

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 2 June 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, Resource Efficiency

Bruce Croucher, Principal Advisor

Nicola White, Manager, Resource Efficiency

Kathy Bass, Manager, Resource Efficiency

Stephen Goodman, Manager, Resource Efficiency

Stuart McKay, Manager, Resource Efficiency

	Agenda Item	Lead	Paper / verbal update	Mins
1	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2	Vulnerable landfills update	Bruce Croucher	Verbal update	10

1. Actions and decisions

1.1. Vulnerable Landfill – Regional Council pilot project

Environment Canterbury (ECan) have just commenced Phase 2 of the Vulnerable Landfills pilot project. During Phase 2, ECan would like to apply the identification and prioritisation tool, developed during Phase 1, to landfills in the Canterbury, West Coast and Southland regions. The project will take approximately 14 weeks to complete and is scheduled to be completed on 10 August 2020. ECan have asked if you would be interested in publically announcing the start of this work. We have forwarded this request to your office.

The consultants engaged to undertake Phase 2 are collating the regional councils' available Geographical Information System, landfill information sources and utilising the tool to determine the vulnerability of the landfills to more frequent extreme flooding and sea level rise/coastal inundation. These two climate change effects are considered by the pilot project to pose the most risks to landfills, especially those located near rivers or the coast.

The pilot project will validate that the tool identifies and prioritises landfills at risk from the effects of climate change in a consistent manner. The tool will in time allow all regional councils to undertake similar assessments in their regions. These assessments will be compiled to develop a national list of vulnerable landfills. The list will provide the Government's Community Resilience and Climate Change National Adaption Plan work programmes with evidence to support the development of appropriate mitigation measures.

Can we advise ECan that you will publicly announce the start of Phase 2? **Yes/No**

2. Updates for noting

2.1. Waste Minimisation Fund (WMF) update

The Waste Minimisation Fund Round 2020 closed for Expressions of Interest on Friday 22 May at midday. The Fund remains oversubscribed with 275 Expressions of Interest (EOIs) requesting \$203.6 million in funding received.

The WMF team are currently collating the information from the EOIs in preparation for the Independent Assessment Panel who will have a window of three weeks to assess all the eligible projects. The time table for the assessment stage has shifted out by four days to allow for the accurate collation of the EOI information and managing the quantity of work involved. Assessments will be completed by 19 June 2020.

As agreed in briefing 2020-B-06545 (Revising the 2020 WMF Round in response to COVID-19), the next steps will be for you to select between 10-20 projects to go to application stage from which you have indicated no more than 20 will be approved. While the EOI process has increased the initial workload, the two stage application process will significantly reduce the number of projects selected to complete a full application and enable successful applicants to be fast tracked into Deed of Funding arrangements. A table indicating the revised timeline is indicated below.

2020 Funding Round Timeline (revised)		
Activity	Duration	Due date
<i>Registration of Interest & EOI window</i>	<i>3 weeks</i>	<i>22 May 2020</i>
<i>Panel assessment of EOIs</i>	<i>3 weeks</i>	<i>18 June 2020</i>
<i>Briefing to Minister with panel recommendations (EOI's to take to application)</i>	<i>1 week</i>	<i>26 June 2020</i>
<i>Minister's decision on EOI's to invite to application stage</i>	<i>2 weeks</i>	<i>10 July 2020</i>
<i>Application window</i>	<i>3 weeks</i>	<i>31 July 2020</i>
<i>Pre-assessment preparation</i>		
<i>Panel assessment</i>	<i>2 weeks*</i>	<i>14 August 2020</i>
<i>Moderation meeting</i>		
<i>Briefing to Minister with panel recommendations</i>	<i>1 week</i>	<i>28 August 2020</i>
<i>Minister's decision on which applications to approve for funding</i>	<i>2 weeks</i>	<i>11 September 2020</i>
Application phase timeframe:	17 weeks (mid-Aug 2020)	
Project negotiation and Deed of Funding - timeframe	12 weeks (Starts mid-Sept 2020)	
<i>*Assessment time based on limited suite (10-20) of EOIs invited to application stage</i>		

2.2. Two Amberley Tyre Stockpile EOIs submitted to the Waste Minimisation Fund (WMF)

On 27 May 2020, Stuff published an article entitled 'The giant tyre pile has been there for years'. Now two groups are jostling to clean it up'. The article discusses that two separate organisations have submitted EOIs to the Waste Minimisation Funds (WMF) May 2020 funding round for funding for a solution to the tyre stockpile in Amberley. Both applications will proceed through the standard contestable process whereby the EOIs will be assessed side by side by the independent Panel, who will then provide you advice on whether the EOIs should be invited to submit a full application.

The two EOIs were submitted by Environment Canterbury and Hurunui District Council respectively. The proposal by Hurunui District Council (HDC) lists a member of the Accountability Action as the primary contact. The article indicates that HDC have submitted the EOI to meet the requirement for applications to be submitted by a legal entity in a "show of support for the project".

Both EOI applications involve shredding the tyres in Christchurch and transporting the material by ship to Golden Bay Cement in Whangarei, where they intend to use the product as tyre-derived fuel (TDF) in the cement manufacturing process. Both appear to have involved the landowner and have backing from ECan. The article indicates that Accountability Action are surprised by the involvement of ECan and the landowner in the second application. The landowner's lawyer indicated in the article that his client was also collaborating with ECan in another application to the Waste Minimisation Fund and while the landowner was open to working with Accountability Action in the future, the group had not provided enough confidence in its business plan.

The article also indicates that in April 2018, an enforcement order was imposed on the two companies who collected the tyres by the end of that year. When this was not met, the two companies were charged with failing to comply. An ECan spokeswoman indicates in the article that a three-day trial had been set down, starting on 13 July. The spokeswoman also indicated that the issue of who could remove the tyres was also a matter which may

be settled through court proceedings. We expect that the Panel's recommendations on the EOs will closely coincide with this date and the issue is likely to be topical.

An update on Golden Bay Cement's WMF project will be provided next week after the governance group meets this Friday.

2.3. Feedback from stakeholders on options to implement the Basel Amendment and next steps

We have been undertaking targeted engagement with key stakeholders in the waste sector on proposed options to implement new international requirements to better manage the trade in plastic waste (Basel Amendment). As part of our engagement we held a virtual meeting with stakeholders to outline the new requirements and discuss the proposed options.

On Friday 22 May, written feedback was due from stakeholders. We received written feedback from 17 stakeholders across the sector (including councils, recyclers, exporters, manufacturers, academics). We also received verbal feedback from three additional stakeholders.

Overall, stakeholders are supportive of the Basel Amendment and global efforts to improve the quality of plastic waste exported for recycling. There is mixed preference for the different options which reflects the tension between the need for flexibility to respond to the international market and some certainty around exports of plastic waste. The feedback has also included information about domestic recycling and current export practices which will help to quantify some of the potential impacts of implementing the Basel Amendment. We are now working through the feedback, and are analysing final policy positions.

We had previously advised you that the Basel Amendment is considered to be minor and technical as it is in line with the objectives of the convention, still allows the trade in plastic waste, and reflects changes in the domestic and international markets. Because of this, the Basel Amendment is not subject to Parliamentary treaty examination [briefing 2020-B-06552 refers]. Treasury have since advised us that despite this, a full regulatory impact analysis is required. This will take some additional time to draft and have reviewed. As a result, we will now report back to Cabinet in July, instead of late June.

We will provide you with a briefing note and draft Cabinet paper outlining stakeholder feedback, and final policy proposals in late June. The Cabinet paper will be considered at the Cabinet Environment Committee meeting on 23 July, and by Cabinet on 27 July.

2.4. Landfill Mining feasibility studies at Fox and Hector Landfill

Westland and Buller District Councils, assisted by the Contaminated Sites Remediation Fund (CSRF), are undertaking a landfill mining feasibility study on the Fox and Hector Landfills. The purpose of the feasibility study is to determine whether landfill mining could significantly reduce the cost of removing these landfills from their current locations.

Landfill mining excavates and segregates the fill materials within the landfill based on size and metallic content. This allows the recovery of potentially valuable resources reducing the volume to be sent to another disposal facility.

The consultants engaged by Westland District Council (WDC) completed the physical investigations on the Fox Landfill just before the COVID-19 lockdown and have prepared a draft report for the Council. The investigations goal was to delineate the depth, extent and nature of the waste material. WDC have provided comments on the report to the consultants. When we receive a copy of the draft report from the WDC we will provide you with an update.

Buller District Council have signed the CSRF Deed of Funding, However, we are awaiting a project update from the council on the status of the physical works and reports.

2.5. Standardising kerbside collection

Sunshine Yates Consulting and WasteMINZ have finished conducting regional hui across the country to engage with local government and waste processors on standardising kerbside collection. The initial findings suggest that there is a general consensus around what materials should be collected and that a higher quality of materials is needed. There was near unanimous agreement that glass should be separated from comingled recycling, and support for organics collection as part of best practice. There is less consensus around collection vessels and systems as regional differences may suit one or more of: bins, bags and crates. Sunshine and WasteMINZ's research notes that kerbside-sorted crates produce the best outcomes, but may not be achievable for some regions due to cost, terrain and local infrastructure. We will provide advice to you when we receive the report from Sunshine and WasteMINZ in mid-June.

We think there is potential for a roadmap for kerbside standardisation, with early wins, strong signals for the sector, and longer-term change aligned with a broader programme that you have underway (e.g. proposed levy increase). In the nearer term your choices might include:

- forming and announcing best-practice guidelines for councils on what materials should be collected and how (with support of local government)
- education/messaging to support best-practice kerbside collection
- taking forward the organics collection recommendations into implementation.

