

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 4 May 2020

Environment weekly meeting Monday 4 May 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, Investments and Partnerships
 Nicola White, Manager, Resource Efficiency
 Kathy Bass, Manager, Resource Efficiency
 Stephen Goodman, Manager, Resource Efficiency
 Stuart McKay, Manager, Resource Efficiency
 Scott Priestly, Manager, Resource Efficiency
 Amanda Baldwin, Manager, Environmental Risk and Innovation
 David Stephen, Programme Manager

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	COVID-19 Response	Shaun Lewis	Verbal update	10
3.	Budget Initiatives Update	Nicola White	Verbal update	5
4.	Work Programme	Sam Buckle and David Stephen	Verbal update	5

1. Strategic priorities

1.1. Kerbside standardisation project – nationwide hui underway

The Kerbside standardisation project, run by WasteMINZ (with close involvement with the Ministry) will hold on-line meetings over the next two weeks. WasteMINZ and the Ministry are asking participants to look beyond the status quo, to what approaches would achieve the project's desired outcomes of:

- increasing consistency in household rubbish and recycling collections across the nation
- reducing confusion for householders
- improving recyclable material quality through the reduction of contamination.

The hui format has been successful so far, with good engagement from territorial authorities, collectors and resource recovery facility operators.

We envisage that this kerbside project can provide a platform for local and central government decision makers to agree to a strategic direction for kerbside standardisation. This could be in the form of a joint local and central government "decision to proceed" to the next phase of detail. Kerbside standardisation features in our waste infrastructure fund advice to you.

The key challenge at this stage is to manage expectations of a project that is running for three months only. If central and local government decision makers can agree to proceed, there will need to be a more-detailed next phase to refine a preferred option(s); costs and benefits; commercial approaches; funding; roll-out and regulatory impacts if any. There may be special topics to investigate further, such as health and safety. There are also a number of dependencies for the project to manage including, but not limited to, impact of a Container Return Scheme, future resource recovery infrastructure investment, product stewardship or other regulations for plastic packaging and beverage containers.

We propose to brief you in May as the findings of the project become clearer.

2. Updates for noting

2.1. Waste Minimisation Fund timing

On Friday 24 April, you met with officials and agreed that the 2020 Waste Minimisation Fund (WMF) funding round should be revised to support 10 – 20 organisations in the waste minimisation sector over the medium to long term to complement (not duplicate) COVID-19 economic stimulus packages through three investment signals:

- support services in the waste minimisation sector, especially those that can provide services essential to economic recovery and additional employment opportunities during the COVID-19 recovery period (for example, food recovery and distribution; and recycling services)
- support existing waste minimisation businesses and organisations to increase their efficiency and/or expand their operations in achieving and promoting waste minimisation (for example product stewardship)
- support previously funded WMF projects and well-established legal entities (established before COVID-19 restrictions began) that can deliver measurable impacts to the waste minimisation sector in the next 12 - 18 months.

It was agreed that projects over \$3 million in funding are unlikely to be supported and that the process for accepting and assessing applications should be revised to introduce an Expression of Interest (EOI) process from which a limited pool of projects would be invited

to submit a full application. The revised process and expected reduction in applications will support successful projects entering Deed of Funding arrangements via a significantly reduced timeline.

Task	2020 (agreed approach)
Registration of Interest and Expression of Interest window	3 weeks
Pre-assessment preparation	2-3 weeks
Panel assessment	
Briefing to Minister	2 weeks
Minister's decision on EOI's to invite to application stage	2 weeks
Application window	3 weeks
Pre-assessment preparation	
Panel assessment	2 weeks*
Moderation meeting	
Briefing to Minister	1 2 weeks
Application phase timeframe:	13 16 weeks (mid-August)
Deed of Funding negotiation	First Deed signed in 12 weeks*

A press release announcing the renewed focus of the 2020 funding round has been provided to your office for review by the Prime Minister's Office.

2.2. Container Return Scheme – fortnightly project update and Technical Advisory Group meeting

The latest Container Return Scheme (CRS) fortnightly update is attached for your information as Appendix 1. The project is on time and on budget. The project team has released Tranche 3 of the research report to the Scheme Design Working Group in advance of their next meeting on 5 May. Tranche 3 covers material consolidation facilities, materials re-processors, container producers, beverage producers, and scheme financials (including the deposit).

The project team has revised its figures for the calculation of beverage container volumes in New Zealand. The project team has calculated an estimated 2.36 billion containers sold in the New Zealand market in 2019, with a total weight of approximately 340,000 tonnes. Of this, 250,000 tonnes is estimated to be glass beverage containers.

The CRS Technical Advisory Group (TAG) met on Tuesday 21 April to review Tranche 2 of the research report.

Tranche 2 covered the scope of containers, collection points, retailers, and consumers. This was the first meeting attended by Jeff Maguire of Coca-Cola Amatil, appointed to the TAG by the Ministry as the beverage and manufacturing sector expert. He has extensive experience with international container deposit schemes, including all of the schemes in

operation in Australia. His appointment is a response to sector concerns about the lack of beverage expertise on the TAG. The CRS project manager was also in attendance at the meeting. The discussion was robust and constructive, and the TAG made a number of suggestions to clarify and contextualise the design report findings. The TAG will submit its formal feedback to the project team this week. Following this, you will be briefed separately on the feedback and research findings for Tranche 2.

