

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 4 November 2019

Environment weekly meeting 3.00 – 3.45pm, Monday 4 November 2019

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

Vicky Robertson, Secretary for the Environment

Sam Buckle, Deputy Secretary, Resource Efficiency

Glenn Wigley, Director, Natural and Built System

Shaun Lewis, Director, Investments and Partnerships

Kathy Bass, Manager, Investments and Partnerships

Stephen Goodman, Manager, Investments and Partnerships

David Stephen, Programme Manager, Resource Efficiency and Innovation

Kevin Guerin, Chief Advisor

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	5
2.	Update on work programme	David Stephen	Verbal update	10
3.	Budget 2020 update	Kevin Guerin	Verbal update	10
4.	Auckland site visit feedback	Sam Buckle	Verbal update	10
5.	Landfill levy discussion	Sam Buckle	Verbal update	5
6.	Fox and Hector Update	Sam Buckle	Verbal update	5

1. Strategic priorities

1.1. Parliamentary Commissioner for the Environment (PCE) – release of the review of the Environmental Reporting system

The PCE has undertaken a review of the Environmental Reporting system. On 6 November he will hold embargoed briefings with the Ministry and other stakeholders. On 7 November at 2pm, he will release the findings at a press event at his office. We will be issuing a press release on 7 November (joint with Stats NZ), in support of the review.

The review is likely to comment on the roles and responsibilities under the Environmental Reporting Act 2015, its purpose and its framework, the cycle for reporting, and the data and science that supports Environmental Reporting. There will very likely be overlaps between the findings of this review and the review of the Resource Management system, particularly around environmental monitoring.

The Ministry and many other stakeholders were consulted during the review process

2. Actions and decisions

2.1. Announcing Community Environment Fund funding for Environment Hubs Aotearoa and Environment Centres

In 2018, you directed the Ministry for the Environment to work with Environment Hubs Aotearoa (EHA) to develop a centralised funding model for Environment Centres and to grow and support the network. In February we advised that this work will progress in two stages, to develop and then implement the model.

The Ministry currently funds nine Environment Centres through the Community Environment Fund. The intention is that in the future, the Ministry will have one funding deed with EHA, who will then manage the funding arrangements with Environment Centres.

We have now entered into a Deed of Funding with EHA for the first stage of this work. Stage 1 focuses on: building the capability and capacity of EHA and its members to support local environmental action; assessing and increasing EHA members' impact and community reach; and supporting carefully planned growth in EHA's role to facilitate Environment Centre funding and manage reporting. This Stage 1 project has not yet been announced. You may wish to announce this funding; otherwise please provide your approval for EHA to self-announce.

We expect EHA to provide the Ministry with a proposal for a centralised funding model in December. We are working closely with EHA to develop this proposal. The proposal may include a request for additional funding for Environment Centres.

In February 2020 we will seek a decision from you about progressing with Stage 2 of the work. At the same time we will provide advice on a new funding round for the Community Environment Fund.

If you are not going to announce this funding, do you agree for EHA to self-announce the Stage 1 (capacity and capability building) project?

Yes/No

3. Updates for noting

3.1. Meeting of Contracting Parties to the London Protocol, London Convention

A Ministry official attended the meeting of Contracting Parties to the London Convention and the London Protocol, from 7-11 October 2019.

A key decision was the adoption of the joint resolution from Norway and the Netherlands to provisionally apply the 2009 amendment to article 6 of the London Protocol. There was overwhelming support for the resolution that will allow states to transport CO₂ across boundaries for sequestration in sub-seabed geological formations. New Zealand participated in a drafting group on the proposed resolution, which further emphasised the importance of reducing greenhouse gas emissions and urged states to share information about agreements to transport CO₂ across boundaries.

Contracting parties were also provided the latest scientific information on marine geoengineering activities (including ocean fertilisation), updates on CO₂ sequestration projects in Europe, and the work of the London Protocol as it relates to marine litter and microplastics. The delegation of Japan also updated the meeting on its treatment of contaminated water at the Fukushima Daiichi Nuclear Power Station.

3.2. Waste Management Fund – priority projects update

The following provides you with an update on the key Waste Minimisation Fund projects.

Golden Bay Cement (GBC)

The purpose of this project is to purchase and install infrastructure at the Golden Bay Cement (GBC) facility in Portland, Northland, capable of processing up to s 9(2)(b)(i), s 9(2)(b)(ii)

- GBC's Variation to the Deed of Funding is currently being reviewed. We hope to be able to track towards signing of the Variation by the end of the month.
- s 9(2)(b)(i), s 9(2)(b)(ii)
- all contracts with contractors have been finalised by GBC, allowing detailed designs to be finalised and early site works for the Pre-heater Tower to commence.
- s 9(2)(b)(i), s 9(2)(b)(ii) of tyre-derived fuel has been transported to Portland to ensure a sizable stockpile is onsite before the scheduled shutdown.

Waste Management (WM)

The purpose of the project is for Waste Management to set up a nationwide collection and processing operation for End-of-Life (EOL) tyres.

- WM has experienced lengthy delays since the opening of the Auckland tyre processing site in May 2018, primarily due to problems/issues encountered with customers and potential customers of tyre-derived fuel (TDF), s 9(2)(b)(i), s 9(2)(b)(ii)
- all the problems have now been resolved by WM through the contracting of a new South Korean TDF customer, the transport of TDF to Portland ahead of GBCs shutdown, and the acquisition of the required Christchurch property.
- last week, WM submitted their resource and building consents to Christchurch City Council for the Christchurch site (no full public consultation required), and hope to have feedback on the process in December.

- a Variation to the Deed of Funding is being worked on with the Ministry to realign the project milestone dates.