The roadmap can also consider:

- further support for the sector, such as developing model contracts for future waste management services
- funding issues
- considering any regulation or legislation to support a standardised kerbside system (such as setting standards, targets, rewards and/or sanctions).

Communication opportunities

Over the next month we will also be thinking of the communications you may wish to have, such as with local government decision makers. This could be a coming together on the direction of kerbside collection and early wins, and/or a wider range of waste minimisation issues. The Ministry can also play a role in having the best-practice guidance more easily available.

We will provide you with further advice on this work in late June.

2.6. Waste volumes to landfill for March and April 2020

Restrictions associated with COVID-19 was expected to have an impact on waste generated, waste sent to landfill and waste recycled.

We have now received data for tonnage of waste that is disposed at Class 1 Landfills.

In summary:

- waste tonnage sent to landfill dropped by 30 percent (approx. 85,000 tonnes)
- waste material normally diverted from landfill for recycling or reuse dropped by 80 percent (approx. 14,500 tonnes).

Table 1 shows waste to landfill for the months of March and April since records began in 2010. Generally waste volumes for March and April are similar, though this year there is a noticeable decrease in volumes between March and April.

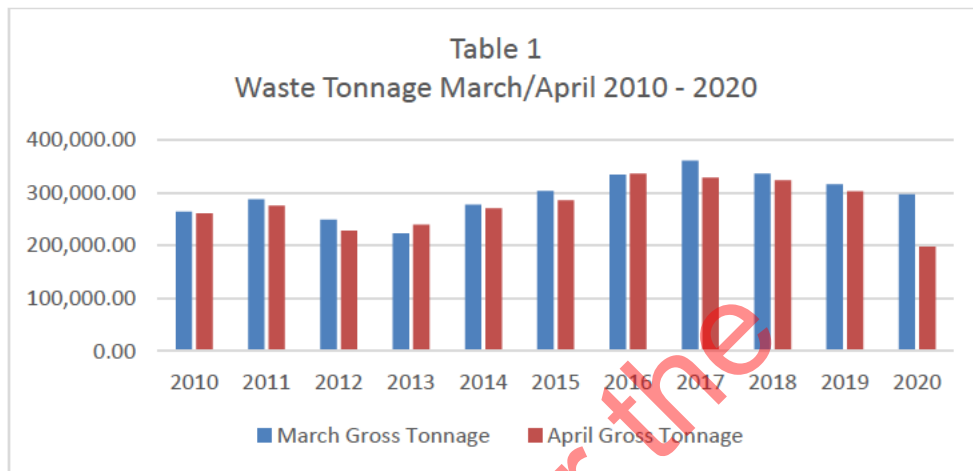


Table 2 shows waste sent from landfill for recycling or reuse activities for the months of March and April. A decrease in diverted material also occurred between March and April 2020.

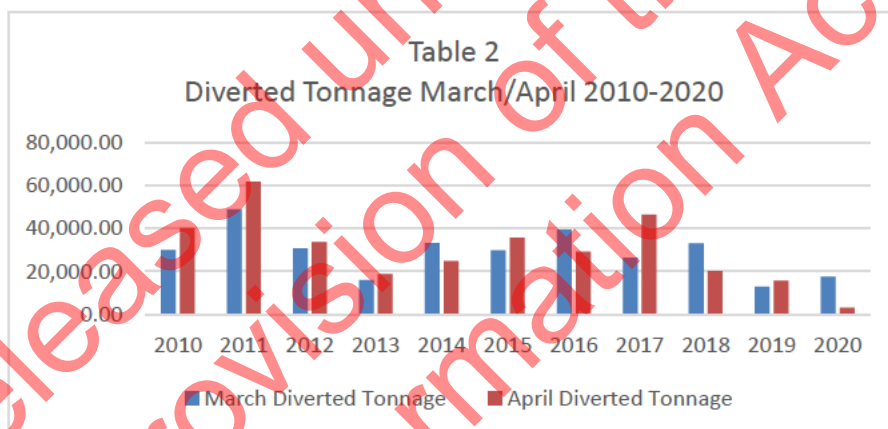
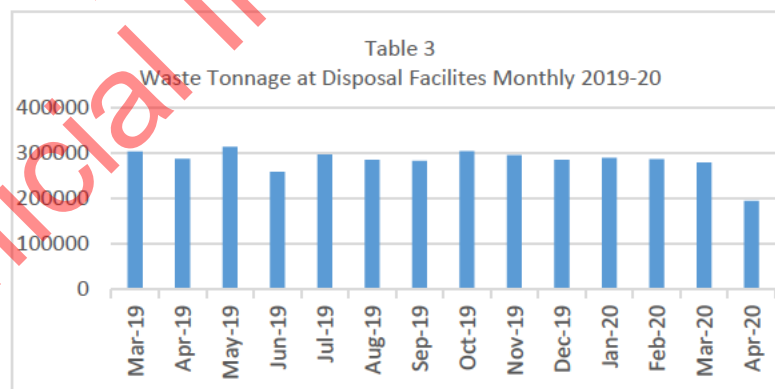


Table 3 shows waste tonnage to landfill for the last 13 months, March 2019 – April 2020. This shows waste volumes before the lockdown and then the decrease in volumes in April.



Tonnage data from landfills for April 2020 have only recently been received and we will present further analysis on reported tonnages next month.

3. Briefing notes

June 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06793 Container Return Scheme - May Update	MfE	This briefing provides you with an update on the Container Return Scheme (CRS) co-design process. This includes progress to date, key provisional design recommendations issued over the three released research tranches, and opportunities for you to engage with key project design stakeholders over the course of June 2020.	28 May
2020-B-06696 Community Environment Fund: Funding for Environment Centres	MfE	This briefing provides you with advice on a new funding model, managed by Environment Centres Aotearoa, for Environment Centres.	29 May
Final policy decisions on implementing amendments to the Basel Convention	MfE	This briefing provides you with advice on final policy decisions to implement amendments to the Basel Convention	25 June

4. Cabinet Material

June 2020

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06690 Government response to the Environment Committee Report on Food Waste	DEV	This Cabinet paper provides you with the Government response to the Environment Committee Report on Food Waste. The Ministry is the lead agency on the response.	Due to lodge: 29 May Due to Committee: 4 June Due to Cabinet: 8 June
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.	Due to lodge: 29 May Due to Committee: 4 June Due to Cabinet: 8 June
2020-C-06723 Final policy decisions on implementing amendments to the Basel Convention	ENV	This Cabinet paper provides final policy decisions on implementing amendments to the Basel Convention	Draft due to your office: 25 June Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06754 NES for the Outdoor Storage of Tyres - policy recommendations	ENV	This Cabinet paper provides you with a policy decision following consultation	Draft due to your office: 11 June Due to lodge: 25 June

Paper name	Committee	What this paper covers	Our Suggested timeframes
			Due to Committee: 2 July Due to Cabinet: 6 July
2020-C-06761 Improving our framework for managing environmentally harmful products in New Zealand	ENV	This Cabinet paper provides the invited report-back on public consultation in 2019 and seeks authorisation to declare priority products and publish ministerial guidelines under sections 9 and 12 of the Waste Minimisation Act.	Due to lodge: TBC Due to Committee: TBC Due to Cabinet: TBC

5. 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	Status of paper	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	11 May	With office for review	TBC	
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	

6. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004		DEV 8 April	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.	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.
Facilitation of Christ Church Cathedral Reinstatement	DPMC	DEV 29 April	The paper seeks Cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017 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.	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. 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.
Dam Safety Regulations: Policy Decisions	MBIE	DEV 29 April	s 9(2)(f)(iv)	

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			s 9(2)(f)(iv)	
Draft Cabinet paper- Strengthening decommissioning requirements and expanding enforcement tools under the Crown Minerals Act 1991.	MBIE	DEV June (TBC)	MBIE provided the Ministry with a draft Cabinet paper (due with your office from 12 May onwards) which seeks to strengthen decommissioning requirements and expand enforcement tools under the Crown Minerals Act 1991 to avoid operators defaulting on their decommissioning obligations.	The Ministry supports strengthening the regime and agree with many of the proposals within the paper, including that the regulator should have powers to conduct regular financial capability assessments in a flexible and case-by-case approach. The Ministry agree that better enforcement and compliance measures are necessary to strengthen the regime. However, the Ministry did question whether some of the proposed penalties were sufficient to achieve the purpose set out in the paper. The Ministry also consider the paper needs to make the connection to the decommissioning regulations under the EEZ Act clearer, given both are part of a wider regime seeking to strengthen decommissioning.
Revision of the Hector's and Maui Dolphin Threat Management Plan – the Management of Non-Fishing Threats	DOC	ENV 4 June	<p>This paper notes the changes being made to address non-fishing threats to Hector's and Māui Dolphin following recent consultation.</p> <p>The visions, goals, and population outcomes central to the Hector's and Māui Dolphin Threat Management Plan has been updated by the Minister of Conservation and Minister of Fisheries. The Department of Conservation has been instructed to develop and action a Toxoplasmosis Action Plan.</p> <p>The Ministers of Energy and Resources, Fisheries,</p>	The Ministry is supportive of the non-fishing measures being taken to protect these nationally critical and nationally vulnerable species.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			Transport, and Conservation have consented to extensions of the West Coast North Island and the Bank Peninsula Marine Mammal Sanctuaries. Within these sanctuaries, seismic surveying and seabed mining will be prohibited (with some exemptions). Pending support from the Minister of Energy and Resources, seabed mining will also be prohibited within the Te Rohe o Te Whānau Pūha Whale Sanctuary (Kaikōura). These changes will be gazetted and subject to a 28-day period for public comment.	
Framework to accelerate progress towards accessibility in New Zealand	MSD	SWC 17 June	This paper seeks Cabinet approval to officials progressing further work on details of a new legislative framework to accelerate accessibility and so achieve better social and economic outcomes for disabled people and other New Zealanders. This work will inform a complete policy proposal to be presented to Cabinet in May 2021.	The Ministry has no particular concerns with the proposal.
Proposed Government Response to the Public inquiry into the Earthquake Commission Proposal	TSY	DEV 29 June	<p>This paper seeks Cabinet agreement to the proposed Government response to the report and recommendations of the Public Inquiry (the Inquiry) into the Earthquake Commission (EQC), presented to the House on 9 April 2020. There are 70 recommendations. Several pose big picture questions that extend beyond EQC's current mandate.</p> <p>The Ministry specifically input into the proposed responses to three recommendations:</p> <ul style="list-style-type: none"> • 1.1.2 (Clarify expectations with EQC about its responsibility in land-use planning before, and for the coordination of land remediation after, a natural disaster), • 6.4.1 (Consider changes to relevant legislation to enable greater availability 	<p>The Ministry supports proactive natural hazard risk information being given to development decision-makers.</p> <p>The Ministry supports acceptance of Recommendation 1.1.2, and acceptance in principle of recommendations 6.4.1 and 6.4.2 with further consideration of the mechanisms for delivery.</p> <p>Note that the proposal of formal standing for EQC in land-use planning hearings may not be the most effective mechanism for delivery, that several avenues are already open to EQC to advise on risk, and that the current work in national adaptation planning and the resource management review may offer opportunities for</p>

