



# Environment Weekly Update

## Taiao Ahuarangi ā-Wiki

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For the week beginning 2 September 2024

Hon. Penny Simmonds, Minister for the Environment

Copy to:

Hon. Chris Bishop, Minister Responsible for Resource Management Reform

Hon. Andrew Hoggard, Associate Minister for the Environment

# Key Updates

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## Produce label regulation update to stakeholders

You recently directed us to extend the transitional period for regulations requiring home compostable produce labels on all produce sold in New Zealand to 1 July 2028, from the original enforcement date of 1 July 2025 [BRF-5097 refers].

Stakeholders are currently preparing for the 1 July 2025 requirements and following recent engagement with us, many would like certainty around whether these requirements will still proceed. We seek your agreement to provide the following update to affected stakeholders:

*The Minister for the Environment has indicated she will be taking a proposal to Cabinet to amend the Waste Minimisation (Plastic and Related Products) Regulations 2022 as they relate to requirements for produce labels sold in New Zealand. The Minister will propose that the in-force date for domestic and imported produce sold in New Zealand to be certified home compostable (including the adhesive) is extended from 1 July 2025 to 1 July 2028. It is important to note that the Minister does not intend to amend the regulations that came into force on 1 July 2023 which required labels on produce grown domestically to be certified as home compostable, except for the adhesive.*

*We will share another update in due course, but in the meantime, we are happy to answer any questions or concerns regarding this proposed change.*

Agree that we can share the above updated with affected stakeholders.

Agree / Disagree

**Business Group:** Climate Change Mitigation and Resource Efficiency

**Owner:** Shaun Lewis, 021 101 2446

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## Severe Weather Recovery

### Regulations Review Committee Report

**Update:** On 13 August, the Regulations Review Committee (RRC) lodged a report with the House on retrospective changes of limitation periods and limiting appeal rights in Orders in Council (OICs) passed under the Severe Weather Emergency Recovery Legislation Act 2023 (SWERLA). The RRC continues to express concern about removing RMA appeal rights in OICs and has recommended that future OICs not take this approach. The Government has 60 working days to respond to the report.

Of the two proposed OICs described below, we consider the RRC report has no implications for the proposed Hawke's Bay Rural Recovery Works OIC as this creates a permitted activity regime. Regarding the proposed Auckland Council Flood Resilience Works OIC, which follows the approach of removing RMA appeals, we continue to consider this is appropriate and should progress to review body scrutiny in September. Cabinet has already agreed to the proposal for the purposes of public engagement and drafting, and the proposal received strong public support with no feedback requesting the inclusion of RMA appeal rights.

**Next key steps:** We will provide you with further advice in a separate briefing on 29 August. At the next officials' meeting with you on 9 September, we will also provide more details about our recommended approach to responding to the RRC Report.

## Potential new Order in Council: Auckland Council Flood Resilience Works

**Progress update:** This Order aims to address the flooding issues in the urban Harania and Te Ararata catchments, located in Māngere (South Auckland), which were among the worst affected areas in Auckland.

Public engagement has now closed. We heard strong support for the proposed Order, including from local residents and Kāinga Ora. We are continuing to work on drafting with the Parliamentary Counsel Office including sharing of updated iterative drafts with Auckland Council.

**Next key step:** On 4 September, we will provide you with a briefing with our recommendations and advice in response to the feedback we received and will seek your agreement to provide the draft Order to the Severe Weather Events Recovery Review Panel and the Regulations Review Committee on 6 September.

## Potential new Order in Council: Hawke's Bay Rural Recovery Works

**Progress update:** This Order aims to provide regulatory relief to rural landowners/occupiers in the Hawke's Bay region. Most landowners still have significant recovery-related works to do on their land and the proposed Order will enable these works to occur as a permitted activity under the RMA, subject to environmental standards.

Last week we provided you with a draft Cabinet paper and a briefing [BRF-5135 refers] containing our advice on how to respond to recommendations from the Severe Weather Events Recovery Review Panel. Departmental and Ministerial consultation is under way until 30 August.

