

Weekly Update – Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 6 August 2018

Environment weekly meeting 12.00pm – 12.30pm, Monday 6 August

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

James Walker, Deputy Secretary, Partnerships and Customers

Shaun Lewis, Director Investments and Partnerships

Glenn Wigley, Director Marine, Environmental Risk & Science

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Shaun Lewis	Verbal update	10
2.	National Sword	Shaun Lewis	Verbal update	5
3.	Plastic Bags	Shaun Lewis	Verbal update	5
4.	EEZ Funding	Glenn Wigley	Verbal update	5

Upcoming meetings

6 August	4.00pm – 4.30 pm	Jeroen Douwes, EPA Board
7 August	3.30pm – 4.00pm	Minister Parker
8 August	12.45pm – 1.15pm	EPA Board members
14 August	3.30 pm – 4.00pm	Minister Parker

Upcoming events

10 August	9.00am – 1.00pm	Environment announcement
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1. Updates for noting

1.1. Proposed amendment to EPA Act

You requested advice on the possibility of amending the Environmental Protection Act 2011 to add the Waste Minimisation Act 2008 (WMA) into the list of environmental Acts that the Environmental Protection Authority enforces.

The proposed amendment would entail amending the WMA at the same time to set out clear enforcement responsibilities, which would require more analysis. For this reason, and the fact that it would result in an omnibus Bill, the amendment may not be suitable to include in the RMA amendment Bill (currently due to go to Cabinet). We will suggest alternatives in a briefing note we are writing in consultation with the EPA.

With regard to the best way to enforce the proposed plastic bags phase-out, we are looking at two options – the EPA or the Ministry. s 9(2)(f)(iv)

1.2. Minister Initiated Application to support transitioning away from use of single-use plastic shopping bags

You asked how the Waste Minimisation Fund (WMF) could be used to help with the transition and future with no single-use plastic shopping bags, and whether it has been used in the past in connection with a phase out.

Minister Initiated Applications (MIA) are applications submitted to the outside of the WMF annual contestable funding round, currently held in May of each year. MIA applications follow a slightly different application submission and assessment process, and are generally not confined to set timeframes for entering into a contractual agreement with the Ministry.

All MIA's are assessed by an independent WMF Assessment Panel, with recommendations and conditions of funding (if any) inserted into a Briefing to the Minister, who has final approval.

There would need to be an independent party to deliver any service or project approved by a MIA.

While we play a role in developing the policy framework to phase out single-use plastic shopping bags, we consider that initiatives to transition consumers away from single-use plastic shopping bags are the responsibility of the industry and the organisations who will be most affected by these policy changes. Our communications with industry support our understanding that they are highly motivated and equipped to manage this transition from single-use plastic shopping bags to viable alternatives.

We have supported a number of WMF projects with end-of-life recycling solutions for soft plastics (e.g. Astron Plastics Limited, The Packaging Forum Incorporated). We are not aware of situations where WMF funding has been used to support a phase out of products. Our use of WMF funding is now focussed towards strategic projects that support circular economy approaches to design waste out of the system and reduce the loss of valuable resources to landfill. We do not consider that a MIA to support transitioning away from single-use plastic shopping bags meets this criteria.

Proactively reviewed

2. Briefing notes

6 August – 31 August

Title	Lead agency	What this briefing covers	Due to office
Hawke's Bay Regional Forum - response to issues raised by Treaty settlement entities	MfE	A status update and proposed way forward to progress issues covered at the Hawke's Bay Regional forum by local Treaty Settlement groups. In particular the involvement of tangata whenua in the Hawke's Bay Regional Planning Committee.	6 August
Draft annual report 2017/18 for your information	MfE	Draft annual report supplied for your information and any feedback.	17 August

3. Cabinet material

6 August – 31 August

Paper name	Committee	What this paper covers	Our Suggested timeframes
Negotiating mandate for new treaty on marine biodiversity of areas beyond national jurisdiction	(ESR) External Relations and Security Committee	Seeks a mandate for formal negotiations for a new treaty under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. Note that the Minister of Foreign Affairs will consult with you on this paper as the Minister of Conservation, and Minister Parker as the Minister for the Environment.	Due to Cabinet 6 August
Approval to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks Cabinet's agreement to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer on 1 October 2019. To achieve this, the paper seeks agreement to undertake parliamentary treaty examination and draft proposed amendments to the Ozone Layer Protection Regulations required to implement the Amendment.	Due to DEV Committee: 8 August Due to Cabinet: 13 August
s 9(2)(f)(iv)			

4. Official Information Act requests

4.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>Copies of documents in the form of briefings, Cabinet papers, memos, reports, infograms which you have received from officials on the development of any initiatives related to the processing of recycled materials including paper, plastic, glass, tyres and building materials. Such initiatives might include regulation, funding, kick-start initiatives, or the establishment of facilities.</p> <p>> Any advice you have been given on the timelines for the introduction of any of the sorts of initiatives set out in the last paragraph.</p>	s 9(2)(a)		20 August	27 August