Ovea Premix - Gore District Council (GDC)

This project focuses on the removal and disposal of Ovea Premix (a toxic, partially processed product sourced from dross, an oxide residue, and a hazardous waste by-product, created during the aluminium making process).

- Inalco commenced the removal process at the Mataura site on 9 October 2019. The process is expected to be slow initially with the assessment of the bulk bags.
- the Deed of Funding is close to being finalised. GDC are currently confirming with Inalco what documentation will be delivered to them during the removal and disposal process to ensure the documentation requirements required by the Ministry in the Project Plan are realistic.

3.3. Sustainable Finance Forum Interim Report released

On 31 October the Aotearoa Circle (which the Ministry is a founding partner of) released the first deliverable from its flagship project, the Sustainable Finance Forum (SFF).

The SFF brings together key players in New Zealand's financial system - including Māori leadership, representatives from banks, insurance companies, industry, professional services, civil society, academia, and government - to explore how to re-design our current financial system to meet the challenges and identify opportunities.

The aim of the SFF is to understand and provide recommendations on how to shift New Zealand to a sustainable financial system – from one which focuses primarily on (often short-term) financial wealth creation, to one that supports long-term social, environmental, and economic wellbeing and prosperity for all New Zealanders, protecting natural resources for future generations. At the same time, this will strategically position New Zealand for continued access to international markets. The Roadmap will include specific recommendations on re-shaping the current financial policy, regulatory and market framework.

The Forum has produced an interim report (<https://www.theaotearoacircle.nz/sustainablefinance>) that explores the drivers and barriers to a sustainable financial system and proposes focus areas and potential solutions.

The Forum is now inviting public feedback (until February 2020) on the interim report. Feedback will be used to strengthen a final report and roadmap for action due to be released in mid-2020. We are working on preparing a government response to this report. The Ministry has set up a cross agency working group to look at this.

A number of countries are also undertaking a similar approach, including the European Union, the United Kingdom, Canada, Luxembourg, China, Japan, Australia, Argentina, Chile, India, Kenya and Morocco, among others.

4. Briefing notes

4 November – 6 December

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06118 RMA section 46A report on NES Tyres	MfE	Attaches the Ministry's report with policy recommendations, as required by RMA section 46A.	5 November
2019-B-06128 Meeting note for Minister Sage - Nov 2019 Pacific Ocean Plastics meeting	MfE	This note supports your meeting with Stephen Harris, who currently holds the position of Commissioner for the Commonwealth Clean Ocean Alliance.	7 November

5. Cabinet material

4 November – 6 December

Paper number and name	Committee	What this paper covers	Our suggested timeframes
2019-C-05776 Consultation on increasing and expanding the landfill levy	ENV	Seeks approval to release a public consultation document which sets out proposals for increasing the rate and expanding the coverage of the waste disposal levy under the Waste Minimisation Act 2008.	Due to lodge: 7 November Due to Committee: 13 November Due to Cabinet: 18 November
2019-C-05889 Vulnerable Landfills	DEV	Vulnerable landfill - risks from climate change.	Due to lodge: 7 November Due to Committee: 14 November Due to Cabinet: 18 November
2019-C-6112 Environmental Protection Authority Board - Appointment	APH	Paper proposing to appoint Greg Ryder to the EPA Board.	Due to lodge: 7 November Due to Committee: 13 November Due to Cabinet: 18 November

Released under the Official Information Act 1982

6. Cabinet material we have been consulted on

Reference number and paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions Trading Scheme	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Urban Development Bill: Approval for Introduction	HUD	LEG 14 November	This paper seeks approval to introduce the Urban Development Bill that will provide Kāinga Ora – Homes and Communities with a toolkit of powers to assist in the delivery of its urban development function.	MfE have provided HUD with some technical comments for accuracy but are otherwise comfortable with the contents of this paper. We are continuing to work closely with HUD to refine the drafting of the RMA-related aspects of the Urban Development Bill prior to its introduction.
Railways Amendment Regulations 2019	MoT	LEG Mid-November	This paper proposes to amend annual fees and charges that fund NZTA's rail safety regulatory function to address historical under-recovery, and ensure sufficient funding for this function.	MfE is comfortable with the proposal and had no comments on this paper.
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR 10 December	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori. We agree the state sector must draw on evidence of what works for Māori and whānau, and at the same time be prepared to innovate, and partner with Māori.

Reference number and paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV TBC	<p><u>Marine risk & liability:</u> policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.</p> <p>Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p><u>Onshore risk & liability:</u> the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> residual liability for offshore oil and infrastructure mining restrictions in benthic protection areas <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund.</p> <p>We have largely been providing technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.</p>

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Reference number and paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
New form for determination applications under new building emergency management powers, and updated form to modernise current determination applications	MBIE	LEG TBC	The Building Amendment Act 2019 will implement a new system to improve the management of buildings that are damaged or at risk of damage after an emergency event. This paper seeks authorisation to give effect to policy decisions made in that Act regarding applications for determinations, and also makes minor and technical updates to the Building (Forms) Regulations 2004.	MfE is comfortable with the proposal and had no comments on this paper.
Bill to amend the Greater Christchurch Regeneration Act 2016: Accelerating transition to local government leadership	DPMC	DEV	The paper seeks agreement to a narrowly scoped bill to amend the Greater Christchurch Regeneration Act 2016 to speed up the transition of certain powers to local leadership. Key changes include revoking some of the planning powers early (prior to the 30 June 2021 expiry) so that standard RMA processes would apply and a limited extension of powers associated with completing the reconfiguration of land titles.	MfE is comfortable with the proposal, supportive of the transition back to local leadership and had no comments on this paper.