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<p>and use of information about land and its stability to inform land-use decision making and current and prospective property owners through appropriate public information sources), and</p> <ul style="list-style-type: none"> 6.4.2 (Consider granting EQC standing to appear in formal land-use planning hearings). <p>There are opportunities to align implementation of the recommendations with current Ministry work on national adaptation planning and with topics under consideration by the review panel; e.g., climate change adaptation and spatial planning.</p>	giving effect to recommendations.
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.	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.
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>Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not</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 mining restrictions in benthic protection areas

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<p>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>	<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>
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. § 9(2)(f)(iv)	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.

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 TA's would also be updated.	The Ministry is comfortable with this paper and has provided comments to the 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 to continue sharing data collected for official statistics with 	The Ministry is generally comfortable with this paper and provided comments to Statistics NZ. We are discussing with Statistics NZ the operational implications proposed changes might have for data reuse (e.g. 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>other government agencies for specific purposes (e.g. joint collections)</p> <ul style="list-style-type: none"> expand provisions that enable data access for research and analysis (e.g., reflecting tikanga framework developed by Statistics NZ in partnership with Māori) 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>	9(2)(g)(i)
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Te Korowai O Wainuiārua: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry supports the proposed changes in this paper.

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

Released under the
provision of the
Official Information Act 1982

7. Official Information Act requests

7.1. Departmental

Request	Correspondent	Reference	Due to send
<p>I would like to request the following data:</p> <ul style="list-style-type: none"> The tonnes of PET plastics discarded in NZ every year and what percentage of this is plastic bottles? The cost of disposing plastic bottles in NZ every year? The tonnes of paper disregarded in NZ every year? The cost of disposing paper in NZ every year? 	s 9(2)(a)	20-D-00780	15 June
<p>Under section 12 of the Official Information Act 1982 I request the following information from the Ministry for the Environment:</p> <p>The Business and Economic Research (BERL) report detailing the merits or otherwise of Waste to Energy plants and their fit with NZ circular waste economy vs. landfills.</p>	<p>s 9(2)(a)</p> <p>Waikato Regional Council</p>	20-D-00784	16 June
<p>Under Section 12 of the Official Information Act 1982 I request the following information:</p> <p>Copies of all correspondence, including but not limited to, internal and external email communications, records of phone communications, briefings, reports, and advice, sent or received by the Ministry for the Environment regarding any applications made during the Waste Minimisation Fund expression of interests funding round from 1 May 2020 and 22 May 2020 with regards to the cleaning up of tyres at a Racecourse Road property in Amberley, North Canterbury.</p> <p>As part of my request, please include the following information from any applications made:</p> <p>I. Parties details involved in the application,</p> <p>II. Proposed method of dealing with the tyre pile,</p> <p>III. Time frame to deliver the proposal,</p> <p>IV. Total cost of any proposal received.</p>	<p>Stuart Smith and s 9(2)(a), MP Kaikoura</p>	20-D-00818	24 June



Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 8 June 2020

The next meeting will be on Monday 15 June

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provision of the
Official Information Act 1982

1. Actions and decisions

1.1. Waste Minimisation Fund – Project self-announcement request

The Formary approached the Waste Minimisation Fund (WMF) requesting our approval to self-announce their project entitled 'Used to Useful (textile reuse programme)'. The project applied to the May 2019 funding round, and was approved for \$167,805 in funding. The Deed of Funding was executed on 2 June 2020.

The primary objective of the two-year project is to establish an accredited voluntary product stewardship scheme for textile waste in New Zealand. The project will be completed in two stages:

- Stage One will investigate the potential for a textile product stewardship scheme in New Zealand
- Stage Two will initiate a pilot of the preferred voluntary scheme option.

The Formary request to self-announce the project to enable effective textile industry stakeholder engagement. It is planned that The Formary will identify and invite 10-15 stakeholders from the textile industry in New Zealand, with engagement activities planned to commence on 14 July 2020.


If this request is not approved, The Formary request that a joint project/Minister announcement take place as soon as possible.

Do you approve of The Formary's request to self-announce their WMF project? **Yes/No**

2. Updates for noting

2.1. Waste Minimisation Fund – Withdrawn project

9(2)(g)(i), 9(2)(j)



3. Briefing notes

June 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06823 Waste Minimisation Fund -Expression of Interest (EOI) Recommendations from May 2020 funding round	MfE	This briefing provides you with the EOI recommendations from May 2020 funding round.	26 June

4. Cabinet Material

June 2020

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06690 Government response to the Environment Committee Report on Food Waste	DEV	This Cabinet paper provides you with the Government response to the Environment Committee Report on Food Waste. The Ministry is the lead agency on the response.	Due to Cabinet: 8 June
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.	Due to Cabinet: 8 June
2020-C-06723 Final policy decisions on implementing amendments to the Basel Convention	ENV	This Cabinet paper provides final policy decisions on implementing amendments to the Basel Convention	Draft due to your office: 25 June Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06754 NES for the Outdoor Storage of Tyres - policy recommendations	ENV	This Cabinet paper provides you with a policy decision following consultation	Draft due to your office: 11 June Due to lodge: 25 June Due to Committee: 2 July Due to Cabinet: 6 July
2020-C-06761 Improving our framework for managing environmentally harmful products in New Zealand	ENV	This Cabinet paper provides the invited report-back on public consultation in 2019 and seeks authorisation to declare priority products and publish ministerial guidelines under sections 9 and 12 of the Waste Minimisation Act.	Due to lodge: TBC Due to Committee: TBC Due to Cabinet: TBC

5. 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	Status of paper	Date due for proactive release	Date published
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	12 June		TBC	
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	11 May	With office for review	TBC	

Released under the Official Information Act 1982

6. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004		DEV 8 April	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.	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.
Facilitation of Christ Church Cathedral Reinstatement	DPMC	DEV 29 April	The paper seeks Cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017 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.	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. 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.
Dam Safety Regulations: Policy Decisions	MBIE	DEV 29 April	s 9(2)(f)(iv)	

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<p>s 9(2)(f)(iv)</p>	
<p>Revision of the Hector's and Maui Dolphin Threat Management Plan – the Management of Non-Fishing Threats</p>	<p>DOC</p>	<p>ENV 4 June</p>	<p>This paper notes the changes being made to address non-fishing threats to Hector's and Māui Dolphin following recent consultation.</p> <p>The visions, goals, and population outcomes central to the Hector's and Māui Dolphin Threat Management Plan has been updated by the Minister of Conservation and Minister of Fisheries. The Department of Conservation has been instructed to develop and action a Toxoplasmosis Action Plan.</p> <p>The Ministers of Energy and Resources, Fisheries, Transport, and Conservation have consented to extensions of the West Coast North Island and the Bank Peninsula Marine Mammal Sanctuaries. Within these sanctuaries, seismic surveying and seabed mining will be prohibited (with some exemptions). Pending support from the Minister of Energy and Resources, seabed mining will also be prohibited within the Te Rohe o Te Whānau Puha Whale Sanctuary (Kaikōura). These changes will be gazetted and subject to a 28-day period for public comment.</p>	<p>The Ministry is supportive of the non-fishing measures being taken to protect these nationally critical and nationally vulnerable species.</p>

Released under the Official Information Act 1982


Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Framework to accelerate progress towards accessibility in New Zealand	MSD	SWC 17 June	This paper seeks Cabinet approval to officials progressing further work on details of a new legislative framework to accelerate accessibility and so achieve better social and economic outcomes for disabled people and other New Zealanders. This work will inform a complete policy proposal to be presented to Cabinet in May 2021.	The Ministry has no particular concerns with the proposal.
Proposed Government Response to the Public inquiry into the Earthquake Commission Proposal	TSY	DEV 29 June	<p>This paper seeks Cabinet agreement to the proposed Government response to the report and recommendations of the Public Inquiry (the Inquiry) into the Earthquake Commission (EQC), presented to the House on 9 April 2020. There are 70 recommendations. Several pose big picture questions that extend beyond EQC's current mandate.</p> <p>The Ministry specifically input into the proposed responses to three recommendations:</p> <ul style="list-style-type: none"> • 1.1.2 (Clarify expectations with EQC about its responsibility in land-use planning before, and for the coordination of land remediation after, a natural disaster), • 6.4.1 (Consider changes to relevant legislation to enable greater availability and use of information about land and its stability to inform land-use decision making and current and prospective property owners through appropriate public information sources), and • 6.4.2 (Consider granting EQC standing to appear in formal land-use planning hearings). <p>There are opportunities to align implementation of the recommendations with current Ministry work on national adaptation planning and with topics under</p>	<p>The Ministry supports proactive natural hazard risk information being given to development decision-makers.</p> <p>The Ministry supports acceptance of Recommendation 1.1.2, and acceptance in principle of recommendations 6.4.1 and 6.4.2 with further consideration of the mechanisms for delivery.</p> <p>Note that the proposal of formal standing for EQC in land-use planning hearings may not be the most effective mechanism for delivery, that several avenues are already open to EQC to advise on risk, and that the current work in national adaptation planning and the resource management review may offer opportunities for giving effect to recommendations.</p>