Proactively released

Weekly Update – Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 13 August 2018

Environment weekly meeting 12.00pm – 12.30pm, Monday 13 August

Attendees: Hon Eugenie Sage, Associate Minister for the Environment
 James Walker, Deputy Secretary, Partnerships and Customers
 Shaun Lewis, Director Investments and Partnerships
 Glenn Wigley, Director Marine, Environmental Risk & Science

Apologies: Vicky Robertson, Chief Executive, Ministry for the Environment

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Shaun Lewis	Verbal update	10
2.	Update of Waste Levy Guidelines	Shaun Lewis	Verbal update	10
3.	PFAS	Glenn Wigley	Verbal update	10

Upcoming meetings

14 August	3.30pm–4.00pm	Meeting with Minister Parker
17 August	4.00pm–5.00pm	Zero Waste Academy and NZ Product Stewardship Council
20 August	10.00am–12.00pm	Announcing WMF funding for CID Resource Recovery, Auckland

1. Actions and decisions

1.1. Oil Filter Disposal Product Stewardship Scheme

You recently agreed to accredit the Oil Filter Disposal Voluntary Product Stewardship Scheme. Prior to you formally presenting the Product Stewardship Scheme Certificate, We were to visit the company premises to ensure that the recycling process was operating as described in the scheme application form.

We have now inspected the premises and are satisfied that the business is meeting operating requirements.

You may wish to now present s 9(2)(a) of Oil Filter Disposals with the Product Stewardship Accreditation Certificate. A small presentation in your office may be appropriate.

Do you wish Ministry staff to work with your office and arrange a suitable time for the certificate to be presented?

Yes/No

2. Updates for noting

2.1. National Resource Recovery Project Feedback Group meetings

The National Resource Recovery Project Feedback Group recently held the first of its two consultation workshops with key stakeholders in the Working Group and Local Government Group (26/27 July) to understand the scale of New Zealand's' exposure to changes in the resource recovery industry following China's National Sword Policy.

The workshop highlighted the Australian experience and the impact on gate price uplifts. At the same time, discussion covered a number of key issues including: public perceptions around National Sword and what this means for waste management and recycling, transparency of costs (kerbside collection and recycling), impact of product design on recyclability, market influences on price stability, emerging technologies that drive change, product stewardship, economics of collection (e.g. glass), and recycling labelling/standards.

Consultants to the Taskforce will deliver a report outlining short term remedies and a draft report of New Zealand's situational analysis at the end of August, followed by the second round of workshops. The final reports describing proposals for strategic short- to medium-term responses and the final situational analysis will be delivered on 21 September. This will be followed by a Briefing to you outlining New Zealand's current situation and recommendations on our medium term remedies to the National Sword policy issue.

3. Briefing notes

13 August – 7 September

Title	Lead agency	What this briefing covers	Due to office
Draft annual report 2017/18 for your information	MfE	Draft annual report supplied for your information and any feedback.	17 August
Proposed amendment to EPA Act	MfE	You requested advice on whether the EPA Act could be amended via the RM Bill to add the WMA into the list of the EPA's environmental Acts.	20 August

4. Cabinet material

13 August – 7 September

Paper name	Committee	What this paper covers	Our Suggested timeframes
Approval to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer	(ENV) Cabinet Environment, Energy and Climate Committee	Seeks Cabinet's agreement to ratify the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer on 1 October 2019. To achieve this, the paper seeks agreement to undertake parliamentary treaty examination and draft proposed amendments to the Ozone Layer Protection Regulations required to implement the Amendment.	Due to Cabinet: 13 August
s 9(2)(f)(iv)			

5. Official Information Act requests

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5.2. Departmental

Request	Correspondent	Reference	Due to send
<p>I write to request all information held by MFE or the Minister of Environment on Waste Futures conducted by the Hastings District Council under reference Deed 20978. This request is for all reports, emails and correspondence held by MFE and the Minister of the Environment.</p>	s 9(2)(a) National Party	18-D-01683	22 August

Weekly Update – Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 20 August 2018

Upcoming meetings and events

19 August	4.00pm – 5.00 pm	New Zealand Product Stewardship Council
21 August	1.30pm – 3.30pm	Scion Research, Rotorua
3 September	12.00pm – 12.30pm	MfE Officials meeting

Upcoming events

20 August	10.00am – 12.00pm	Announcing WMF funding for CID Resource Recovery, Auckland
28 August	9.00am – 9.45pm	Speaking to WasteMINZ / Sustainable Business Network's Inaugural Circular Economy Summit

1. Actions and decisions

1.1. Request for a session with Territorial Authority Officers' Forum Sector Group

There is an opportunity for you to meet with the Territorial Authority Officers' Forum (TA Forum) a sector group of representatives from 67 local and unitary councils working on waste minimisation. WasteMINZ facilitate this sector group and run the meeting alongside their Annual Conference scheduled for 5 November at the Christchurch Air Force Museum of New Zealand. The TA Forum would welcome a session with you and have set aside two hours on their itinerary should you wish to attend. If you wish to accept this invitation, we can work with you and your office to develop the format and topics for the session.

