



TO THE MAYOR AND COUNCILLORS OF THE MACKENZIE DISTRICT COUNCIL

MEMBERSHIP OF THE PROJECTS AND STRATEGIES COMMITTEE

Graeme Page (Chairman)

Claire Barlow (Mayor)

John Bishop

Peter Maxwell

Annette Money

Graham Smith

Evan Williams

*Notice is given of a meeting of the Projects and Strategies Committee
to be held on Tuesday 3 September 2013 following the Finance Committee*

VENUE:

Council Chambers, Fairlie

BUSINESS:

As per Agenda attached

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

28 August 2013



PROJECTS AND STRATEGIES COMMITTEE

Agenda for Tuesday 3 September 2013

I APOLOGIES

II DECLARATIONS OF INTEREST

III MINUTES

Confirm and adopt as the correct record the Minutes of the meeting of the Projects and Strategies Committee held on 30 July 2013.

ACTION POINTS

IV REPORTS:

1. Asset Management Monthly Report – July 2013
2. Solid Waste Bylaw

V PUBLIC EXCLUDED

That the public be excluded from the following part of the proceedings of this meeting namely:

1. Previous Minutes of Projects and Strategies Committee Meeting held 30 July 2013
2. Recycling Processing
3. Visitor

Reason for passing General subject of each matter to be considered	Ground(s) under this resolution in relation to each matter	Section 48(1) for the passing of this resolution
Previous Minutes of Projects and Strategies 30 July 2013	Commercial Sensitivity	48(1)(a)(i)
Recycling Processing	Commercial Sensitivity	48(1)(a)(i)
Visitor	Commercial Sensitivity	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Previous Minutes of Projects and Strategies Committee Meeting held on 30 June 2013, Recycling Processing and Visitor* section 7(1)(g).

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PROJECTS AND STRATEGIES COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY 30 JULY 2013 AT 10:12AM

PRESENT:

Graham Page (Chairman)
Claire Barlow (Mayor) left the meeting at 12:07pm due to illness.
Crs John Bishop
Graham Smith
Evan Williams
Peter Maxwell
Annette Money

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Bernie Haar (Asset Manager)
Suzy Ratahi (Manager – Roading) left at 11:20am
Angie Taylor (Solid Waste Manager) left at 11:34am
John O'Connor (Retiring Utilities Engineer)
Keri-Ann Little (Committee Clerk)

I APOLOGY:

There were no apologies.

II DECLARATIONS OF INTEREST:

There were no Declarations of Interest.

III MINUTES:

Resolved that the Minutes of the meeting of the Projects and Strategies Committee held on 11th of June 2013.

Annette Money/ Claire Barlow

IV REPORTS:

1. ASSET MANAGERS MONTHLY REPORT – JUNE 2013:

Resolved: that the report be received.

Claire Barlow / John Bishop

This report from the Asset Manager referred to Asset Management progress report for June 2013 for Roading, Essential Services and Solid Waste.

Mr Haar thanked Mr O'Connor for his service and wished him well in his retirement.

Water Supply:

Mr O'Connor spoke to his report on Fairlie Water Supply operation and maintenance came in at \$18,800 under annual budget.

Fairlie Waste Water operation and maintenance expenditure was \$7,500 under annual budget. The areas of under expenditure were; reticulation maintenance \$6,200 and treatment plant maintenance \$1,000.

Fairlie stormwater operation and maintenance expenditure was close to budget, being only \$170 overspent.

Tekapo water supply operation and maintenance expenditure was \$21,200 under budget.

Tekapo waste water operation and maintenance expenditure was \$1,560 under budget and stormwater operation and maintenance expenditure was \$1,400 over budget.

Twizel water supply operation and maintenance expenditure was \$43,200 over budget and waste water operation and maintenance expenditure was \$3,200 under budget.

Allandale water supply operation and maintenance expenditure was close to budget, being \$200 over spent. Spur road section of Allandale water supply this pumped Spur Road section of the Allandale Water Supply also ran close to budget with an over expenditure of \$145.

Cr Smith thanked Mr O'Connor for his service and thanked him for a great job done.

The Chairman thanked Mr O'Connor for his service saying that his local knowledge will be missed, and wished Mr O'Connor the best of luck and presented him with a card of thanks.

Mr O'Connor thanked the Chairman and Committee for allowing him to work at the Council and has enjoyed his time here.

V ADJOURNMENT:

The meeting was adjourned at 10:35am and reconvened at 10:59am.

IV REPORTS CONTINUED:

1. ASSET MANAGERS MONTHLY REPORT – JUNE 2013:

The Asset Manager's continued with his report.

Roading:

The Roothing Manager, Mrs Ratahi spoke to her report.

Mrs Ratahi, Roothing Manager asked the Council for their input into what level of repair they would like to see done to Askins Road Ford.

Cr Smith said it seems appropriate to leave the ford in the current state while the bottom of the ford settles opposed to spending money on repairing the ford and then another flood occurs and washes the ford out again.

Resolved: that in the interim the Askins Road Ford is left as is while the ford is given more consideration.

Graham Smith/ Evan Williams

Cr Smith thanks Mrs Ratahi for the way she has dealt with the recent weather events and said she is a credit to her job. Cr Smith said he has received great feedback from the ratepayer for the work Mrs Ratahi has completed.

Mrs Ratahi said this is the last meeting for 3 months and hopes to return October/November from maternity leave.

The Chairman thanked Mrs Ratahi and is proud of what they have done and said for the first time in history the Council has received more letters of praise opposed to complaints.

Solid Waste:

Angie Taylor, Solid Waste Manager spoke to her report.

VI PUBLIC EXCLUDED:

Resolved that the public be excluded from the following part of the proceedings of this meeting namely:

1. Tender Acceptance for Utilities Services Contract

Reason for passing General subject of each matter to be considered	Ground(s) under this resolution in relation to each matter	Section 48(1) for the passing of this resolution
Tender Acceptance for Utilities Services Contract	Commercial Sensitivity	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Tender Acceptance for Utilities Services Contract* Section 7(2)(b)(ii)

Graham Smith/ Annette Money

The Project and Strategies Committee continued in open meeting.

CONFIRMATION OF RESOLUTION TAKEN WITH THE PUBLIC EXCLUDED

Resolved that the following resolution taken with the Public Excluded be confirmed:

Tender Acceptance for Utilities Services Contract:

Resolved:

1. That the negotiated tender of \$1,340,087.80 from Whitestone Contracting LTD for the provision of Utilities Services for the period of 2013 to 2016 be accepted.
2. That the contract of 3 +2 years period be subject to electronic reporting being implemented within 1 year and subject to performance.

Annette Money/ Peter Maxwell

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 12:13PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

REPORT TO: PROJECTS AND STRATEGY COMMITTEE

FROM: ASSET MANAGER

SUBJECT: ASSET MANAGER'S MONTHLY REPORT

MEETING DATE: 3 SEPTEMBER 2013

REF: WAS 1/1

ENDORSED BY: CHIEF EXECUTIVE OFFICER

REASON FOR REPORT

To update the Projects and Strategy Committee on the progress on various projects and also the normal operation of the department for the past month.

RECOMMENDATION:

1. That the report be received.

BERNIE HAAR
ASSET MANAGER

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ASSET MANAGEMENT

Utilities Engineer

Council has appointed a new Utilities Engineer to replace the recently vacated position. Geoff Horler will join us in early September. Geoff has been working for Hurunui District Council for eleven years and brings a lot of experience in maintaining and operating water schemes in particular.