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			consideration by the review panel; e.g., climate change adaptation and spatial planning.	
Draft Cabinet paper- Strengthening decommissioning requirements and expanding enforcement tools under the Crown Minerals Act 1991.	MBIE	DEV June (TBC)	MBIE provided the Ministry with a draft Cabinet paper (due with your office from 12 May onwards) which seeks to strengthen decommissioning requirements and expand enforcement tools under the Crown Minerals Act 1991 to avoid operators defaulting on their decommissioning obligations.	The Ministry supports strengthening the regime and agree with many of the proposals within the paper, including that the regulator should have powers to conduct regular financial capability assessments in a flexible and case-by-case approach. The Ministry agree that better enforcement and compliance measures are necessary to strengthen the regime. However, the Ministry did question whether some of the proposed penalties were sufficient to achieve the purpose set out in the paper. The Ministry also consider the paper needs to make the connection to the decommissioning regulations under the EEZ Act clearer, given both are part of a wider regime seeking to strengthen decommissioning.
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.	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.

Released under the Official Information Act 1982

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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>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>	<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 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>
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.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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. § 9(2)(f)(iv)	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.
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. § 9(2)(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 TA's would also be updated.	The Ministry is comfortable with this paper and has provided comments to the MBIE.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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 to continue sharing data collected for official statistics with other government agencies for specific purposes (e.g. joint collections) expand provisions that enable data access for research and analysis (e.g., reflecting tikanga framework developed by Statistics NZ in partnership with Māori) modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches. 	The Ministry is generally comfortable with this paper and provided comments to Statistics NZ. We are discussing with Statistics NZ the operational implications proposed changes might have for data reuse (e.g. for Environmental Reporting or our policy work) and continuing the strength of the independence of the Government Statistician.
Hector's and Maui Dolphin Threat Management Plan Review – Fisheries Measures	MPI	DEV	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.	9(2)(g)(i) 

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Te Korowai O Wainuiarua: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry supports the proposed changes in this paper.

Released under the
provision of the
Official Information Act 1982

7. Official Information Act requests

7.1. Departmental

Request	Correspondent	Reference	Due to send
<p>I would like to request the following data:</p> <ul style="list-style-type: none"> The tonnes of PET plastics discarded in NZ every year and what percentage of this is plastic bottles? The cost of disposing plastic bottles in NZ every year? The tonnes of paper disregarded in NZ every year? The cost of disposing paper in NZ every year? 	s 9(2)(a)	20-D-00780	15 June
<p>Under section 12 of the Official Information Act 1982 I request the following information from the Ministry for the Environment:</p> <p>The Business and Economic Research (BERL) report detailing the merits or otherwise of Waste to Energy plants and their fit with NZ circular waste economy vs. landfills.</p>	<p>s 9(2)(a)</p> <p>Waikato Regional Council</p>	20-D-00784	16 June
<p>Under Section 12 of the Official Information Act 1982 I request the following information:</p> <p>Copies of all correspondence, including but not limited to, internal and external email communications, records of phone communications, briefings, reports, and advice, sent or received by the Ministry for the Environment regarding any applications made during the Waste Minimisation Fund expression of interests funding round from 1 May 2020 and 22 May 2020 with regards to the cleaning up of tyres at a Racecourse Road property in Amberley, North Canterbury.</p> <p>As part of my request, please include the following information from any applications made:</p> <p>I. Parties details involved in the application,</p> <p>II. Proposed method of dealing with the tyre pile,</p> <p>III. Time frame to deliver the proposal,</p> <p>IV. Total cost of any proposal received.</p>	<p>Stuart Smith MP Kaikoura</p>	20-D-00818	24 June

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 15 June 2020

Environment weekly meeting Monday 15 June 1.00-1.45pm

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, Resource Efficiency

Nicola White, Manager, Resource Efficiency

Kathy Bass, Manager, Resource Efficiency

Stephen Goodman, Manager, Resource Efficiency

David Stephen, Programme Manager

Therese Anders, Senior Advisor, Communications and Engagement

	Agenda Item	Lead	Paper / verbal update	Mins
1	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2	Landfill Levy Communications Plan	Therese Anders	Paper update	10
3	Phase out of hard to recycle plastics	Stephen Goodman	Verbal update	10
4	Product Stewardship	Stephen Goodman	Verbal update	5
5	Wave 3 Investment Update	Nicola White/David Stephen	Verbal update	5

1. Updates for noting

1.1. Auckland Council Emergency Budget

Auckland Council are currently consulting on its revised Emergency Budget to address their revenue shortfall resulting from New Zealand's COVID-19 lockdown and international recession. Council are projecting lost revenue to be over \$500 million by the end of 2021. This is due to dividends from council-owned shares in assets like Auckland Airport, lost revenue from community facilities during lockdown and the projected loss of public transport fares and parking.

Depending on the level of rates increase agreed, council are predicting that service levels for community facilities and public transport would still be reduced in the best case scenario (a 3.5 per cent rates increase). At 2.5 per cent rates increase, some community facilities could be permanently closed and there would be deferrals of investment capital investment. At a 1.5 per cent rates increase, debt limits may be exceeded over the medium term, which may lead to higher borrowing cost, less access to funding, and a higher debt burden for future ratepayers.

Auckland Council is reporting the need for across the board redundancies that may affect its ability to implement Ministry work programmes including urban water, waste and national direction. Reduced council activity at the local level, higher transport fares and further delays to transport investment could adversely affect Auckland's carbon emissions in the near-term.

Local authorities across New Zealand are reporting significant revenue loss and are considering reduced staff numbers as one method for recouping this loss. We will continue to monitor the situation and will report back any impacts on the Ministry work programme.

Officials are continuing their discussions with local authorities to maintain our relationships and will continue to look for opportunities to provide support for local authorities' activities that promote environmental outcomes.

2. Briefing notes

June 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06823 Waste Minimisation Fund -Expression of Interest (EOI) Recommendations from May 2020 funding round	MfE	This briefing provides you with the EOI recommendations from May 2020 funding round.	26 June

3. Cabinet Material

June 2020

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06723 Final policy decisions on implementing amendments to the Basel Convention	ENV	This Cabinet paper provides final policy decisions on implementing amendments to the Basel Convention.	Draft due to your office: 25 June Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06754 NES for the Outdoor Storage of Tyres - policy recommendations	ENV	This Cabinet paper provides you with a policy decision following consultation.	Draft due to your office: TBC Due to lodge: 25 June Due to Committee: 2 July Due to Cabinet: 6 July
2020-C-06761 Improving our framework for managing environmentally harmful products in New Zealand	ENV	This Cabinet paper provides the invited report-back on public consultation in 2019 and seeks authorisation to declare priority products and publish ministerial guidelines under sections 9 and 12 of the Waste Minimisation Act.	Due to lodge: TBC Due to Committee: TBC Due to Cabinet: TBC

4. 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	Status of paper	Date due for proactive release	Date published
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	19 June		TBC	
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	11 May	With office for review	TBC	

Paper title and number	What this paper covers	Date confirmed by Cabinet	Date due to your office	Status of paper	Date due for proactive release	Date published
2020-C-06690 Government response to the Environment Committee Report on Food Waste	This Cabinet paper provides you with the Government response to the Environment Committee Report on Food Waste. The Ministry is the lead agency on the response.	8 June	TBC		20 July	
2020-C-06452 Proposals for a more effective waste levy	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.	8 June	TBC		20 July	

Released under the
provision of the
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5. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004	MPI	DEV 8 April	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.	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.
Facilitation of Christ Church Cathedral Reinstatement	DPMC	DEV 29 April	The paper seeks Cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017 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.	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. 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.

