

## Waste to energy under the Waste Minimisation Act 2008

The Waste Minimisation Act 2008 has the purpose “to encourage waste minimisation and a decrease in waste disposal in order to—

- (a) protect the environment from harm; and
- (b) provide environmental, social, economic, and cultural benefits”

Organic waste including wood and food waste is covered by the Act as waste is defined as “anything disposed of or discarded”.

### Relevant definitions

**Waste minimisation** means—

- (a) the reduction of waste; and
- (b) the reuse, recycling, and recovery of waste and diverted material.

**Recovery** means —

- (a) extraction of materials or energy from waste or diverted material for further use or processing; and ...

**Recycling** means the reprocessing of waste or diverted material to produce new materials.

**Treatment** means —

- (a) means subjecting waste to any physical, biological, or chemical process to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment; but
- (b) does not include dilution of waste

Waste to energy is thus covered in the Act by both the recovery and recycling definitions.

### Waste levy

The Waste Levy is payable on the amount of waste disposed of at a disposal facility—

- (a) at the prescribed rate; or
- (b) if the rate is not prescribed, at the rate (exclusive of goods and services tax) of—
  - (i) \$10 per tonne; or
  - (ii) \$10 per unit of volume that, in accordance with regulations made under this Part, is considered equivalent to a tonne

### Territorial authorities

(Section 42) A territorial authority must promote effective and efficient waste management and minimisation within its district.

For the purposes of section 42, a territorial authority must adopt a waste management and minimisation plan which must provide for:

- (a) objectives and policies for achieving effective and efficient waste management and minimisation within the territorial authority’s district:
- (b) methods for achieving effective and efficient waste management and minimisation within the territorial authority’s district, including—

- (i) collection, recovery, recycling, treatment, and disposal services for the district to meet its current and future waste management and minimisation needs (whether provided by the territorial authority or otherwise); and
- (ii) any waste management and minimisation facilities provided, or to be provided, by the territorial authority; and
- (iii) any waste management and minimisation activities, including any educational or public awareness activities, provided, or to be provided, by the territorial authority:

A territorial authority must review its waste management and minimisation plan—

- (a) not later than 1 July 2012; and
- (b) then at intervals of not more than 6 years after the last review.

## Waste Minimisation Fund

The Minister may approve funding of projects using the waste levy to promote or achieve waste minimisation. <http://www.mfe.govt.nz/more/funding/waste-minimisation-fund>

### Eligibility criteria

- (c) Only waste minimisation projects are eligible for funding. Projects must promote or achieve waste minimisation. Waste minimisation covers the reduction of waste and the reuse, recycling and recovery of waste and diverted material. The scope of the fund includes educational projects that promote waste minimisation activity and projects that address litter.
- (d) Projects must result in new waste minimisation activity, either by implementing new initiatives or a significant expansion in the scope or coverage of existing activities.
- (e) Funding is not for the ongoing financial support of existing activities, nor is it for the running costs of the existing activities of organisations, individuals, councils or firms.
- (f) Projects should be for a discrete timeframe of up to three years, after which the project objectives will have been achieved and, where appropriate, the initiative will become self-funding.
- (g) Funding can be for operational or capital expenditure required to undertake a project.
- (h) For projects where alternative, more suitable, Government funding streams are available (such as the Contaminated Sites Remediation Fund or research funding from the Foundation for Research, Science and Technology), applicants should apply to these funding sources before applying to the Waste Minimisation Fund.
- (i) The applicant must be a legal entity.
- (j) The fund will not cover the entire cost of the project. Applicants will need part funding from other sources.
- (k) The minimum grant for feasibility studies will be \$10,000.00. The minimum grant for other projects will be \$50,000.00.

### Assessment criteria

- (a) Preference will be given to projects that collectively give the largest net benefit over time. The assessment of the effectiveness of projects will include the extent to which the projects can demonstrate:
  - likelihood of success
  - reduction of harm to the environment
  - reduction in the volume of waste disposed of
  - economic, environmental, social or cultural benefits
  - longer term benefits after the completion of the project.
- (b) Projects will be assessed for their strategic value in achieving the purpose of the fund. Strategic value means the likely ability of projects to act as catalysts that enhance and extend the uptake of waste minimisation.

- (c) The degree of partnership and cross-sectoral collaboration will be taken into account in assessing the strategic value of proposals.
- (d) The level of funding from other sources will be taken into account. Shared funding is preferred.
- (e) The applicant must demonstrate: ability to deliver the project
  - how the project will achieve its goals
  - how the effectiveness of the project will be monitored, evaluated and reported
  - if and how the project will be used to promote waste minimisation to the wider public
  - if and how the project will continue after funding ends and become self-sustaining, particularly if the funding is for the establishment phase of a longer-term project.