Roading Manager

Suzy is now on Maternity Leave for at least the next three months. We have planned for this with as many projects as possible already designed and let as a tender or confirmed with the contractors. I will be dealing the day to day roading issues in the Opuha ward and Tekapo area with support from Angie in particular completing claims and keeping an eye on things in Twizel.

Manuka Tce seal extension will be supervised by Opus International Consultants as they completed the original design and tender letting process.

PROJECT PROGRESS - COUNCIL PRIORITY LIST

Sewerage

Twizel Land Purchase

The CEO will present a separate report on this issue.

However what I can report is that observations over the last couple of years with the current disposal system, have thrown up some concerns in my mind. In the winter the effluent starts to freeze in the trench, thus sealing it off. If that were to happen in the proposed soakage basins then there would be no soakage and thus the effluent would just build up, potentially causing major overflow issues.

We are looking at an alternative system similar to that at Pukaki information centre, where the effluent is disposed of below ground via a perforated pipe network. This has the advantage that it won't freeze, is not visible above ground and we don't need so much land area to make it work and also there is less odour buffer required. Construction is more expensive but taken over the life of the system it would be much better.

We are about to undertake some Hydraulic Conductivity tests over the next few weeks to determine accurately the soakage of the subsoils which will define the land area required, not only for the current demand but also future proof the facility. I am discussing the need or otherwise of a consent from Environment Canterbury for the testing as we want to use treated effluent for hydraulic conductivity testing.

Projects Water Supply Programme

The CEO and I met with the Opus team to discuss the way forward. This process is detailed below:

Affordability

The team discussed the recent information coming from the Ministry of Health in providing guidance as to the question of affordability of meeting the Drinking Water Standards. It was agreed that the team review the current information available and determine if there is a defensible argument to be made as to the affordability of meeting the DWS for Twizel and Fairlie. The CEO will be meeting with Ministry of Health officials shortly to investigate the affordability further.

The recent information from the MoH is available if any elected member wants a copy, just let me know and I can provide it.

Fairlie

It was agreed that the observations of the excavation upstream of the current source are looking promising and will need further work to accurately determine the turbidity. The proposals all require installation of an in ground screen in the existing hole and backfill, then:

- Run a large pipe down to the turbid meter (at a power source)
- Run a large pipe clear of the screened hole and instrument flow only to the turbid meter
- Run a small diameter pipe (say 20-25 mm) all the way from the screened hole to the turbid meter.
-

Another alternative is to take manual samples from the source each time there is a fresh in the Opihi River.

Opus to report to MDC on the advantages/disadvantages and costs of each of the options and recommend the best option for determining the turbidity information.

Twizel- Proposed upgrade to meet DWS

The preferred option for upgrading the Twizel supply is for new bores at Ben Ohau Station in the vicinity of the Pukaki Canal. Water would be pumped to a reservoir on the hill behind the homestead and would then feed the reticulation by gravity. The existing Twizel area as well as the expanding areas which are at higher elevations would all be able to be fed by gravity.

Murray Petrie explained about the drilling investigations that had been carried out. Insufficient water had been found at shallow depth and although there appeared to be plenty of water in the deep bore the water had high levels of iron and manganese that would be expensive to treat. Murray Petrie provided copies of a memo from Jack McConchie from Opus which detailed the findings from the drilling programme. It was agreed that adequate shallow water was likely in the vicinity of rivers/watercourses but finding water of sufficient quantity and quality at depth would be subject to considerable risk.

The supply to Manuka Terrace was also considered with the possibility of supplying water from the Ben Ohau Station system to Manuka Terrace should be part of the assessment by Opus. The gravity fed water would be taken across the canal (on the bridge) and taken to a tank farm from which it would then reticulate.

Opus International Consultants have been asked to consider whether or not deep wells were still in contention. In addition, the source options to be considered for Twizel were:

- Existing well field
- New better positioned, shallow bores adjacent to Simons Hill homestead.

It was agreed that whatever source is finally agreed, consideration will also have to be given to zone protection for that new well field.

ROADING

Environmental Maintenance

We are currently awaiting confirmation of approved emergency funding for the 2013/14 year from NZTA, as yet there have been no questions on the schedules of work provided, which include approximately 6000 cubic metres of metalling and various culvert repairs and replacements, river retraining, road rebuilding, gabion basket installation and bridge underpinning, and further drainage works. At this stage we haven't included any work at the Askins Road Ford due to the in-stability of the current stream bed. 4WD only signs are currently in place. The estimate of works is around \$580,000, this includes further snow clearance and associated ice gritting, wind damage repairs and some already repaired frost heave patches that appeared after the rapid melt of the snow.

There has been a request to reinstate the Wilfred Road ford to allow better access. At this stage I have declined the request as it really is no different to the Askins Road ford with unstable base but the difference here is that there is a good bridge at the other end of the road. There is a possibility that the residents of the road will complete the desired improvements themselves at their cost. I have still to meet with them to discuss this to ensure there are no adverse effects from the work they propose.

Maintenance

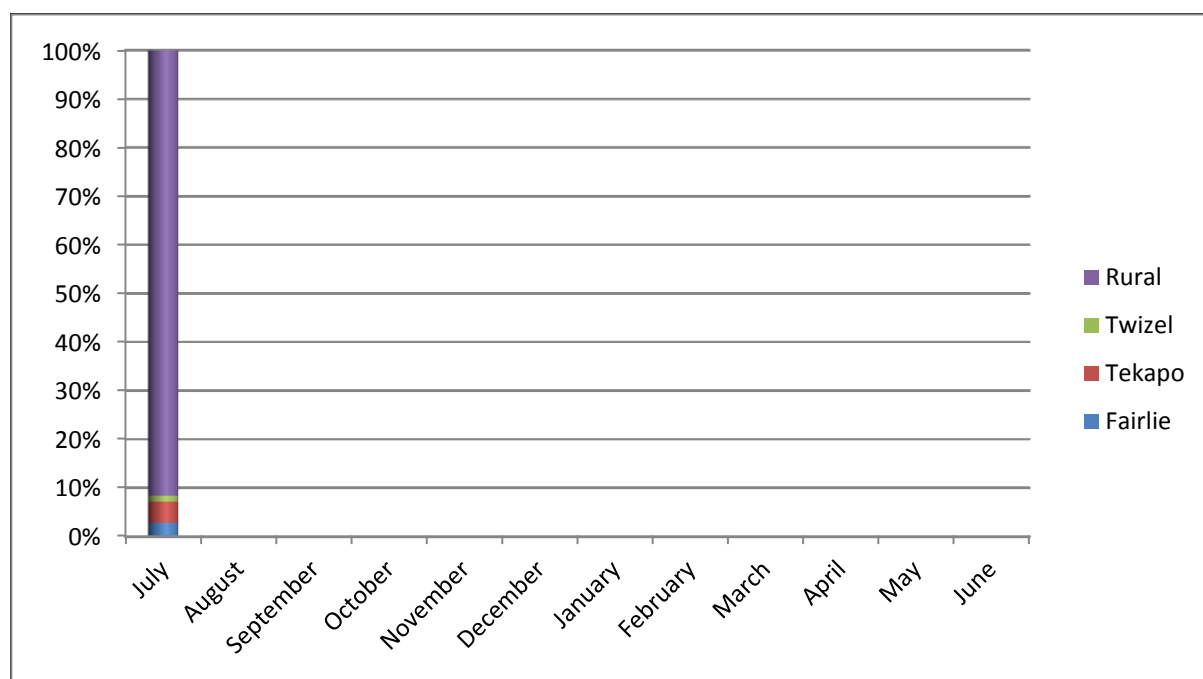
Normal winter maintenance has continued, stone cobbling of head walls on Lilybank Road and Haldon Road are underway. Kerb damage/wear on Fairlie footpaths that are due for replacement are currently getting repaired, ice grit has been removed from township streets. The new speed limit signs have been installed in Tekapo and Twizel after our bylaw review.