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7. Official Information Act requests

7.1. Departmental

Request	Correspondent	Reference	Due to send
<p>Now that that period given for the site to be cleaned up has passed, we are seeking an update. Under the OIA we request the following.</p> <ol style="list-style-type: none">1. What volumes have been removed?2. What enforcement has happened to date?3. Are MFE planning to action? <p>This site is never going to be cleaned up by Solvent Services as they do not have the financial resources to fund this. It is time that the New Zealand Government stop this company and its directors from continuing to operate.</p> <p>How long before you have another at Bollard Road.</p>	<p>s 9(2)(a)</p>	19-D-02317	6 November

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Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 11 November 2019

Environment weekly meeting 3.00 – 3.45 pm, Monday 11 November

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

Sam Buckle, Deputy Secretary Resource Efficiency

Glenn Wigley, Director, Natural and Built System

Shaun Lewis, Director, Investments and Partnerships

Kathy Bass, Manager, Investments and Partnerships

Stephen Goodman, Manager, Investments and Partnerships

David Stephen, Programme Manager, Investments and Partnerships

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Sam Buckle	Verbal update	10
2.	Levy Expansion – preparation for Cabinet	Glenn Wigley	Verbal update	10
3.	Budget Bid preparation	David Stephen	Verbal update	10
4.	EcoStar project	Shaun Lewis	Verbal update	10

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1. Actions and decisions

1.1 s 9(2)(b)(i), s 9(2)(b)(ii)

[Redacted content]

2. Updates for noting

2.1 Single-use plastic shopping bag ban: compliance, monitoring and enforcement update

The ban on single-use plastic shopping bags took effect in New Zealand on 1 July 2019.

The Ministry is responsible for operational implementation and ongoing compliance, monitoring and enforcement of the ban. To date, an online portal has been developed to enable members of the public to report suspected breaches of the ban and the Ministry has been focussed on an educative approach to encouraging compliance.

As at 16 October 2019, the Ministry had received 308 reports of alleged breaches. This statistic was reported in a [stuff.co.nz](#) news article on 24 October 2019 titled '*Almost 150 bag ban breaches, zero consequences for retailers*'. The Ministry has now received 335 reports of alleged breaches. A further breakdown of this number is provided in the attached infographic.

Officials will provide you further updates on the compliance assurance programme for audit, investigation and case management in relation to the ban as this work progresses.

2.2 Trends in levy spend reporting

Ministry officials are compiling the results of reporting from the Territorial Authorities (TA's) on their spending of the Waste Disposal Levy for the 2018/19 financial year. Half of the money collected through the Waste Disposal Levy is distributed to territorial authorities, to be spent on promoting or achieving the waste minimisation activities set out in their waste management and minimisation plans. TA's provide a report to the Ministry each year describing how levy money has been spent.

There are some challenges in collecting robust data around levy spending and measurable outcomes; for instance reporting is purely voluntary and there can be inconsistency in the way councils classify their spending (one council may report the purchase of new recycling bins as 'services', but another might report it as 'infrastructure').

The Ministry is working alongside TA's to increase the value of the data collected, starting with improvements to existing guidance material, and will provide updates in due course. Spending is organised into six categories for reporting purposes: infrastructure, services, education and communication, research and reporting and other initiatives.

Trends over the 17/18 financial year show that spending has been most heavily weighted towards 'services' (such as kerbside recycling collection and operating recovery facilities), followed by 'education and communication' (such as workshops on marae to educate about waste minimisation).

2.3 Information update regarding cigarette filters and plastics policy work

Minister Parker has expressed an interest on further information around plastic cigarette filter litter, including whether there is scope to move away from non-biodegradable filters. Cigarette filters are the most common form of human-made litter in the world and are predominantly comprised of cellulose acetate plastic. In the Ministry's *Marine Report 2019* cigarette filters were found to be the most abundant type of litter on beaches with the potential to cause harm to both the environment and marine life.

Our preliminary research suggests that no major tobacco company makes biodegradable cigarettes. One small start-up company in South Africa produces biodegradable cigarettes, with limited sales. No country appears to have banned single-use plastic-based cigarette filters. Other countries, such as England and Singapore, choose to reduce filter waste by having harder penalties and fines for littering. In Europe, Parliament has announced a ban, commencing in approximately 2021, on single-use plastic items such as plates, cutlery, straws and cotton bud sticks (cigarette filters were not included in this ban).

Currently, the Prime Minister's Chief Science Advisor is working on a report on plastics. This will advise multiple recommendations to reduce plastic waste and move Aotearoa toward a more sustainable relationship with plastics. The Government's response to that report is an opportunity to set out next steps in tackling NZ's plastic challenge, and could potentially include phasing out certain plastic products/items.

The Waste Minimisation Act already has provisions for the prohibition / phase out of specific products (e.g. single use plastic bags).

2.4 Waste Levy Expansion – Communications and Stakeholder Engagement

We are in the process of finalising the Communications and Stakeholder Engagement Plan for the waste levy expansion. We are beginning to book tentative meetings with key stakeholders to discuss the levy expansion during the proposed consultation period. Your office has tentatively booked time in your calendar for a meeting with the Waste Advisory Board on Monday 25 November.

2.5 Regulated product stewardship: timeframe for Tyrewise proposal

At the weekly meeting on 4 November 2019, you raised a query around the completion of the tyre industry their Product Stewardship Scheme.

We note that there are unique challenges for that scheme. The tyre industry does not have an existing scheme in comparison with the Agrichemicals Recovery and Refrigerants Recovery (there has been no voluntary tyre product stewardship scheme in place since the closure of Tyretrack in 2008).

We also observe that the working group was approved in 2019 for a deed of funding to update the product stewardship proposal with current data. The updating process is on track for delivery in December 2019.

