

Before the Independent Commissioner Hearing Panel

Under the Resource Management Act 1991 (**RMA**)

In the matter of an application by **Dunedin City Council** to develop a landfill at Smooth Hill, Dunedin.

Statement of evidence of Sandra Dawn Graham

29 April 2022

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Qualifications and experience

- 1 My name is **Sandra Dawn Graham**.
- 2 I am currently employed as the Chief Executive Officer of Dunedin City Council (Council).

Scope of evidence

- 3 I have been asked to prepare evidence on the proposed construction and operation of a Class 1 Landfill at Smooth Hill, near Dunedin within the context of Council's wider approach to waste minimisation and management. My evidence will cover:
 - (a) Council's role in waste management, and in particular Council's commitment to working towards a zero-waste future and a more circular economy in which materials that might otherwise be wasted are reused, repaired, or recycled;
 - (b) The Waste Futures programme, including Council's approach to decision-making and investment in achieving a safe, cost effective and environmentally sustainable approach to disposal of residual waste at Smooth Hill;
 - (c) Stakeholder engagement and community consultation on the proposed future operation of the landfill at Smooth Hill; and
 - (d) Council's commitment to work with the local community through the consenting process, and future construction and operation of the proposed Smooth Hill landfill.

Executive summary

- 4 Council is seeking resource consents for the construction and operation of a landfill at Smooth Hill, near Dunedin.
- 5 The proposed Smooth Hill landfill will be a small modern "Class 1" landfill, meaning that it will accept municipal solid waste as well as construction and demolition waste, some industrial wastes and contaminated soils.
- 6 The proposal to construct and operate a landfill at Smooth Hill sits within the context of the wider Waste Futures programme.
- 7 Waste Futures focuses on the minimisation of waste and carbon dioxide emission from waste. It includes providing for the roll out of the new

kerbside collection system and developing waste diversion facilities. The goal is that over time less and less waste will need to go to landfill.

- 8 In the shorter term, there remains a need to provide for waste disposal. This is why the Waste Futures programme aims to identify and procure the best solid waste solution for Dunedin that fits within a wider system aiming to move towards a zero waste future and a more circular economy.
- 9 Council has undertaken a robust decision-making process in relation to the proposed Smooth Hill landfill, including consideration of alternative approaches to managing Dunedin's municipal waste.
- 10 Council has consulted with key stakeholders and the wider community over the past three decades regarding options for Dunedin's future waste management, aspirations for waste minimisation and diversion, and specific services such as kerbside collection.
- 11 Council recognises that there are concerns among members of the community, particularly those located close to Smooth Hill. Council plans to work with the community to identify responses to these concerns that best meet community needs.

Council's role in waste management

- 12 Council's Waste and Environmental Solutions Group manages activities and services related to waste and environmental solutions across Dunedin city.
- 13 Services provided by Council include waste collection, resource recovery, and residual disposal services for domestic residents and commercial entities.
- 14 Council manages a portfolio of waste management facilities spanning from major infrastructure such as the Green Island landfill to smaller facilities such as the inner city recycling hubs.
- 15 Council also provides education on waste minimisation and sustainability practices and supports community initiatives aimed at waste minimisation.
- 16 Council has been working to identify long term options for the management and minimisation of waste since local body amalgamation.
- 17 In the early 1990s Council made decisions to expand the Green Island landfill and to assess options for a future landfill site.

- 18 The site-selection process involved assessment of 32 potential locations by engineering consultancy BECA. This led to the designation of Smooth Hill as a future landfill site.
- 19 This site selection process is discussed in more detail in evidence provided by Chris Henderson, Council's Group Manager of the Waste and Environmental Solutions Group.
- 20 In 2011, consulting firm Morrison Low undertook an assessment of options for the governance and management of Green Island landfill as well as a new landfill¹.
- 21 In 2013 Council prepared a Waste Management and Minimisation Plan (WMMP) as required by the Waste Minimisation Act 2008. The 2013 WMMP was informed by a district waste assessment conducted during 2012, and replaced Council's previous Resource Recovery and Waste Management Strategy. The plan provided an overarching perspective of waste and waste minimisation activities in the district, and encouraged engagement and participation from individuals and organisations.

