

## FEEDBACK ON DEVELOPING AN ENDURING NATIONAL INFRASTRUCTURE PLAN: DISCUSSION DOCUMENT

**TO:** New Zealand Infrastructure Commission,  
Te Waihangā ("**Commission**")

**SUBMITTER:** Waste Management NZ Limited ("**WM**")

**SUBMISSION ON:** Testing our thinking: Developing an enduring  
National Infrastructure Plan: Discussion Document  
("**Discussion Document**")

### Summary of submission

1. WM welcomes the opportunity to provide feedback on the Discussion Document. The Discussion Document sets out the Commission's views on developing a National Infrastructure Plan ("**Plan**") for New Zealand's infrastructure in the next 30 years and seeks feedback on key matters.
2. WM's waste recovery and waste disposal facilities are essential infrastructure. These facilities provide for a well-functioning economy and environment, and the health and wellbeing of New Zealanders. Our facilities clearly support and contribute to the resilience of other essential infrastructure in emergency events. This essentiality was evidenced by the adverse weather events over early 2023.
3. While passing reference is made to waste infrastructure in the Discussion Document, it is essential that waste disposal and resource recovery facilities are recognised as infrastructure in the Plan, to reflect the critical function these activities provide. Resilient resource recovery and waste disposal activities are vital aspects of natural disaster recovery efforts, and a lack of resilience in waste management processes will create risks to public health and safety.
4. WM considers that changes to regulatory settings (including consenting requirements) to enable better waste infrastructure outcomes are critical. This should occur alongside the development of the Plan, be targeted and be specific. WM, like other essential infrastructure providers, needs a level of certainty when it comes to consenting processes.
5. WM supports the development of the Plan and its recognition of waste infrastructure. WM considers this will reflect the New Zealand Infrastructure Strategy ("**Infrastructure Strategy**"),<sup>1</sup> assist with providing infrastructure investment decisions and facilitate a more enabling regulatory framework.

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<sup>1</sup> New Zealand Infrastructure Commission *Rautaki Hanganga o Aotearoa 2022 - 2052 New Zealand Infrastructure Strategy* (2022).

6. Overall, we consider the Discussion Document comprehensively raises key issues for the Plan. We outline some specific feedback on recognising waste infrastructure and related matters below.

### Overview of WM

7. WM is New Zealand's largest waste and environmental services company, with landfills and energy parks (generating energy from waste), recycling, composting and other waste management operations located throughout New Zealand.
8. Operating across 65 locations, we directly employ nearly 2000 New Zealanders, and each year invest more than \$50 million in new capital works. The waste services provided by WM are essential and fundamentally underpin the quality of life that all New Zealanders enjoy. They are also vital in sustainably protecting the future of New Zealand's natural environment.
9. In partnership with local authorities, WM operates several landfills, recycling and resource recovery centres. WM's services include:
  - (a) **Collection:** WM provides collection services for households, businesses, and non-residential and industrial customers, with a focus on efficient and environmentally friendly waste management.
  - (b) **Processing:** The company operates processing facilities to sort and treat waste including recycling facilities and composting plants.
  - (c) **Disposal:** WM provides safe and secure disposal options, including at modern engineered landfills and transfer stations.
  - (d) **Resource Recovery:** The company is involved in resource recovery, which involves collecting and processing waste materials to extract valuable resources.
  - (e) **Education and Training:** WM provides education and training services to promote sustainability and waste reduction.
10. These services represent a coherent infrastructure network for waste, from the collection of waste, through separation, processing and treatment of valuable recyclables or compostable matter, to ultimate safe disposal of the residual components of the waste streams that are generated by households, communities and commercial and industrial activities across public and private sectors.
11. WM's activities are undertaken across the full network of waste infrastructure, including refuse transfer stations, materials recovery facilities (eg tyres and concrete), solid waste treatment plants, sorting and consolidation lines, composting sites and landfills. At a high-level waste can be categorised as solid or liquid waste, which include organic and hazardous wastes, with degrees of complexity and specialisation within each. WM safely manages these categories across its waste infrastructure network.

## The importance of waste infrastructure needs to be recognised in the Plan

12. WM welcomes the development of the Plan. However, the Discussion Document makes only passing references to waste infrastructure despite waste infrastructure being identified in the Infrastructure Strategy and performing critical functions for New Zealand society, including its resilience to natural disasters.

*Waste infrastructure is identified in the Infrastructure Strategy*

13. The Infrastructure Strategy sets out the actions over the next 30 years to ensure our infrastructure system meets the challenges and opportunities that lie ahead. The Plan intends to build on the work the Commission did for the Strategy.<sup>2</sup>
14. The Strategy discusses the importance of defining and identifying infrastructure essential to supporting life, the functioning of communities and the economy,<sup>3</sup> and directly recognises waste infrastructure and the importance of resource recovery infrastructure, especially for organic and recyclable materials.
15. WM considers it is critical that the Plan builds on the importance of waste infrastructure in New Zealand's infrastructure network to ensure that the country's waste infrastructure is recognised over the next 30 years and into the future.
16. Waste infrastructure, therefore, should be specifically identified in the Plan to ensure consistency with the Infrastructure Strategy.

