

# Cyclone Gabrielle Solid Waste Management Fund

## Eligibility criteria and claim guidelines

### Purpose

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This document provides information on funding available to support councils with the management of residential solid waste resulting from Cyclone Gabrielle.

### 1. About the Fund

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Cyclone Gabrielle caused widespread flooding across the north and east of the North Island, resulting in significant solid waste management costs for some local authorities.

While waste management is a core local government responsibility, managing the volume of solid waste generated by Cyclone Gabrielle may be beyond the financial capability of some councils. The Government has agreed to provide a short-term Cyclone Gabrielle Solid Waste Management Fund (“the Fund”) of up to \$15 million to reduce financial barriers to clearing solid waste from residential properties as soon as possible.

The Fund is administered by the National Emergency Management Agency (NEMA).

### 2. Eligibility criteria

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#### Eligible organisations

To be eligible to access the Fund, you must meet all three of the following criteria:

- You must be a local authority within an area that was placed under a state of national emergency on 14 February 2023 (the Northland, Auckland, Waikato, Bay of Plenty, Tairāwhiti, and Hawke’s Bay Civil Emergency Management Group areas, and Tararua District), and
- You must be carrying out waste management activities relating to solid waste caused by Cyclone Gabrielle, and
- You must demonstrate that you have, or will have, fully depleted existing solid waste management budgets for the year ended 30 June 2023.

#### Demonstrating depletion of solid waste management budgets

As part of your application, you must confirm that your local authority has depleted, or will deplete, all discretionary funding streams that can be allocated for solid waste management for the year ending 30 June 2023. This includes any discretionary funding streams that would normally be used for solid waste management, and other discretionary funding streams that can be reallocated to support solid waste management activities.

Local authorities that do not normally fund solid waste management activities, but are doing so due to Cyclone Gabrielle, are eligible if they can demonstrate no other discretionary funding streams can be reallocated to support solid waste management activities.

## Costs eligible for reimbursement through the Fund

Eligible costs are direct costs that have been incurred for the collection, removal, and disposal of solid waste from residential properties. These waste management activities must have taken place between 13 February 2023 and 30 June 2023 and must relate to solid waste that was caused by Cyclone Gabrielle. Eligible disposal costs include all gate fees (such as waste disposal levy charges and costs from meeting Emissions Trading Scheme obligations), including those passed on by a third party.

Disposal facilities can separately apply to the Ministry for the Environment for a waiver of the waste disposal levy for waste arising from flooding and cyclone events. Any costs already offset by a levy waiver are not eligible for reimbursement through the Fund, and a levy waiver application would likely be declined if costs have been covered by the Fund.

### Funding must be targeted at properties that pose the highest public health risk

The Fund is limited to the management of solid waste from residential properties. Local authorities are best placed to determine whether a property is residential. As a guide, NEMA considers that “residential property” may also include the land under and immediately surrounding a dwelling, and the main accessway to the property.

Local authorities are expected to prioritise waste management in areas that pose the highest public health risk. For example, in areas that are densely populated or have high levels of contamination.

The following costs are **not** eligible for reimbursement through the Fund:

- Any solid waste management activities that did not result from Cyclone Gabrielle.
- Any costs that are not directly related to solid waste collection, removal, or disposal.
- Collection, removal, and disposal of solid waste from:
  - Commercial or agricultural land.
  - Rivers, creeks, and other drainage systems.
  - Public or recreational land such as reserves or parks.<sup>1</sup>
- Local authorities’ overheads, such as costs associated with council staff and the use of council-owned office space.

## Conditions of participating in the Fund

To be eligible for reimbursement through the Fund, you must:

- Provide all the information requested by NEMA in the Fund application form.
- Declare that you will, where possible, make arrangements with insurers and Toka Tū Ake EQC to recover waste management costs that would normally be met through insurance payments.

### Recovering costs from insurers and EQC

It is likely that local authorities have incurred waste management costs which would normally be covered through households’ insurance policies. Following reimbursement through the

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<sup>1</sup> Unless this is residential solid waste that has been illegally dumped in these areas.

Fund, we expect that you will endeavour to recover relevant costs from insurers and Toka Tū Ake EQC and return them to the Crown.