The Waste Futures programme

- 22 In 2018 Council undertook a second district-wide waste assessment and determined that an overarching programme was required to respond to the following key drivers for change in the area of waste management:
 - (a) The upcoming expiry of consents for the Green Island landfill in 2023 and the likelihood that this landfill will reach capacity by 2024-2029;
 - (b) The expiry of kerbside collection contracts and the need for recycling and organics processing facilities to support collections;
 - (c) The need for Dunedin's waste system to be diverse and resilient in the face of changing external influences including central government policy shifts, and ongoing uncertainty in recycling commodity markets; and
 - (d) Council's need for a sufficient degree of control of both disposal and diversion facilities to achieve its zero-carbon and zero-waste targets.
- 23 Establishment of the Waste Futures programme was reported to Council on 26 June 2018. The overall objective for the programme is:

¹ Future Waste Disposal Governance Options Phase 2, Morrison Low, November 2011

To ensure effective reduction and management of solid waste to achieve the goals set out in its Waste Management and Minimisation Plan. Specifically, to identify and procure the best solid waste solution for Dunedin City to enable us to move towards a zero-waste future and a more circular economy.

- 24 The Waste Futures programme comprises three overlapping and complementary waste management projects. The three components are:
- (a) The waste management and minimisation plan (WMMP) 2020, which covers collection, reuse, recycling, resource recovery, treatment and disposal, services and facilities in Dunedin, including waste minimisation promotion and education. This plan was adopted by Council on 25 May 2020, following a Special Consultative Procedure alongside the Council's Annual Plan 202-21;
 - (b) Options for enhanced waste and diverted materials collection, including reducing organics (food and/or green waste) going to Green Island Landfill; and
 - (c) Preparation for closure of Green Island landfill, including planning for a new landfill at Smooth Hill.

The better business case approach

- 25 The Waste Futures programme followed the "Better Business Case" process (endorsed by Treasury and Waka Kotahi NZ Transport Agency for all major investment decision making processes). The intention of following this process was to ensure a robust, staged and fit for purpose investment decision where thinking is done early, taking into account a wide range of options and alternatives before any commitments are made to projects or significant investment.
- 26 Through the business case process, Council thoroughly tested a range of options for disposal of waste. A summary of the alternatives considered is provided in the evidence of Chris Henderson.
- 27 The business case process for Waste Futures has taken a whole of system approach that addresses the necessity to deal with demand, collection, diversion and disposal of waste. The goal was to identify how Council could have a greater level of influence and more targeted approach in the solid waste system through:
- (a) phasing in an improved waste collection service for all households;

- (b) targeting particular diverted materials (including organics) and reducing contamination rates through increased number and effectiveness of local drop off facilities; and
- (c) ensuring the ability to dispose of waste through extending the life of Green Island landfill and enabling the development of a landfill at Smooth Hill.

Waste Futures phase one - programme business case

- 28 During 2018 and early 2019, Council worked on the strategic case and a programme business case (PBC) for a future waste and diverted materials system for Dunedin. This process considered the case for investment, the outcomes sought, and the range of options to best achieve these.
- 29 Two key investment objectives were developed during this phase:
- (a) Investment Objective 1: Identify, procure and retain sufficient Council control of the optimal solid waste solution for Dunedin City to enable a move towards a zero-waste future; and
 - (b) Investment Objective 2: Provide medium to long term assurance for the community to dispose of waste in a customer focused, cost-effective and environmentally safe manner.
- 30 The PBC identified two programme options for the waste and diverted material system:
- (a) Option 1 - Business as Usual: the status quo, existing collection services and facilities; and
 - (b) Option 2 - Towards A Circular Economy (TCE): a more ambitious programme aligned with Council's zero waste and low carbon objectives. In a "circular economy" resources are kept in use for as long as possible, extracting maximum value for them while in use and then recovering and regenerating products and materials at the end of their serviceable life.
- 31 The PBC concluded that implementing Option 2: TCE would best meet the Council's investment objectives. In particular the PBC concluded that a circular economy approach would involve Council having a greater level of influence over the solid waste system. This approach would focus on material streams and sources with the biggest impact with respect to waste reduction and carbon reduction (e.g. organics, construction and demolition material from commercial and industrial

sources) and systems with low contamination and local (NZ) end markets.

