

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 6 April 2020

Environment weekly meeting 4.00 – 4.45pm Monday 6 April

Attendees: Hon Eugenie Sage, Associate Minister for the Environment
 Vicky Robertson, Secretary for the Environment
 Shaun Lewis, Director, Investments and Partnerships
 Glenn Wigley, Acting Deputy Secretary, Resource Efficiency
 Liz Moncrief, Acting Director, Resource Efficiency
 Stephen Goodman, Acting Director, Investments and Partnerships
 Kathy Bass, Manager, Investments and Partnerships

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	COVID-19 operational update	Shaun Lewis	Verbal	15
3.	Levy expansion – next steps	Glenn Wigley	Paper	15

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1. Actions and decisions

1.1. Government response to Environment Select Committee report on food waste in New Zealand

The Environment Select Committee published its report on food waste on 12 March, which included three recommendations for Government action on food waste. Under the relevant Standing Orders, the Government has 60 working days to table its response to the recommendations. This means a response is due by 9 June 2020.

We suggest that the Ministry collaborate with the Ministry of Primary Industries (MPI) and the Ministry of Social Development (MSD) on a draft response for you to take to Cabinet. The Ministry and MPI have been advisors to the Select Committee on this issue since August 2018. MSD's input will be important because they are working with the food rescue sector on food redistribution, both as part of the Covid-19 response and as part of a long-term work programme to address child poverty.

The Ministry will need to give this work priority to meet the 9 June deadline. We consider the response should be relatively high level at this stage, and indicate an intention to progress the issue within the new strategy to guide future work on waste minimisation.

To meet the 9 June deadline, the Government response would need to progress as follows:

- develop draft response during April
- draft Cabinet paper to the lead Minister in early May
- ministerial approval of draft response in early-mid May
- ENV Cabinet Committee: 14 May (alternative: DEV Committee - 27 May)
- Cabinet meeting: 18 May (alternative: Cabinet – 2 June)
- presented to House by 9 June (several sitting days in late May and early June possible).

Do you agree that the Ministry should lead the preparation of the Government response for you to take to Cabinet, in collaboration with MPI and MSD officials?

Yes/No

Would you like any more information, or a discussion, about what content could go into the government response before we provide you a draft response for approval?

Yes – please specify a) briefing or b) online meeting//No

2. Updates for noting

2.1. Reporting data on New Zealand's HFC consumption under the Kigali Amendment

New Zealand's obligations under the Kigali Amendment sit in Minister Parker's portfolio, however there are links to your ongoing work on product stewardship for refrigerants.

On 1 April 2020, the Ministry submitted a one-off data report on New Zealand's 'baseline' hydrofluorocarbon (HFC) consumption to the Ozone Secretariat, in line with our obligations under the Kigali Amendment to the Montreal Protocol. The baseline level for New Zealand and other Article 5 parties to the Montreal Protocol is calculated using the annual average amount of HFCs consumed from 2011-2013 (699.5 tonnes gas). Parties must reduce their HFC consumption to 15 per cent of this average by 2036. New Zealand's phase-down began from a lower baseline level of our annual average consumption from 2010-2015

(578.8 tonnes gas), making our HFC reduction more ambitious. Data for these years has also been included in reporting to the Secretariat.

Annual data reports on the progress of New Zealand's phase-down of HFCs from this baseline will be submitted to the Ozone Secretariat from 2020 onward.

2.2. Waste Minimisation (Plastic Shopping Bags) Regulations 2018: compliance picture to date

As advised last week, the compliance assurance programme for the plastic bag ban has been suspended for the duration of the COVID-19 Level Four lockdown. Engagement undertaken through January and March provides the following initial insights:

- retailers have been receptive to advice about the intent behind the ban and are actively moving away from plastic bags
- there have been 427 reports received through the Ministry's online portal between 1 July 2019 and 31 March 2020. These 427 reports relate to 192 individual businesses
- of the 192 businesses, 40 are chain retailers and 152 are non-chains (small to medium size independent retailers)
- of the chain retailers, the most common retailer-types reported for suspected non-compliance are fashion and shoe stores, and department stores
- of the non-chain retailers, the most commonly reported businesses are cafes, restaurants, takeaway stores and convenience stores/dairies
- Of the 71 cases where the bags in question have been able to be classified (either using a micro-meter or evidence from the retailer such as a supplier invoice):
 - 4 retailers have been found to be using deficient bags
 - 5 have been using bags that are 'borderline' (with parts of the bag falling below the thickness required by law)
 - 21 have been confirmed as meeting the requirements of the regulations, and
 - 41 have stopped using plastic bags altogether.

The Ministry's focus is education and engagement to assist retailers to make sustainable business choices regarding suppliers, and to ensure compliance with the plastic bag ban. Where a business is found to be using deficient bags, we have requested that they stop using them, suggested solutions for dealing with existing stock and proposed alternative options.

Where a bag is found to be "borderline", or even compliant (but still plastic), we suggest alternative options.

Compliance activity for the ban will resume when the retail sector has recovered to the point that engagement will be constructive and positive. We will consult with Retail NZ (the retail trade organisation that represents over 4000 retail business across the country) to consider the best time to restart the programme. This approach is consistent with other jurisdictions across Australasia.

2.3. Update on kerbside standardisation project

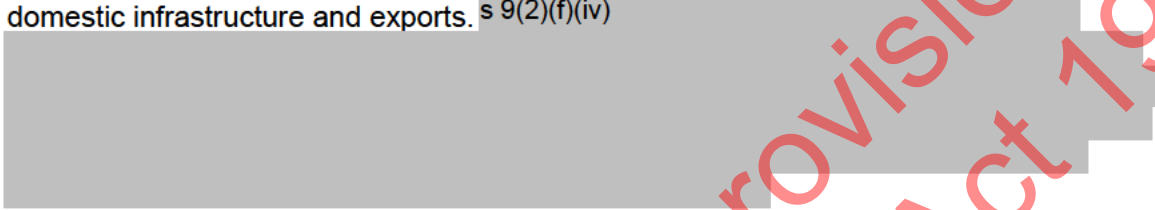
In March, the Ministry started a project with Local Government New Zealand and WasteMINZ to investigate a more consistent kerbside system across the country.

