



Cabinet Business Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Proposed Phase-out of Single-use Plastic Shopping Bags

Portfolio **Environment**

On 9 July 2018, the Cabinet Business Committee:

- 1 **noted** that the use of single-use plastic shopping bags in New Zealand contributes harm to New Zealand's natural environment;
- 2 **noted** that the Waste Minimisation Act 2008 requires that adequate consultation is undertaken with persons or organisations who may be significantly affected by regulations (s 23(3)(b)(i));
- 3 **agreed in principle** to a phase-out of single-use plastic shopping bags, subject to the outcome of consultation;
- 4 **agreed** to undertake consultation on the proposal to phase-out single-use plastic shopping bags, through a consultation document for a five-week period;
- 5 **noted** the draft consultation document, attached to the submission under CBC-18-SUB-0076;
- 6 **authorised** the Associate Minister for the Environment, (Hon Eugenie Sage), to approve any changes to the consultation document to reflect the discussion at the meeting;
- 7 **noted** that the consultation document will be published on the Ministry for the Environment's website;
- 8 **noted** that the Associate Minister for the Environment (Hon Eugenie Sage) intends to release a media announcement to accompany the public consultation;
- 9 **invited** the Associate Minister for the Environment (Hon Eugenie Sage) to report back to the Cabinet Environment, Energy and Climate Committee on the outcomes of the consultation and, if appropriate, seek policy decisions.

Vivien Meek
Committee Secretary

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Present:

Rt Hon Winston Peters (Chair)
Hon Kelvin Davis
Hon Grant Robertson
Hon Phil Twyford
Hon Dr Megan Woods
Hon Andrew Little
Hon Dr David Clark
Hon Tracey Martin
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Department of the Prime Minister and Cabinet

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Associate Minister for the Environment



Cabinet Business Committee

Summary

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Proposed Ban on Single-use Plastic Shopping Bags

Portfolio	Associate Environment (Hon Eugenie Sage)
Purpose	This paper seeks approval to publicly release the consultation document <i>Proposed ban on single-use plastic shopping bags</i> (Appendix 1 of the attached paper).
Previous Consideration	None.
Summary	<p>In recent years, plastic waste as a whole, and plastic bags in particular, have captured the attention of the media and the public in New Zealand. In 2015, a remit calling for a plastic shopping bag levy was supported by 89 per cent of Local Government New Zealand members. In 2017 this was supported by an open letter from 65 of New Zealand's 67 mayors.</p> <p>The Associate Minister for the Environment (the Minister) is proposing, as a first step in a larger waste and resource efficiency work programme, to address the current existence and use of single-use plastic shopping bags. The Minister intends to publicly consult on a ban to:</p> <ul style="list-style-type: none"> • reduce impacts on New Zealand's terrestrial and marine environments, and potential risks to marine ecosystems and human health • begin a broader programme to significantly reduce waste, outlined in the Cabinet paper: <i>Improving waste management, Supporting New Zealand's transition to a circular economy</i> • reinforce voluntary steps taken by industry and build on that progress • take a symbolic first step to introducing a circular economy based strategy to address plastic waste. <p>The proposed definition of 'single-use plastic shopping bag' in the consultation document is 'a new plastic bag (including those made of degradable plastic) which has handles and is below a maximum level of thickness'. The proposed ban would apply to these bags when they are sold or distributed for the purpose of carrying sold goods.</p> <p>The Minister considered six options (Appendix 3) against criteria before deciding on the ban of single-use plastic bags (paragraphs 35-37).</p> <p>The consultation document will seek feedback from the public on the overall merits of a ban, the thickness of the bags to be banned, and whether all retailers</p>

or only major retailers should be included in a ban.

More than 60 countries have introduced bans and levies to curb single-use plastic waste. Overseas examples of the effectiveness of different methods in phasing out plastic bags are set out in **Appendix 2**.

Regulatory Impact Analysis	The Regulatory Quality Team at the Treasury has determined that the regulatory decisions sought in this paper are exempt from the requirement to provide an Impact Assessment, as the relevant issues have been addressed in the discussion document (paragraphs 61-64).
Baseline Implications	The Minister advises that there are no immediate financial implications. There would be financial impacts for the Ministry for the Environment or the Environmental Protection Authority should they host additional enforcement officers appointed under the Act. Funding will also be required for education and publicity during an implementation period. Further detail on financial implications will be provided following public consultation.
Legislative Implications	None.
Timing Issues	The consultation will run for a five-week period.
Announcement / Proactive Release	The Minister intends to release the attached consultation document, and an abbreviated version of the consultation document, on the Ministry for the Environment's website, with a media release. The Ministry for the Environment will also proactively contact stakeholder groups that have an interest in the proposal.
Consultation	<p>Paper prepared by MfE. MBIE (Commerce and Consumer Affairs), DoC, DPMC (Deputy Prime Minister), Environmental Protection Authority, Treasury, MPI (Food Safety), MoH, DIA (Local Government), TPK and MFAT (Trade and Export Growth) were consulted.</p> <p>The Associate Minister for the Environment (Hon Eugenie Sage) indicates that the Minister for the Environment was consulted.</p> <p>The Minister also indicates that New Zealand First and the Labour Party were consulted.</p>

The Associate Minister for the Environment recommends that the Committee:

- 1 note that the use of single-use plastic shopping bags in New Zealand contributes to harm to our natural environment;
- 2 note that the Waste Minimisation Act 2008 requires that adequate consultation is undertaken with persons or organisations who may be significantly affected by regulations (s 23(3)(b)(i));
- 3 agree to consult on a proposed ban of single-use plastic shopping bags through the consultation document *Proposed ban on single-use plastic shopping bags* for a five-week period;

- 4 agree in principle to a ban on single-use plastic shopping bags, subject to the outcome of consultation;
- 5 agree to consultation on a proposed ban of single-use plastic shopping bags through the consultation document *Proposed ban on single-use plastic shopping bags* for a five-week period;
- 6 note the consultation document will be published on the Ministry for the Environment's website;
- 7 agree to delegate authority to the Associate Minister for the Environment, (Hon Eugenie Sage), to make changes needed to the consultation document in line with the policy intent outlined in the paper under CBC-18-SUB-0076, *Proposed ban on single-use plastic shopping bags*, and subject to minor changes to improve the readability and format of the document prior to release;
- 8 note that the Associate Minister for the Environment (Hon Eugenie Sage) intends to release a media announcement to accompany the public consultation;
- 9 note that the Associate Minister for the Environment (Hon Eugenie Sage) will report back to Cabinet on the outcomes of the consultation and, if appropriate, seek policy decisions.

Vivien Meek
Committee Secretary

Hard-copy distribution:

Cabinet Business Committee
Minister for Food Safety
Minister of Internal Affairs
Minister of Commerce and Consumer Affairs
Associate Minister for the Environment (Hon Eugenie Sage)