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Revision of the Hector's and Maui Dolphin Threat Management Plan – the Management of Non-Fishing Threats	DOC	ENV 4 June	<p>This paper notes the changes being made to address non-fishing threats to Hector's and Maui Dolphin following recent consultation.</p> <p>The visions, goals, and population outcomes central to the Hector's and Maui Dolphin Threat Management Plan has been updated by the Minister of Conservation and Minister of Fisheries. The Department of Conservation has been instructed to develop and action a Toxoplasmosis Action Plan.</p> <p>The Ministers of Energy and Resources, Fisheries, Transport, and Conservation have consented to extensions of the West Coast North Island and the Bank Peninsula Marine Mammal Sanctuaries. Within these sanctuaries, seismic surveying and seabed mining will be prohibited (with some exemptions). Pending support from the Minister of Energy and Resources, seabed mining will also be prohibited within the Te Rohe o Te Whānau Puha Whale Sanctuary (Kaikōura). These changes will be gazetted and subject to a 28-day period for public comment.</p>	The Ministry is supportive of the non-fishing measures being taken to protect these nationally critical and nationally vulnerable species.
Framework to accelerate progress towards accessibility in New Zealand	MSD	SWC 17 June	This paper seeks Cabinet approval to officials progressing further work on details of a new legislative framework to accelerate accessibility and so achieve better social and economic outcomes for disabled people and other New Zealanders. This work will inform a complete policy proposal to be presented to Cabinet in May 2021.	The Ministry has no particular concerns with the proposal.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Proposed Government Response to the Public inquiry into the Earthquake Commission Proposal	TSY	DEV 29 June	<p>This paper seeks Cabinet agreement to the proposed Government response to the report and recommendations of the Public Inquiry (the Inquiry) into the Earthquake Commission (EQC), presented to the House on 9 April 2020. There are 70 recommendations. Several pose big picture questions that extend beyond EQC's current mandate.</p> <p>The Ministry specifically input into the proposed responses to three recommendations:</p> <ul style="list-style-type: none"> • 1.1.2 (Clarify expectations with EQC about its responsibility in land-use planning before, and for the coordination of land remediation after, a natural disaster), • 6.4.1 (Consider changes to relevant legislation to enable greater availability and use of information about land and its stability to inform land-use decision making and current and prospective property owners through appropriate public information sources), and • 6.4.2 (Consider granting EQC standing to appear in formal land-use planning hearings). <p>There are opportunities to align implementation of the recommendations with current Ministry work on national adaptation planning and with topics under consideration by the review panel; e.g., climate change adaptation and spatial planning.</p>	<p>The Ministry supports proactive natural hazard risk information being given to development decision-makers.</p> <p>The Ministry supports acceptance of Recommendation 1.1.2, and acceptance in principle of recommendations 6.4.1 and 6.4.2 with further consideration of the mechanisms for delivery.</p> <p>Note that the proposal of formal standing for EQC in land-use planning hearings may not be the most effective mechanism for delivery, that several avenues are already open to EQC to advise on risk, and that the current work in national adaptation planning and the resource management review may offer opportunities for giving effect to recommendations.</p>

Official Information
Released under the
Official Information Act 1982

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Draft Cabinet paper- Strengthening decommissioning requirements and expanding enforcement tools under the Crown Minerals Act 1991.	MBIE	DEV June (TBC)	MBIE provided the Ministry with a draft Cabinet paper (due with your office from 12 May onwards) which seeks to strengthen decommissioning requirements and expand enforcement tools under the Crown Minerals Act 1991 to avoid operators defaulting on their decommissioning obligations.	The Ministry supports strengthening the regime and agree with many of the proposals within the paper, including that the regulator should have powers to conduct regular financial capability assessments in a flexible and case-by-case approach. The Ministry agree that better enforcement and compliance measures are necessary to strengthen the regime. However, the Ministry did question whether some of the proposed penalties were sufficient to achieve the purpose set out in the paper. The Ministry also consider the paper needs to make the connection to the decommissioning regulations under the EEZ Act clearer, given both are part of a wider regime seeking to strengthen decommissioning.
Dam Safety Regulations: Policy Decisions	MBIE	DEV 1 July	s 9(2)(f)(iv) [Redacted]	[Redacted]

Released under the Official Information Act 2000

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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.	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 Maori.
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>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>	<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 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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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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 TA's would also be updated.	The Ministry is comfortable with this paper and has provided comments to the 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 to continue sharing data collected for official statistics with other government agencies for specific purposes (e.g. joint collections) • expand provisions that enable data access for research and analysis (e.g., reflecting tikanga framework developed by Statistics NZ in partnership with Māori) • modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches. 	The Ministry is generally comfortable with this paper and provided comments to Statistics NZ. We are discussing with Statistics NZ the operational implications proposed changes might have for data reuse (e.g. 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
Hector's and Maui Dolphin Threat Management Plan Review – Fisheries Measures	MPI	DEV	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.	9(2)(g)(i)
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Te Korowai O Wainuiārua: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry supports the proposed changes in this paper.

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6. Official Information Act requests

6.1. Departmental

Reference	Requester	Request	Due to send
20-D-00784	s 9(2)(a) Education Projects Advisor, Waikato Regional Council	The Business and Economic Research (BERL) report detailing the merits or otherwise of Waste to Energy plants and their fit with NZ circular waste economy vs. landfills	16 June
20-D-00818	Stuart Smith MP Kaikoura	<p>Copies of all correspondence, including but not limited to, internal and external email communications, records of phone communications, briefings, reports, and advice, sent or received by the Ministry for the Environment regarding any applications made during the Waste Minimisation Fund expression of interests funding round from 1 May 2020 and 22 May 2020 with regards to the cleaning up of tyres at a Racecourse Road property in Amberley, North Canterbury.</p> <p>As part of my request, please include the following information from any applications made:</p> <ol style="list-style-type: none">I. Parties details involved in the application,II. Proposed method of dealing with the tyre pile,III. Time frame to deliver the proposal,IV. Total cost of any proposal received.	24 June
20-D-00780	s 9(2)(a)	<p>The following data:</p> <ul style="list-style-type: none">• The tonnes of PET plastics discarded in NZ every year and what percentage of this is plastic bottles?• The cost of disposing plastic bottles in NZ every year?• The tonnes of paper disregarded in NZ every year? <p>The cost of disposing paper in NZ every year?</p>	6 July

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 22 June 2020

Environment weekly meeting Monday 22 June 1.00-1.45pm

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

Vicky Robertson, Secretary for the Environment

Sam Buckle, Deputy Secretary, Resource Efficiency and Water Policy

Glenn Wigley, Director, Resource Efficiency

Shaun Lewis, Director, Resource Efficiency

David Stephen, Programme Manager

	Agenda Item	Lead	Paper / verbal update	Mins
1	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2	Regular work programme check in	Sam Buckle/David Stephen	Verbal update	10

Released under the Official Information Act 1982

1. Updates for noting

1.1. Fox Landfill – Landfill mining feasibility assessment

Westland District Council, with \$25,000 from the Contaminated Sites Remediation Fund, have completed their landfill mining feasibility assessment for the Fox Landfill. Landfill mining involves the excavation of fill materials, segregating larger waste materials from the fines and the recovery of recyclable or reusable materials.

The feasibility assessment undertook a comparison of landfill mining against a dig and dump option. The dig and dump option would involve the excavation of all fill materials and offsite disposal at appropriately licenced facility.

The investigations undertaken on Fox Landfill determined that currently:

- approximately 11,000 m³ of fill materials remain in the landfill, and
- the fill materials had a ratio (volume) of 45 percent waste to 55 percent clean cover.

If the landfill mining methodology was used, based on this ratio, the waste requiring offsite disposal could be reduced to an estimated 5,000 m³.

The report provides costs estimates for both methodologies with options for disposal at either the local Butlers Landfill or Kate Valley Landfill in Canterbury. Two disposal options were selected due to concerns regarding the limited capacity at Butlers Landfill and its ability to accept the waste materials. Any reduction in the volume of waste achieved using the landfill mining methodology would result in cost savings. The increased distance for disposal at the Kate Valley Landfill markedly increases the cost of this disposal option. The cost estimates for each option are shown in the table below.

Fox Landfill remediation - Summary of cost estimates			
Disposal Option	Landfill Mining Option	Dig and Dump Option	Cost Differential
Butlers Landfill	9(2)(j)		
Kate Valley Landfill			

Ministry officials are to meet with Westland District Council and their consultants to discuss the findings of the report with potential remedial and funding options for landfill mining the Fox Landfill.

A copy of the landfill mining feasibility assessment report has been provided to your office.

1.2. Australian waste export ban

Oji Fibre Solutions, a paper and fibre packaging producer, has raised questions about the potential implications of Australia's waste export ban. It includes a ban on mixed and unsorted paper and cardboard from 1 July 2024 (with unprocessed glass, mixed plastics, whole used tyres and single resin polymer plastics also being banned between 1 January 2021 and 1 July 2022). The Ministry and the Ministry of Foreign Affairs and Trade are investigating this further and are in contact with both Oji and the Australian Government on this issue.

2. Briefing notes

June 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06870 Meeting Note: Container Return Scheme Design Working Group 24 June	MfE	This meeting note provides you with background and suggested talking points for your meeting with the Container Return Scheme (CRS) Scheme Design Working Group (SDWG) on 24 June.	19 June
2020-B-06869 Final policy decisions to implement amendments to the Basel Convention	MfE	This paper sets out final policy proposals to implement amendments to the Basel Convention, and seeks your agreement to take the policy proposals to Cabinet.	25 June
2020-B-06871 Territorial Authority Waste Levy Payments - Update on previous payments made to ineligible Territorial Authorities	MfE	The purpose of this briefing is to provide an update from previous briefing 2020-B-6655 regarding waste levy payments made to Territorial Authorities who were since identified as being ineligible for these payments due to their Waste Management and Minimisation Plans not being reviewed within the six year timeframe required under the Waste Minimisation Act 2008. Further investigation has been undertaken to determine the extent of the payments and this briefing now provides the updated situation and revised totals.	26 June
2020-B-06823 Waste Minimisation Fund -Expression of Interest (EOI) Recommendations from May 2020 funding round	MfE	This briefing provides you with the EOI recommendations from May 2020 funding round.	3 July

3. Cabinet Material

June 2020

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06723 Final policy decisions on implementing amendments to the Basel Convention	ENV	This Cabinet paper provides final policy decisions on implementing amendments to the Basel Convention.	Draft due to your office: 25 June Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06754 NES for the Outdoor Storage of Tyres - policy recommendations	ENV	This Cabinet paper provides you with a policy decision following consultation.	Draft due to your office: 19 June Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06761 Improving our framework for managing environmentally harmful products in New Zealand	ENV	This Cabinet paper provides the invited report-back on public consultation in 2019 and seeks authorisation to declare priority products and publish ministerial guidelines under sections 9 and 12 of the Waste Minimisation Act.	Due to lodge: TBC Due to Committee: TBC Due to Cabinet: TBC