By June, the project aims to develop a "minimum viable solution" for kerbside collection in New Zealand, including what materials are collected and how. It will take into consideration that there may be different requirements across urban and rural authorities. The project

should enable central and local government decision-makers to agree a way forward for standardising kerbside. There would be further implementation to be worked through between central and local government beyond June (eg, implications for current contracts, procurement, phasing, and funding).

This project has kicked off, and a steering group of representatives across the sector has been established to drive this work. The project is able to connect into WasteMINZ's extensive network, including territorial authorities. The project originally planned consultation meetings across the country. The current plan is that the meetings will take place virtually, but mechanisms are being investigated. We are keen to ensure sound engagement with stakeholders and we are assessing how to best do this in light of Covid-19.

This project is important to overall waste minimisation outcomes. Consistency at the kerbside increases the quantity and quality of feedstock available to current and future domestic infrastructure and exports. ^{s 9(2)(f)(iv)}



We will give you updates on this project's progress, and aim to produce final advice to you on this project by the end of June.

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1. Briefing notes

6 April – 27 April

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06620 Timeline for Cabinet policy decision on waste levy proposals	MfE	Outlines a revised timeline for taking policy advice to Cabinet following public consultation on proposals for the waste disposal levy - revised to account for covid-19 implications	6 April
2020-B-06611 Recommendations: Priority products and Ministerial guidelines under the Waste Minimisation Act	MfE	This follows on from 2020-B-06363, incorporating your requests for further information and options and seeking your decisions.	15 April
2020-B-06430 WMF Panel Nominations 2020	MfE	The briefing provides you with the WMF Panel Nominations for 2020.	TBC
2020-B-06492 Territorial authority spending of waste disposal levy money in the 2016/17, 2017/18 and 2018/19 financial years	MfE	This briefing note informs you of how territorial authorities spent the waste disposal levy money allocated to them in the 2016/17, 2017/18 and 2018/19 financial years. We also highlight challenges with the current levy spend reporting process and how these challenges could be solved through the proposed levy expansion currently in progress.	TBC
2020-B-06506 Request to progress national recycling behaviour change campaign	MfE	Briefing to seek your approval to progress national recycling behaviour change campaign.	TBC

2. Cabinet Material

6 April – 27 April

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06452 Proposals for a more effective waste levy	ENV	Provides post-consultation policy advice on proposals to expand the waste disposal levy (waste levy) and increase its rate, for Cabinet approval for regulation making.	Draft due to your office: TBC Due to lodge: TBC Due to Committee: TBC Due to Cabinet: TBC

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

Paper title and number	What this paper covers	Date confirmed by Cabinet	Date due to your office	Date due for proactive release	Date published
2019-C-06356 Public consultation on options to implement amendments to the Basel Convention to better manage the trade in plastic waste	This paper seeks Cabinet approval to implement the Basel Convention amendments, and undertake public consultation on options to implement the Basel decision to better manage the trade in plastic waste.	16 March	TBC	28 April	TBC
2019-C-06344 Public consultation on regulatory measures to ratify the Minamata Convention on Mercury	This Cabinet paper seeks Cabinet approval to undertake public consultation on regulatory measures to ratify the Minamata Convention on Mercury.	16 March	TBC	28 April	TBC

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4. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Crown's approach to decommissioning the Tui Oil Field in response to operator Tamarind liquidation	MBIE	DEV TBC	<p>This DEV paper seeks to appropriate \$171.1 million to begin decommissioning the Tui oil field as a result of the Tamarind liquidation. It also outlines the legal options available to the Crown.</p> <p><i>* Note: Paper published at https://www.mbie.govt.nz/dmsdocument/11505-the-crowns-approach-to-decommissioning-the-tui-oil-field-in-response-to-operator-tamarind-liquidation-proactive-release-pdf-actual-figure-was-\$154.641-million</i></p>	<p>The Ministry for the Environment (the Ministry) supports the Ministry of Building, Innovation and Employment (MBIE) exploring all legal avenues to hold Tamarind and its directors accountable for the costs of decommissioning.</p> <p>The paper sets out a plan to begin decommissioning. MBIE has addressed previous Ministry concerns by noting that the marine consent process has the potential to extend their 2021/2022 timeline to begin decommissioning activities. MBIE has also confirmed that marine consenting costs to agencies are included in their costing.</p>
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR TBC	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori.</p> <p>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>
Substantial Alterations: Amendments to Earthquake-prone Buildings 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.	The Ministry 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>Marine risk & liability: Policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.</p>	<p>The Ministry 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