Minor Improvements

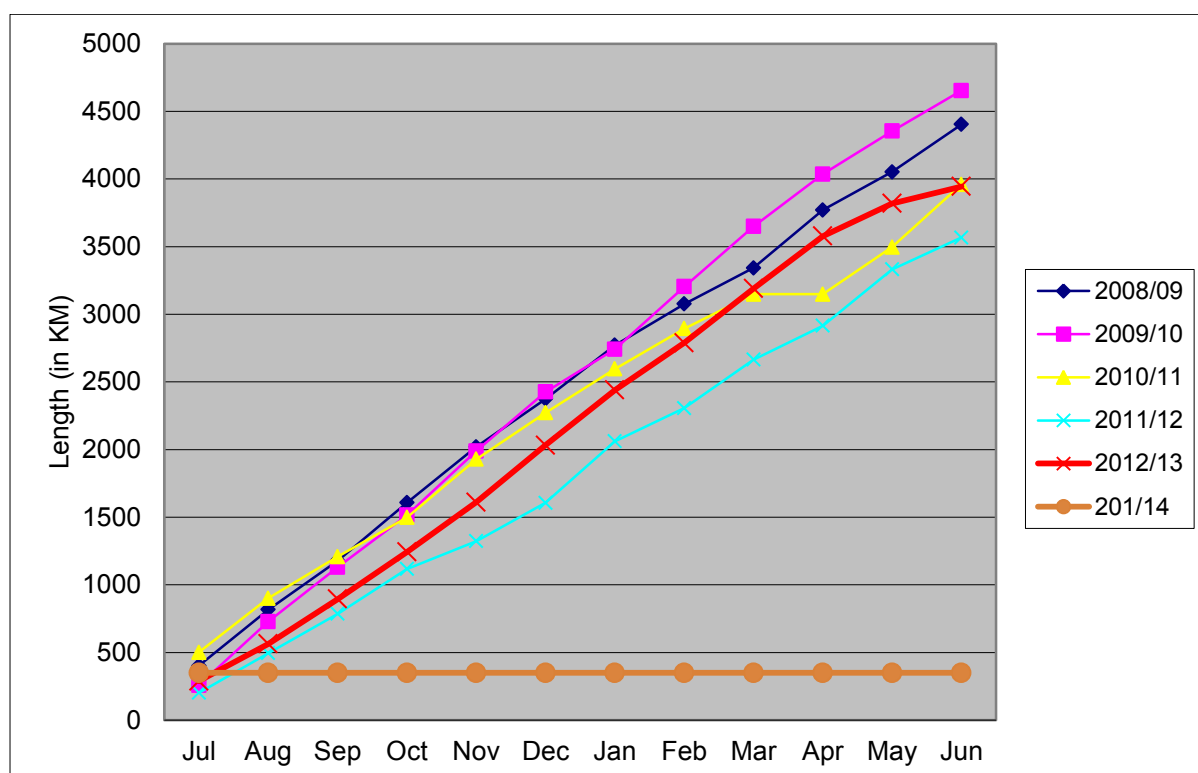
Just a reminder that in the 2013/14 financial year it is likely that the three bridges scheduled for replacement in the LTP (Long Gully, Pioneer Park and Oldfields Road) will be replaced and as such are expected to utilise the majority of the Minor Improvements budget. There is unlikely to be any further projects completed in the 2013/14 financial year. However, the Roothing Committee did approve the following priority 2 projects at its meeting on the 20th of September last year. If it became obvious that there would be some funding remaining after tenders were received we would look to make a start on this approved list.

- Lakeside Drive safety footpath, Lake Tekapo
- Talbot Road, Fairlie – Sealing of gravel berm
- Lilybank Road – sealed linkages
- Seal-widening on Clayton Road.
- Traffic improvements on Mackenzie Drive, Twizel.

Amalgamated Roding Budgets Graph Showing Percentage Share



Unsealed Road Grading (Cumulative)



Minor Improvements

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- Seal-widening on Clayton Road.
- Traffic improvements on Mackenzie Drive, Twizel.

ESSENTIAL SERVICES

RURAL AGRICULTURAL DRINKING WATER SUPPLIES

The Ministry of Health have published a consultation paper seeking feedback on a proposed Rural Agricultural Drinking Water Supply Guideline.

A copy of the consultation document and submission form are available at

www.health.govt.nz/publication/rural-agricultural-drinking-water-supply-guideline-draft-consultation

Staff met with various Rural water scheme members and Council to discuss the guidelines.

From that meeting it was agreed that I would prepare a draft submission for consideration before submitting it on behalf of the Council and the Rural Water Schemes.

The closing date for submissions is 30 September 2013.

FAIRLIE

Fairlie Water Supply

The 2012-13 renewals have gone well, with all work now complete except of re-establishment of grassed areas which will be carried out in the spring. The contract extended beyond the contract period due to the Contractor starting late, and delays caused by the weather.

The last part of the project was to install a 100mm pipe line across State Highway 8 into the reserve. We took the opportunity to install a 200mm valve on the mainline just west of the Reserve at the same time when the line was empty. This was something that we really should have done when the trunk main was upgraded but did not do so to reduce costs.

Fairlie Waste Water

There were no issues with the waste water system over the last month

Fairlie Stormwater

There were no issues with the storm water system over the last month

TEKAPO

Tekapo Water Supply

The UV plant has been commissioned and is operational. On-site training of all staff took place last week. There are calibration and auditing requirements with this plant that have to take place regularly. There is a reasonable cost to gear up for and train the staff to complete those calibrations, required to meet DWS. I intend to discuss this with Timaru District Council to see if there staff can do this for us as they operate a number of similar UV plants.

Tekapo Waste Water

There were no operational issues with the waste water system over the last month.

Tekapo Discharge Consent

Council has consent to discharge contaminants to land via seepage from treatment ponds, evaporation basins and an irrigation area.

On preparing the annual report to Environment Canterbury it became obvious that we had overlooked some required sampling. This resulted in Council receiving a notice of significant non-compliance for not fully complying with that consent.

Condition 16 of the consent required that representative samples of waste water are taken from an evaporation basin at the WWTP every two months to determine faecal coliform concentration in the sample; the results of the tests are to be submitted to Environment Canterbury within 10 working days of the samples being analysed.

Only three samples were collected through 2012 during the months of January, July, and December not six as required.

Condition 17 of the consent required that soil samples are taken in the disposal area every three years and analysed for the parameters as outline in the consent. Those tests were due in August 2012 and they were not carried out.

As long as MDC rectify the situation there will be no further consequence of this. Staff are about to undertake the required soil testing and will submit the test results to ECAN as soon as they are available. We have also modified our planning and recording system to ensure we always meet those sampling deadlines.

Tekapo Stormwater

There were no issues with the storm water system over the last month

TWIZEL

Twizel Water Supply

Water service connections continue to cause some problems with four more being replaced in the last month.

Twizel Waste Water

No major issue with the network during the month with only one blocked main in Market Place.

Twizel Storm Water

The storm water outlet on Glen Lyon road was re-fenced and the outlet cleaned out.