1. Briefing notes

4 May – 25 May

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06678 Environmental Protection Authority Board appointments 2020 candidate shortlist	MfE	This briefing provides Ministers with advice on the shortlist of candidates for appointment to the Environmental Protection Authority Board.	7 May

2. Cabinet Material

4 May – 25 May

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

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

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

of Tyres: Consultation	changes to the original proposal.				
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4. Cabinet material we have been consulted on

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
Crown's approach to decommissioning the Tui Oil Field in response to operator Tamarind liquidation	MBIE	DEV TBC	<p>This DEV paper seeks to appropriate \$171.1 million to begin decommissioning the Tui oil field as a result of the Tamarind liquidation. It also outlines the legal options available to the Crown.</p> <p><i>* Note: Paper published at https://www.mbie.govt.nz/dmsdocument/11505-the-crowns-approach-to-decommissioning-the-tui-oil-field-in-response-to-operator-tamarind-liquidation-proactiverelase-pdf - actual figure was \$154.641 million</i></p>	<p>The Ministry for the Environment (the Ministry) supports the Ministry of Building, Innovation and Employment (MBIE) exploring all legal avenues to hold Tamarind and its directors accountable for the costs of decommissioning.</p> <p>The paper sets out a plan to begin decommissioning. MBIE has addressed previous Ministry concerns by noting that the marine consent process has the potential to extend their 2021/2022 timeline to begin decommissioning activities. MBIE has also confirmed that marine consenting costs to agencies are included in their costing.</p>
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR TBC	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori.</p> <p>We agree the state sector must draw on evidence of what works for Māori and whānau, and at the same time be prepared to innovate, and partner with Māori.</p>
Substantial Alterations: Amendments to Earthquake-prone Buildings Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	The Ministry is comfortable with the proposal and had no comments on this paper.
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV TBC	<p>Marine risk & liability: Policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.</p>	<p>The Ministry broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> residual liability for offshore oil and infrastructure

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			<p>Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p>Onshore risk & liability: The discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<ul style="list-style-type: none"> mining restrictions in benthic protection areas. <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund.</p> <p>The Ministry has largely provided technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.</p>
New form for determination applications under new building emergency management powers, and updated form to modernise current determination applications	MBIE	LEG TBC	The Building Amendment Act 2019 will implement a new system to improve the management of buildings that are damaged or at risk of damage after an emergency event. This paper seeks authorisation to give effect to policy decisions made in that Act regarding applications for determinations, and also makes minor and technical updates to the Building (Forms) Regulations 2004.	The Ministry is comfortable with the proposal and had no comments on this paper.
Report back on proactive release of Cabinet material policy	SSC	GOV TBC	The paper notes that the policy is still embedding but already producing results with regard to the number of papers released. s 9(2)(f)(iv)	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.

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

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

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

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5. Official Information Act requests

5.1. Departmental

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

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 11 May 2020

Environment weekly meeting Monday 11 May 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, Investments and Partnerships

