

Submission on the consultation document on proposed amendments to waste legislation

June 2025

Introduction

The Aggregate and Quarry Association (AQA) is the industry body representing construction material companies which produce an estimated 48 million tonnes of aggregate and quarried materials consumed in New Zealand each year.

Funded by its members, the AQA has a mandate to increase understanding of the need for aggregates to New Zealanders, improve our industry and users' technical knowledge of aggregates, and assist in developing a highly skilled workforce within a safe and sustainable work environment.

Key points of our submission

- We do not believe levies should be applied to managed and controlled fill sites used by quarry operators for site remediation required under resource consent conditions.
- We support more clarity on stockpiling controls.
- We support having the right tools available to regulators for the management of litter.

We make the following submission in relation to the consultation document on [Proposed amendments to waste legislation](#).

Waste disposal levy exemptions

We agree that levy exemptions are more suitable for addressing national issues with a widespread application that are not exceptional circumstances, such as an exemption that applies to a class of disposal facility or a type of waste stream.

We also agree that it is important to clarify when the levy should be imposed on waste disposed of at a disposal facility, to ensure waste reused on site is operationally necessary and reasonable (e.g. to comply with a consent condition).

Many quarry sites need significant and consistent volumes of fill to meet resource consent requirements to back fill quarry extraction areas. Quarry operators are not landfill or waste handling operators, but rather earth movers using managed fills, controlled fills or clean fills to rehabilitate quarry sites as required under resource consents.

In 2023/24, Pattle Delamore Partners carried out a Solid Waste Analysis Protocol (SWAP) on Class 3 and 4 fill sites for the Ministry for the Environment. This analysis found on average 92% of the material received at quarry fill sites (Class 4 sites), was described as uncharacterised soils, virgin excavated natural material (VENM) and topsoils.

Question 12 - Do you support requiring a Minister to consider specific criteria before recommending levy exemption regulations are made (instead of the current requirement that the Minister is satisfied 'exceptional circumstances' exist)?

Yes – Having simple and clear criteria would provide local government, NZTA, civil contractors and disposal facility operators clarity on when exemptions are appropriate.

Since the introduction of additional levies on other fill classes in 2023, the quarry sector has been burdened with paying levies on material required for quarry rehabilitation. Many quarry sites have legal requirements under resource consents to rehabilitate their site, using externally sourced fill. Levying this backfill material has increased disposal fees for surplus soils, VENM when mixed with inert materials, and increased costs for public and private construction, and infrastructure projects.

Most quarry fill sites (predominantly alluvial aggregate) need to blend hardfill (Class 4 inert material) with clean fill (Class 5 VENM) to create a stable fill for rehabilitation required under resource consent and to provide for future use of the land.

We do not believe levies should be applied to managed and controlled fill sites used by quarry operators for site remediation, reuse in aggregate products, or use in engineered contours as part of site development, as was originally intended when the Government introduced these changes.

We are happy to work with the Government and officials to establish criteria for such an exemption.

Question 15 - Do we need to clarify in legislation when the levy should be imposed on waste disposed of at a disposal facility, so that waste reuse on site is operationally necessary and reasonable?

Yes – Quarries apply the principles of “preserve, reserve and conserve” resources and would welcome clarification of when the levy should and should not apply to material received at site for quarry rehabilitation and/or reuse.

Question 16 - Do you support improvements to stockpiling controls?

We support more clarity on stockpiling controls. Quarry sites currently have stockpiling controls required under resource consent conditions and aligning these with the requirements of waste legislation would be both helpful and practical.

Once again, we are happy to work with the Government and officials to establish appropriate stockpiling controls.

Changes to Litter Act

We support having the right tools available to regulators for the management of litter.

We regularly see illegal dumping of waste around our sites and welcome increased tools for councils to recover the costs of cleaning these sites up.

Within these proposed changes to the Litter Act provision needs to be made for unintentional littering caused by significant weather events that may be beyond anyone's control. This will avoid unintended compliance consequences.

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