- 32 The PBC determined that Option 2 would achieve a 27% reduction in annual waste to landfill and a 24% reduction in annual carbon emissions once the initiatives are fully implemented.²
- 33 Phase one of the Waste Futures programme also included feasibility studies (also undertaken by Stantec) on:
 - (a) a possible extension to the footprint of the Green Island landfill until an alternative landfill is available and investigated; and
 - (b) the technical feasibility of a new landfill facility at the designated Smooth Hill site.
- 34 In relation to extension of Green Island the feasibility study concluded that an consenting for an extension would be costly and challenging particularly because it would require landfilling waste over the main sewer pipe into Green Island Wastewater Treatment Plant, making pipe maintenance difficult and ultimately creating a risk of collapse of the main sewer pipe. The inability to meet Class 1 Landfill standards also presented a significant challenges.
- 35 The feasibility study into the technical feasibility of constructing and operating a new landfill at Smooth Hill concluded that the Smooth Hill site was suitable for waste disposal and could provide waste disposal for Dunedin for at least 30 years; and that (subject to final design and consent) the site may be able to be used for substantially longer, particularly if DCC's waste diversion targets are achieved.
- 36 This conclusion confirmed the potential for a landfill at Smooth Hill to be strategic asset for Council, enabling Council to retain sufficient influence of solid waste outcomes for Dunedin and also to provide long-term assurance for the community in terms of waste disposal.

Waste Futures phase two – detailed business cases

- 37 Phase two of the programme commenced in late 2019 and included five interlinked workstreams focussing on the following:

² Stantec Consulting Limited, Programme Business Case Part A (Strategic Case) Dunedin City Council Waste Futures 2023, prepared for Dunedin City Council, October 2018.

- (a) Preparation of Detailed Business Cases (DBC) on the collection system (including kerbside collection) and the wider waste system (waste and diverted materials systems for Dunedin);
- (b) Investigation of options to preserve or extend the capacity of Green Island landfill, plus develop contingency plans for managing waste if Green Island landfill capacity is exhausted before Smooth Hill landfill is operational;
- (c) Confirmation of the technical suitability of the Smooth Hill site for a Class 1 waste facility, including site investigations and gathering necessary information to support a consent application;
- (d) Service continuity, including extending the timeframes of current collection contracts to ensure service continuity; and
- (e) Project management, communications and engagement.

38 Further detail on phase two is provided in the evidence of Chris Henderson.

Waste Futures phase three

39 The Waste Futures programme is now in phase three. This phase commenced in late 2020 and is intended to continue until construction of the proposed landfill at Smooth Hill is completed.

40 A key component of phase three was the consultation and decision-making on Council's ten year plan for 2021-31 (Plan).

41 Public consultation on the Plan was completed in March and April 2021. The consultation document included consultation on the options for kerbside collection

42 The consultation document included the following statement about the proposed landfill at Smooth Hill:

We've got \$56 million in the budget (2024-25 to 2028-29) to develop a new landfill at Smooth Hill, south of the city. Smooth Hill has been identified as a suitable site and we are working through the resource consent process. With the Green Island Landfill coming to the end of its life, we need to develop a new, modern landfill.

43 Council received 2,327 submissions on the Plan, alongside responses to online polls, contributions at engagement events and social media comments. Across these various engagement platforms Council

received 903 comments that related to "kerbside rubbish and recycling collection", and 59 related to "reducing our waste".³

44 These comments fed into the final version of the Plan which was approved by Council on 30 June 2021 and included:

- (a) adoption of the "four bins plus one" kerbside collection option;
- (b) identification of capital expenditure of \$56 million for the Smooth Hill landfill and a further \$29 million for the wider Waste Futures programme.⁴
- (c) Performance measures focussed on ensuring that the following waste minimisation targets are met:
 - (i) reduce the amount of solid waste per person by $\geq 15\%$ by 2030 compared to 2015 baseline to less than 638kg per person per annum;
 - (ii) reduce the amount of municipal solid waste disposed to landfill and incineration by $\geq 50\%$ by 2030 compared to 2015 baseline, to less than 47,264 tonnes per annum; and
 - (iii) increase to 70% the amount of diversion of recyclable or reusable materials.

45 Highly relevant for the Smooth Hill landfill is that the "four bins plus one" system will allow for most putrescible waste to be removed from the waste that is dealt with at the Smooth Hill facility. The system enables the separation of food waste from green waste and will provide better options for processing and reusing the materials and ultimately reducing carbon emissions.

46 The new kerbside collection system will be complimented by the establishment of a range of waste diversion facilities including:

- (a) an organics facility;
- (b) a mixed recyclables sorting facility;
- (c) a plastics granulation facility;

³ Dunedin City Council, 10 year plan 2021-31, page 8.

⁴ Dunedin City Council, 10 year plan 2021-31, page 11.

- (d) a centrally located rummage store; and
- (e) a bulk waste transfer facility.

47 Each of these facilities will play a part Dunedin's progress towards a more sustainable, circular economy where more products are reused and recycled.