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<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>Onshore risk & liability: The discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<ul style="list-style-type: none"> • 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>The Ministry has largely provided 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>
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.	The Ministry is comfortable with the proposal and had no comments on this paper.
Report back on proactive release of Cabinet material policy	SSC	GOV TBC	The paper notes that the policy is still embedding but already producing results with regard to the number of papers released. s 9(2)(f)(iv)	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
New Zealand's financial security regime for offshore installations- Proposed amendments to Marine Protection Rules	MoT	DEV TBC	This noting paper reports back to Cabinet on the outcomes of public consultation on proposed amendments to Marine Protection Rules Part 102 and 131. The changes strengthen the offshore financial security regime for offshore installations which includes increasing the maximum limit of insurance to \$1.2 billion and introducing a new scaled insurance framework with costs proportionate to the risk posed.	The Ministry broadly supports the changes that have been made since consultation in April. s (g)
Building Consent Exemptions in Schedule 1 of the Building Act 2004	MBIE	DEV TBC	This paper proposes amendments to Schedule 1 of the Building Act 2004 to include 12 additional exemptions for minor and low risk building work from the Building Consent process. The exemptions include short span bridges, carports, single storey detached pole sheds and hay barns, solar array panels, veranda, awnings, single storey detached buildings, pipe support structures and flexible water bladders. Guidance to TAs would also be updated.	The Ministry is comfortable with this paper and has provided comments to MBIE.
Data and Statistics Legislation: Paper 1 – Overview of policy decisions Paper 2 - Official statistics system Paper 3 – Research and Analysis Paper 4 – Obligations and sanctions	Statistics NZ	GOV TBC	New data and statistics legislation will: <ul style="list-style-type: none"> • modernise roles and responsibilities for the Minister and Government Statistician • recognise the Māori-Crown relationship and what this means for Māori data and statistics • acknowledge the role and responsibilities other agencies play in collecting and sharing data for production of official statistics • recognise the variety of data sources for official statistics (surveys, administrative data, other data sources) • enable Statistics NZ (StatsNZ) to continue sharing data collected for official statistics with other government agencies for specific purposes (eg joint collections) • expand provisions that enable data access for research and analysis (eg reflecting tikanga 	The Ministry is generally comfortable with this paper and provided comments to StatsNZ. We are discussing with StatsNZ the operational implications proposed changes might have for data reuse (eg for environmental reporting or our policy work) and continuing the strength of the independence of the Government Statistician.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<p>framework developed by Stats NZ in partnership with Māori)</p> <ul style="list-style-type: none"> modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches. 	
Hector's and Maui Dolphin Threat Management Plan Review – Fisheries Measures	MPI	DEV	<p>This paper provides measures that the Minister of Fisheries considers necessary to support a revised Hector's and Maui Dolphin Threat Management Plan. It provides a suite of new restrictions on set netting and trawl fisheries in areas of dolphin habitat, and seeks the authorisation of Cabinet to draft new regulations. It also notes the Minister's intention to consult on aspects of the proposals (for the South Island Hector's population) that were not previously consulted on.</p>	s9(2)(g)(i)
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(h), s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(h), s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004		DEV 8 April	<p>This paper seeks Cabinet approval to amend the Act that enables settlement under regional agreements between iwi and the Crown. In some cases, some iwi of a region refuse to enter the negotiations, or the court cannot resolve disputes raised in the negotiation. In these cases, the Trustee can still receive the settlement assets but cannot currently transfer them to any of the iwi. The amendment enables the assets to be transferred to iwi who claim them.</p>	The Ministry supports the paper to enable settlement assets to be transferred to iwi who claim the assets within a reasonable timeframe. Iwi submitters and the Trustee (Te Ohu Kai Moana Limited) also support the amendment.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Te Korowai O Wainuiārua: s 9(2)(f) (iv)	Te Arawhiti	MCR TBC	s 9(2)(h), s 9(2)(j)	The Ministry supports the proposed changes in this paper.
Overhaul of the Biosecurity Act: Cabinet paper and attached Discussion Document	MPI	DEV	<p>This paper seeks Cabinet's approval to release a public discussion document as part of overhauling the Biosecurity Act 1993 (the Act).</p> <p>The purpose of the discussion document is to test the Ministry for Primary Industries' (MPI) preliminary analysis and understanding of the issues with the Act and the biosecurity system. The document does not present options for change.</p> <p>The proposed consultation period is from 7 May to 18 June 2020.</p>	The Ministry considers the discussion document provides a good summary of the state of our biosecurity system and the key issues that a review should address. We commented that the discussion on legislative alignment was overly simplistic, and focused almost exclusively on the interaction of the Biosecurity Act and the Hazardous Substances and New Organisms Act. This was also raised by other agencies, and MPI has acknowledged the need to resolve this issue.
Facilitation of Christ Church Cathedral Reinstatement	DPMC	DEV TBC	<p>The paper seeks cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017</p> <p>The proposal would substitute for the normal resource consent processes under district and regional plans an expedited process that removes local agency discretion and curtails public notification and appeals. The activities that would ordinarily be discretionary activities under the existing plans include the removal of a heritage-scheduled war memorial and three scheduled heritage trees. The proposal also suggests unspecified overrides to any discretionary consents under the NES-Contaminated Soil.</p>	<p>The Ministry broadly supports the use of an OiC to facilitate the reinstatement works, as was envisioned in the Christ Church Cathedral Reinstatement Act 2017.</p> <p>We made comment about the need to ensure adverse impacts to Cathedral Square were considered and remedied in the OiC in the drafting stage, as well as the need to provide for public participation and coordination with the local authorities. These comments were largely taken on board.</p>
Dam Safety Regulations: Policy Decisions	MBIE	s 9(2)(f)(iv)		

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			s 9(2)(f)(iv)	

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5. Official Information Act requests

5.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
Under the provisions of the Official Information Act (OIA) can I request copies of any briefing notes or similar you have received as minister with responsibility for recycling and the like from your ministry which addresses the issue raised in the attached scan. Further I am seeking copies of any correspondence, including email your office has had with Foodstuff North Island about the imported of mineral water from northern Italy, which is then distributed in New World outlets.	s 9(2)(a)	20-O-00322	30 March	6 April

5.2. Departmental

Request	Correspondent	Reference	Due to send
<p>I request under the Official Information and Meetings Act -the following</p> <p>Advice in the form of formal reports along with emails from MFE directly to Minister Ms Sage as Associate Minister for the Environment on the subject of genetic modification of pest animals such as stoats, ferrets, rabbits, possums, but not limited to the pests as mentioned during her time as Minister</p> <p>What was the Ministrys last advice to Minister Sage on the subject of the potential of all genetic techniques to reduce /eliminate introduced animal pests into NZ</p> <p>The date when Minister Sage prohibited further time and study by mfe staff on the potential of genetic modification and or the use of CRISPA technology, along with reason given by Ms Sage for the prohibition along with a copy of the directive</p> <p>The reason /explanation why such a directive was given by Minister Sage in her directive to MfE staff</p> <p>How many tonnes of toxic bait is used annually to control target species of animal pests in NZ including urban rat populations</p>	s 9(2)(a)	20-D-00408	9 April

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 14 April 2020

Environment weekly meeting Tuesday 14 April 10.15-11.00am

Attendees: Hon Eugenie Sage, Associate Minister for the Environment
 Vicky Robertson, Secretary for the Environment
 Sam Buckle, Deputy Secretary, Waste and Resource Efficiency
 Glenn Wigley, Acting Deputy Secretary, Resource Efficiency
 Shaun Lewis, Director, Investments and Partnerships
 Liz Moncrieff, Manager, Natural and Built System
 Nicola White, Manager, Resource Efficiency
 David Stephen, Programme Manager, Resource Efficiency

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Covid General Update	Shaun Lewis	Verbal update	5
3.	Infrastructure Investment	Glenn Wigley and Nicola White	Oral update	5
4.	Sustainable Solvents	Glenn Wigley	Oral update	5
5.	Budget Process Update	Sam Buckle	Verbal update	5

1. Updates for noting

1.1. Covid-19 Response Update

Personal Protective Equipment (PPE)

The National Crisis and Management Centre (NCMC) have set up a central portal for essential services to order PPE. The immediate focus is on face masks, however they will include other PPE as soon as they have secured a supplier. We will continue to assess the waste sectors access to appropriate PPE and raise it with NCMC as needed.