ALLANDALE WATER SUPPLY

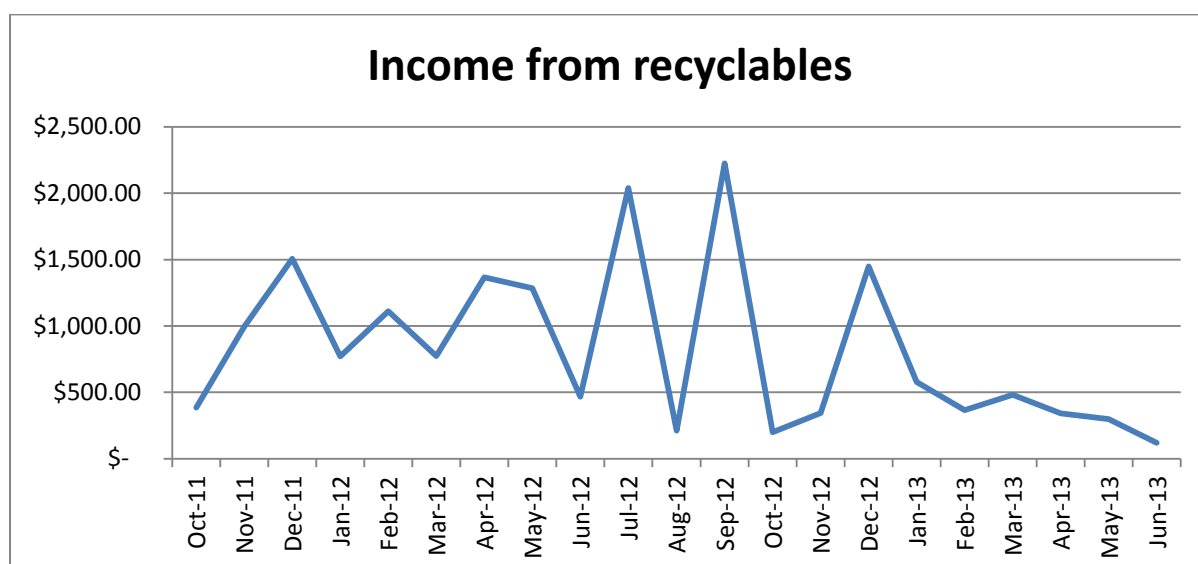
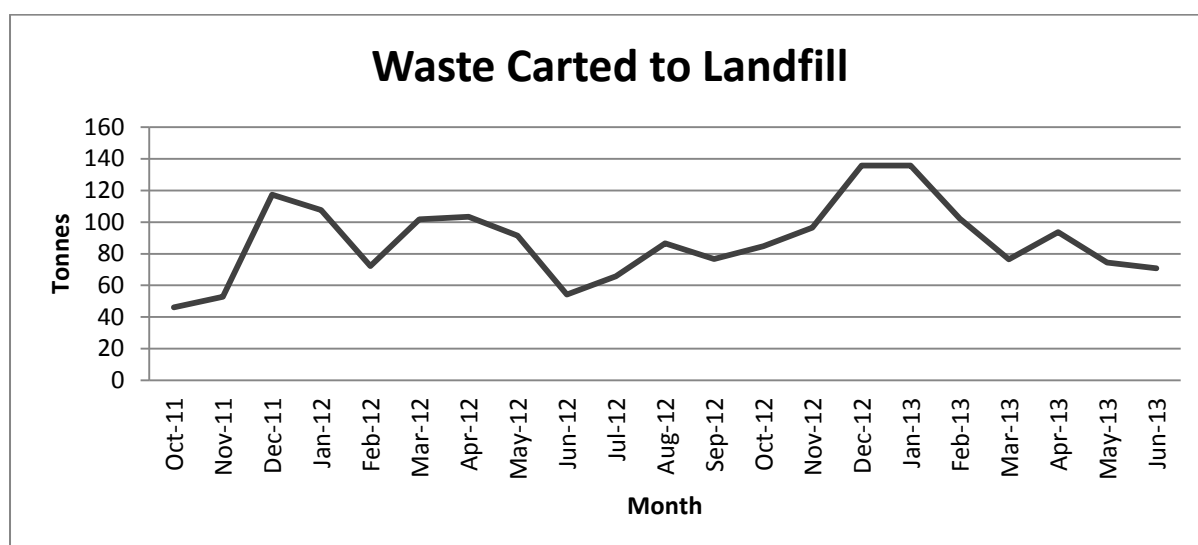
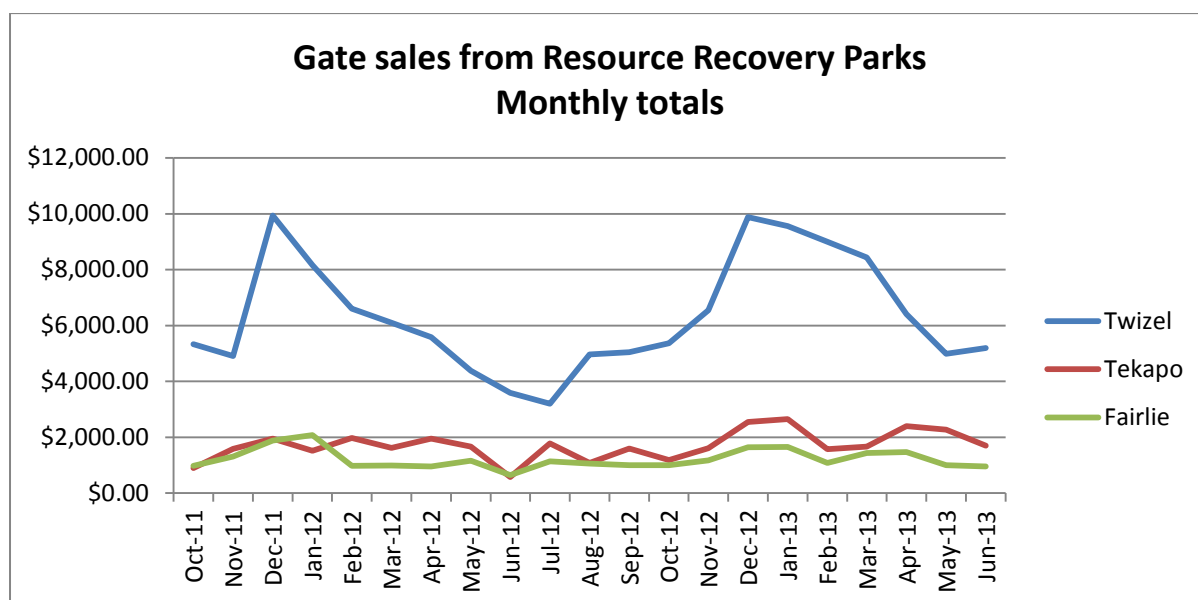
Whole Scheme