**Next key step:** On 4 September the finalised Cabinet paper with the finalised draft Order will be lodged in CabNet for consideration by the Cabinet Legislation Committee on 12 September.

**Business Group:** Environmental Management and Adaptation

**Owner:** Katherine Wilson, 021 146 3122

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## New OLW report: shifting trends to pine forestry

The Our Land and Water National Science Challenge (OLW) recently published a white paper '*Why Pines? A Context for Recent Research Results Supporting Land Conversion into Pine Forestry*,' summarising four research programmes on land-use changes. The report concluded that, based on current policy settings and incentives, exotic pine forestry is likely to replace sheep and beef land. Other studies, such as a recent report from the Parliamentary Commissioner for the Environment, further confirm this trend.

The shift raises concerns about rural and Māori communities' intergenerational equity, wellbeing, food security, and the environmental impacts of forestry. The lead researcher emphasised that these are projections, not predictions, based on current trends and policy settings. Factors influencing these outcomes include physical and economic realities, knowledge limitation and model constraints, and current policy settings and incentives.

The paper highlights the need for broader discussions on land-use and mitigations that align with community values and policy effectiveness. This requires more collaborative and grounded information to guide land-use decisions, including continued evaluation of risks and values of each land-use types. Alternative land-uses like native forests are discussed as potentially more beneficial but currently less valued options. It also suggests further investigation of more diversified and resilient land-use strategies to balance economic, environmental, and social outcomes.

The full report can be found here: [https://ourlandandwater.nz/wp-content/uploads/2024/08/WhyPines-ContextforResearch\\_OLW\\_August2024.pdf](https://ourlandandwater.nz/wp-content/uploads/2024/08/WhyPines-ContextforResearch_OLW_August2024.pdf).

**Business Group:** Natural Environment Policy

**Owner:** Hayden Johnston, 022 153 0221

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# Coastal Wetland Blue Carbon Policy Research in Aotearoa report – The Nature Conservancy and the Ministry for the Environment

## ***Update regarding progressing pathways for blue carbon/coastal wetlands into investor and market settings***

This item updates Minister Hoggard and Minister Watts on the release of a joint report from the Ministry for the Environment and The Nature Conservancy New Zealand (TNC NZ). The report identifies barriers and opportunities for enabling coastal wetland blue carbon (where carbon is stored and sequestered in the plants and sediments of coastal wetlands) projects to participate in voluntary carbon markets.

Key recommendations from the report include:

- Developing guidance for blue carbon projects to participate in voluntary markets.
- Developing a national blue carbon roadmap or strategy, with suggested pathways for enabling blue carbon projects at scale.
- The Government simplifying land title complexities for landowners wanting to restore coastal wetlands and participate in blue carbon projects.
- The Government and Māori exploring regulatory and non-regulatory options to realise blue carbon benefits.

This is relevant to Minister Hoggard and Minister Watts given their climate, biodiversity and market portfolios, Ministerial visits to wetlands in the Bay of Plenty, recent meetings with representatives from TNC NZ, and interest in the investor preferences for projects such as coastal wetland restoration as outlined in the EY Investor Preferences work shared recently.

A range of policy mechanisms recognise the potential for Nature-based Solutions (NbS) to provide multiple benefits such as carbon sequestration, biodiversity, habitat restoration and climate resilience. This includes the Government's Climate Strategy featuring NbS as one of the five pillars, and NbS including coastal ecosystems recognised in the second Emissions Reduction Plan discussion document as a mechanism for encouraging non-forest carbon removals. This report will help accelerate the potential for coastal wetlands to be considered in these policy settings.

## ***The report provides insights to support work on investor signals***

Investors globally are shifting focus from reducing emissions to broader environmental outcomes. This shift is also driven by consumer demand for verifiable climate and nature credentials. With their potential for sequestration and biodiversity co-benefits, New Zealand's coastal wetlands could be an attractive investment option, offering both carbon reduction and tangible contributions to ecosystem health. Our (informal) conversations with investors have indicated interest in wetlands.