Recycling going to landfill

Several councils around the country have stopped collection of recyclable materials, due to concerns over health and safety of collectors. Some councils are encouraging residents to put their recycling in with their general waste and others are asking residents to stockpile. The Ministry is continuing to work with Local Government New Zealand, the Department of Internal Affairs and the waste sector to avoid stockpiles of residential recycling becoming an issue.

Forward planning for the waste sector

The Ministry is compiling information from councils and operators about the impact of future scenarios on their ability to maintain essential waste services. Scenarios include an extension of the level 4 lockdown and variations on cycling between different levels over an extended period of time. Initial discussions indicate some of the larger service providers will be able to continue to operate based on financial reserves, while some of the smaller operators may fold given the financial pressure. We will continue to collate this information and keep you informed as this situation develops.

1.2. Wet wipes campaign

Last week you requested the Ministry create a campaign as part of the government's overall COVID-19 response, to encourage proper disposal of wet wipes and prevent flushing; and the subsequent issues that are occurring for local government and wastewater systems.

We are releasing that campaign today, with online advertising and paid social media advertising.

The COVID Public Information Manager confirmed the need for the campaign and requested the Ministry lead it. They requested that it sit alongside/separately from the main campaign so it doesn't distract from their main messages (e.g. stay home). However they have allowed us to utilise the distinct yellow that had been used in the COVID-19 campaign to denote that it is a message from Government.

In creating the campaign we have reached out to a number of stakeholders including Department of Internal affairs, councils, Local Government New Zealand (LGNZ), Water New Zealand, Countdown and Foodstuffs.

LGNZ offered for councils to identify they have an issue so that the Ministry can target our spend using geo-location information. The following councils have identified a problem in their area: Queenstown, Tararua, Hastings, Marlborough, Raglan, Hamilton, Porirua, Waitaki, Auckland, Whakatane, Opotiki, Tasman, New Plymouth, Otago and Gisborne.

We are obtaining translations into several languages and these will be ready next week.

1.3. Waste levy waiver enquiry – COVID-19

We have received queries from s 9(2)(i) and s 9(2)(i) regarding a waiver of waste levy fees for recyclable waste going to landfill. As noted above, recycling and sorting facilities in some parts of the country are closed.

Section 29 of the Waste Minimisation Act 2008 ('the Act') allows the Secretary for the Environment to waive, in writing, the requirement for an operator to pay any amount of the levy if satisfied that exceptional circumstances justify the waiver.

An application for a waiver can be made at any time by a disposal facility operator — before the waste is received, before the levy is paid on it, or after the levy is paid on it. Through the application process the disposal facility operator must give a detailed description of why the situation justifies a waiver of the levy, the start and end date of the waiver and the approximate amount of tonnage the levy waiver will apply for.

Waivers on the waste levy have been submitted and approved for situations such as the Christchurch earthquake in 2010 and the Fox River landfill clean up in 2019.

We will respond to these questions by providing guidance on the application process to s 9(2)(i), noting that applications to waive the levy can only be made by a disposal facility operator. Further enquiries of this nature are likely, and while the Secretary for the Environment is responsible for granting or declining waivers, we will keep you updated about developments over the coming weeks. We will work to determine a nationally consistent and appropriate response in light of COVID-19.

1.4. Update on national behaviour change recycling campaign

The Ministry had intended to deliver a national behaviour change recycling campaign in 2020, as part of our wider National Resource Recovery work programme. However the timeline for delivery would have been difficult for WasteMINZ, it had agreed to modify its existing Rethinking Rubbish and Recycling programme to meet our request for a June 2020 campaign launch.

Due to the COVID-19 pandemic response, we have put the campaign launch on hold.

We will consider a more appropriate time to commission and deliver a recycling campaign once the country enters recovery; including how best to align with decisions on a Container Return Scheme, kerbside standardisation, and the WasteMINZ Rethinking Rubbish and Recycling programme.

At present, we are continuing to educate the public on recycling in a number of ways:

- through investing in Waste Minimisation Fund projects like Para Kore Marae's zero waste education programme, Keep New Zealand Beautiful 'Do the Right Thing,' and the Packaging Forum 'Litter less – Recycle more'
- the Ministry's "wet wipes" and "feels good to refill" behaviour change campaigns and
- supporting the sector and the public with appropriate messaging regarding waste and recycling during the COVID-19 lockdown period.

In the longer term, there may be opportunities to look at scope, scale and institutional arrangements for education as highlighted in the investment plan that we have developed to support proposals to expand the waste disposal levy.

1.5. Release of Our Freshwater 2020 – Thursday 16 April 2020

The Ministry and Statistics New Zealand will release Our Freshwater 2020 (OFW2020), the latest in the series of reports produced under the Environmental Reporting Act 2015,

on Thursday 16 April. This is a week later than previously scheduled, because of the current COVID-19 situation.

In line with the requirements of the Act, you will receive the report and supporting material 24 hours ahead of release at 10.45am on Wednesday 15 April, the same time as selected stakeholders and media. A combined Ministerial briefing has been scheduled for 3pm that day.

Given the situation with COVID-19, there will be no media launch event on the day of report release as there has been with past reports, although we will issue a media statement and media will still receive the report under embargo.

OFW2020 provides an overview of the state of New Zealand's freshwater environment, how it is changing and what the consequences are likely to be. It builds on the freshwater information presented in Environment Aotearoa 2019, presenting some new data and insights.

The new or updated indicators in the report are:

- consented freshwater lakes
- conservation status of indigenous freshwater species
- freshwater physical habitat
- deposited sediment in rivers
- modelled lake water quality
- groundwater quality
- lake submerged plant index
- river water quality heavy metals.

The science and data used in this report is largely consistent with the Essential Freshwater policy work, but some differences in approach do exist. We will provide you with a briefing on how the two compare alongside the report.

1.6. National Environmental Standard (NES) for Tyres Consultation

The public consultation closed on 8 April. To date we have received 40 submissions and we anticipate a handful of late submissions. Analysis is now underway. Early indications are that there is majority support for:

- regional council responsibility for implementation of the NES
- a threshold for discretionary resource consent of 100m3
- a permitted activity rule with requirements.

