

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991 ("RMA")

AND

IN THE MATTER on Proposed Change 6 (National Policy Statement
for Urban Development) ("PC6") to the Bay of Plenty
Regional Policy Statement ("RPS")

STATEMENT OF EVIDENCE OF JAMES HILTON JEFFERIS
ON BEHALF OF WASTE MANAGEMENT NZ LIMITED

21 JUNE 2023

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1. INTRODUCTION

1.1 My full name is James Hilton Jefferis.

1.2 I am the Head of Environment and Consents at Waste Management NZ Limited ("**Waste Management**"). In this role, I am responsible for managing environmentally focused projects, including managing our resource consenting and planning processes, within Waste Management and have an oversight role within the business for environmental compliance across our sites.

Background and experience

1.3 I graduated from Griffith University (Queensland, Australia) in 2008 with a Bachelor's in Engineering (Environmental). I have more than a decade of experience working for businesses in the Australasian region, including Fonterra, BHP Billiton and Peabody Energy Australia. My previous roles with these businesses included Environmental Manager for the Matamata-Piako region for Fonterra and corporate Principal Hydrologist and Principal Health, Safety and Environmental for BHP Billiton.

1.4 Throughout my career, I have managed sites and various projects that have given me experience at how to best implement environmental and technical solutions that are relevant to Waste Management's operations in the Bay of Plenty region. I have been actively involved in consenting a number of Waste Management projects and am involved in plan change processes that relate to our business operations.

1.5 My professional experience includes finding solutions to environmental problems that balance the competing needs between commercial operations, environmental compliance and external stakeholders in a way that is ultimately acceptable for all involved. I combine that experience with our corporate Waste Management values: "Safety, Service, Sustainability, Innovation and Togetherness" to ensure the best possible outcomes.

2. WASTE MANAGEMENT OPERATIONS

2.1 Waste Management operates various facilities across the Bay of Plenty region, including transfer stations, material recovery facilities and bin parks. The Waste Management facilities that are most relevant to PC6 are the sites located in the Mount Manganui region. These sites include the oil recovery

facility at 218 Totara Street, Mount Maunganui ("Oil Recovery Site")¹ and the recycling operation and waste processing operation which are both located at 55 Truman Lane, Mount Maunganui ("together, Truman Lane Site").

The Oil Recovery Site

- 2.2 The oil recovery facility collects used oils and oily waters from ships using the Port of Tauranga and other New Zealand ports as well as limited waste lube oil collected from garages. The oil is collected using a fleet of tankers. Waste lube oil and ship slops are processed through dewatering, filtration and distillation to produce recovered lube oil, recovered fuel oil, and low flash-point diesel. The site has been operating since 1993. Those collected oils are then reprocessed into oil products and supplied back to the customer as a usable end product. The site provides an essential service for the nearby Port of Tauranga and businesses in the region – there are no other facilities near the Port that provide this critical service.
- 2.3 The site is currently seeking to replace an air discharge and a stormwater discharge consent (which expired on 30 April 2017 and 30 September 2019 respectively) and is operating pursuant to s 124 of the RMA. While these replacement applications are progressing, Waste Management is focussing on implementing new technological initiatives at this site to improve the effects of the oil recovery operation. These new initiatives are discussed in paragraph 3.4 and 3.5 below.

Truman Lane Site

Industrial waste treatment facility

- 2.4 The industrial waste treatment facility at the Truman Lane Site is a facility providing a critical service for the Tauranga district and Bay of Plenty region. The site has been operating since 2011. Wastes treated at the site include grease trap, septic, sludge from ships and other waste types including hazardous wastes in packaged chemicals, including wastes from the Port of Tauranga. Once treated, the wastes can be sent on for further processing as a liquid waste or bulked up as a solid waste for disposal to landfill.
- 2.5 The site is currently seeking replacement of an air discharge consent (which expired on 30 January 2021) and is operating pursuant to s 124 of the RMA. Discharges to air are currently controlled with a biofilter that contains coarse and fine bark as a bed media to remove contaminants and treat potentially

¹ This is near the Whareroa Marae.

odorous air before release. Continued operation and optimisation of this existing biofilter will be undertaken to ensure best practice is maintained.

Recycling facility

- 2.6 The recycling facility at the Truman Lane Site mainly processes cardboard, paper, and plastics from the Tauranga district and wider Bay of Plenty region. This material is transferred onto a conveyor and sorted both manually and via automation. Sorted material is baled, stored on site and then loaded into shipping containers for export or transported locally via truck and trailer units. This service is essential to support New Zealand's waste minimisation goals and progression towards a circular economy.
- 2.7 The site is currently seeking replacement of a stormwater discharge consent (which expired 31 April 2021) and is operating pursuant to s 124 of the RMA. Waste Management is committed to improving its processes and effects on the environment. A new initiative being implemented at the site to treat stormwater is discussed in paragraph 3.4 below.

Potential impact of PC6

- 2.8 Policy UG 22B(e) uses strong language to "protect" marae and papakāinga from "incompatible uses or development" and reverse sensitivity effects.
- 2.9 With this strong language, and uncertainty of what might be "incompatible" with marae and papakāinga, I am concerned that an industrial facility, like Waste Management's, would be deemed "incompatible" with the only logical consequence that regional and district plans would make such industrial activities prohibited in proximity to marae and papakāinga.
- 2.10 This would effectively shut down our Oil Recovery Site and could have broader impacts for our other operations in the region. Our ability to provide essential services to the region and the Port could be prohibited. The costs and effects of this outcome have not been assessed by the Council as part of PC6. I consider this is a failing from the Council.