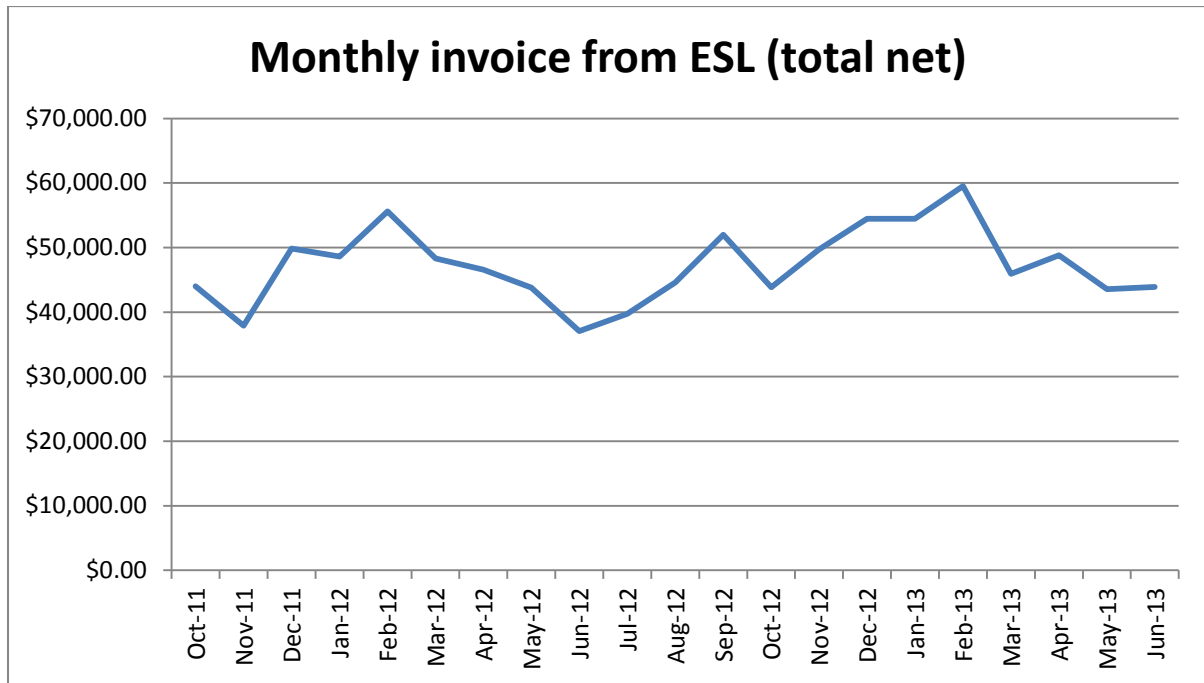
There were no operational issues with the water supply system over the last month.

Spur Road Section of Allandale Water Supply

There were no operational issues with the water supply system over the last month.

SOLID WASTE





MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: SOLID WASTE BYLAW

MEETING DATE: 3 SEPTEMBER 2013

REF: WAS 18/1

FROM: SOLID WASTE MANAGER

ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To seek the Councils adoption of the attached draft Mackenzie District Solid Waste Bylaw 2013.

RECOMMENDATION:

1. That the report be received.
2. That the draft Mackenzie District Solid Waste Bylaw 2013 is appropriate for the purpose and be subjected to the Special Consultative Procedures as required by Section 83 of the Local Government Act 2002

BACKGROUND

Background information is provided in the attached Statement of Proposal document.

SIGNIFICANCE OF THE DECISION REQUIRED

No significant decision is required.

CONSIDERATIONS

Please find attached:

1. Statement of Proposal for a Proposed Solid Waste Bylaw
2. Proposed Solid Waste Bylaw 2013
3. Summary of Information

Angie Taylor
SOLID WASTE MANAGER

Wayne Barnett
CHIEF EXECUTIVE OFFICER

Statement of Proposal

3 September 2013

PROPOSED SOLID WASTE BYLAW

Introduction

The Mackenzie District Council is proposing a new Solid Waste Bylaw.

This Statement of Proposal has been prepared in accordance with Section 86 of the Local Government Act 2002, it provides information about the process to make the Solid Waste Bylaw and proposes that the Council:

- Make the proposed new Mackenzie Solid Waste Bylaw, a copy of which is attached.

Reasons for the proposal

The Council has had a Solid Waste Bylaw in previous years, however, there is no current Solid Waste Bylaw. Therefore, the Council proposes to introduce a new bylaw.

The purpose of the bylaw is to:

- Protect the health and safety of the public and persons involved in the collection or disposal of waste;
- Assist with the implementation of the Council's Waste Management and Minimisation Plan;
- Promote safe, efficient and effective waste management, including maximising the recovery of re-usable and recyclable resources.
- Provide for the appropriate collection, transportation and disposal of waste, re-usable and recoverable resources.

Matters to be Considered

Part 8, Section 155 of the Local Government Act 2002 reads:

“Determination whether bylaw is appropriate

(1) A local authority must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived problem.

(2) If a local authority has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw:

(a) Is the most appropriate form of bylaw; and

(b) Gives rise to any implications under the New Zealand Bill of Rights Act 1990.

(3,) No bylaw may be made which is inconsistent with the New Zealand Bill of Rights Act 1990, notwithstanding section 4 of that Act. ”

Section 155(1) compels the Council to determine whether a bylaw is the most appropriate way of addressing the perceived problem, and whether the proposed bylaw is the most appropriate form of bylaw. The Council must also consider whether a bylaw would give rise to any implications under the New Zealand Bill of Rights Act 1990 and it is noted that in Section 155(3) no bylaw may be made which is inconsistent with the New Zealand Bill of Rights Act 1990 despite Section 4 of that Act.

Perceived Problem

It is considered that solid waste needs to be managed in a safe, efficient and effective way to ensure the health and safety of those involved in waste collection and disposal is protected, that an appropriate collection of waste is provided and that the district aims to maximise the recovery of re-usable and recyclable resources. The Council has developed a Waste Management and Minimisation Plan and the proposed bylaw will support the implementation of this plan.

Bylaw Most Appropriate Way of Addressing Perceived Problem

It is considered that a bylaw provides a mechanism to allow a consistent approach to managing solid waste within the District. Therefore, it is considered that this is the most appropriate way of addressing the perceived problem.

Bylaw Most Appropriate Form

It is considered that the bylaw covers the relevant aspects relating to the management of solid waste in the district. The bylaw is consistent with the Council's Waste Management and Minimisation Plan.

Bill of Rights

It is considered that there are no Bill of Rights implications with regard to the proposed bylaw.

Policy Considerations

The Council has had a solid waste bylaw in the past; however this no longer has effect. It is considered that the proposed bylaw is consistent with the Council's Waste Management and Minimisation Plan.

Budget Considerations

The process of implementing such a bylaw requires consultation with the general public. The associated costs are likely to be limited and can be paid for out of existing budgets.

Legal Considerations

Local Government Act 2002

Part 8 of the Local Government Act 2002 gives the powers for Local Authorities to make bylaws. Section 77 of the Local Government Act 2002 also sets out the requirements in relation to decision making by Local Authorities, including any decision to make a bylaw.

Special Consultative Procedure

In proposing any bylaw under the Local Government Act 2002 the Council must follow the special consultative procedure in Section 83 of the Act before a decision can be made to adopt the bylaw, and once in force the bylaw must be reviewed on a periodic basis. The same consultative process must be carried out when an amendment is made to the bylaw.

Submissions

As part of the special consultative procedure required by the Local Government Act 2002 Council wishes to hear from any person, group or business that would like to make a submission on the proposal.

Submissions should be sent to the following address:

Solid Waste Bylaw
Mackenzie District Council
PO Box 52
FAIRLIE

Submissions close at 4.00pm Wednesday 2 October 2013 at the Council Office in Fairlie.