From here, we will provide you with a briefing note with our analysis and matters for discussion.

1.7. Fiordland Marine Guardians ((Fiordland (Te Moana o Atawhenua) Marine Management Act 2005) – reappointment/appointment of Guardians

DRAFTER: Annette Lendrum

MANAGER: Nicola Scott

In light of immediate COVID-19 response priorities, we are seeking the approval of Minister Parker to a delayed appointments process for four Fiordland Marine Guardians.

As required under the provisions of the Act, in appointing members to the Guardians, the Minister for the Environment must consult with the Ministers of Conservation, Biosecurity, and Fisheries; and the Southland Regional Council. This consultation will occur once the timeframe for the appointment process is agreed by Minister Parker. Note that due to the aforementioned delays, the appointment process is unlikely to be sufficiently progressed for Ministerial consideration of nominations prior to 19 June 2020, the date at which Government goes into its caretaker role prior to the election.

Four of the current eight Guardians terms expire on 31 October 2020. Two of the retiring Guardians are available for reappointment and two have indicated they will not stand for reappointment. A quorum for the Guardians is five members.

In the event that the process cannot be completed by 31 October 2020, under Section 16 (1) of the Act, a member of the Guardians whose term of appointment has expired continues to hold office until:

- the member is reappointed; or
- a successor to the member is appointed.

Three of the four Guardians whose terms are under review have agreed to continue in their role until the appointments process is complete. This will allow us to retain a quorum until appointments are made, likely late 2020 or early 2021.

1. Briefing notes

14 April – 4 May

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06611 Recommendations: Priority products and Ministerial guidelines under the Waste Minimisation Act	MfE	This follows on from 2020-B-06363, incorporating your requests for further information, options and seeking your decisions.	15 April
2020-B-06430 WMF Panel Nominations 2020	MfE	The briefing provides you with the WMF Panel Nominations for 2020.	TBC
2020-B-06492 Territorial authority spending of waste disposal levy money in the 2016/17, 2017/18 and 2018/19 financial years	MfE	This briefing note informs you of how territorial authorities spent the waste disposal levy money allocated to them in the 2016/17, 2017/18 and 2018/19 financial years. We also highlight challenges with the current levy spend reporting process and how these challenges could be solved through the proposed levy expansion currently in progress.	TBC

2. Cabinet Material

14 April – 4 May

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06452 Proposals for a more effective waste levy	ENV	Provides post-consultation policy advice on proposals to expand the waste disposal levy (waste levy) and	Draft due to your office: 29 May Due to lodge: 18 June

Paper name	Committee	What this paper covers	Our Suggested timeframes
		increase its rate, for Cabinet approval for regulation making.	Due to Committee: 25 June Due to Cabinet: 29 June

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

Paper title and number	What this paper covers	Date confirmed by Cabinet	Date due to your office	Date due for proactive release	Date published
2019-C-06356 Public consultation on options to implement amendments to the Basel Convention to better manage the trade in plastic waste	This paper seeks Cabinet approval to implement the Basel Convention amendments, and undertake public consultation on options to implement the Basel decision to better manage the trade in plastic waste.	16 March	TBC	28 April	TBC
2019-C-06344 Public consultation on regulatory measures to ratify the Minamata Convention on Mercury	This Cabinet paper seeks Cabinet approval to undertake public consultation on regulatory measures to ratify the Minamata Convention on Mercury.	16 March	TBC	28 April	TBC

Released under the provision of the Official Information Act 1982

4. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Crown's approach to decommissioning the Tui Oil Field in response to operator Tamarind liquidation	MBIE	DEV TBC	<p>This DEV paper seeks to appropriate \$171.1 million to begin decommissioning the Tui oil field as a result of the Tamarind liquidation. It also outlines the legal options available to the Crown.</p> <p><i>* Note: Paper published at https://www.mbie.govt.nz/dmsdocument/11505-the-crowns-approach-to-decommissioning-the-tui-oil-field-in-response-to-operator-tamarind-liquidation-proactiverelease-pdf - actual figure was \$154.641 million</i></p>	<p>The Ministry for the Environment (the Ministry) supports the Ministry of Building, Innovation and Employment (MBIE) exploring all legal avenues to hold Tamarind and its directors accountable for the costs of decommissioning.</p> <p>The paper sets out a plan to begin decommissioning. MBIE has addressed previous Ministry concerns by noting that the marine consent process has the potential to extend their 2021/2022 timeline to begin decommissioning activities. MBIE has also confirmed that marine consenting costs to agencies are included in their costing.</p>
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR TBC	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori.</p> <p>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>
Substantial Alterations: Amendments to Earthquake-prone Buildings 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.	The Ministry 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	Marine risk & liability: Policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.	<p>The Ministry 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

