



30 July 2024

Darren Patterson

Chairperson

Waste Advisory Board

darren@pattersonenvironmental.co.nz

Dear Darren and Waste Advisory Board members,

Request for advice on setting gazette criteria for the Contaminated Sites and the Vulnerable Landfill Fund and varying criteria for the Waste Minimisation Fund

I am writing to the Waste Advisory Board to seek your advice on:

- the proposed gazette criteria for projects applying to the new Contaminated Sites and Vulnerable Landfill Fund (CSVLF), and
- the proposed variations to the gazette criteria for projects applying to the Waste Minimisation Fund (WMF).

I have included a copy of the proposed criteria for CSVLF projects in Appendix 1 and WMF projects in Appendix 2. Under section 38 of the Waste Minimisation Act 2008 I must consider these sets of criteria when deciding whether to approve funding for a project from either the CSVLF or WMF.

Contaminated Sites and Vulnerable Landfill Fund

The CSVLF will be a newly established fund that aims to clean up landfills at risk from climate-related erosion and inundation as well as other contaminated sites that pose a risk to human health or the environment. This is a priority for the Government. The fund will replace the Contaminated Sites Remediation Fund that has been operating since 2006 when it was first set up to address legacy contaminated sites.

The CSVLF is enabled through the Waste Minimisation (Waste Disposal Levy) Amendment Act 2024, which amended the Waste Minimisation Act 2008 to allow the government portion of the waste levy to be used to remediate contaminated sites as well as achieve other environmental outcomes.

I see this as an opportunity to accelerate the pace at which contaminated sites and vulnerable landfills are remediated, with more money being made available and resetting criteria and processes to ensure funding is used effectively.

The proposed eligibility and assessment criteria for CSVLF projects have been derived from the former Contaminated Sites Remediation Fund criteria as it is still largely relevant for ensuring successful delivery of contaminated sites and vulnerable landfill projects and proper use of Crown funding. The focus of the CSVLF remains on reducing the risk to human health and environmental harm. Amendments and additions allow for broader access for territorial authorities, better consideration of projects related to vulnerable sites, promote

sustainable remediation, and provide greater clarity around critical assessment factors. A degree of flexibility has also been included for vulnerable sites where there is an urgent and imminent risk from severe weather events. The emphasis on capabilities, partnerships, risk sharing, responsibility and accountability has been carried across and enhanced to ensure projects continue to meet the Ministry's funding standards.

Waste Minimisation Fund

The most substantial update to the WMF Gazetted Criteria is a proposed increase to the minimum grant values. The minimums were last increased in 2022, shortly before the WMF reopened with an 'always open' funding model. Officials have reviewed the expressions of interest and applications received since 2022, including those that were approved and declined. The analysis shows that there is scope to further increase the minimums, while maintaining the ability to make exceptions where applications relate to specific funding packages.

Ministerial resource efficiencies must be found as the Ministry moves through a cost saving change process, with the Waste Investments Directorate proposed to downsize. Increasing the minimums will ensure that resources are targeted to projects that have the best chances of achieving significant impact. Our analysis shows that applications requesting lower amounts of funding have been noncompetitive, except where they related to the Council packages for organic kerbside services. Any application is resource intensive, both for the applicants, with an average of 38 hours spent across both expression of interest and application stage, and for internal resources, estimated at 83 hours per application.

There are other minor proposed changes to the WMF gazetted criteria. When discussing the Waste Minimisation (Waste Disposal Levy) Amendment Bill, Cabinet raised concerns around the potential for the levy to crowd out private investment and the need for 'value for money'. We have included additional criteria to address this, along with assessment criteria. We have also added references to regional collaboration, future co-funding frameworks and expanded scope of product stewardship projects to include design and implementation.

I propose to gazette in September, with the intention to open the CSVLF in late September or early October and the WMF in October. I would appreciate the advice of the Board on the proposed draft criteria by **Friday 23 August**.

If you require any clarification about this request, please do not hesitate to get in contact with my office.

Yours sincerely



Hon Penny Simmonds
Minister for the Environment