2.6 Update on Litter Projects Working Group

The Litter Projects Working Group (LPWG) met on 5 November 2019. It was attended by Ministry representatives and representatives of the three litter projects currently funded by the Waste Minimisation Fund (WMF). Sustainable Coastlines, Keep New Zealand Beautiful and the Packaging Forum are the lead organisations for their respective litter projects. These projects represent a funding commitment of up to \$7.4 million over three years. The Ministry chairs the working group as an “active observer” to ensure that the New Zealand public receives clear and consistent messages about litter in New Zealand.

The projects are working together collaboratively. A data governance group has been formed to ensure information sharing on data collection and use. The group has agreed to undertake a regional gap analysis to consider whether all communities across New Zealand have access to the different communication and environmental education resources. Collaboration on the launch of a recycling station by the Packaging Forum in Gisborne is being considered with Sustainable Coastlines.

The next meeting will be held in February 2020. The group has requested a discussion on options post-WMF funding. Synergies between projects and Ministry’s priority work programme on regulated product stewardship, the container return scheme and the waste levy expansion are likely to be discussed.

The Ministry will provide you with an update after the next meeting to discuss further how the sustainability of litter activities can be ensured post the current WMF funding provided to these organisations.

2.7 Review of the Environmental Reporting System

The Parliamentary Commissioner for the Environment (PCE) released his review of the environmental reporting system on Thursday 7 November 2019.

In the review he recommended:

- a shift in environmental reporting system ‘from passive to active information gathering’, including the development of a ‘comprehensive, nationally coordinated monitoring system’
- dedicated investment and funding is required over multiple years to back and maintain this system shift
- changes to the way that environmental reporting is done, including a six year reporting cycle
- changes and clarification of roles and responsibilities, including a role for the Government to formally respond to synthesis reports, i.e. commenting on the effectiveness of policies.

The PCE’s review presents an opportunity to progress a system-wide conversation on improvements to the science and data system.

We will look further at the report over the next week to assess the path ahead.

3. Briefing notes

11 November – 22 December

Reference number and title	Lead agency	What this briefing covers	Date due to your office
19-B-06142 Talking points for <i>Consultation on increasing and expanding the landfill levy</i>	MfE	Talking points and questions and answers for the Cabinet Paper on the landfill levy which is due to be considered at ENV on 13 November	11 November
2019-B-06183 Community Environment Fund transfer of funding	MfE	This briefing seeks your approval for a fiscally neutral transfer of funds within Vote Environment and to Vote Conservation in the 2019/20 financial year.	15 November

4. Cabinet material

11 November – 22 December

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Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV TBC	<p><u>Marine risk & liability:</u> policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.</p> <p>Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p><u>Onshore risk & liability:</u> the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> • residual liability for offshore oil and infrastructure • mining restrictions in benthic protection areas <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund.</p> <p>We have largely been providing technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.</p>

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6. Official Information Act requests

6.1 Departmental

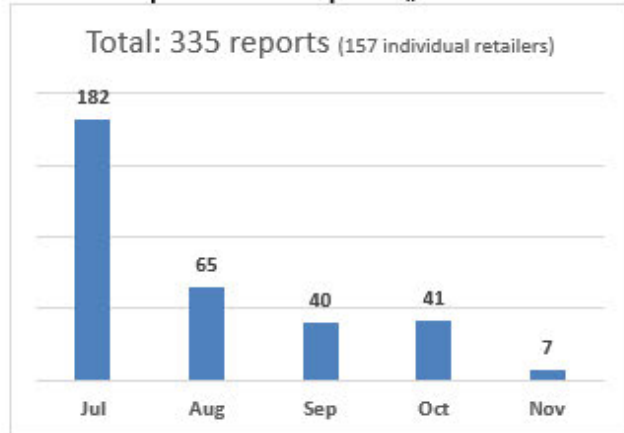
Request	Correspondent	Reference	Due to send
<p>I'm wondering if the proactive release of Minister Sage's weekly updates (below) are being updated soon - I can only find until February 2019.</p> <p>If they exist, could i please request copies of the last three months (July, August, September)?</p> <p>if they will soon be publicly available could you please let me know what date?</p>	s 9(2)(a)	19-D-02443	22 November

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Waste Minimisation (Plastic Shopping Bags) Regulations 2018 – Progress Report (1 July – 6 November 2019)

STATISTICS (number of reports of alleged non-compliant bags via the [online portal](#), along with phone and email queries related to plastic bags)

Number of Reports of Non-Compliance



Other correspondence (not amounting to a report)

Number of Phone Calls

July	+137
August	+40
September	+40
October	+40
November	+5

Number of Email Queries

84 (since 1 July 2019)

Number of Ministerials

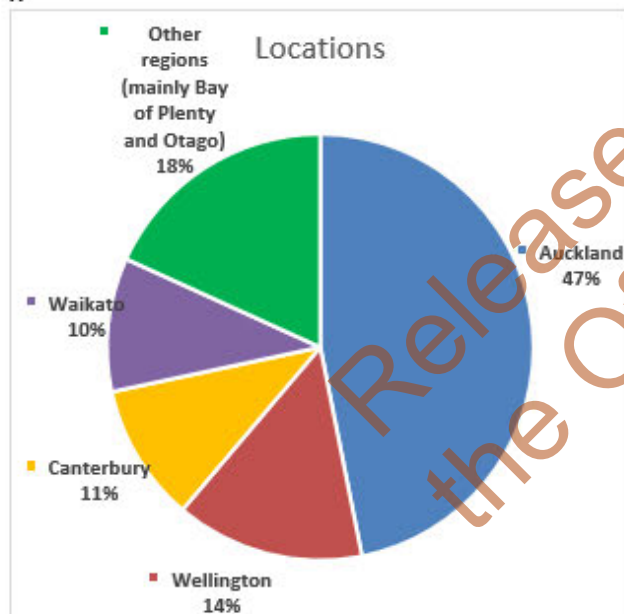
17 (since 1 July 2019) (while the word 'bag' appeared in the subject line, the email's contents may have discussed additional issues)

CURRENT ACTIONS

What we currently do

- We provide advice, via email or over the phone, to help businesses and consumers understand the ban.
- We provide an [online form](#) on our website which the public can use to report suspected non-compliance.
- We assess the validity of the reports received through the [online portal](#) about the supply of banned plastic bags, and apply a risk-based approach. This information enables us to focus our compliance resources effectively.