Would you like to meet with the TA Forum?

Yes /No

2. Updates for noting

2.1. Waste Advisory Board

The Waste Advisory Board is meeting next on 10 September in Wellington. The Board will use the time to discuss single-use plastic shopping bags, in response to your request for the Board's advice on this topic.

2.2. s 9(2)(f)(iv)

[Redacted content]

[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

2.3. Update on effects of National Sword on recyclers

China's ban on the importation of low-quality recyclables continues to have a global impact. China is still importing recyclable material do not wish to be responsible for sorting, cleaning and processing the low-quality material, and responsible for dealing with what is left over.

Market demand for the products that China produce has not diminished, and thus they will still require raw materials. Most of New Zealand's recyclables were sent to alternative markets, which are now flooded as a result of China's action. Consequently, the commodity prices have dropped, which is impacting recycling companies in New Zealand.

In response to the commodity price crash, we met with councils and industry to understand how this crash is affecting the industry.

At the recent workshops, local government and commercial operators confirmed they still have access to markets and are moving their recyclable products, albeit at lower prices. Mike Ritchie, who has helped the Australian Government in their response, confirmed the situation is not as dire as some media reports have portrayed. His advice was to ensure a measured approach is taken.

The industry is experiencing financial stress as a result of the commodity price drop. We understand that some companies have sought help from the councils they provide services to. This is a commercial matter for the providers and councils to work through.

There are no immediate steps that the Government could, or should, take to remedy this market issue in the short term. Our internal taskforce is currently assessing the national picture and will identify what action can be taken over the medium and long-term to help provide New Zealand greater resilience in the resource recovery sector. Interim reports will be completed in late August, and final reports on the medium-long term solutions in late September.

2.4. Consultation on phasing out single-use plastic shopping bags

To date, we have received over 550 submissions, the majority of which support the proposal. We have spoken with E Tu who raised concerns over potential loss of jobs due to stopping domestic production of single-use plastic shopping bags. They will provide a submission. There was an article on Stuff on 16 August about how Kiwi Plastics in Porirua "will close down by the end of the year" because of the proposed ban. We will make contact with them to understand their position, to offer a visit to discuss, and will invite them to make a submission. We will be arranging meetings with Plastics NZ and the other plastic bag manufacturers this month.

2.5. s 9(2)(f)(iv)



2.6. Proactive release of Weekly Updates

We have been proactively releasing Minister Parker's and Shaw's Weekly Updates once they are three months old. This happens on a monthly basis, following review and sign off from our Director team and the Ministers office. Redactions are made under the provisions of the Official Information Act.

We understand that you are also interested in proactively releasing your Weekly Updates. We plan on introducing this process to your office in October, meaning the first of your Weekly Updates to be proactively released will be from the month of July.

2.7. s 9(2)(f)(iv)



Proactively released

3. Briefing notes

20 August – 14 September

Title	Lead agency	What this briefing covers	Due to office
s 9(2)(f)(iv)			
Urban Development Authority Legislation: Administering Independent Hearings Panels for development projects	MfE/MBIE	This joint briefing to you and Ministers Parker and Twyford provides advice on whether the EPA should have a role in administering the Independent Hearings Panels for development projects. Our advice considers the way similar processes are run, such as for boards of inquiry and proposals of national significance.	27 August
HSNO legislative improvements	MfE/EPA	Advice on the range of potential HSNO legislative improvements, including how can the Trusted Regulator concept can be fully implemented in to EPA processes.	5 September

4. Cabinet material

20 August – 14 September

Paper name	Committee	What this paper covers	Our Suggested timeframes
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5. Official Information Act requests

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Copies of any briefings you received on	s 9(2)(a)	18-O-01787	31 August	7 September

the percentage of supermarket plastic bags that ended up in our coastal marine environments, and the alternatives for consumers who currently use plastic bags as garbage bags, not bin liners, garbage bags and the cost of those alternatives.				
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5.2. Departmental

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All information held by MFE or the Minister of Environment on Waste Futures conducted by the Hastings District Council under reference Deed 20978. This request is for all reports, emails and correspondence held by MFE and the Minister of the Environment.	s 9(2)(a) National Party	18-D-01683	22 August
Information on which New Zealand transfer stations (location and business name included) are currently selling which types of recycled materials (Estimated values of materials per tonne and total amount) to which countries trailing twelve months. The Materials are but not included to: sum of waste, parings and scrap, of plastics; sum of glass, cullet and their waste and scrap of glass, glass in the mass; sum of ferrous waste and scrap, remelting scrap ingots of iron or steel; sum of copper, waste and scrap; sum of lead, waste and scrap; sum of paper, waste and cardboard.	s 9(2)(a) 3DCapital Ltd	18-D-01774	6 September

Proactively released

Proactively released