regulatory Services against the provisions set out in the Auckland Unitary Plan, Resource Management Act 1991 and other relevant planning documents. It does not fall within the WMMP.

Our Resource Consents department have explained that anyone can apply for consent to construct and operate a landfill, regional or otherwise. Every application is assessed on its merits under the Resource Management Act 1991 (RMA) and the Auckland Unitary Plan, along with any other relevant statutory documents such as the National Policy Statement for Freshwater Management 2020.

As with all consent applications those for landfills are considered against the notification 'tests' of the RMA. Applications for regional landfills, as opposed to cleanfills for example, are likely to be publicly notified, affording the public the opportunity to formally submit on the proposal. Should any submitters ask to speak to their submission a public hearing would be scheduled where the applicant and submitters can share their views.

You have the right to seek an investigation and review of this response by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you have any further queries, please contact me on 09 301 0101 quoting official information request number 8140008303.

Yours sincerely



Samantha Sinclair
Senior Privacy & Official Information Business Partner
Governance Services