Contact Person for Any Questions

The contact person for any questions relating to the proposed Speed Limits Bylaw is:

Angie Taylor

Solid Waste Manager

Ph 03 435 0637

E-mail: angie@mackenzie.govt.nz

Proposed Solid Waste Bylaw 2013

1. This Bylaw is made pursuant to the Waste Minimisation Act 2008 and the Local Government Act 2002.
2. **Title and Commencement**
 - 2.1. This Bylaw shall be cited and referred to as the “Mackenzie District Solid Waste Bylaw 2013”.
 - 2.2. This Bylaw shall come into force on xxx
3. **Application**
 - 3.1. This Bylaw shall apply within the boundaries of the Mackenzie District.
4. **Purpose**
 - 4.1. The purpose of this Bylaw is to:
 - 4.1.1. Protect the health and safety of the public and persons involved in the collection or disposal of waste;
 - 4.1.2. Assist with the implementation of the Council’s Waste Management and Minimisation Plan;
 - 4.1.3. Promote safe, efficient and effective waste management, including maximising the recovery of re-usable and recyclable resources.
 - 4.1.4. Provide for the appropriate collection, transportation and disposal of waste, re-usable and recoverable resources.
5. **Interpretation**

The following definitions apply to this Bylaw:

Approved container means any bag, mobile bin, crate or any other receptacle provided by or on behalf of Council from time to time for the purpose of Council kerbside collection or drop off to a Council waste collection point or Resource Recovery Park.

Banned material means materials identified in the First Schedule of this Bylaw or otherwise banned by Council Resolution from being disposed of to landfill.

Clean fill material means uncontaminated soil, rock, gravel, sand, silt and clay; bricks; concrete; ceramics; weathered dry asphalt, chipseal and other dry bituminous roading products; tiles; dry road metal; glass; glass fibres; vegetative material comprising less than five percent of any load by volume, including untreated wood comprising less than one percent of any load by volume; and metals such as reinforcing rods that cannot be reasonably separated from demolition materials listed above. Clean fill excludes the following asbestos; wet asphalt and bituminous products; cables; carpet; containers; contaminated soils; dredging spoil; electrical insulation; ‘Formica’ board; hardboard; fibreboard; particle boards; chip boards; plywood; laminated wood; treated wood; hazardous materials; household waste; medical waste; radioactive waste; separated metals; wet paint; wet or dry lead-based paint; plastics; tar and tyres.

Clean fill site means one of the Council’s clean fill sites in the District.

Council means the Mackenzie District Council

Council waste collection point means a facility arranged by the Council for disposal of waste and recycling for communities that do not have a kerbside collection service

Commercial premises means any parcel of land which contains one or more buildings for the carrying out of any business, manufacture process, trade, retail or any other activity which is not related to residential use. It does not include a business located in a residential dwelling, such as a home occupation or professional office where the primary property designation would be residential.

Commercial waste means any scrap or waste materials resulting from the carrying on of any business, manufacturing process, trade, market or other undertaking. Commercial waste does not include Household waste, Recyclable materials, Green waste, Hazardous waste, Prohibited waste, Trade waste or Banned material.

Commercial solid waste operator means any person who, as part of a commercial operation, collects solid waste from residential dwellings or commercial premises or who sorts and processes solid waste as part of a solid waste collection business

Council kerbside collection means the service being provided to properties by the Council for the collection of rubbish and recyclable materials.

Divertible Material means anything no longer required for its original purpose and, but for commercial or other waste minimisation activities, would be disposed of or discarded, and includes any materials that are recyclable, compostable, or that can be recovered and/ or re-used, as determined by the Council by resolution.

Eligible premises include occupied and un-occupied residential dwellings, and commercial premises that the Council has determined may receive a Council kerbside collection service.

Green waste means green waste that can be deposited at the Council's Resource Recovery Parks, including garden waste and tree trimmings that are free from stones and all other waste. Green waste does not include food scraps.

Hazardous Waste means waste that:

- (a) contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organism Act 1996; or
- (b) meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and NZ Standard 5433: 1999 – Transport of Dangerous Goods on Land; or
- (c) meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982; or It does not include domestic waste, commercial-domestic waste, inorganic material, construction and demolition waste or commercial waste.

Household waste means solid waste resulting from domestic housekeeping operations. It includes waste that the Council has agreed to take from retail premises, businesses and offices where a Council kerbside collection service is provided. Household waste does not include Divertible waste, Hazardous waste, Commercial waste, Prohibited waste, Trade waste or liquid waste of any natures, or any material banned or prohibited under this Bylaw.

Illegal dumping means Litter, as defined in the Litter Act 1979 and Solid waste that is disposed of at a public place or onto private property without the owner's consent.

Litter includes any residual waste, refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth or waste matter, or any other thing of a like nature (Litter Act 1979) or solid waste that is disposed of at a public place or onto private property without the owner's consent.

Occupier means the inhabitant occupier of any property or premises, and in any case where any building, house, tenement, or premises is or are unoccupied shall be deemed to include the owner as hereinafter defined.

Offence includes any act or omission in relation to this Bylaw or any part thereof for which any person can be punished either on indictment or by summary process.

Owner of any property, or as applied to any land, building or premises, means any person for the time being entitled to receive the rack rent of such property, or who would be so entitled if the same were let to a tenant at a rack rent; and where any such person is absent from New Zealand, shall include their attorney or agent.

Person includes an individual, a corporation sole, a body corporate, and an unincorporated body

Premises means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building or part of the same, or enclosed space separately occupied, and all lands, buildings, and places adjoining each other and occupied together shall be deemed to be the same premises.

Prohibited waste means materials which are unacceptable in Approved containers and which are identified in the Second Schedule to this Bylaw

Recyclable materials mean materials that can be converted into other products by further processing. This includes, but is not limited to, the following: paper, cardboard, glass, aluminium cans, steel cans, ferrous and non-ferrous metals or any other material Council may notify are recyclable.

Resource Recovery Park means a Council owned facility where solid waste materials such as Residual waste, construction and demolition waste, Recyclable materials, Green waste and household hazardous wastes are delivered for sorting and consolidation before being taken away for treatment, processing, recycling, or disposal.

Residual waste means any solid waste destined for final disposal after divertible materials have been recovered.

Re-usable materials means items that have the potential for re-sale or re-use.

Solid waste or Waste is any material that is primarily not a liquid or gas that is unwanted and/or unvalued and is discarded or discharged by its owner and includes:

- reusable materials or items, recyclable materials, cleanfill, residual waste; and
- abandoned material; and
- litter.

6. Council kerbside collection

6.1. The Council may from time to time resolve to make and amend operational decisions in respect of the Council kerbside collection service including, but not necessarily limited to, the following:

6.1.1. Determining areas and types of properties within the District that the Council will provide a kerbside collection to;

6.1.2. Allocating the day and time of solid waste collections, including alternative days for collection on public holidays where required;

6.1.3. Determining the frequency of kerbside collections in each area.

6.1.4. Assigning Approved containers to Eligible premises, with the limit on the number of sets of bins to be provided being two sets per rateable property;

6.1.5. Designating the conditions and guidelines relating to the acceptance of solid waste materials for collection as part of a Council kerbside collection and at waste management facilities;

6.1.6. Contracting any solid waste collection contractor to carry out the kerbside collection of solid waste for the Council.

7. Owner and occupier responsibilities for kerbside collection

7.1. Every owner or occupier of shall:

7.1.1. Use the Approved containers for waste, recyclables or glass.

7.1.2. Ensure that materials are separated into the appropriate container, i.e. waste, recyclables and glass. Materials placed in the Approved containers must be done in a manner that allows the entire contents to fall out easily when the container is emptied.

7.1.3. Ensure that all Approved containers shall be kept in a clean and sanitary manner so as not to cause offence or nuisance.

7.1.4. Ensure that Approved containers are not intentionally damaged and notify the Council of any damage to containers. Approved containers shall be stored within the premises to reduce the likelihood of damage or theft.