ANALYTICS (of the bag reports)



The category 'Other' encompasses hair salon, games retailers and department stores.

Weekly Update

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For the week starting 18 November 2019

Environment weekly meeting 3.00pm – 3.45pm, Monday 18 November

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Glenn Wigley, Director, Natural and Built System

Shaun Lewis, Director, Investments and Partnerships

Kathy Bass, Manager, Investments and Partnerships

Stephen Goodman, Manager, Investments and Partnerships

David Stephen, Programme Manager, Resource Efficiency and Innovation

Meg Larken, Senior Policy Analyst, Investments and Partnerships

Sarah Helm, Principal Communications Advisor (for item 2)

Courtney Carson, Senior Policy Advisor (for item 2)

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Sam Buckle	Verbal update	10
2.	Levy Consultation – Launch and stakeholder engagement	Glenn Wigley and Sarah Helm	Paper	10
3.	NES Tyres	Shaun Lewis	Paper	10
4.	Budget Bid 2020	David Stephens	Paper	10
5.	Ricardo Report	Shaun Lewis	Verbal update	5

1. Strategic priorities

1.1. Update on the Waste Levy Expansion consultation launch and stakeholder engagement

We have had an initial discussion with your office about communications and stakeholder engagement for the waste levy consultation, including possible dates and locations for the launch and key stakeholder meetings. We will discuss options with you at the weekly meeting on Monday 18 November. We will provide your office with an updated copy of the Communications and Stakeholder Engagement Plan ahead of that meeting.

2. Updates for noting

2.1. s 9(2)(b)(i), s 9(2)(b)(ii)

[Redacted content]

2.2. Update on the Waste Advisory Board meeting scheduled for Monday 25 November

We have five members confirmed to attend the meeting of the Waste Advisory Board (the Board) on Monday 25 November: Darren Patterson (Chair), Sue Coutts, Julian Kroll, Jacqui Forbes, and Denise Roche.

The proposed agenda will include:

- a formal request for advice on the expansion of the waste disposal levy discussion document
- an update and early discussion on the progress of the container return scheme Waste Minimisation Fund project
- an update on the progress of the submissions analysis of the proposed priority products consultation
- a conversation on the Prime Minister's Chief Science Advisor's Rethinking Plastics report.

Early in the week of 18 November we will provide your office with a draft letter requesting advice from the Board on the waste levy expansion. Background documents to attach to the letter and to support your discussions with the Board will also be provided.

2.3. Update of Technical Working Group review of the Hazardous Substances Compliance System

You have received a report from the technical working group that reviewed hazardous substances compliance.

We are looking at what initial actions could be taken by the Ministry and the Environmental Protection Authority and will have this advice to you at the end of the week.

3. Briefing notes

18 November – 22 December

Reference number and title	Lead agency	What this briefing covers	Date due to your office
Technical Working Group review of the Hazardous Substances Compliance System	MfE	You have received a report from the technical working group that reviewed hazardous substances compliance. This briefing will provide you with advice on the initial actions that the Ministry and the EPA could take following the review.	22 November
2019-B-06228 Hazardous substances assessments: Summary of submissions and policy advice	MfE	This briefing provides a summary of submissions on the discussion document: <i>Hazardous substances assessments – Improving decision-making: proposed improvements to the assessments and reassessments of hazardous substances</i> . It also outlines our advice on preferred options for improvements and seeks your direction on next steps to obtain Cabinet decisions on the policy package.	3 December

Released under the Official Information Act 1982

4. Cabinet material

18 November – 22 December

Paper number and name	Committee	What this paper covers	Our suggested timeframes
2019-C-05776 Consultation on increasing and expanding the landfill levy	ENV	Seeks approval to release a public consultation document which sets out proposals for increasing the rate and expanding the coverage of the waste disposal levy under the Waste Minimisation Act 2008.	Due to Cabinet: 18 November
2019-C-05889 Vulnerable Landfills	DEV	Vulnerable landfill - risks from climate change.	Due to Cabinet: 18 November
2019-C-6112 Environmental Protection Authority (EPA) Board - Appointment	APH	Paper proposing to appoint Greg Ryder to the EPA Board.	Due to Committee: 20 November Due to Cabinet 25 November

5. Cabinet material for proactive release (30 working days after confirmation by Cabinet)

Paper number and name	What this paper covers	Date confirmed by Cabinet	Date due to your office	Date due for proactive release	Date published
2019-C-05776 Consultation on increasing and expanding the landfill levy	Seeks approval to release a public consultation document which sets out proposals for increasing the rate and expanding the coverage of the waste disposal levy under the Waste Minimisation Act 2008.	18 November	TBC	23 January 2020	
2019-C-05889 Vulnerable Landfills	Vulnerable landfill - risks from climate change.	18 November	TBC	23 January 2020	