You will need to work with insurers and Toka Tū Ake EQC to make arrangements for your area, where possible. It may be more efficient to engage at a regional level.

When submitting a claim to NEMA for reimbursement, you may be asked to provide evidence (such as a record of correspondence) that you have engaged with insurers and Toka Tū Ake EQC to try make arrangements for cost recovery.

To enable cost recovery, Toka Tū Ake EQC will require specific information (subject to appropriate privacy controls) to enable them to determine the extent of liability under the EQC Act. Types of information may include:

- The addresses of residential properties from which solid waste has been collected and removed.
- The name of the person who has insurance over the residential property, their insurance provider and insurance policy number.
- The volume of solid waste collected from each property (or a best estimate).
- The date of waste collection for each property.

#### **Insurance contacts**

You should contact Toka Tū Ake EQC and the Insurance Council of New Zealand directly to discuss how arrangements for recovery of insurance costs can be made:

**Ros Jermyn**

Head of Event Readiness and Response, Toka Tū Ake EQC

[rjermyn@eqc.govt.nz](mailto:rjermyn@eqc.govt.nz)

**Sarah Knox**

Consumer Affairs Manager, Insurance Council of New Zealand

[sarah@icnz.org.nz](mailto:sarah@icnz.org.nz)

### **3. Guidance on seeking reimbursement from NEMA**

NEMA will make payments to eligible local authorities through a monthly reimbursement process. To receive funding, you will need to provide NEMA with:

- A completed application form.
- Details of your claim, including supporting invoices.

#### **Application form**

You must include a completed application form with your first reimbursement claim. The details in this form will help NEMA to understand the relative scale of need and forecast how much of the Fund will be used in each local authority area. You will need to provide:

- Your best estimate of the total cost required to collect, remove, and dispose of eligible solid waste between 14 February 2023 and 30 June 2023.
- The total number of residential properties in your area.
- Your best estimate of the total number of impacted residential properties in your area.

If it appears that the Fund will be oversubscribed, NEMA will use the information provided in the application form to help determine what proportion of the total Fund will be allocated to each eligible local authority.

Please note there is no guarantee that the Fund will fully cover a local authority's eligible waste management costs. If the Fund is oversubscribed, NEMA reserves the right to prioritise funding for areas where it is most needed.

### **Advance payments**

As part of your initial application, you may request an advance Fund payment. Advance payments are capped at \$500,000 (excl. GST) or your estimate of total eligible waste management costs, whichever is lower.

If approved, any advance payment would be offset against subsequent monthly claims. Any surplus funds, and the interest earned on surplus funds, must be returned to the Crown.

### **Submitting claims for reimbursement**

Claims for reimbursement may be submitted monthly to [claims@nema.govt.nz](mailto:claims@nema.govt.nz). You must include a completed application form with your initial claim.

So that NEMA can process your claim, you will need to provide key information about each cost, with supporting GST invoices.

The minimum information required for each item of expenditure is:

- Invoice date
- The date (or date range) that the waste management service was delivered
- Vendor or supplier name
- Invoice number
- Details of the expenditure
- Cost (excl. GST)
- GST amount
- Cost (incl. GST)
- Whether an invoice for the expenditure is attached
- Whether you have paid the invoice yet

A claim template can be found at the end of this document. You can provide your claim details in an alternative format (such as Excel) if you wish.

## Appendix A: Claim Template

This template shows the minimum information required by NEMA to process local authorities' monthly claims under the Cyclone Gabrielle Waste Management Fund. You do not need to present your claim details in this exact format.

Ref #	Invoice Date	Date service delivered	Vendor/ Supplier Name	Invoice number	Details and reason for expenditure	GST excl.	GST amount	GST incl.	Invoice attached? (Yes/No)	Invoice paid by Council? (Yes/No)	Additional Notes
1	15/02/2023	13/02/2023	ABC Ltd	123456	Collection and transporting flood affected domestic waste to landfill	\$	\$	\$	Yes	Yes	
2											
3											
<b>Total</b>						<b>\$</b>	<b>\$</b>	<b>\$</b>			