4. 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	Status of paper	Date due for proactive release	Date published
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	19 June		TBC	
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	11 May	With office for review	TBC	

Paper title and number	What this paper covers	Date confirmed by Cabinet	Date due to your office	Status of paper	Date due for proactive release	Date published
2020-C-06690 Government response to the Environment Committee Report on Food Waste	This Cabinet paper provides you with the Government response to the Environment Committee Report on Food Waste. The Ministry is the lead agency on the response.	8 June	TBC		20 July	
2020-C-06452 Proposals for a more effective waste levy	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.	8 June	TBC		20 July	

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5. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004	MPI	DEV 8 April	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.	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.
Facilitation of Christ Church Cathedral Reinstatement	DPMC	DEV 29 April	The paper seeks Cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017 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.	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. 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.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Revision of the Hector's and Maui Dolphin Threat Management Plan – the Management of Non-Fishing Threats	DOC	ENV 4 June	<p>This paper notes the changes being made to address non-fishing threats to Hector's and Maui Dolphin following recent consultation.</p> <p>The visions, goals, and population outcomes central to the Hector's and Maui Dolphin Threat Management Plan has been updated by the Minister of Conservation and Minister of Fisheries. The Department of Conservation has been instructed to develop and action a Toxoplasmosis Action Plan.</p> <p>The Ministers of Energy and Resources, Fisheries, Transport, and Conservation have consented to extensions of the West Coast North Island and the Bank Peninsula Marine Mammal Sanctuaries. Within these sanctuaries, seismic surveying and seabed mining will be prohibited (with some exemptions). Pending support from the Minister of Energy and Resources, seabed mining will also be prohibited within the Te Rohe o Te Whānau Puha Whale Sanctuary (Kaikōura). These changes will be gazetted and subject to a 28-day period for public comment.</p>	The Ministry is supportive of the non-fishing measures being taken to protect these nationally critical and nationally vulnerable species.
Framework to accelerate progress towards accessibility in New Zealand	MSD	SWC 17 June	This paper seeks Cabinet approval to officials progressing further work on details of a new legislative framework to accelerate accessibility and so achieve better social and economic outcomes for disabled people and other New Zealanders. This work will inform a complete policy proposal to be presented to Cabinet in May 2021.	The Ministry has no particular concerns with the proposal.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Proposed Government Response to the Public inquiry into the Earthquake Commission Proposal	TSY	DEV 29 June	<p>This paper seeks Cabinet agreement to the proposed Government response to the report and recommendations of the Public Inquiry (the Inquiry) into the Earthquake Commission (EQC), presented to the House on 9 April 2020. There are 70 recommendations. Several pose big picture questions that extend beyond EQC's current mandate.</p> <p>The Ministry specifically input into the proposed responses to three recommendations:</p> <ul style="list-style-type: none"> • 1.1.2 (Clarify expectations with EQC about its responsibility in land-use planning before, and for the coordination of land remediation after, a natural disaster), • 6.4.1 (Consider changes to relevant legislation to enable greater availability and use of information about land and its stability to inform land-use decision making and current and prospective property owners through appropriate public information sources), and • 6.4.2 (Consider granting EQC standing to appear in formal land-use planning hearings). <p>There are opportunities to align implementation of the recommendations with current Ministry work on national adaptation planning and with topics under consideration by the review panel; e.g., climate change adaptation and spatial planning.</p>	<p>The Ministry supports proactive natural hazard risk information being given to development decision-makers.</p> <p>The Ministry supports acceptance of Recommendation 1.1.2, and acceptance in principle of recommendations 6.4.1 and 6.4.2 with further consideration of the mechanisms for delivery.</p> <p>Note that the proposal of formal standing for EQC in land-use planning hearings may not be the most effective mechanism for delivery, that several avenues are already open to EQC to advise on risk, and that the current work in national adaptation planning and the resource management review may offer opportunities for giving effect to recommendations.</p>

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Draft Cabinet paper- Strengthening decommissioning requirements and expanding enforcement tools under the Crown Minerals Act 1991.	MBIE	DEV June (TBC)	MBIE provided the Ministry with a draft Cabinet paper (due with your office from 12 May onwards) which seeks to strengthen decommissioning requirements and expand enforcement tools under the Crown Minerals Act 1991 to avoid operators defaulting on their decommissioning obligations.	The Ministry supports strengthening the regime and agree with many of the proposals within the paper, including that the regulator should have powers to conduct regular financial capability assessments in a flexible and case-by-case approach. The Ministry agree that better enforcement and compliance measures are necessary to strengthen the regime. However, the Ministry did question whether some of the proposed penalties were sufficient to achieve the purpose set out in the paper. The Ministry also consider the paper needs to make the connection to the decommissioning regulations under the EEZ Act clearer, given both are part of a wider regime seeking to strengthen decommissioning.
Dam Safety Regulations: Policy Decisions	MBIE	DEV 1 July	s 9(2)(f)(iv) [Redacted]	[Redacted]


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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Proposal to establish an aquaculture subsidiary to Provincial Growth Fund Limited (PGFL)	MBIE	DEV 2 July	This paper seeks agreement to establish a subsidiary, with initial funding, to the PGFL to support development of the aquaculture industry in New Zealand. The proposal supports a number of government priorities including the Government's Economic Plan. The subsidiary would actively seek to invest in a number of projects including the Southland salmon hatchery, an oyster hatchery and the redevelopment of Tarakohe Wharf in Tasman.	The Ministry provided only minor comments on this paper and has no significant concerns with its proposals.
Proposal to amend the Building Act 2004 to provide for a building levy holiday	MBIE	DEV 6 July	This paper seeks agreement to amend the Building Act 2004 to provide for a targeted 12 month building levy holiday for some successful building consent applicants. A time limited change to the Building Act 2004 would be required to achieve this.	The Ministry does not have any comments or concerns on this paper.
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.	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.
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.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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>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>	<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 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>
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.

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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. § 9(2)(f)(iv)	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.
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. § 9(2)(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 TA's would also be updated.	The Ministry is comfortable with this paper and has provided comments to the MBIE.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
<p>Data and Statistics Legislation: Paper 1 – Overview of policy decisions</p> <p>Paper 2 - Official statistics system</p> <p>Paper 3 – Research and Analysis</p> <p>Paper 4 – Obligations and sanctions</p>	Statistics NZ	GOV TBC	<p>New data and statistics legislation will:</p> <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 to continue sharing data collected for official statistics with other government agencies for specific purposes (e.g. joint collections) expand provisions that enable data access for research and analysis (e.g., reflecting tikanga framework developed by Statistics NZ in partnership with Māori) modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches. 	<p>The Ministry is generally comfortable with this paper and provided comments to Statistics NZ. We are discussing with Statistics NZ the operational implications proposed changes might have for data reuse (e.g. for Environmental Reporting or our policy work) and continuing the strength of the independence of the Government Statistician.</p>
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>	<p>9(2)(g)(i)</p> 

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Te Korowai O Wainuiarua: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry supports the proposed changes in this paper.

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provision of the
Official Information Act 1982

6. Official Information Act requests

6.1. Departmental

Reference	Requester	Request	Due to send
20-D-00784	s 9(2)(a) Waikato Regional Council	The Business and Economic Research (BERL) report detailing the merits or otherwise of Waste to Energy plants and their fit with NZ circular waste economy vs. landfills	23 June
20-D-00818	Stuart Smith MP Kaikoura	<p>Copies of all correspondence, including but not limited to, internal and external email communications, records of phone communications, briefings, reports, and advice, sent or received by the Ministry for the Environment regarding any applications made during the Waste Minimisation Fund expression of interests funding round from 1 May 2020 and 22 May 2020 with regards to the cleaning up of tyres at a Racecourse Road property in Amberley, North Canterbury.</p> <p>As part of my request, please include the following information from any applications made:</p> <ol style="list-style-type: none">I. Parties details involved in the application,II. Proposed method of dealing with the tyre pile,III. Time frame to deliver the proposal,IV. Total cost of any proposal received.	24 June
20-D-00780	s 9(2)(a)	<p>The following data:</p> <ul style="list-style-type: none">• The tonnes of PET plastics discarded in NZ every year and what percentage of this is plastic bottles?• The cost of disposing plastic bottles in NZ every year?• The tonnes of paper disregarded in NZ every year? <p>The cost of disposing paper in NZ every year?</p>	6 July
20-D-00958	s 9(2)(a)	I would like data about the amount of plastic waste stored in the different NZ stockpiles over time from 1970 - Now. Could you provide this, or the appropriate source/dataset to find it.	10 July

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 29 June 2020

Environment weekly meeting Monday 29 June 1.00-1.45pm

Attendees: Hon Eugenie Sage, Associate Minister for the Environment
 Vicky Robertson, Secretary for the Environment
 Sam Buckle, Deputy Secretary, Resource Efficiency and Water Policy
 Glenn Wigley, Director, Resource Efficiency
 Shaun Lewis, Director, Resource Efficiency
 Kathy Bass, Manager, Resource Efficiency
 Therese Anders, Senior Advisor, Communications and Engagement

	Agenda Item	Lead	Paper / verbal update	Mins
1	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2	Community Environment Fund	Shaun Lewis	Verbal update	5
3	Announcements Schedule	Sam Buckle, Therese Anders	Verbal update	10

1. Actions and decisions

1.1. Container Return Scheme (CRS): Options to extend project timeframes

As raised with you last week, several stakeholders from the CRS Scheme Design Working Group (SDWG) have contacted the CRS project team and the Ministry to request an extension to project reporting feedback timeframes.