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<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>Onshore risk & liability: The discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<ul style="list-style-type: none"> • 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>The Ministry has largely provided 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>
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.	The Ministry is comfortable with the proposal and had no comments on this paper.
Report back on proactive release of Cabinet material policy	SSC	GOV TBC	<p>The paper notes that the policy is still embedding but already producing results with regard to the number of papers released. s 9(2)(f)(iv)</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
New Zealand's financial security regime for offshore installations- Proposed amendments to Marine Protection Rules	MoT	DEV TBC	This noting paper reports back to Cabinet on the outcomes of public consultation on proposed amendments to Marine Protection Rules Part 102 and 131. The changes strengthen the offshore financial security regime for offshore installations which includes increasing the maximum limit of insurance to \$1.2 billion and introducing a new scaled insurance framework with costs proportionate to the risk posed.	The Ministry broadly supports the changes that have been made since consultation in April. s (g)
Building Consent Exemptions in Schedule 1 of the Building Act 2004	MBIE	DEV TBC	This paper proposes amendments to Schedule 1 of the Building Act 2004 to include 12 additional exemptions for minor and low risk building work from the Building Consent process. The exemptions include short span bridges, carports, single storey detached pole sheds and hay barns, solar array panels, veranda, awnings, single storey detached buildings, pipe support structures and flexible water bladders. Guidance to TAs would also be updated.	The Ministry is comfortable with this paper and has provided comments to MBIE.
Data and Statistics Legislation: Paper 1 – Overview of policy decisions Paper 2 - Official statistics system Paper 3 – Research and Analysis Paper 4 – Obligations and sanctions	Statistics NZ	GOV TBC	New data and statistics legislation will: <ul style="list-style-type: none"> • modernise roles and responsibilities for the Minister and Government Statistician • recognise the Māori-Crown relationship and what this means for Māori data and statistics • acknowledge the role and responsibilities other agencies play in collecting and sharing data for production of official statistics • recognise the variety of data sources for official statistics (surveys, administrative data, other data sources) • enable Statistics NZ (StatsNZ) to continue sharing data collected for official statistics with other government agencies for specific purposes (eg joint collections) • expand provisions that enable data access for research and analysis (eg reflecting tikanga 	The Ministry is generally comfortable with this paper and provided comments to StatsNZ. We are discussing with StatsNZ the operational implications proposed changes might have for data reuse (eg for environmental reporting or our policy work) and continuing the strength of the independence of the Government Statistician.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<p>framework developed by Stats NZ in partnership with Māori)</p> <ul style="list-style-type: none"> modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches. 	
Hector's and Maui Dolphin Threat Management Plan Review – Fisheries Measures	MPI	DEV	<p>This paper provides measures that the Minister of Fisheries considers necessary to support a revised Hector's and Maui Dolphin Threat Management Plan. It provides a suite of new restrictions on set netting and trawl fisheries in areas of dolphin habitat, and seeks the authorisation of Cabinet to draft new regulations. It also notes the Minister's intention to consult on aspects of the proposals (for the South Island Hector's population) that were not previously consulted on.</p>	s9(2)(g)(i)
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(h), s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(h), s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004		DEV 8 April	<p>This paper seeks Cabinet approval to amend the Act that enables settlement under regional agreements between iwi and the Crown. In some cases, some iwi of a region refuse to enter the negotiations, or the court cannot resolve disputes raised in the negotiation. In these cases, the Trustee can still receive the settlement assets but cannot currently transfer them to any of the iwi. The amendment enables the assets to be transferred to iwi who claim them.</p>	The Ministry supports the paper to enable settlement assets to be transferred to iwi who claim the assets within a reasonable timeframe. Iwi submitters and the Trustee (Te Ohu Kai Moana Limited) also support the amendment.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Te Korowai O Wainiārua s 9(2)(f) (iv)	Te Arawhiti	MCR TBC	s 9(2)(h), s 9(2)(j)	The Ministry supports the proposed changes in this paper.
Overhaul of the Biosecurity Act: Cabinet paper and attached Discussion Document	MPI	DEV	<p>This paper seeks Cabinet's approval to release a public discussion document as part of overhauling the Biosecurity Act 1993 (the Act).</p> <p>The purpose of the discussion document is to test the Ministry for Primary Industries' (MPI) preliminary analysis and understanding of the issues with the Act and the biosecurity system. The document does not present options for change.</p> <p>The proposed consultation period is from 7 May to 18 June 2020.</p>	The Ministry considers the discussion document provides a good summary of the state of our biosecurity system and the key issues that a review should address. We commented that the discussion on legislative alignment was overly simplistic, and focused almost exclusively on the interaction of the Biosecurity Act and the Hazardous Substances and New Organisms Act. This was also raised by other agencies, and MPI has acknowledged the need to resolve this issue.
Facilitation of Christ Church Cathedral Reinstatement	DPMC	DEV TBC	<p>The paper seeks cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017</p> <p>The proposal would substitute for the normal resource consent processes under district and regional plans an expedited process that removes local agency discretion and curtails public notification and appeals. The activities that would ordinarily be discretionary activities under the existing plans include the removal of a heritage-scheduled war memorial and three scheduled heritage trees. The proposal also suggests unspecified overrides to any discretionary consents under the NES-Contaminated Soil.</p>	<p>The Ministry broadly supports the use of an OiC to facilitate the reinstatement works, as was envisioned in the Christ Church Cathedral Reinstatement Act 2017.</p> <p>We made comment about the need to ensure adverse impacts to Cathedral Square were considered and remedied in the OiC in the drafting stage, as well as the need to provide for public participation and coordination with the local authorities. These comments were largely taken on board.</p>
Dam Safety Regulations: Policy Decisions	MBIE	s 9(2)(f)(iv)		

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			s 9(2)(f)(iv)	

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5. Official Information Act requests

5.1. Departmental

Request	Correspondent	Reference	Due to send
<p>I request under the Official Information and Meetings Act -the following</p> <p>Advice in the form of formal reports along with emails from MFE directly to Minister Ms Sage as Associate Minister for the Environment on the subject of genetic modification of pest animals such as stoats, ferrets,rabbits ,possums, but not limited to the pests as mentioned during her time as Minister</p> <p>What was the Ministrys last advice to Minister Sage on the subject of the potential of all genetic techniques to reduce /eliminate introduced animal pests into NZ</p> <p>The date when Minister Sage prohibited further time and study by mfe staff on the potential of genetic modification and or the use of CRISPA technology, along with reason given by Ms Sage for the prohibition along with a copy of the directive</p> <p>The reason /explanation why such a directive was given by Minister Sage in her directive to MfE staff</p> <p>How many tonnes of toxic bait is used annually to control target species of animal pests in NZ including urban rat populations</p>	s 9(2)(a)	20-D-00408	9 April

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Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 28 April 2020

Environment weekly meeting (TBC)

Attendees: Hon Eugenie Sage, Associate Minister for the Environment
 Vicky Robertson, Secretary for the Environment
 Sam Buckle, Deputy Secretary, Waste and Resource Efficiency
 Glenn Wigley, Director, Resource Efficiency
 Shaun Lewis, Director, Investments and Partnerships
 Nicola White, Manager, Resource Efficiency
 Kathy Bass, Manager, Resource Efficiency
 Stephen Goodman, Manager, Resource Efficiency

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	COVID-19 Response	Shaun Lewis	Verbal update	10
3.	Budget Bids	Nicola White	Verbal update	10

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1. Updates for noting

1.1. Update on Waste Disposal Levy payments

The most recent waste disposal levy payments to Territorial Authorities (TAs) were made on Monday 20 April. In total, more than \$4.3 million (excluding GST) was distributed to 61 TAs.