*Waste infrastructure is critical to New Zealand's resilience*

17. The Discussion Document includes a section on the resilience of New Zealand's infrastructure and the various risks to infrastructure, such as natural hazards, the impacts of climate change and New Zealand's geography.<sup>4</sup> WM's facilities are critical for the resilience of New Zealand's infrastructure.
18. WM's facilities played a central role in processing the waste following recent natural disasters, like the Canterbury and Kaikoura earthquakes. WM also provided critical assistance alongside the New Zealand Defence Force and Auckland Council following the floods in Auckland last year and was actively involved in the recovery effort following Cyclone Gabrielle.
19. WM's facilities are also fundamental to enable crucial construction (including housing development), industrial activities and other significant infrastructure projects. These all contribute more broadly to the resilience of New Zealand being able to deliver key infrastructure projects.
20. WM considers that this further supports that the Plan should recognise the critical nature of waste infrastructure and the importance of its role, particularly during recovery from natural disasters.

<sup>2</sup> Discussion Document at 6.

<sup>3</sup> Infrastructure Strategy at 93.

<sup>4</sup> Discussion Document at 56 to 58.

## **Laws and regulations need to recognise and provide for waste infrastructure**

21. The Discussion Document acknowledges that infrastructure regulations (including consenting requirements) need to be efficient and reviewed over time to remain fit for purpose in current and future contexts.<sup>5</sup> WM supports these general intentions, but wishes to emphasise that:
- (a) current resource consenting processes can be slow, complex, costly and fail to achieve intended outcomes; and
  - (b) current laws and regulations fail to recognise waste infrastructure and its critical importance to New Zealand.

### *Delay, cost and complexity of consenting processes*

22. The Discussion Document recognises that the current consenting processes for infrastructure can be too slow, complex, costly and do not always provide the intended social, economic or environmental benefits.<sup>6</sup>
23. WM considers that the current approach under the Resource Management Act 1991 ("**RMA**") fails to properly recognise the essential nature of network waste services to the functioning of modern New Zealand society. Although a revision of the resource management system is occurring, WM acknowledges that the frequent changes to overlapping national directions (as has occurred over recent years) has made the forward planning difficult and complex for WM and other major infrastructure, affecting our ability to invest in our networks.
24. Large-scale essential infrastructure providers, like WM, are required to plan for the ongoing operation and development of their infrastructure for significant projections into the future, due to the scale and complexity of their infrastructure.<sup>7</sup> Therefore, WM and other essential infrastructure need a level of certainty when it comes to consenting processes.
25. WM would support a Plan that recognises the benefits of regulation promoting cost-effective, efficient and consistent outcomes – in particular, for enabling the development of waste infrastructure and other essential infrastructure.

### *Lack of recognition and support for waste sector*

26. WM supports amending existing regulatory settings to provide better waste infrastructure outcomes, which are currently not supported in the existing frameworks.
27. Since the waste sector is mostly privately owned, local and national government is less involved in the sector. Local councils commonly leave the provision of essential waste infrastructure to private operators and, in doing so, fail to adequately provide for waste infrastructure in their local planning documents. Even at the national level, enactments like the Waste Minimisation Act

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<sup>5</sup> Discussion Document at 62 and 63.

<sup>6</sup> Discussion Document at 72.

<sup>7</sup> Discussion Document at 72.

2008 only give guidance at a broader level – to reduce the environmental harm by promoting waste minimisation and management, including through funds and levies.

28. Supporting waste industry participants in the regulatory frameworks is crucial for building the resilience of waste infrastructure, such as being able to efficiently share information and resources (as necessary) and coordinate responses to restore access to key infrastructure assets, while protecting public health and safety.
29. Public infrastructure assets should not be prioritised over private ones in regulatory frameworks. The structure of New Zealand infrastructure services means that private entities share the responsibility for ensuring the essential community infrastructure needs are met – not just the waste sector, but also energy, telecommunications and other industries as well.
30. Within this context, WM considers that changes to regulatory settings to enable better waste infrastructure outcomes are critical. This should occur alongside the development of the Plan, be targeted and be specific. WM expects this would include:
  - (a) recognition in the RMA (and any replacement legislation) of "district or regional resource recovery or waste disposal facilities" in the definition of "infrastructure";
  - (b) recognition of a person who provides (or proposes to provide) Class 1 solid waste disposal services and associated waste recovery services as a "network utility operator" enabling waste infrastructure providers to obtain requiring authority status under the RMA (or any replacement legislation); and
  - (c) development of national standards for waste infrastructure in the RMA (or any replacement legislation).
31. A predictable regulatory framework is critical for long-term investment, particularly where waste services are often left to the private sector. Without making necessary changes to the regulatory framework waste infrastructure providers will continue to face uncertain, time consuming and expensive consenting processes. This directly undermines the resilience of New Zealand's waste infrastructure network.

## Conclusion

32. WM thanks the Commission for the opportunity to submit on the Discussion Document. WM would welcome the opportunity to discuss this feedback with the Commission further as it engages in further consultation on the Plan.

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**Date:**

10 December 2024

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