## ***Next steps***

The final (embargoed) report is **attached**.

On 3 September, the Coastal Wetland Blue Carbon Policy Research in Aotearoa report is scheduled to be released by TNC NZ on its website, with a link to it from the Ministry for the Environment's website.

TNC NZ will announce publication of the report via an agreed press release on the day, while we will post a news story online and link to the report.

We are integrating the findings of this report into consideration for ERP2 actions, and to inform the development of the biodiversity markets work.

**Attention: Minister Hoggard**

**Business Group:** Strategic Partnerships

**Owner:** Anna Ririnui, 021 0845 8118

# RMA Statutory Notifications to the Minister for the Environment

Type	From	Planning Instrument	Purpose	Date Received	Consultation Period or Statutory Timeframe	Response
s 9(2)(f)(iv)						

This information is also included in the RMA Reform Weekly Update in recognition of the correlation between the Environment and RMA Reform portfolios.

# Upcoming Briefings for Minister Simmonds

Papers sent to the Minister in the last seven days and due to the Minister in the following 3 weeks  
As at 1pm, 28 August 2024

Tracking Number	Title	Purpose	Responsible General Manager / Chief Advisor	Title Suitable for Proactive Release?	Date due to Minister
BRF-5135	Draft Cabinet paper on Severe Weather Emergency Recovery (Resource Management - Hawke's Bay Rural Recovery Works) Order 2024	Provides a draft Cabinet paper for the Hawke's Bay Rural Recovery Works Order and provides the feedback from the Review Panel and the Regulations Review Committee scrutiny with responses.	Katherine Wilson	Y/N	Sent 20 August
BRF-5188	Otago Land and Water Regional Plan – addressing concerns that proper process has not been followed	Provides advice on concerns raised by two Otago Regional Councillors that proper process has not been followed ahead of notification of the Land and Water plan; and includes available next steps.	Sara Clarke	Y/N	Sent 21 August
BRF-5110	Request for Clause 10A timeframe extension from Far North District Council on its Proposed District Plan	Seeks a decision on a request from Far North District Council for a timeframe extension to issue its decision on the Far North Proposed District Plan.	Liz Moncrieff	Y/N	Sent 22 August
BRF-5200	Contaminated Sites Remediation Fund Priority Applications July 2024	Seeks a decision on the funding recommendations for the allocation of Waste Levy funding for CSRF applications	Conrad Lendrum	Y/N	Sent 22 August
BRF-5067	Further policy detail on the ERA amendments	Provides further information on proposals discussed at the policy meeting 8 July and seeks agreement to related matters.	Aaron Napier	Y/N	Sent 23 August
BRF-5209	Annual Report and non-departmental reporting 2023/24	Annual Report feedback and non-departmental report review.	Kathleen Mackie	Y/N	Sent 26 August

BRF-5229	Review of the Management of the Wairoa River Bar – Final Report	Final report for the review of the management of the Wairoa River.	Sara Clarke	Y/N	29 August
BRF-5207	Meeting with Fiordland Marine Guardians	Provides background information about the Fiordland Marine Guardians, including topics they wish to discuss.	Hayden Johnston	Y/N	29 August
BRF-5242	Regulations Review Committee report on retrospective changes and limiting appeal rights in Orders in Council passed under SWERLA	Provides advice on a report lodged with the House by the Regulations Review Committee. It outlines why officials consider it is appropriate to continue progressing an Order in Council to enable flood resilience works in Auckland.	Katherine Wilson	Y/N	29 August
BRF-5191	Plastic Pollution Treaty Negotiations: New Zealand engagement in High Ambition Coalition to End Plastic Pollution	MFAT led Ministerial briefing.	Shaun Lewis	Y/N	30 August
BRF-5056	Waste legislation reform: overview of series of briefings on draft consultation material	The first in a series of briefings seeking agreement on content to be included in future consultation on waste legislation reform.	Glenn Wigley	Y/N	30 August
		s 9(2)(f)(iv)			
BRF-5248	Publication of the 'Review of the effectiveness of the waste disposal levy.'	Provides an updated report which incorporates advice from the Waste Advisory Board, for final approval to publish.	Glenn Wigley	Y/N	4 September
BRF-4969	Improving the environmental data system	Provides the next iteration of the improving environmental data work programme.	Jonathan Ryan	Y/N	4 September
BRF-5169	Clause 10A timeframe extension from Timaru District Council on its Proposed District Plan	Seeks decision on the Council's request to extend the process by 18-months.	Liz Moncrieff	Y/N	5 September

