



COR0452

30 May 2024

Darren Patterson
Chair
Waste Advisory Board
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Dear Darren

I would like to update the Waste Advisory Board on recent amendments to the Waste Minimisation Act 2008 (WMA) and associated regulations. These are changes that I have been unable to share with you or other key stakeholders earlier as they have been part of the Budget 2024 package and therefore confidential. I would appreciate you sharing this information with Board members in your capacity as Chair of the Board.

Amendments to the WMA

As part of Budget 2024 decisions, the Government will shortly amend the WMA under urgency. These changes will allow funding from the central government portion of the waste disposal levy to be spent on a wider range of environmental activities, in addition to waste minimisation. The amendments provide for the following additional matters to be funded:

- activities that reduce environmental harm or increase environmental benefits
- waste-related emergency spending
- the remediation of contaminated sites, including vulnerable landfills
- funding the Ministry for the Environment to undertake its responsibilities in relation to waste management and minimisation and hazardous substances.

The amendments also make incremental increases to waste levy rates over three years from July 2025 to July 2027 for class 1-4 landfills.

In addition to approving projects to promote or achieve waste minimisation, the amendments will enable me – as Minister for the Environment – to approve funding of projects to provide for the remediation of contaminated sites (including site investigations, remediation plans and on-site remediation works). Before gazetting funding criteria for these projects, I will be required to seek and consider the advice of the Waste Advisory Board.

Additional amendments will support improved responses to emergency waste and contaminated site remediation, including roles for:

- the Secretary for the Environment – to approve applications for waivers of the levy for contaminated site remediation works, so that the levy does not become a barrier to remediation works. The waiver could be subject to conditions imposed by the Secretary

- the Minister – to notify criteria in the Gazette for spending levy money on the management of emergency waste and repair or replacement of waste management and minimisation infrastructure.

Amendment to regulations to correct a minor error

The Ministry recently became aware of an error in the reporting requirements for disposal facility operators in the Waste Minimisation (Information Requirements) Amendment Regulations 2023 (the Amendment Regulations).


In September 2023, amendments were made to the Waste Minimisation (Information Requirements) Regulations 2021 and the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009. These changes will come into effect on 1 July 2024.

The minor amendment to the Amendment Regulations remedies a discrepancy in reporting requirements. Clause 5A of the Amendment Regulations creates an obligation for disposal facility operators to report to the Ministry for the Environment monthly. However, clause 5A was intended to refer to regulation 6 of the Waste Minimisation (Information Requirements) Regulations 2021 which requires quarterly reporting. This fix ensures reporting remains quarterly.

Further details about these amendments will be available on the Ministry's website.

As you can appreciate, the amendments to the WMA and regulations progressed within limited timeframes and under Budget sensitivity and so did not afford opportunities to seek input from the Waste Advisory Board or any other stakeholder. However, I look forward to continuing to work with you and the Board in the future.

Kind regards

A handwritten signature in black ink, appearing to read 'Penny Simmonds', written in a cursive style.

Hon Penny Simmonds
Minister for the Environment