6. Cabinet material we have been consulted on

Reference number and paper name	Agency & Committee	Committee and date due there	Risk/issue/opportunity	MfE comments
Climate Change (General Exemptions) Amendment Order (No 2) 2019	MfE	Cabinet 18 November	This Cabinet paper will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.
Renewable Energy and Updated discussion document on Accelerating Renewable Energy and Energy Efficiency	MBIE	DEV 4 December	This cabinet paper seeks agreement to release for public consultation a discussion paper <i>Accelerating renewable energy and energy efficiency</i> , which is part of the Ministry of Business, Innovation and Employment's Renewable Energy Strategy work programme.	The updated discussion document, which MBIE's draft Cabinet Paper is seeking agreement to release for public consultation, provides initial advice and seeks public feedback on a wide range of policy options to encourage the use of renewable energy. It covers both supply and demand side measures across both process heat and electricity. MfE's Climate Change and National Direction teams have provided input and comment, which has been reflected in the draft. MBIE have been thorough in assessing the barriers and options in each area at a high level. The updated discussion document provides a sound basis for seeking a public response. We recommend that you support the paper.
Ngāti Maru Deed of Settlement Cabinet Paper update	Te Arawhiti	MCR 3 December	This paper seeks agreement to proposed changes to the Treaty settlement redress for Ngāti Maru ki Taranaki (Ngāti Maru) since their agreement in principle, to enable a deed of settlement to be initialled s 9(2)(j)	s 9(2)(j)

Reference number and paper name	Agency & Committee	Committee and date due there	Risk/issue/opportunity	MfE comments
				s 9(2)(j)
Improving whitebait management draft cabinet paper	DOC	ENV 5 December	<p>This paper seeks agreement to release a discussion document to support public consultation on management of the whitebait fishery. The proposals aim to achieve healthy and restored whitebait populations, and a sustainable fishery. Methods include regulating the timing of the season, refuge (no fishing areas), practices and export.</p> <p>A high level of interest in the proposals is expected. Threats to the fishery are not just fishing, but include water quality, habitat loss and general declines in freshwater ecosystem health. These additional threats are within scope of the Essential Freshwater work programme.</p>	<p>Whitebait comprises the young of six native fish species, four of which are classified as at risk or threatened. Your Essential Freshwater work programme will complement the aims of the proposal by addressing some of the threats to the fishery.</p>
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR 10 December	<p>This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.</p>	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori. We agree the state sector must draw on evidence of what works for Māori and whānau, and at the same time be prepared to innovate, and partner with Māori.</p>

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Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV TBC	<p><u>Marine risk & liability:</u> policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme. Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p><u>Onshore risk & liability:</u> the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> residual liability for offshore oil and infrastructure mining restrictions in benthic protection areas <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund. We have largely been providing technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.</p>

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Bill to amend the Greater Christchurch Regeneration Act 2016: Accelerating transition to local government leadership	DPMC	DEV TBC	The paper seeks agreement to a narrowly scoped bill to amend the Greater Christchurch Regeneration Act 2016 to speed up the transition of certain powers to local leadership. Key changes include revoking some of the planning powers early (prior to the 30 June 2021 expiry) so that standard RMA processes would apply and a limited extension of powers associated with completing the reconfiguration of land titles.	MfE is comfortable with the proposal, supportive of the transition back to local leadership and had no comments on this paper.
Ahuriri Hapū Claims Settlement Bill: Approval For Introduction	Te Arawhiti	LEG TBC	This paper seeks approval to introduce the Ahuriri Hapū Claims Settlement Bill when the Minister for Treaty of Waitangi Negotiations considers it appropriate. This will likely occur when the Waitangi Tribunal issues a decision relating to Wai 2573 (relating to the mandate of Ahuriri Hapū). The Bill gives effect to the Ahuriri Hapū Deed of Settlement, signed by the Crown, Ahuriri Hapū and the post-settlement governance entity, Mana Ahuriri Trust.	MfE supports the proposal to introduce the Ahuriri Hapū Claims Settlement Bill when the Minister for Treaty of Waitangi Negotiations considers it appropriate. MfE have sought clarity as to the process for possible changes to the Bill in response to any decision from the Waitangi Tribunal.

Reference number and paper name	Agency & Committee	Committee and date due there	Risk/issue/opportunity	MfE comments
Report back on proactive release of Cabinet material policy	SSC	GOV TBC	s 9(2)(f)(iv)	MfE supports the paper and has been involved in cross agency discussions on the proposed reporting regime.
Urban Development Bill: Approval for Introduction	HUD	LEG TBC	This paper seeks approval to introduce the Urban Development Bill that will provide Kāinga Ora – Homes and Communities with a toolkit of powers to assist in the delivery of its urban development function.	MfE have provided HUD with some technical comments for accuracy but are otherwise comfortable with the contents of this paper. We are continuing to work closely with HUD to refine the drafting of the RMA-related aspects of the Urban Development Bill prior to its introduction.
Railways Amendment Regulations 2019	MoT	LEG TBC	This paper proposes to amend annual fees and charges that fund NZTA's rail safety regulatory function to address historical under-recovery, and ensure sufficient funding for this function.	MfE is comfortable with the proposal and had no comments on this paper.

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7. Official Information Act requests

6.1 Departmental

Request	Correspondent	Reference	Due to send
<p>I'm wondering if the proactive release of Minister Sage's weekly updates (below) are being updated soon - I can only find until February 2019.</p> <p>If they exist, could i please request copies of the last three months (July, August, September)?</p> <p>if they will soon be publicly available could you please let me know what date?</p>	s 9(2)(a)	19-D-02443	22 November
<p>"I was wondering if the ministry can provide any information about the grants?</p> <p>I was thinking maybe the proposal the funding was given to, how much money was actually given (as the funding is for "up to" the amount specified), any reports the applicants had to complete and give back to the ministry in exchange for the funding, and anything else which might relate to the applications from 2010 and 2012. Can the Ministry provide the above and anything further?</p>	s 9(2)(a) NZME	19-D-02522	6 December

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Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 25 November 2019