3. COMMITMENTS TO CONTINUOUS IMPROVEMENT

- 3.1 Waste Management is aware that any discharge, no matter how minor, may have a potential effect at various times on others within proximity to the sites that it operates, including any nearby marae and papakāinga. It is therefore

important that the discharges are undertaken in accordance with best practice and that opportunities for continuous improvement are implemented.

- 3.2 Waste Management is committed to investigating and, where practicable, implementing appropriate solutions to reduce the effects of its activities on the environment. Waste Management is currently implementing several initiatives at the operational sites within the Bay of Plenty region that are intended to further improve operational best practice and the effects of any environmental discharge.
- 3.3 However, it is important to acknowledge that industrial activities, like Waste Management's operations at the Oil Recovery Site and Truman Lane Site, can result in discharges – within appropriate limits – beyond those site boundaries. Our sites try to internalise effects as much as possible, but this cannot be guaranteed. The Council has not considered this reality, or the benefits that Waste Management's critical operations provide the region as part of PC6.

New initiatives

- 3.4 Two new stormwater treatment systems are being (or intended to be) installed, one at the Truman Lane Site and another at the Oil Recovery Site. The systems use bioretention through a filter media to capture and immobilise contaminants from stormwater before discharging that stormwater from the operational areas. The system is particularly effective with reducing dissolved metal concentrations such as zinc. The system is in the process of being installed at the Truman Lane Site while it is at a design stage of development at the Oil Recovery Site. With both sites operating those systems, stormwater discharges will be consistent with current best practice.
- 3.5 Discharges to air are another way that our operations can impact the surrounding community. We are addressing this by undertaking detailed monitoring of the emissions from our Oil Recovery Site and are currently at the early stages of designing a system to further remove contaminants from these discharges. This will allow the Oil Recovery Site to operate into the future with a high level of environment performance. As I noted earlier, the air discharges at the industrial waste facility will continue with the operation of the existing biofilter (described in paragraph 2.5 above) to ensure best practice is maintained at this facility.
- 3.6 Once these systems are installed and running, we will undertake monitoring to test the effectiveness of each process against our design assumptions and make further improvements, if necessary. This structured approach to

continuous improvement is the way that our businesses can undertake operations sustainably while making sure that environmental discharges are consistent with best practice and that effects on the local community are as low as reasonably practicable.

4. COMMITMENT TO MANA WHENUA

- 4.1 A core element of our place within Aotearoa New Zealand is our responsibilities to, and relationships with, mana whenua. In this respect, Waste Management is on a journey which is ongoing.
- 4.2 Alongside our direct relationships with mana whenua, Waste Management is also more broadly committed to incorporating its responsibilities to Māori into the business. This process is being led by our Managing Director Evan Maehl and our Timu Tikanga / Cultural Advisor, Te Teira Rawiri.
- 4.3 In short, the company is in the process of embedding practices and values of Te Ao Māori throughout the business. Some of the actions being taken to achieve this include the direct cultural competency training of Waste Management senior managers including myself and online cultural competency training for the wider Waste Management team. These sessions cover a range of topics from te reo Māori to broader lessons on the history of Aotearoa and tikanga Māori.
- 4.4 I am working with closely with our Timu Tikanga / Cultural Advisor to consult with local iwi groups that have an interest in performance of our sites and these continuous improvement projects. We understand the importance of building relationships that are genuine and that meaningfully take into consideration any concerns that might be raised about the effects from our operations. With these relationships in place, we continue to work with local groups, including iwi and further optimise our operations to find the best outcome.
- 4.5 I am broadly aware of the concerns that have been raised about the effects that local industry in Mount Manganui is having on local iwi and at the Whareroa Marae in particular. We will continue to consult with local iwi and make sure that the outcomes of our environmental projects are aligned with finding the right balance to enable ongoing operation while addressing concerns about any effects, particularly discharges to air.

5. CONCLUSION

- 5.1 Finding and implementing solutions to enable ongoing sustainable operations is a key part of what we do at Waste Management. We understand the importance of making sure that our sites can provide the practical and economic benefits of safe and efficient recycling and waste disposal for the region, while also finding the right balance for addressing any concerns that are raised by members of the local community. We particularly understand the importance of making sure that any concerns raised by local iwi groups are acknowledged and accounted for in our planning and implementation of projects.
- 5.2 That is why I am particularly concerned about the potential impacts of Policy UG 22B(e) on our operations in the region. If our operations are deemed to be "incompatible" with marae and papakāinga, then our activities would become prohibited under regional and district plans – not providing a balance at all. The Council has not assessed this likely outcome and the significant costs to the region if our regionally significant services were prohibited from obtaining replacement consents.
- 5.3 We provide an essential service and will continue to develop our sites to align with environmental best practice. We will find technical solutions to issues that are raised and then appropriately consult with external stakeholders to meet the needs of the broader community while also appropriately addressing issues that impact nearby receptors.

James Jefferis

21 June 2023