Stakeholder engagement⁵

48 Stakeholder engagement and communication about the Waste Futures programme began in March 2018.

49 Key stakeholders identified at the outset of the process were: mana whenua, Mosgiel-Taieri Community Board, Saddle Hill Community Board, directly affected rural residential neighbours, adjoining farming businesses and forestry companies, the wider community around Smooth Hill, Dunedin International Airport Limited, NZTA, Department of Conservation, the Otago Regional Council (ORC), Council's planning team, and neighbouring local authorities.

50 Council staff visited residents around the Green Island landfill and the proposed Smooth Hill landfill on 20 June 2018. The purpose of these visits was to introduce the Waste Futures project to residents, distribute an information sheet, and answer any immediate questions.

51 A media briefing was conducted in June 2018 and information regarding the programme was released on social media and on the Council website project page.

52 Because the designated site at Smooth Hill is within the Mosgiel-Taieri Community Board area and adjoins the Saddle Hill Community Board area Council began providing progress reports on the proposed Smooth Hill landfill to these community boards in mid-2018. These progress reports have provided information to assist the community boards' understanding of the project and the consenting process, and are regular and ongoing.

53 DCC initially engaged with ORC in September 2019 to obtain feedback/input into the consent process, the scopes of the technical assessments, and the requirements for the applications for resource

⁵ Information provided in this section draws on: Boffa Miskell, *Smooth Hill Landfill Assessment of Environmental Effects for Updated Design*, Prepared for Dunedin City Council, August 2020, Updated May 2021, pages 214-218.

consent. Regular engagement has continued through the development of the application and leading up to this hearing.

- 54 In mid-2019 Council also commenced discussions with representatives from Waka Kotahi NZ Transport Agency in relation to proposed roading upgrades, with a further meeting held in September 2019 to receive feedback on the proposed design.
- 55 Council commenced discussions about the proposed landfill with representatives from Dunedin International Airport Ltd (DIAL) in late-2019. Conversations between DIAL and the consenting team are ongoing.
- 56 Council also engaged with the Wenita Forestry team in late-2019 in relation to the consent process and the development of the draft landfill management plan. These conversations have continued since lodgement of the application as the proposal is further developed and refined.
- 57 Regular briefings on the Waste Futures programme, including the Smooth Hill project have been given to Dunedin City Councillors as part of Quarterly Update reports to the relevant Council Committees.
- 58 Neighbouring local authorities have been advised and updated on the progress of the Waste Futures project via the Southland Otago Waste Network (SOWN), which is a network of Council staff involved in waste diversion and disposal activities in the lower South Island.
- 59 In 2020 Council sent letters to neighbouring residents within the Smooth Hill area to provide an update on the design and consenting process. This was followed by a series of one-on-one meetings held with directly affected landowners and occupiers throughout June and July 2020.

Recent engagement with mana whenua

- 60 Two hui with mana whenua were held in August and October 2019, including a visit to the proposed Smooth Hill site. At these hui Council provided an overview of the Waste Futures programme and had an opportunity to hear mana whenua aspirations for future waste diversion and disposal. Feedback from these hui has been incorporated into the design of the waste collection, diversion, and disposal system.
- 61 In 2019 Council commissioned Aukaha (a Rūnaka based consultancy service that provides resource management and planning advice on behalf of Kāi Tahu) to prepare a cultural impact assessment (CIA) as

part of the resource consent to construct and operate a landfill at Smooth Hill.

- 62 This CIA evaluated the potential impacts of the proposed landfill on mana whenua values, interests, and associations with the project area. The key issue for mana whenua was the potential for the landfill to have adverse effects on freshwater. The CIA provided recommendations to avoid, remedy or mitigate potential negative impacts of locating a landfill at Smooth Hill. These recommendations informed the application that was lodged.
- 63 An open discussion on mana whenua cultural values regarding the export of Dunedin waste out of the district was held at the Māori Participation Working Group on 22 July 2020. Mana whenua noted their focus is on waste minimisation, recovery and reuse rather than waste disposal.
- 64 Ongoing engagement with mana whenua regarding the site investigations and proposed resource consent applications has been via Aukaha. This work has sought to ensure that the development of the Smooth Hill landfill proposal reflects te ao Māori principles.
- 65 In November 2021 Te Rūnanga o Ōtākou submitted in support of Council's resource consent application for the proposed landfill at Smooth Hill.

Council's commitment to work with the local community

- 66 The resource consent application to construct and operate a landfill at Smooth Hill was publicly notified on 18 September 2021 with the submission period closing on 15 November 2021.
- 67 A total of 283 submissions were received. These submissions were reviewed by the project team which includes representatives from GHD, Boffa Miskell, and Anderson Lloyd.
- 68 The review identified that approximately 190 submissions were from individuals and families living in the vicinity of the proposed landfill site.
- 69 As expected, the majority of submissions were opposed to the proposal to site a landfill at Smooth Hill.
- 70 The key themes of the local community submissions were concerns about the possible environmental effects of the landfill, particularly perceived risk of contamination of Ōtokia Creek and Brighton Beach, and consequential ecological effects.