7.1.5. Ensure that Approved containers do not contain either Hazardous waste, or Prohibited materials as detailed in the Second Schedule to this Bylaw, and are not overloaded. Where containers have lids, these must be able to fully close and no containers without lids shall have materials above the height of the container.

7.2. Approved containers must be placed out for collection in accordance with Council instructions as to the positioning and the time containers must be placed at the roadside. All Approved containers shall be placed in a manner that avoids obstructing the safe movement of pedestrians and traffic.

- 7.3. Approved containers shall be removed from the roadside no later than 24 hours after the day of collection.
- 7.4. Landlords shall ensure that tenants of Eligible premises receive the appropriate allocation of Approved containers and shall provide adequate space for storage of the Approved containers.
- 7.5. When an Approved container has been placed outside a premise for collection, no person other than the owner or occupier of that property, or any Council staff, agent or contractor shall interfere with, add to or remove any of the contents of the Approved container.
- 7.6. No person other than the occupier/owner of the Eligible premise to which the Approved container has been allocated, Council staff, agent or contractor shall remove an Approved container from its placement on the kerb.
- 7.7. Approved containers allocated to an Eligible premise shall remain at the premise originally assigned to, and shall not be removed for use at another premise.
- 7.8. Where an Approved container has been damaged through negligence, misuse, abuse or alterations, the repair of damage or replacement shall be a cost recoverable from the owner or occupier of the Eligible premise to which the Approved container was assigned. The owner or occupier of the Eligible premise shall not be liable for theft, vandalism or damage caused inadvertently by others.
- 7.9. The owner or occupier of an Eligible premise shall make an Approved container available to Council or its contractors within 24 hours of a request to inspect the container.
- 7.10. The owner or occupier of an Eligible premise shall ensure that Approved containers shall be placed in an area that would not allow a fire to spread to the rest of the building or to any road or other public place

8. Council Litter Bins

- 8.1. Council provides street litter bins for litter and/or recyclables in public places within the District. These bins will be provided for the disposal of waste generated within a public area only. No person shall dispose of any general Solid waste (household, commercial, industrial or rural waste), greenwaste or clean fill in public litter bins.

9. Approved containers for kerbside collection

- 9.1. The Council shall determine the types of Approved containers to be supplied to Eligible premises, including their size and colour.
- 9.2. Approved containers will be stamped with "Mackenzie District Council".
- 9.3. Only Approved containers will be emptied.
- 9.4. Approved containers may only be emptied by the Council's nominated kerbside collection contractor.

10. Kerbside collection of Approved containers

- 10.1. Approved containers shall only be emptied on the allocated collection day unless approval is given by Council for any further emptying. Containers that have been placed

out after the required time or on the incorrect collection day may not be emptied and it shall be the responsibility of the Owner or Occupier of the Eligible premise to remove the container from the roadside.

- 10.2. Council's collection contractor is not required to return to empty Approved containers that have not been placed out in time for emptying. In such circumstances, the owner or occupier of the Eligible premises shall be responsible for emptying the Approved container. The contractor, where possible, may return to empty an Approved container.

11. Preparation of waste material for kerbside collection

- 11.1. Every occupier or owner of Eligible premises shall ensure that their solid waste is sorted and separated into the corresponding Approved containers for rubbish, recycling and glass.
- 11.2. Solid waste materials shall be prepared in accordance with instructions provided by Council.
- 11.3. Solid waste shall not be packed tightly into Approved containers, but shall be stored in a manner that enables the contents to tip out freely.
- 11.4. Council may from time to time amend its instructions regarding the collection and disposal of solid waste. This may include, but is not limited to, the type of solid waste materials to be placed into Approved containers and any other such matters Council considers relevant.

12. Placement of Approved containers for kerbside collection

- 12.1. Approved containers shall where possible be placed for collection free of obstruction in the horizontal and vertical plane for emptying.
- 12.2. Approved containers shall be spaced at least 0.5 metres apart.
- 12.3. Occupiers or owners of Eligible premises shall place their Approved containers at the kerbside or roadside for emptying in accordance with instructions provided by Council or its contractor, no earlier than 6:00pm on the day prior to collection.

13. Improperly prepared materials and contamination of Approved containers for kerbside collection

- 13.1. No person shall, in an Approved container or otherwise, present for disposal to landfill, Banned material or Prohibited waste as specified in the First and Second Schedules to the Bylaw.
- 13.2. Council's collection contractor shall not collect improperly prepared materials, or empty contaminated Approved containers.
- 13.3. Where an Approved container is declined for collection, the owner or occupier of the Eligible premises shall be responsible for remedying or mitigating the contamination or improperly prepared materials.
- 13.4. Council may advise the owner or occupier of the acceptance criteria for preparation of and collection of materials in Approved containers.

- 13.5. Where the owner or occupier fails to adhere to Council advice then Council may stop the Council kerbside collection for that Eligible premise.

14. Council waste collection points

- 14.1. Where a Council kerbside collection is not available, the Council may arrange for a Council waste collection point to be established. This may be a supervised or unsupervised collection point. Any deposits to such a collection point shall be in accordance with directions set by the Council; this may include, but is not limited to, the use of approved bags or containers, types of materials that will be accepted and drop off times.

15. Commercial premises

- 15.1. The disposal of solid waste not eligible for collection by Council is the responsibility of the generator of that solid waste.
- 15.2. The owner of commercial premises shall ensure sufficient space is provided to accommodate containers for solid waste, including separate containers for reusable, recyclable, and waste material.
- 15.3. The owner or occupier of commercial premises shall sort and separate all solid waste generated at the premises so as to facilitate the collection of materials for recycling and to comply with Council's waste acceptance criteria. This waste may be placed in Approved containers or contractor containers.

16. Placement of containers by commercial solid waste operators

- 16.1. Large containers and skips for the collection of solid waste shall not be placed on a kerbside, footpath or road reserve so as to obstruct any vehicle or pedestrian.

17. Commercial solid waste operator's containers

- 17.1. Containers supplied by a solid waste collector for solid waste collection shall comply with any health and safety requirements. It is the responsibility of the solid waste collector to ensure the safety and structural worthiness of containers.
- 17.2. Solid waste operator's containers shall be capable of containing the material deposited within.
- 17.3. Solid waste operator's containers shall be clearly labelled to indicate the material which can be placed into the container.
- 17.4. The Solid waste operators name and contact telephone number shall be posted on the side of the container and maintained so that it is clearly and easily able to be read at all times.
- 17.5. Each Solid waste operator's container shall be given a unique identifier number.

18. Waste acceptance criteria for commercial operators

- 18.1. The solid waste operator shall ensure that all solid waste taken to Council's waste management facilities complies with the relevant waste acceptance criteria.

- 18.2. The solid waste operators shall be liable for any extra costs for processing contaminated loads or loads that do not comply with the waste acceptance criteria for the waste management facility.

19. Improperly prepared materials and contamination in commercial containers

- 19.1. It is the responsibility of the solid waste operator to ensure that customers properly prepare solid waste materials for collection.
- 19.2. The solid waste operator container shall be cleaned out regularly and as necessary to avoid any odours which may cause offence or nuisance.
- 19.3. The solid waste operator container shall be emptied to avoid overflowing solid waste.

20. Disposal of recyclable and compostable material by commercial operators

- 20.1. The solid waste operator shall ensure recyclable material is taken to the appropriate waste management facility for processing.
- 20.2. Recyclable and compostable material shall not be disposed of as rubbish into Council's landfill.

