

Analysis of Submissions and Recommendations

Solid Waste Bylaw

1 Background

The Solid Waste Bylaw (Bylaw) was reviewed as required under section 158 of the Local Government Act 2002.

Following the review, on 08 April 2021, under section 155 of the Local Government Act 2002, the governing body of the Council determined that (Resolution 2021/8 refers):

- a bylaw is the most appropriate method for addressing problems relating to solid waste in the Far North District
- the Bylaw is the most appropriate form of bylaw
- the Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.¹

On 20 July 2021 the Strategy and Policy Committee approved a proposal to consult on the continuation without amendment of the Solid Waste Bylaw under section 160 (3) (b) (ii) of the Local Government Act 2002.² The consultation period was for five weeks from 26 July 2021 to the 27 August 2021 (Resolution 2021/27 refers).

This report analyses the submissions and makes recommendations regarding the continuation of the Solid Waste Bylaw without amendment.

2 Summary of submissions

All 18 submissions were received via the online form, one submitter also emailed an attached submission document.

One submitter wished to be heard, and presented their oral submission to the Strategy and Policy Committee on 07 September 2021.

16 submitters answered “yes” to the question *Do you support the continuation of the Solid Waste Bylaw?* One submitter answered “no”.

One submission did not comment on the Bylaw and requested an avenue to comment on solid waste collection.

3 Feedback supporting the continuation of the bylaw without amendment

The majority (15/18) of the submitters support the continuation of the Solid Waste Bylaw without amendment.

Submissions received

Submitters were asked to provide feedback as to why they support the continuation of the Solid Waste Bylaw. Most responses (12/13) indicated general support for the regulation of solid waste, for example:

- “To ensure the safe disposal of our waste while trying to protect the environment”
- “Set high standards for litter control and collection”

¹ [Ordinary Council Meeting 08 April 2021](#)

² [Strategy and Policy Committee Meeting 20 July 2021](#)

- “It seems to be working reasonably well!”

One submitter specifically supported the plan to review the Solid Waste Bylaw in 2023: “It makes sense to keep it until the big review in 2023”.

Staff analysis

The submissions received in support of the continuation of the Bylaw without amendment align with the report presented to Council on 08 April 2021¹.

4 Feedback against the continuation without amendment of the Bylaw

Two submitters do not support the continuation without amendment of the Bylaw.

4.1 Request to continue with minor amendments

Submission received

Submission 18 requested minor amendments to the bylaw regarding *Subpart 7 – Events*. Submission 18 asked for clarity regarding an activity of significant scale to reduce the burden on event organisers in rural communities.

Submission 18 supports the continuation of all other clauses of the bylaw, and supports specifically:

- the continuation of *Subpart 2 – Disposal of Waste onto Land* and *Subpart 8 – Nuisance and Litter*
- the decision to review and align the Solid Waste Bylaw with the Waste Management and Minimisation Plan in 2023
- aligning the Bylaw with both Whangarei District and Kaipara District Council’s solid waste bylaws.

Staff analysis

Subpart 7 – Events only applies to events held in a public place (on land under control of Council) and should not significantly impact rural communities. The Bylaw review identified that the Bylaw has been effective in increasing the amount of material diverted from landfill and reducing the amount of litter during and after events. Future reviews of the Bylaw could improve the clarity regarding the application of *Subpart 7 – Events*.

4.2 Request to amend Bylaw

Submission received

Submission 8 answered “No” to the question *Do you support the continuation of the Solid Waste Bylaw?*

Submission 8 stated the following reasons in response to the question *Can you tell us why you do not support the continuation of the Solid Waste Bylaw?*

“The Bylaw is outdated, and does not align with current good practice for the collection of solid waste. The Bylaw requires a review in its entirety alongside the provision of wheelie bins for each household (separate rubbish and recycling bins) which should be provided for within rates. The purchasing of plastic bags does not align with Central Government waste minimisation policies. The use of plastic bins without lids causes rubbish to litter the streets.

Overall the Bylaw should be supporting an outcome of reduce, recycle, reuse and recover resources to help achieve a zero-waste future.”

Staff analysis

How solid waste is collected in the District is out of scope of the Bylaw. Efforts to achieve a zero-waste future, the type of approved containers (e.g., wheelie bins) and potential rates subsidies are components of the Waste Management and Minimisation Plan. The Waste Management and Minimisation Plan is due to be reviewed by 2023.

5 Staff recommendation

Continue the Solid Waste Bylaw without amendment.

6 Additional comments regarding solid waste

Submitters were asked if they would like to make any additional comments regarding the Bylaw. Submitters took the opportunity to outline their solid waste related concerns that are out of scope of the Bylaw consultation. The following issues were identified:

- two submitters requested more public rubbish bins.
- four submitters requested improved rubbish collections and better monitoring and enforcing of illegal dumping.
- one submitter did not want housing stock to be replaced by landfill.

Appendix 1 – List of Submissions Received

Number	Organisation
1	Individual submission
2	Individual submission
3	Individual submission
4	Individual submission
5	Individual submission
6	Individual submission
7	Individual submission
8	Individual submission
9	Individual submission
10	Individual submission
11	Individual submission
12	Individual submission
13	Individual submission
14	Individual submission
15	Individual submission
16	Individual submission
17	Individual submission
18	Federated Farmers