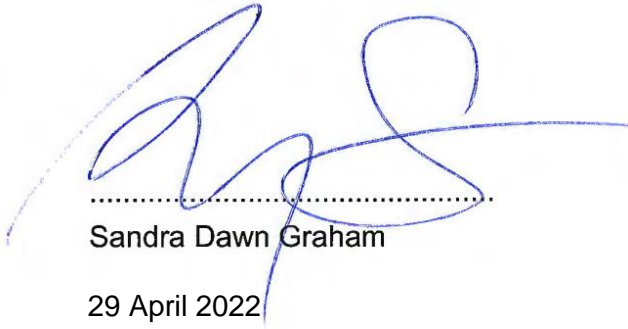
- 71 These concerns are addressed in the evidence provided by subject matter experts.
- 72 Further concerns related to the social impact that the new landfill could have on the Brighton community and its residents' wellbeing. Many submitters noted they chose to live in this area because of the recreational opportunities for walking, biking, hunting, swimming and surfing. Submitters expressed fears that they would not be able to enjoy these activities in the future if the land or waterways were contaminated by the landfill, or if the area was affected by landfill odour.
- 73 Submitters also highlighted the achievements of local environmental initiatives, such as the work completed by the Ōtokia Creek and Marsh Habitat Trust (OCMHT) to restore the habitats within the Ōtokia Creek catchment, and expressed concerns that the gains that have been made would be lost.
- 74 Council has given a significant amount of consideration as to how best to respond to the community, to both alleviate community concerns, and address any potential impacts of the landfill.
- 75 While Council has provided a large amount of information during the course of the Waste Futures programme, Council acknowledges it will need to adopt a more engagement-lead approach in order to genuinely respond to the concerns of the community.
- 76 To that end, Council intends to do a range of things. First, it will ensure that accurate, up to date monitoring information on Smooth Hill is available. This will include information on topics such as water quality and pest control.
- 77 Council will also work with the community – in the first instance through the community board as it is well connected to the local community. Council will take a community lead approach to addressing the concerns and anxiety that the community has about the landfill. These concerns will vary in scale and complexity and so a range of measures may be required to resolve these concerns.
- 78 Rather than Council determining in advance what these measures might be, we will work directly with the community to understand the concerns and then agree ways to mitigate these concerns. The process is likely to change over the life of the landfill as concerns are resolved and new ones emerge. Ongoing dialogue about issues that are important to the local community will be an important step in reassuring the community.

- 79 Council also intends to work with local community members to identify initiatives that would best meet their needs, both now and into the future, recognising that different members of the community will see benefits in different types of initiatives. Genuine engagement will help identify these initiatives.
- 80 Council support could take many forms such as: investing in new recreation infrastructure, supporting environmental initiatives, or funding the work of local community groups. Engagement with the community will help determine what initiatives will be best and Council will work with community to develop these plans throughout the construction and operation of the Smooth Hill landfill.
- 81 The current Waste Futures programme allows for community initiatives to be developed.

Conclusion

- 82 Council is seeking resource consents for the construction and operation of a landfill at Smooth Hill, near Dunedin.
- 83 The proposal to construct and operate a landfill at Smooth Hill is a key component of the wider Waste Futures programme. Waste Futures ultimately aims to enable Dunedin to move towards a zero-waste future and a more circular economy.
- 84 Council has undertaken a robust decision-making process in relation to the Waste Futures programme, including the proposed Smooth Hill landfill. This has included commissioning detailed business cases for the key components of the Waste Futures programme, and consideration of alternative approaches to managing Dunedin's municipal waste.
- 85 Council has consulted extensively with key stakeholders and the wider community regarding the Waste Futures programme and kerbside collection. This outcomes of this consultation has helped to inform Smooth Hill landfill design and management as proposed in the consent application.
- 86 Council understands that there are concerns among members of the community about the proposed landfill, and particularly among those that reside close to the Smooth Hill site. Council is committed to working with the community to ensure that: appropriate communication channels are set up so that the community has the most up to date information on the landfill, and has avenues through which to communicate with Council;

and that community preferences for support for existing and/or new initiatives are considered as part of the wider Waste Futures programme.



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Sandra Dawn Graham
29 April 2022