

BILLS DIGEST

WASTE MINIMISATION (SOLIDS) BILL 2006
(Member's Bill - Nandor Tanczos)
(SUPPLEMENTARY ORDER PAPER 2007 No 150)

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WASTE MINIMISATION (SOLIDS) BILL 2006

Date of introduction:	04 May 2006
Member:	Nandor Tanczos
Select Committee:	Local Government and Environment
SOP No 150 released:	24 September 2007 (Hon David Parker)

PURPOSE

The purpose of the Bill as introduced “... is to protect the environment by minimising the amount of material resources used and the amount of solid waste disposed of in landfills, cleanfills, and incinerators, in line with targets and dates to be set, through instituting measures to give full effect to the principles of the New Zealand Waste Strategy” (*Part 1, Clause 3. the “purpose” clause*).

The Bill as introduced is described in [Bills Digest No 1371](#).

BACKGROUND

"This Supplementary Order Paper (SOP) amends the Waste Minimisation (Solids) Bill (the Bill). The Bill is currently before the Local Government and Environment Select Committee for consideration. It is a member's Bill and, therefore, has not been developed in conjunction with the Ministry for the Environment. This SOP has been developed in conjunction with the Ministry, and is based on the Government's policies in relation to waste, waste minimisation, and sustainability. The release of this SOP means that the Committee can now consider the Bill together with the SOP.

"The SOP proposes to remove the provisions relating to the Waste Minimisation Authority, waste control authorities, organisational waste minimisation plans, the public procurement policy, and public organisation reporting. It also proposes changing the name of the Bill to the "Waste Minimisation and Resource Recovery Bill", a new purpose provision, and amendments to the definitions in the Bill"¹.

MAIN CHANGES PROPOSED**Product stewardship**

SOP No 150 proposes a requirement that a product stewardship scheme be developed and accredited for priority products declared by the Minister, by *Gazette* notice, to be "priority products". The SOP also proposes that voluntary product stewardship

¹ Supplementary Order Paper 2007 No 150, Waste Minimisation (Solids) Bill, Explanatory Note, p. 39.

schemes may be "accredited" for products that are not priority products. Regulations may be made for various purposes including in relation to restricting disposal of certain materials, take-back services, advance disposal fees, standards for recycling, and labelling (*Substituted Part 2 of the Bill, inserting New Clauses 6 - 20*).

Waste disposal levy

SOP No 150 proposes a levy on waste disposed at a disposal facility, to be paid by the operator of the facility. Half of the levy money is shared between territorial authorities on the basis of each district's population. A territorial authority must spend its share on reduction, reuse, recycling, or recovery activities provided for in its waste management and minimisation plan. The Secretary (the chief executive of the department charged with the administration of the Act²) must spend the other half of the levy money on funding waste minimisation projects as approved by the Minister, and collection and administration costs. Regulations may be made, including in relation to the imposition, rate, and payment of the levy, and the distribution of the levy money collected (*Substituted Part 3 of the Bill, inserting New Clauses 21 - 37*).

Part 31 of the Local Government Act 1974

SOP No 150 proposes the transfer into the Bill of " ... the provisions relating to territorial authorities and waste management that are currently contained in Part 31 of the Local Government Act 1974. These provisions are largely unchanged, except there is a greater emphasis on waste minimisation and a provision allowing the Minister to direct a territorial authority to change its plan is included. There is also a requirement on a territorial authority to review its existing waste management and minimisation plan not later than 2 years after the Bill commences"³ (*Substituted Part 4 of the Bill, inserting New Clauses 38 - 54*).

Offences

SOP No 150 proposes certain offences and enforcement powers (*Substituted Part 5, New Clauses 55 - 75*).

² i.e. the chief executive of the Ministry for the Environment: Supplementary Order Paper 2007 No 150, Waste Minimisation (Solids) Bill, Explanatory Note, p. 39.

³ Ibid.