Under the current timelines, SDWG members will receive the draft design report (Tranche 5) on 13 July. This will include revised research tranches 1-4, including any incorporated feedback from the SDWG, TAG and agency feedback processes to date. It will also include the cost-benefit analysis, the financial modelling, the proposed governance structure, and the final research chapters. SDWG members will be asked to vote on tranches 1-4 on Monday 20 July, and tranche 5 on Wednesday 29 July.

It is clear that the current Tranche 4 and forthcoming Tranche 5 releases of new information into the process are significant, requiring more time for stakeholder engagement, review, feedback, and decision-making. The current project timeframes may compromise the feedback quality and the continued engagement from some of the key stakeholders in the process. The present timeline also depends on the SDWG largely achieving consensus across most scheme components on Monday 20 July, which may not immediately eventuate.

Some of the SDWG members have requested additional time for review of the draft design and accompanying information including the modelling. This would allow members more time to review the documentation before making their vote/decisions on the projects reporting and recommendations. It will also allow for a more iterative decision-making process if consensus is not reached in the first round of voting.

This request will impact the subsequent review timeframes for the TAG and the project team's ability to incorporate feedback into the draft design. These time pressures also extend to the review of the final design.

With these flow on pressures in mind, it is proposed that the project including both SDWG and TAG processes be extended. Under this proposal, the SDWG process would end 7 October with the final report from the project team to be released 16 October. The TAG review of the final report would be completed by 30 October.

By providing for more review time, we can build in extra assurance that the process is robustly testing the recommendations produced by the project, and assure key stakeholders that their input is valued at these critical moments in the process by allowing them enough time to provide a thorough review.

It is also noteworthy that feedback from other agencies is expected to increase significantly once the full draft design, cost benefit analysis and financial model are available for review.

A table of the current CRS project timeline and the proposed revised timeline is below:

	<i>Milestone</i>	<i>Current Timeline</i>	<i>Revised Timeline</i>	<i>Revised output turnaround timeframes</i>
Tranche Four	Tranche released to SDWG	10-Jun	10-Jun	
	SDWG Meeting	24-Jun	24-Jun	
	Financial Modelling/Governance Model Tabled to SDWG	24-Jun	24-Jun	
	SDWG Tranche 4 Feedback due to Project Team	1-Jul	1-Jul	One week after SDWG meeting (three weeks total for review)
	SDWG Meeting for Financial Modelling	1-Jul	1-Jul	
	SDWG Financial Modelling/Governance Model Feedback Due	3-Jul	8-Jul	Two weeks after SDWG meeting (2.5 weeks for review for financial modelling)
	Tranche 4 released to TAG (includes Financial Model/Governance Model)	8-Jul	13-Jul	Project team has 4 days (incl weekend) to update for TAG
	TAG Meeting (1.5 day meeting)	22-Jul	22-Jul	TAG has 1.5 weeks for review; two day meeting will include a walk-through of the governance and financial model before discussion
		23-Jul	23-Jul	
Tranche 4 TAG Feedback due to Ministry	27-Jul	27-Jul	TAG has additional two days to formalise feedback to Ministry	
Draft Design Report, accompanied by:	Draft Design released to SDWG and the Ministry (tranches 1-4, and final chapters (Tranche 5))	13-Jul	31-Jul	Project team has 4 days to incorporate TAG feedback to design for SDWG

Financial Model	SDWG Decision on Draft Design (Tranche 5) Due	20-Jul	14-Aug	SDWG has two weeks for review before decision-making
Governance structure	SDWG Feedback due on final report chapters (Draft Design - Tranche 5)	24-Jul	14-Aug	SDWG has two weeks for review before providing feedback
(+ last two chapters)	SDWG Decision on final report chapters due (tranche 5)	29-Jul	19-Aug	SDWG has an additional five days (incl weekend) for decisions on this tranche, and project team has five days to incorporate any feedback from SDWG received by 14/08
	SDWG Pre-Draft Design Release Meeting. Virtual Meeting.	29-Jul	29-Jul	
	SDWG (Pre-Decision Meeting to discuss and address any key risk/opportunities) Face-to-face meeting	10-Aug	10-Aug	
	SDWG Meeting (if required)	29-Jul	19-Aug	SDWG has up to three weeks total to make decisions on draft design.
	Draft Design released to TAG/Ministry	31-Jul	26-Aug	Project team has one week to update design with SDWG feedback in advance of release to the TAG
	TAG Meeting (2 day meeting)	5-Aug	8-Sep	TAG has two weeks to review draft design in advance of meeting/decision-making
		6-Aug	9-Sep	
	TAG Feedback due to Ministry	10-Aug	16-Sep	TAG has one week following meeting to finalise feedback to project team (three week review total)

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Final Report	Final Design released to SDWG	2-Sep	25-Sep	Project team has 1.5 weeks to incorporate feedback from TAG into design before releasing final design and minority report to SDWG
	Minority Report released to SDWG	2-Sep	25-Sep	
	SDWG Meeting/Final Review	9-Sep	7-Oct	SDWG has 1.5 weeks for final design review
	Final Design and Minority Report released to TAG/Ministry	11-Sep	16-Oct	Project team has 1.5 weeks to incorporate SDWG feedback into design before releasing to TAG
	TAG Meeting	16-Sep	28-Oct	TAG has 1.5 weeks for review of final design before meeting.
	TAG Feedback due to Ministry	17-Sep	30-Oct	TAG has two days to finalise feedback on final design.

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If approved, the revised timeline will incur an additional cost of s 9(2)(j) due to the need to extend the project's Waste Minimisation Fund contract timeline.

This timeline adjustment will help ensure that the project stakeholders are able to remain engaged and have meaningful input into the process. It will also help ensure, that the feedback the SDWG and the TAG provides is able to be properly considered and responded to by the project team. Therefore, the Ministry recommends an extension to the project timeline to 30 October, in line with the dates outlined in the above table.

Do you approve an extension to the "Designing New Zealand's Container Return Scheme Project" to no later than 30 October 2020? **Yes/No**

2. Updates for noting

2.1. National Resource Recovery project: Procurement for infrastructure stocktake and fibre investigation

We will shortly begin working with Eunomia Consulting (Eunomia) on both an infrastructure stocktake and fibre (cardboard and paper) investigation. Eunomia has assembled an impressive consortium of New Zealand's waste data experts to do this work.

The infrastructure stocktake and gap analysis will help to determine opportunities for future investment in resource recovery and processing infrastructure. The infrastructure project is expected to be completed in December.

The fibre investigation will assist both central and local government in providing sustainable solutions for New Zealand's recovered fibre by identifying and creating pathways to divert more resource from landfill and minimise harm from waste. The fibre project is expected to be completed in September.

These projects go to a level of detail below the overarching Investment Plan drafted by Grant Thornton, and will inform Ministers' future investment decisions and strategy. As envisaged in the Grant Thornton report, this information would likely come together in a ten-year infrastructure plan, overseen by you and/or Cabinet, to ensure sector infrastructure is aligned with Government outcomes. In the nearer term, if your initiative for Budget 2020 Wave 3 funding is successful, then the information and analysis from these projects can be used to assess business proposals that we receive from the sector over the next 12-36 months.

2.2. Labelling data – clarification

At a recent meeting with stakeholders the use of GS1 and Packaging Recyclability Evaluation Portal (PREP) were discussed in the context of a labelling system for NZ. There was some confusion about how the GS1 data system could be used. We would like to clarify this with you.

GS1 is a conduit for data between suppliers, retailers and consumers linked to the barcode system. For example GS1 support the Ministry of Health to communicate health star ratings and associated health related data on packaged food. GS1 does not own the health star rating assurance system itself. In contrast the PREP tool is a verification tool for packaging designers that underpins the Australasian Recycling Label. PREP uses data about the packaging to determine whether or not a product and its components are recyclable.

You will shortly receive advice from us in relation to labelling, and we will ensure the differences between GS1 and PREP are clearly articulated, and that our stakeholders are also aware of the differences.

3. Briefing notes

June 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06869 Final policy decisions to implement amendments to the Basel Convention	MfE	This paper sets out final policy proposals to implement amendments to the Basel Convention, and seeks your agreement to take the policy proposals to Cabinet.	30 June
2020-B-06900 Appointments and Honours paper for the Environmental Protection Authority Board 2020	MfE	This briefing provides advice on the Appointments and Honours paper proposing to appoint a new member to the Environmental Protection Authority (EPA) Board and to amend the Hazardous Substances and New Organisms Committee's standing fee exception. A fee exception letter to the Minister of State Services is also attached to agree the member's fees and to agree a minor exceptional fee for the EPA's current Audit and Risk Committee Independent Chair.	2 July
2020-B-06823 Waste Minimisation Fund -Expression of Interest (EOI) Recommendations from May 2020 funding round	MfE	This briefing provides you with the EOI recommendations from May 2020 funding round.	3 July
2020-B-06905 Update and next steps for standardising kerbside collection	MfE	This briefing provides you with updates and next steps for standardising kerbside collection.	6 July