BRF-5243	Update on reopening waste investment funding programmes	Provides an update on opening dates for CSVLF and WMF and seeks approval for a number of related matters.	Conrad Lendrum	Y/N	5 September
BRF-5240	Response to the Environment Committee's report on the Forest & Bird wetland petition	Seeks a decision on a response to the Environment Select Committee's report and recommendations on the 2022 wetland petition from Forest & Bird.	Hayden Johnston	Y/N	6 September
BRF-5245	Update on stakeholder engagement - improvements to the FW-FP system	Updates joint Ministers on the outcomes and key themes of the second round of stakeholder engagement on improvements to the freshwater farm plan system.	Sara Clarke	Y/N	9 September
BRF-5106	Options on the future relationship between the Government and Eco Choice Aotearoa	Seeks a decision on the Government's relationship with Eco Choice Aotearoa.	Shaun Lewis	Y/N	9 September
BRF-5156	Waste in the second emissions reduction plan: consultation summary and final policies	Provides (a) a summary of waste sector feedback from the second emissions reduction plan (ERP2) consultation process; and (b) seeks agreement to the final waste sector policies to be included into ERP2.	Glenn Wigley	Y/N	13 September
BRF-4924	Application by Connexa Limited for approval as a requiring authority	To seek your approval on an application by Connexa Limited for approval as a requiring authority under section 167 of the RMA.	Liz Moncrieff	Y/N	16 September
BRF-5224	Waste legislation reform 2: Regulation of products and lifting the performance of the waste and resource recovery sector	This is the second of four briefings to the Minister on policy underpinning the waste legislation reform	Glenn Wigley	Y/N	20 September
BRF-5091	Regulation of non-GM new organisms	To seek approval for decisions on potential consequential changes to the HSNO Act and a way forward to progress potential non-consequential changes	Glenn Wigley	Y/N	20 September

# Upcoming Briefings for Minister Hoggard

Papers sent to the Minister in the last seven days and due to the Minister in the following 3 weeks  
As at 1pm, 28 August 2024

Tracking Number	Title	Purpose	Responsible General Manager / Chief Advisor	Title Suitable for Proactive Release?	Date due to Minister
BRF-5203	Background on FIF Whakakī Lake Project to accompany response to CORM-2846	Provides background information on FIF Whakakī Lake Project to accompany response to CORM-2846.	Wes Patrick	Y/N	Sent 23 August
BRF-5179	Biodiversity credits workstream: proposed next steps	Proposes next steps for developing an approach to unlock private financing for nature.	Hayden Johnston	Y/N	30 August
BRF-4969	Improving the environmental data system	Provides the next iteration of the improving environmental data work programme.	Jonathan Ryan	Y/N	4 September
BRF-5245	Update on stakeholder engagement - improvements to the FW-FP system	Updates joint Ministers on the outcomes and key themes of the second round of stakeholder engagement on improvements to the freshwater farm plan system.	Sara Clarke	Y/N	9 September