As discussed, payments were retained from six TAs as they did not have a compliant Waste Management Minimisation Plan (WMMP). Under the Waste Minimisation Act (WMA), TAs are required to undertake a waste assessment and a “review” of their WMMP at intervals of no more than 6 years. In the case of each of these 6 TAs, those requirements had not been met. The Secretary for the Environment can only make quarterly payments of waste levy money to TAs if the requirements relating to plans and the review of those plans are met.

Once retained, levy payments cannot be paid to TAs at a later date: the money is reapportioned to be spent on levy administration or in relation to the Waste Minimisation Fund. Those 6 TAs are ^{s 9(2)(i)}

Territorial Authority	Payment Retained
s 9(2)(i)	

Last week, the Ministry informed each of these 6 TA Chief Executives (CEs) of the intention to retain their quarterly payment. We have also offered assistance to the TAs to help them understand what is needed to produce a compliant WMMP ahead of the next quarterly payment, scheduled for 20 July. In addition, we have taken the opportunity to write to all TA CE's to reinforce their WMMP obligations and the importance of having a compliant WMMP ahead of the next quarterly payment date, 20 July.

We appreciate that TAs are likely to be experiencing financial pressure as a consequence of COVID-19, so we are working with them to provide any necessary guidance or advice that may be required. The Ministry will keep you regularly updated of any potential risks or issues and those TAs we are working with in respect to their WMMPs.

In addition, we are also looking at historical processes and payments, and we will provide you with a fuller report once this work is completed.

1.2. Food Redistribution – Government work for Covid-19 response

This item provides further information relating to food distribution as part of the Government's COVID-19 response following our discussion with you on Tuesday 21 April.

The Ministry has been working closely with the Ministry of Social Development (MSD), Ministry for Primary Industries (MPI) and Department of the Prime Minister and Cabinet on supporting food redistribution efforts as part of the COVID-19 response. The Ministry

recognises how the Waste Minimisation Fund (WMF) could be used to invest in food recovery and food waste minimisation this year, to complement proposed MSD programmes and support COVID-19 response efforts. As such, we are recommending the 2020 WMF round be revised to focus on areas including food recovery (see briefing note 2020-B-06545).

9(2)(f)(iv)

9(2)(g)(i)

1.3. Government response to Select Committee on Food Waste – timeframes

Following the discussion with you on Tuesday 21 April, we are preparing a draft Government response as proposed in the recent briefing note (2020-B-06647). We will work to the following timeframe, unless you indicate otherwise:

- by close of Thursday 7 May: the Ministry (in consultation with partner agencies) provide a draft Cabinet paper with proposed Government response attached to your office
- by close of Monday 11 May: you provide any feedback to the Ministry
- Tuesday 12 May – Mon 18 May: time for Ministerial and departmental consultation (primarily Minister O'Connor)
- 19 & 20 May: the Ministry make any changes resulting from Ministerial consultation
- Thursday 21 May: Lodge for DEV Committee
- Wednesday 27 May: DEV Committee
- Tuesday 2 June: Cabinet meeting
- Either Wednesday 3 June or Thursday 4 June: Government response presented to the House.

1. Briefing notes

28 April – 18 May

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06430 WMF Panel Nominations 2020	MfE	The briefing provides you with the WMF Panel Nominations for 2020.	TBC

2. Cabinet Material

28 April – 18 May

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06452 Proposals for a more effective waste levy	ENV	Provides post-consultation policy advice on proposals to expand the waste disposal levy (waste levy) and increase its rate, for Cabinet approval for regulation making.	Draft due to your office: 29 May Due to lodge: 18 June Due to Committee: 25 June Due to Cabinet: 29 June

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

Paper title and number	What this paper covers	Date confirmed by Cabinet	Date due to your office	Date due for proactive release	Date published
2019-C-06356 Public consultation on options to implement amendments to the Basel Convention to better manage the trade in plastic waste	This paper seeks Cabinet approval to implement the Basel Convention amendments, and undertake public consultation on options to implement the Basel decision to better manage the trade in plastic waste.	16 March	TBC	28 April	
2019-C-06400 Proposed National Environmental Standard for the Outdoor Storage of Tyres: Consultation	Seeks Cabinet approval to release discussion document for a second round of public consultation because of significant changes to the original proposal.	24 February	TBC	TBC	

4. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Crown's approach to decommissioning the Tui Oil Field in response to operator Tamarind liquidation	MBIE	DEV TBC	<p>This DEV paper seeks to appropriate \$171.1 million to begin decommissioning the Tui oil field as a result of the Tamarind liquidation. It also outlines the legal options available to the Crown.</p> <p><i>* Note: Paper published at https://www.mbie.govt.nz/dmsdocument/11505-the-crowns-approach-to-decommissioning-the-tui-oil-field-in-response-to-operator-tamarind-liquidation-proactive-release-pdf - actual figure was \$154.641 million</i></p>	<p>The Ministry for the Environment (the Ministry) supports the Ministry of Building, Innovation and Employment (MBIE) exploring all legal avenues to hold Tamarind and its directors accountable for the costs of decommissioning.</p> <p>The paper sets out a plan to begin decommissioning. MBIE has addressed previous Ministry concerns by noting that the marine consent process has the potential to extend their 2021/2022 timeline to begin decommissioning activities. MBIE has also confirmed that marine consenting costs to agencies are included in their costing.</p>
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR TBC	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori.</p> <p>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>
Substantial Alterations: Amendments to Earthquake-prone Buildings 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.	The Ministry 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>Marine risk & liability: Policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.</p>	<p>The Ministry 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

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			<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>Onshore risk & liability: The discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<ul style="list-style-type: none"> • 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>The Ministry has largely provided 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>
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.	The Ministry is comfortable with the proposal and had no comments on this paper.
Report back on proactive release of Cabinet material policy	SSC	GOV TBC	The paper notes that the policy is still embedding but already producing results with regard to the number of papers released. s 9(2)(f)(iv)	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.