4. Cabinet Material

June 2020

Paper name	Committee	What this paper covers	Our suggested timeframes
2020-C-06723 Final policy decisions on implementing amendments to the Basel Convention	ENV	This Cabinet paper provides final policy decisions on implementing amendments to the Basel Convention.	Draft due to your office: 30 June Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06754 NES for the Outdoor Storage of Tyres - policy recommendations	ENV	This Cabinet paper provides you with a policy decision following consultation.	Draft due to your office: 26 June Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06761 Improving our framework for managing environmentally harmful products in New Zealand	ENV	This Cabinet paper provides the invited report-back on public consultation in 2019 and seeks authorisation to declare priority products and publish ministerial guidelines under sections 9 and 12 of the Waste Minimisation Act.	Due to Cabinet: 29 June
2020-C-06899 Environmental Protection Authority Board - Appointment	APH	This Cabinet paper proposes to appoint a new member to the Environmental Protection Authority (EPA) Board. This paper also proposes to amend the Hazardous Substances and New Organisms Committee's standing fee exception, to enable EPA Board members to receive additional fees for any work done on this Committee.	Due to your office: 2 July Due to lodge: 16 July Due to Committee: 22 July Due to Cabinet: 27 July
2020-C-06908 Reducing the impact of plastic on our environment - moving away from hard-to-recycle plastics and single-use items	ENV	This Cabinet paper seeks release of a consultation document that proposes a mandatory phase-out via the Waste Minimisation Act for some hard-to-recycle packaging materials and single-use plastic items.	Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July
2020-C-06909 Update on plastics initiatives and response to Rethinking Plastics in Aotearoa New Zealand	ENV	This Cabinet paper responds to the Rethinking Plastics report by the Office of Prime Minister Chief Science Advisor and update on key related projects including kerbside, labelling and an action plan.	Draft due to your office: 3 July Due to lodge: 16 July Due to Committee: 23 July Due to Cabinet: 27 July

5. 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	Status of paper	Date due for proactive release	Date published
2019-C-06400 Proposed National Environmental Standard for the Outdoor Storage of Tyres: Consultation	This paper seeks Cabinet approval to release a discussion document for a second round of public consultation because of significant changes to the original proposal.	24 February	19 June		TBC	
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	11 May	With office for review	TBC	
2020-C-06690 Government response to the Environment Committee Report on Food Waste	This Cabinet paper provides you with the Government response to the Environment Committee Report on Food Waste. The Ministry is the lead agency on the response.	8 June	TBC		20 July	
2020-C-06452 Proposals for a more effective waste levy	The Cabinet paper provides post-consultation policy advice on proposals to expand the waste disposal levy and increase its rate, for Cabinet approval for regulation making	8 June	TBC		20 July	

6. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Improving the allocation and transfer process provided in the Māori Commercial Aquaculture Claims Settlement Act 2004	MPI	DEV 8 April	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.	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.

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Revision of the Hector's and Maui Dolphin Threat Management Plan – the Management of Non-Fishing Threats	DOC	ENV 4 June	<p>This paper notes the changes being made to address non-fishing threats to Hector's and Maui Dolphin following recent consultation.</p> <p>The visions, goals, and population outcomes central to the Hector's and Maui Dolphin Threat Management Plan have been updated by the Minister of Conservation and Minister of Fisheries. The Department of Conservation has been instructed to develop and action a Toxoplasmosis Action Plan.</p> <p>The Ministers of Energy and Resources, Fisheries, Transport, and Conservation have consented to extensions of the West Coast North Island and the Bank Peninsula Marine Mammal Sanctuaries. Within these sanctuaries, seismic surveying and seabed mining will be prohibited (with some exemptions). Pending support from the Minister of Energy and Resources, seabed mining will also be prohibited within the Te Rohe o Te Whānau Pūha Whale Sanctuary (Kaikōura). These changes will be gazetted and subject to a 28-day period for public comment.</p>	The Ministry is supportive of the non-fishing measures being taken to protect these nationally critical and nationally vulnerable species.
Framework to accelerate progress towards accessibility in New Zealand	MSD	SWC 17 June	This paper seeks Cabinet approval to officials progressing further work on details of a new legislative framework to accelerate accessibility and so achieve better social and economic outcomes for disabled people and other New Zealanders. This work will inform a complete policy proposal to be presented to Cabinet in May 2021.	The Ministry has no particular concerns with the proposal.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Draft Cabinet paper- Strengthening decommissioning requirements and expanding enforcement tools under the Crown Minerals Act 1991.	MBIE	DEV 19 June	MBIE provided the Ministry with a draft Cabinet paper which was confirmed by Cabinet on Friday 19 June. It seeks to strengthen decommissioning requirements and expand enforcement tools under the Crown Minerals Act 1991 to avoid operators defaulting on their decommissioning obligations.	<p>The Ministry supports strengthening the regime and agrees with many of the proposals within the paper, including that the regulator should have powers to conduct regular financial capability assessments in a flexible and case-by-case approach.</p> <p>The Ministry agrees that better enforcement and compliance measures are necessary to strengthen the regime. However, the Ministry did question whether some of the proposed penalties were sufficient to achieve the purpose set out in the paper.</p> <p>The Ministry also considers the paper needs to make the connection to the decommissioning regulations under the EEZ Act clearer, given both are part of a wider regime seeking to strengthen decommissioning.</p>

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Proposed Government Response to the Public inquiry into the Earthquake Commission Proposal	TSY	DEV 29 June	<p>This paper seeks Cabinet agreement to the proposed Government response to the report and recommendations of the Public Inquiry (the Inquiry) into the Earthquake Commission (EQC), presented to the House on 9 April 2020. There are 70 recommendations. Several pose big picture questions that extend beyond EQC's current mandate.</p> <p>The Ministry specifically input into the proposed responses to three recommendations:</p> <ul style="list-style-type: none"> • 1.1.2 (Clarify expectations with EQC about its responsibility in land-use planning before, and for the coordination of land remediation after, a natural disaster), • 6.4.1 (Consider changes to relevant legislation to enable greater availability and use of information about land and its stability to inform land-use decision making and current and prospective property owners through appropriate public information sources), and • 6.4.2 (Consider granting EQC standing to appear in formal land-use planning hearings). <p>There are opportunities to align implementation of the recommendations with current Ministry work on national adaptation planning and with topics under consideration by the review panel; e.g., climate change adaptation and spatial planning.</p>	<p>The Ministry supports proactive natural hazard risk information being given to development decision-makers.</p> <p>The Ministry supports acceptance of Recommendation 1.1.2, and acceptance in principle of recommendations 6.4.1 and 6.4.2 with further consideration of the mechanisms for delivery.</p> <p>Note that the proposal of formal standing for EQC in land-use planning hearings may not be the most effective mechanism for delivery, that several avenues are already open to EQC to advise on risk, and that the current work in national adaptation planning and the resource management review may offer opportunities for giving effect to recommendations.</p>

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Dam Safety Regulations: Policy Decisions	MBIE	DEV 1 July	s 9(2)(f)(iv)	
Proposal to establish an aquaculture subsidiary to Provincial Growth Fund Limited (PGFL)	MBIE	DEV 2 July	<p>This paper seeks agreement to establish a subsidiary, with initial funding, to the PGFL to support development of the aquaculture industry in New Zealand.</p> <p>The proposal supports a number of government priorities including the Government's Economic Plan. The subsidiary would actively seek to invest in a number of projects including the Southland salmon hatchery, an oyster hatchery and the redevelopment of Tarakohe Wharf in Tasman.</p>	The Ministry provided only minor comments on this paper and has no significant concerns with its proposals.
Proposal to amend the Building Act 2004 to provide for a building levy holiday	MBIE	DEV 6 July	This paper seeks agreement to amend the Building Act 2004 to provide for a targeted 12 month building levy holiday for some successful building consent applicants. A time limited change to the Building Act 2004 would be required to achieve this.	The Ministry does not have any comments or concerns on this paper.

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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>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>	<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 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>

Paper title	Agency	Committee and date due	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.	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) [Redacted]	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.
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 [Redacted] 9(2)) (g)

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
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 TA's would also be updated.	The Ministry is comfortable with this paper and has provided comments to the 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 to continue sharing data collected for official statistics with other government agencies for specific purposes (e.g. joint collections) • expand provisions that enable data access for research and analysis (e.g., reflecting tikanga framework developed by Statistics NZ in partnership with Māori) • modernise obligations and sanctions with new lower level enforcement tools and sanctions for less serious breaches. 	The Ministry is generally comfortable with this paper and provided comments to Statistics NZ. We are discussing with Statistics NZ the operational implications proposed changes might have for data reuse (e.g. 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
Hector's and Maui Dolphin Threat Management Plan Review – Fisheries Measures	MPI	DEV	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.	9(2)(g)(i)
Mangatū Crown Forest Licenced land remedies inquiry: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry does not have any comments on this paper at this stage.
Te Korowai O Wainuiārua: s 9(2)(j)	Te Arawhiti	MCR TBC	s 9(2)(j)	The Ministry supports the proposed changes in this paper.

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7. Official Information Act requests

7.1. Departmental

Reference	Requester	Request	Due to send
20-D-00780	s 9(2)(a)	<p>The following data:</p> <ul style="list-style-type: none">• The tonnes of PET plastics discarded in NZ every year and what percentage of this is plastic bottles?• The cost of disposing plastic bottles in NZ every year?• The tonnes of paper disregarded in NZ every year? <p>The cost of disposing paper in NZ every year?</p>	6 July
20-D-00818	Stuart Smith MP Kaikoura	<p>Copies of all correspondence, including but not limited to, internal and external email communications, records of phone communications, briefings, reports, and advice, sent or received by the Ministry for the Environment regarding any applications made during the Waste Minimisation Fund expression of interests funding round from 1 May 2020 and 22 May 2020 with regards to the cleaning up of tyres at a Racecourse Road property in Amberley, North Canterbury.</p> <p>As part of my request, please include the following information from any applications made:</p> <ol style="list-style-type: none">Parties details involved in the application,Proposed method of dealing with the tyre pile,Time frame to deliver the proposal,Total cost of any proposal received.	10 July
20-D-00958	s 9(2)(a)	<p>I would like data about the amount of plastic waste stored in the different NZ stockpiles over time from 1970 - Now. Could you provide this, or the appropriate source/dataset to find it.</p>	10 July