Environment weekly meeting 3.00pm – 3.45pm, Monday 25 November

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

Vicky Robertson, Secretary for the Environment

Sam Buckle, Deputy Secretary Resource Efficiency

Glenn Wigley, Director, Natural and Built System

Shaun Lewis, Director, Investments and Partnerships

Stephen Goodman, Manager, Investments and Partnerships

Kathy Bass, Manager, Investments and Partnerships

David Stephen, Programme Manager, Investments and Partnerships

Meg Larkin, Senior Policy Analyst, Investments and Partnerships

Liz Butcher, Senior Policy Analyst, Investments and Partnerships

Sarah Helm, Principal Communications Advisor, Engagement

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	5
2.	Update to Cabinet on waste management initiatives	Shaun Lewis	Verbal update	5
3.	Plastics – response to the Chief Scientific Advisor report	Shaun Lewis	Paper	5
4.	Budget Bid	Shaun Lewis	Paper	5
5.	Container Return Scheme update	Shaun Lewis	Verbal and attachment	5
6.	NES Tyres	Shaun Lewis	Verbal	5
7.	Waste Levy Expansion - launch	Glenn Wigley and Sarah Helm	Verbal	5
8.	Hector Landfill	Glenn Wigley	Verbal	5

1. Strategic priorities

1.1. Fortnightly update on the Container Return Scheme design project

The national Container Return Scheme (CRS) project has started well. You approved funding for the project deed on 4 November 2019 (briefing note 19-B-06168). Marlborough District Council (the recipient) and the Ministry have finalised and signed the deed. Auckland Council is also a funding sub recipient on this joint project.

The next key milestone is the Scheme Design Working Group commencement meeting on 27 November. The meeting will bring the group together for the first time. The group intends to finalise the project research scope, which will be the basis of the CRS design. Deputy Secretary Sam Buckle will attend the meeting. As you are unable to attend, the Ministry is preparing a letter of key messages from you, for your consideration, to be relayed at the meeting.

In accordance with the deed of funding, the project team will provide fortnightly updates on the project's progress. The first update (covering 4 – 15 November 2019) is attached to this weekly update. For future updates we will request the project team be more specific around timeframes and provide greater clarity around the risks and issues.

The CRS Technical Advisory Group (TAG) procurement process is well underway in order for the TAG Chair to attend the Scheme Design Working Group meeting.

The CRS Project Manager, George Fietje, will attend the Waste Advisory Board meeting on 25 November to brief the board (following your attendance at the meeting). The Project Manager will also meet with agency reference group representatives on 26 November.

Ministry officials plan to accompany the Project Manager and the Project Researcher on a tour of Australian schemes in December.

2. Updates for noting

2.1. Single use plastic bag ban – compliance update

You have requested an update on the Ministry's approach to compliance for the ban on single use plastic bags.

Our last update to you on 11 November noted that the Ministry had received 335 reports of alleged breaches. The number of reports received through our online portal now sits at 347.

In the five months since the ban entered into force, our focus has been on education; helping regulated businesses understand the intent and effect of the ban in order to achieve compliance. The Ministry is implementing a post-ban compliance assurance programme in 2020, which would involve having a Ministry staff member dedicated to carrying out proactive audits of retailers, investigating complaints and managing cases

While the Ministry's preference will always be to work with the regulated community to promote and encourage voluntary compliance, we are empowered by the Waste Minimisation Act to prosecute cases where the ban has been knowingly breached. If non-compliance was identified through audit and/or investigation, appropriate action would need to be decided on a case-by-case basis according to the issue and context.

We will provide further updates as work on a Ministry-led compliance assurance programme progresses.

2.2. Updated timings to implement the Basel decision on the trade in plastic waste

In May, Parties to the Basel Convention agreed to amend annexes to the Convention to better manage the international trade in plastic waste. The amendments will require exporters to receive the prior informed consent from importing countries before they can ship most mixed and/or contaminated plastic waste for recycling. We are currently drafting a consultation document on options to implement the Basel decision in New Zealand [2019-B-005919 refers].

We previously advised you and Minister Parker that the Basel Convention Depository was expected to notify Parties of the adoption of amendments to the Basel Convention in late 2019 – early 2020 [2019-B-005919 refers]. However, the Depository issued its notification earlier than expected.

The Basel decision will therefore enter into force on 24 March 2020 for all Parties that have not 'opted out' of the amendments. Opting out of the amendments requires Parties to notify the Depository in writing by 24 March.

s 9(2)(f)(iv)

s 9(2)(h)

s 9(2)(f)(iv)

We will provide you with further advice by early February 2020, along with the consultation document and Cabinet paper.

The amendments will not become 'effective' until 1 January 2021. This is the date that New Zealand will be required to have implemented the amendments in order to comply.

2.3. Callaghan Innovation's 2019/20 C-Prize Programme

The Ministry has recently become a support partner to Callaghan Innovation's 2019/20 C-Prize Programme. This is part of our ongoing commitment to partner and support innovation that will help solve environmental challenges.

This is a non-financial arrangement with our role being to provide expertise and input, linked to what we know about the challenges we face highlighted in EA2019 and the issues we are trying to solve.

Entries are being sought from tech – based innovations linked to the New Zealand Government's environmental indicators, in the areas of climate change, clean water, and smart resource use.

The three entry categories for this year's C-Prize are:

- Growing and Producing: How we grow and/or manufacture new or existing products and services in innovative ways (new materials, new processes, new systems, etc.) that will accelerate positive environmental outcomes
- Using and Consuming: How we consume products in ways that preserve resources (reuse, recycle, reclaim, etc.) and reduce negative environmental impacts
- Rejuvenating Natural Systems: The creation or innovative use of technologies that will not just reduce negative environmental impacts, but improve our natural environment (land, climate, soil, water, and nutrient systems)

The ten finalists then go through an agile development programme, including the provision of mentoring, product development support and measuring impact guidance. The winner will receive a \$150,000 prize package.

Entries for C-Prize are open until 8 December and finalists will be announced on 20 December.