# Cabinet Papers

As at 1pm, 28 August 2024

Tracking Number	Title	Description	Committee	Responsible General Manager	Date due to Minister's Office	Lodgement Date	Date of Committee Meeting	Date of Cabinet Meeting
CAB-465	Environmental Protection Authority: Documentation to confirm appointments	Provides APH documentation to confirm appointments.	CBC	Martin Workman	8 August	29 August	2 September	9 September
CAB-466	Severe Weather Emergency Recovery (Resource Management - Hawke's Bay Rural Recovery Works) Order 2024	Seeks Cabinet's agreement to submit the Severe Weather Emergency Recovery Legislation (Resource Management - Hawke's Bay Rural Recovery Works) Order 2024 (the Order) to the Executive Council and Governor-General for enactment.	LEG	Katherine Wilson	4 September	5 September	12 September	16 September
CAB-459	Proposals to reform the ERA 2015	Seeks Cabinet's agreement to reform the ERA.	ECO	Aaron Napier	24 October	7 November	13 November	18 November
CAB-471	Report-back on investment of the waste disposal levy	Provides a report-back requested by Cabinet on matters related to investment of the waste disposal levy, including an independent review.	ECO	Glenn Wigley	1 November	14 November	20 November	25 November
CAB-432	Kerbside service provision policies	Seeks Cabinet's agreement on whether to go ahead	ECO	Shaun Lewis	TBC	TBC	TBC	TBC

		with further kerbside improvement policies.						
CAB-451	Final report on the Ministerial Inquiry into Land Use in Tairāwhiti-Gisborne and Wairoa	Provides Cabinet with a final report on the Ministerial Inquiry into Land Use in Tairāwhiti-Gisborne and Wairoa.	ECO	Sara Clarke	TBC	TBC	TBC	TBC
	s 9(2)(f)(iv)							
CAB-425	Waste work programme	Provides Cabinet with an overview of the waste work programme.	ECO	Glenn Wigley	TBC	TBC	TBC	TBC

# Official Information Act Requests for Minister Simmonds

As at 1pm, 28 August 2024

Tracking Number	MO Tracking Number	Request	Correspondent	Organisation	Date due to Minister's Office	Date due to Requestor
OIAM-605	PSME-OI-24-025	Advice on the plastic treaty.	s 9(2)(a)	N/A	5 September	12 September
OIAM-611	PSME-OI-24-027	Request for BRF-4920 Update on Ngāi Tahu Litigation.		The Press	6 September	13 September
OIAM-614	PSME-OI-24-02	Request for briefing titles.		Newsroom	11 September	18 September
OIAM-617	PSME-OI-24-029	Information and advice provided to the minister on the protection of source water.		University of Otago	12 September	19 September

# Ministerial Correspondence Update

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**As at 10am, 29 August 2024**

## **Minister Simmonds**

We are preparing responses to 30 pieces of correspondence on a wide range of topics including extensions of time for plan change decisions under section 10A of the Resource Management Act 1991, support for, and opposition to, the Otago Regional Council's Land and Water Regional Plan, concerns about plastic waste and pollution, recommendations for product stewardship schemes, and seeking support for various environmental and resource efficiency initiatives.

## **Minister Hoggard**

We are preparing responses to 6 pieces of correspondence on a range of topics including queries about suspending the requirements for councils to identify Significant Natural Areas (SNAs), concerns about councils using the Resource Management Act 1991 to circumvent this suspension, requests for existing SNAs to be suspended, and concerns about Horizons Regional Council's River management.

# Written Parliamentary Questions Update

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**As at 10am, 29 August 2024**

## **Minister Simmonds**

We are preparing responses to written parliamentary questions about changes to levy rates, contractor and consultant spend on change processes, and advice received, and papers taken to Cabinet and Cabinet committees in August.

## **Minister Hoggard**

We are preparing responses to written parliamentary questions about advice received, and papers taken to Cabinet and Cabinet committees in August.

# Key Dates

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## Upcoming Chief Executive and Deputy Secretary Acting Responsibilities

Staff member	First day of absence	Last day of absence	Acting arrangements
Laura Dixon	30 August	30 August	Pepi Batsos will be acting.
Sam Buckle	3 September	5 September	Glenn Wigley will be acting.
Laura Dixon	6 September	20 September	Arun Patel will be acting.