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New Zealand's financial security regime for offshore installations- Proposed amendments to Marine Protection Rules	MoT	DEV TBC	This noting paper reports back to Cabinet on the outcomes of public consultation on proposed amendments to Marine Protection Rules Part 102 and 131. The changes strengthen the offshore financial security regime for offshore installations which includes increasing the maximum limit of insurance to \$1.2 billion and introducing a new scaled insurance framework with costs proportionate to the risk posed.	The Ministry broadly supports the changes that have been made since consultation in April. s (g)
Building Consent Exemptions in Schedule 1 of the Building Act 2004	MBIE	DEV TBC	This paper proposes amendments to Schedule 1 of the Building Act 2004 to include 12 additional exemptions for minor and low risk building work from the Building Consent process. The exemptions include short span bridges, carports, single storey detached pole sheds and hay barns, solar array panels, veranda, awnings, single storey detached buildings, pipe support structures and flexible water bladders. Guidance to TAs would also be updated.	The Ministry is comfortable with this paper and has provided comments to MBIE.
Data and Statistics Legislation: Paper 1 – Overview of policy decisions Paper 2 - Official statistics system Paper 3 – Research and Analysis Paper 4 – Obligations and sanctions	Statistics NZ	GOV TBC	New data and statistics legislation will: <ul style="list-style-type: none"> • modernise roles and responsibilities for the Minister and Government Statistician • recognise the Māori-Crown relationship and what this means for Māori data and statistics • acknowledge the role and responsibilities other agencies play in collecting and sharing data for production of official statistics • recognise the variety of data sources for official statistics (surveys, administrative data, other data sources) • enable Statistics NZ (StatsNZ) to continue sharing data collected for official statistics with other government agencies for specific purposes (eg joint collections) • expand provisions that enable data access for research and analysis (eg reflecting tikanga 	The Ministry is generally comfortable with this paper and provided comments to StatsNZ. We are discussing with StatsNZ the operational implications proposed changes might have for data reuse (eg for environmental reporting or our policy work) and continuing the strength of the independence of the Government Statistician.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<p>framework developed by Stats NZ in partnership with Māori)</p> <ul style="list-style-type: none"> modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches. 	
Hector's and Maui Dolphin Threat Management Plan Review – Fisheries Measures	MPI	DEV	<p>This paper provides measures that the Minister of Fisheries considers necessary to support a revised Hector's and Maui Dolphin Threat Management Plan. It provides a suite of new restrictions on set netting and trawl fisheries in areas of dolphin habitat, and seeks the authorisation of Cabinet to draft new regulations. It also notes the Minister's intention to consult on aspects of the proposals (for the South Island Hector's population) that were not previously consulted on.</p>	s9(2)(g)(i)
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(h), s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(h), s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004		DEV 8 April	<p>This paper seeks Cabinet approval to amend the Act that enables settlement under regional agreements between iwi and the Crown. In some cases, some iwi of a region refuse to enter the negotiations, or the court cannot resolve disputes raised in the negotiation. In these cases, the Trustee can still receive the settlement assets but cannot currently transfer them to any of the iwi. The amendment enables the assets to be transferred to iwi who claim them.</p>	<p>The Ministry supports the paper to enable settlement assets to be transferred to iwi who claim the assets within a reasonable timeframe. Iwi submitters and the Trustee (Te Ohu Kai Moana Limited) also support the amendment.</p>

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Te Korowai O Wainuiārua: s9(2)(j), s9(2)(h)	Te Arawhiti	MCR TBC	s 9(2)(h), s 9(2)(j)	The Ministry supports the proposed changes in this paper.
Overhaul of the Biosecurity Act: Cabinet paper and attached Discussion Document	MPI	DEV	<p>This paper seeks Cabinet's approval to release a public discussion document as part of overhauling the Biosecurity Act 1993 (the Act).</p> <p>The purpose of the discussion document is to test the Ministry for Primary Industries' (MPI) preliminary analysis and understanding of the issues with the Act and the biosecurity system. The document does not present options for change.</p> <p>The proposed consultation period is from 7 May to 18 June 2020.</p>	The Ministry considers the discussion document provides a good summary of the state of our biosecurity system and the key issues that a review should address. We commented that the discussion on legislative alignment was overly simplistic, and focused almost exclusively on the interaction of the Biosecurity Act and the Hazardous Substances and New Organisms Act. This was also raised by other agencies, and MPI has acknowledged the need to resolve this issue.
Facilitation of Christ Church Cathedral Reinstatement	DPMC	DEV 29 April	<p>The paper seeks cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017</p> <p>The proposal would substitute for the normal resource consent processes under district and regional plans an expedited process that removes local agency discretion and curtails public notification and appeals. The activities that would ordinarily be discretionary activities under the existing plans include the removal of a heritage-scheduled war memorial and three scheduled heritage trees. The proposal also suggests unspecified overrides to any discretionary consents under the NES-Contaminated Soil.</p>	<p>The Ministry broadly supports the use of an OiC to facilitate the reinstatement works, as was envisioned in the Christ Church Cathedral Reinstatement Act 2017.</p> <p>We made comment about the need to ensure adverse impacts to Cathedral Square were considered and remedied in the OiC in the drafting stage, as well as the need to provide for public participation and coordination with the local authorities. These comments were largely taken on board.</p>
Dam Safety Regulations: Policy Decisions	MBIE	s 9(2)(f)(iv)		

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			s 9(2)(f)(iv)	

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5. Official Information Act requests

5.1. Departmental

Request	Correspondent	Reference	Due to send
<p>OIA - Official information request: For one year, 2019-20</p> <p>We are researching the development of a tyre recycling business in New Zealand.</p> <p>1/ Quantities of Motor Vehicle Tyres to landfill</p> <p>3/ The quantities of any known motor vehicle tyres storage/tyre mountain, in New Zealand</p> <p>4/ The quantities relating to the various landfills.</p>	s 9(2)(a)	20-D-00566	18 May
<p>OIA - Official information request: For one year, 2019-20</p> <p>We are researching the development of a plastic recycling business in New Zealand.</p> <p>1/ Quantities of household plastic waste to landfills.</p> <p>a) categorized by type either 1 & 2s and 3-7s.</p> <p>b) the quantities relating to the various landfills.</p> <p>2/ The quantities of any known storage/plastic mountains, in New Zealand.</p>	s 9(2)(a)	20-D-00565	18 May
<p>OIA - Official information request: For one year, 2019-20</p> <p>We are researching the development of a plastic recycling business in New Zealand.</p> <p>1/ Quantities of industrial plastic waste to landfill.</p> <p>2/ Specifically, quantities of Motor Vehicle plastic components waste to landfill.</p> <p>3/ The quantities of any known Motor Vehicle plastic storage/plastic mountain, in New Zealand.</p> <p>4/ The quantities relating to the various landfills.</p>	s 9(2)(a)	20-D-00564	18 May