3. Briefing notes

25 November – 22 December

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06228 Hazardous substances assessments: Summary of submissions and policy advice	MfE	This briefing provides a summary of submissions on the discussion document: <i>Hazardous substances assessments – Improving decision-making: proposed improvements to the assessments and reassessments of hazardous substances</i> . It also outlines our advice on preferred options for improvements and seeks your direction on next steps to obtain Cabinet decisions on the policy package.	3 December

4. Cabinet material

25 November – 22 December

Paper number and name	Committee	What this paper covers	Our suggested timeframes
2019-C-6112 Environmental Protection Authority (EPA) Board - Appointment	APH	Paper proposing to appoint Greg Ryder to the EPA Board.	Due to Cabinet 25 November

5. Cabinet material for proactive release (30 working days after confirmation by Cabinet)

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2019-C-05889 Vulnerable Landfills	Vulnerable landfill - risks from climate change.	18 November	TBC	23 January 2020	
Overseas Travel Report		25 November		30 January 2020	

6. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Urban Development Bill: Approval for Introduction	HUD	Cabinet 25 November	This paper seeks approval to introduce the Urban Development Bill that will provide Kāinga Ora – Homes and Communities with a toolkit of powers to assist in the delivery of its urban development function.	MfE have provided HUD with some technical comments for accuracy but are otherwise comfortable with the contents of this paper. We are continuing to work closely with HUD to refine the drafting of the RMA-related aspects of the Urban Development Bill prior to its introduction.
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Renewable Energy and Updated discussion document on Accelerating Renewable Energy and Energy Efficiency	MBIE	DEV 4 December	This cabinet paper seeks agreement to release for public consultation a discussion paper <i>Accelerating renewable energy and energy efficiency</i> , which is part of the Ministry of Business, Innovation and Employment's Renewable Energy Strategy work programme.	The updated discussion document, which MBIE's draft Cabinet Paper is seeking agreement to release for public consultation, provides initial advice and seeks public feedback on a wide range of policy options to encourage the use of renewable energy. It covers both supply and demand side measures across both process heat and electricity.

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				MfE's Climate Change and National Direction teams have provided input and comment, which has been reflected in the draft. MBIE have been thorough in assessing the barriers and options in each area at a high level. The updated discussion document provides a sound basis for seeking a public response. We recommend that you support the paper.
Additional Appointment To The Sea Change Tai Timu Tai Pari Ministerial Advisory Committee	DOC and MPI	APH 4 or 11 December	This paper proposes to appoint a tenth member to the Ministerial Advisory Committee (MAC) on the Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan (Sea Change). The MAC reports to Ministers Nash and Sage and also to you in your Environment portfolio. The tenth member (Dirk Sieling) will represent the recreational fishing sector at the request of that sector. Mr Sieling is a member of the New Zealand Sport Fishing Council and assisted in development of Sea Change.	s 9(2)(g)(i)
Improving whitebait management draft cabinet paper	DOC	ENV 5 December	This paper seeks agreement to release a discussion document to support public consultation on management of the whitebait fishery. The proposals aim to achieve healthy and restored whitebait populations, and a sustainable fishery. Methods include regulating the timing of the season, refuge (no fishing areas), practices and export. A high level of interest in the proposals is expected. Threats to the fishery are not just fishing, but include water quality, habitat loss and general declines in freshwater ecosystem health. These additional threats are within scope of the Essential Freshwater work programme.	Whitebait comprises the young of six native fish species, four of which are classified as at risk or threatened. Your Essential Freshwater work programme will complement the aims of the proposal by addressing some of the threats to the fishery.

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7.1 Departmental

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the Official Information Act 1982

CRS update report 4 – 15 November 2019 (in confidence)



Container Return Scheme Design - Project Status Report

Report Date: 18 November 2019

Reporting Period: 4 – 15 November 2019

Project Details

- Project underway.
- Financial status on budget.

Project Status for This Period

- Deed of Funding and associated documents now finalised.
- Information package to be issued to the Scheme Design Working Group (SDWG) members on 20/11 in preparation for the 27/11 meeting.
- Australian travel itinerary in development – travel to focus on meetings with scheme design managers and coordinators, scheme operators including Reverse Vending Machine (RVMs) operations, over the counter receivals, Materials Recycling Facilities, etc.
- Ministry for the Environment to confirm members of the technical Advisory Group (TAG) and revert to the Project Team.
- Project Team to provide a high-level project summary to the Waste Advisory Board on 25/11 in Wellington.
- Research scope in development in preparation for the 27/11 SDWG meeting.
- Project framework documentation in development including reporting templates, programme timeline, etc.
- Business Analyst confirmed with project initiation workshop week commencing 18 November 2019.

Next Steps

Item	Responsibility
Confirm members of the SDWG, specifically beverage industry representatives	Project Team
Ministry for the Environment to confirm TAG members and revert information to the project Team	Ministry for the Environment
Confirm Australian travel itinerary	Project Team
Initiate formal project reporting requirements as per project plan	Project Team

Project Status

Item	Status
Overall Status	On Track
Budget	On Track
Timeframe	On Track
Scope	On Track
Risk	Amber
Issues	Amber
Resourcing	On Track
Quality	On Track

Key Project Risks (with mitigation measures)

Risk Description	Risk Rating (Red, Amber, Green)	Existing Controls
Confirmation of alcohol beverage producers representation on SDWG	Amber	Beverage including glass are already represented on the SDWG

Key Project Issues

- No issues identified to date.
- Amber status related to identified key project risk.

Key Project Milestones

- Project milestones on track.

Key Milestone Dependencies

- Research Scope to be confirmed and agreed by the SDWG.

Project Actions

- Initiate formal reporting as per project plan.
- Confirm Research Scope with SDWG.
- Initiate formal research programme upon SDWG agreement of research scope.