21. Deposits to clean fill sites

- 21.1. Any deposits to the Council Clean fill sites shall be in accordance with the Regional Council discharge permits that are current at the time of disposal. The person making the deposit is required to complete and sign the clean fill deposit form prior to making any deposits.
- 21.2. Access to the Council Clean fill sites shall be by arrangement only.

22. Waste management for events

- 22.1. The Council may require event organisers to provide a waste management plan to Council for approval prior to an event. The matters that the Council shall consider when determining whether a waste management plan is required include: the type, location and duration of the event; the estimated number of people to attend the event and any other matters that the Council considers relevant.

23. Offences and breaches

- 23.1. Any person commits a breach of this Bylaw who does, or causes to be done, omits or neglects to do, or knowingly permits or suffers to be done or remain undone, any matter or thing required under this Bylaw.
- 23.2. Any person who commits a breach of this Bylaw is liable to a fine as specified in Section 242 of the Local Government Act 2002.
- 23.3. A person who commits a breach of the Bylaw that is an offence under the Litter Act 1979 is liable to a penalty under that Act

OTHER MATTERS:

24. Waste importing

- 24.1. No person shall import from outside the Mackenzie District commercial solid waste for disposal to Council's Resource Recovery Parks or Clean fill sites unless such importing and disposal is approved by Council.

25. Council waste management facilities

- 25.1. All persons entering a Council waste management facility shall:
- 25.1.1. Observe and comply with all erected signs, notices and instructions;
 - 25.1.2. Comply with all waste acceptance criteria;
 - 25.1.3. Pay the appropriate fees;
 - 25.1.4. Not damage any plant, equipment or premise at the facility;
 - 25.1.5. Separate reusable, recyclable and greenwaste materials as instructed by on site staff;
 - 25.1.6. Leave the site as instructed prior to closing time.

26. Access

- 26.1. Access to a Council waste management facility outside normal opening hours is determined by Council or its contractor or agent.

27. Removal of material from facilities

- 27.1. It shall be an offence against this Bylaw for any unauthorised person to enter, loiter, cause a disturbance or deposit any solid waste material at or to remove any solid waste or article of any kind from a Council waste management facility.

28. Banned and prohibited materials

- 28.1. Materials identified in the First Schedule the Bylaw are banned from being disposed of as residual waste. These materials must be recycled appropriately by being taken to one of the Resource Recovery Parks or via the Approved recycling container.
- 28.2. Materials identified in the Second Schedule to the Bylaw are prohibited from being disposed of to the Resource Recovery Parks, either via Council or contractor container, or by any other means including private or commercial vehicle.

29. Schedules to this Bylaw

- 29.1. Any schedule to this Bylaw shall be deemed to form part of this Bylaw, provided that any such schedule may be altered from time to time by Council resolution.

MACKENZIE DISTRICT COUNCIL SOLID WASTE BYLAW 2013 - FIRST SCHEDULE**BANNED MATERIALS**

The following items shall not be disposed of as residual waste, but shall be disposed of as reusable, recyclable or greenwaste material:

- 1 Petroleum oil
- 2 Lead acid batteries
- 3 Newspaper and recyclable paper as notified by Council
- 4 Cardboard
- 5 Glass bottles and jars
- 6 Aluminium cans
- 7 Rigid plastic containers as notified by Council
- 8 Green waste as notified by Council
- 9 Steel cans
- 10 Ferrous and non ferrous metals as notified by Council
11. E scrap
13. Clean shrinkwrap
14. Other clean flexible plastics
15. Tyres
16. Materials as shall from time to time be notified by Council

MACKENZIE DISTRICT COUNCIL SOLID WASTE BYLAW 2013 - SECOND SCHEDULE

PROHIBITED MATERIALS

The following items shall not be disposed of into an Approved container destined for a Council waste management facility:

Unless any such waste is properly and sufficiently contained so as to prevent injury, damage or loss, any broken glass, broken china, broken plastic, hacksaw blade, razor blade, skewer, knife or any other object or material capable by reason of its shape or sharpness of causing injury;

Unless such waste is properly and sufficiently wrapped or contained so as to prevent injury, damage or loss, any sharp object or material capable of puncturing the Approved container or capable by reason of its brittleness of shattering in the course of collection;

Any explosive, hot ashes, flammable material, infectious material, or any other matter, thing or waste of any kind whatsoever that may endanger any person, animal or vehicle which may come in to contact with the material at any time prior to, during or following collection and disposal;

Any liquid or viscous fluid;

Any radioactive wastes, but excluding domestic smoke detectors;

[Advice Note: Domestic smoke detectors may be disposed of as household waste.]

Any waste oil, lead-acid batteries, refrigerators and/or freezers that have not been de-gassed;

Any hazardous substance;

Asbestos;

Any solid waste that is not recyclable material that is placed into an Approved container or contactor container designated for recyclable material;

Compressed gas cylinders.

Materials as shall from time to time be notified by Council.

MACKENZIE DISTRICT COUNCIL SOLID WASTE BYLAW 2013 - THIRD SCHEDULE**ACCEPTANCE CRITERIA FOR SOLID WASTE IN APPROVED
CONTAINERS FOR KERBSIDE COLLECTION**

Maximum weight of each bin: 80 kg

Recyclable materials in yellow lidded bin:

All clean paper and cardboard
All clean aluminium cans and foil
All clean steel and tin cans
All clean rigid plastic containers

Waste to landfill materials in red lidded bin:

All flexible plastics
Window glass, mirrors, windscreens, plateglass and non compact lightbulbs
All treated timber
Sanitary and medical items
Nappies
Polystyrene meat trays
Other items not suitable for reuse, recycling or greenwaste

Glass materials in the blue crate:

All clean, unbroken glass bottles and jars

All resource recovery parks in the district accept most or all of the following:

Batteries
E Scrap
Fluorecent Lights
Paint
Re-usable items
Scrap metal
Standard household recyclables as above
Waste Oil
Whiteware

This schedule may be changed from time to time as notified by Council



MACKENZIE DISTRICT PROPOSED SOLID WASTE BYLAW 2013

Summary of Information

Introduction

The Mackenzie District Council has prepared the Proposed Solid Waste Bylaw 2013. The Proposed Bylaw has been prepared under the Local Government Act 2002.

Reasons for the Bylaw

The Proposed Bylaw is necessary to ensure solid waste activities within the Mackenzie District are carried out appropriately and safely. The purpose of the Proposed Bylaw is to:

- Protect the health and safety of the public and persons involved in the collection or disposal of waste;
- Assist with the implementation of the Council's Waste Management and Minimisation Plan;
- Promote safe, efficient and effective waste management, including maximising the recovery of re-usable and recyclable resources.
- Provide for the appropriate collection, transportation and disposal of waste, re-usable and recoverable resources.

Proposal

The Proposed Bylaw seeks to manage solid waste activities within the Mackenzie District. In summary, these activities include, but are not limited to:

- Council kerbside collections
- Council waste collection points
- Solid waste associated with commercial premises
- Commercial solid waste operators,
- Deposits to Council clean fill sites
- Waste management for events
- Offences and breaches
- Waste importing
- Council waste management facilities
- Banned and prohibited materials

A Statement of Proposal for the Proposed Solid Waste Bylaw and a draft of the Proposed Bylaw are available from Council offices in Fairlie and Twizel and on www.mackenzie.govt.nz Public submissions are invited on those changes and these close on 2 October 2013 at 4.00pm at the Council Office in Fairlie. The Council will hear and consider all submissions at its next normal Council Meeting.

For more information, please contact Angie Taylor, Solid Waste Manager on 03 435 0367 or angie@mackenzie.govt.nz