Wes Patrick, Manager, Investments and Partnerships*

Scott Priestley, Manager, Resource Efficiency*

Nicola White, Manager, Resource Efficiency

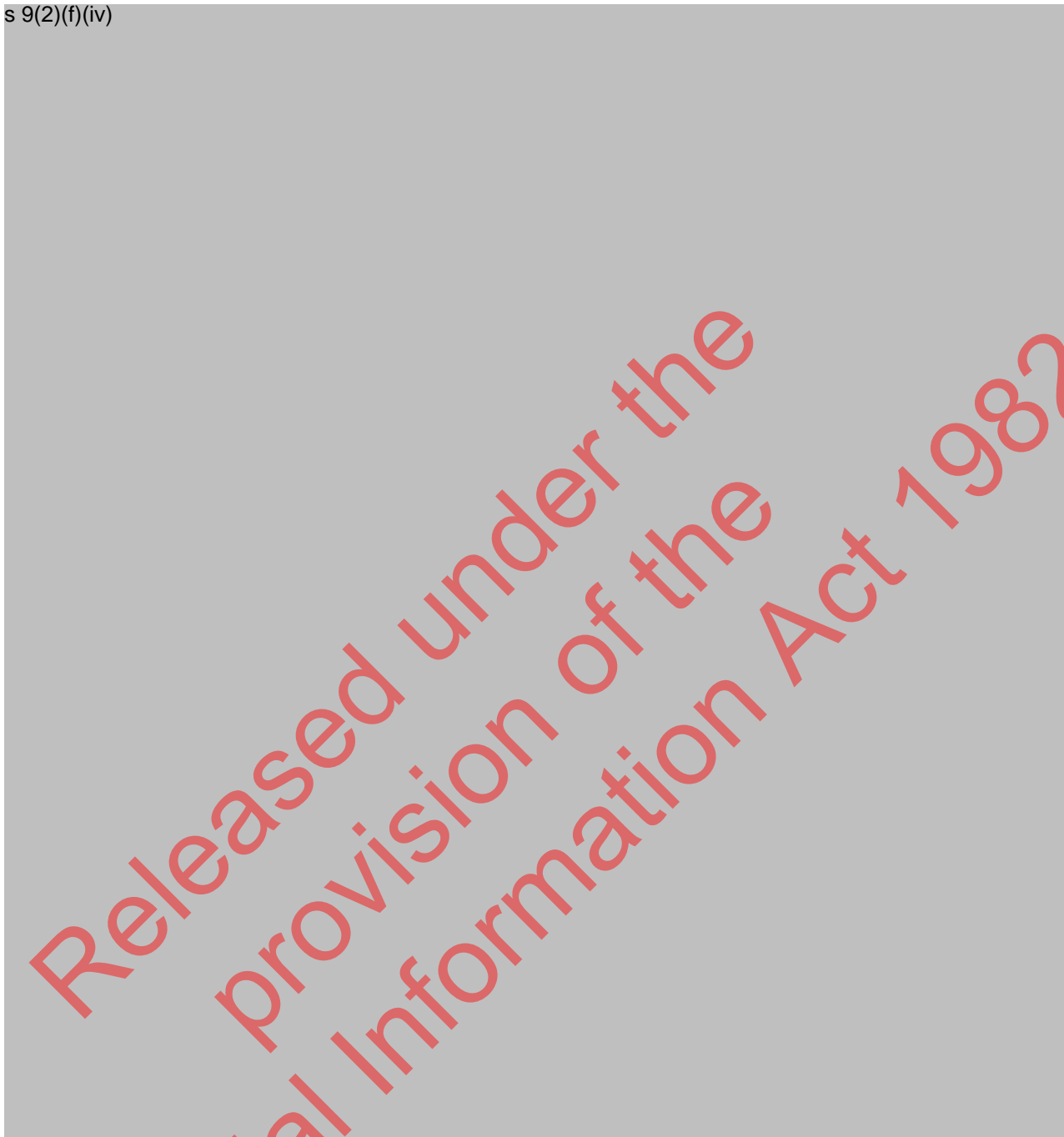
Kathy Bass, Manager, Resource Efficiency

David Stephen, Programme Manager

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	COVID19 response	Shaun Lewis	Verbal update	5
3.	Budget updates	Nicola White	Verbal update	5
4.	Work Programme update	All	Paper and discussion	20

1. Actions and decisions

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



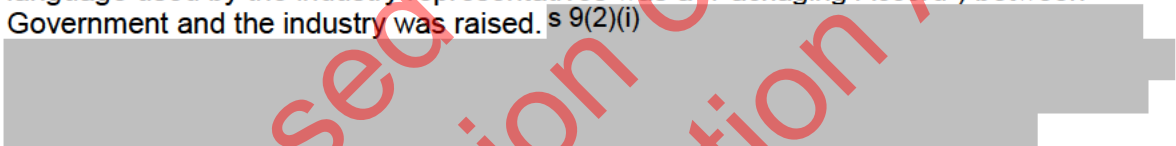
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2. Updates for noting

2.1. Strategic Engagement with Packaging Sector

In late February, you met with a number of representatives from the packaging sector in Auckland. At that meeting, the idea of establishing a forum for strategic dialogue (the language used by the industry representatives was a “Packaging Accord”) between Government and the industry was raised. s 9(2)(i)



And shortly after that, COVID-19 interrupted the discussions with industry around this particular issue.

With the COVID-19 situation becoming more settled, we consider there is merit in renewing these discussions with the packaging sector. The fragmented nature of the packaging industry and its industry representation have made it challenging to engage with the sector a strategic level and generate momentum around some priorities (e.g. labelling). There are a range of different potential models we can explore – from more informal periodic discussion forums to more structured “Accord” type arrangements. Either way, it will be important to ensure sufficient industry representation across the packaging supply chain to be effective. Over the next month or so, it is our plan to develop some potential options for further discussion with you. As part of that we will have some further informal conversations with some sector groups.

2.2. Stakeholder engagement on the Basel Amendment

On 16 March Cabinet agreed to public consultation on options to implement regulations under the Imports and Exports (Restrictions) Prohibitions Order (No 2) 2004 (Imports and Exports Order) to meet new international requirements for the trade in plastic waste (Basel Amendment). These requirements come into force on 1 January 2021.

Due to the situation with COVID-19 and the pressure that the waste sector has been facing, it was not feasible to proceed with the public consultation as planned. You directed us to undertake low-key, targeted engagement on the proposed options. We have been working with WasteMINZ to identify how best to engage with stakeholders in the sector.

On Monday 4 May we contacted key stakeholders to seek feedback on the proposed options. As part of the engagement process we hosted a virtual workshop for stakeholders on 7 May to discuss the proposals. Stakeholders were able to provide feedback during the workshop, or they can provide feedback in writing by 22 May.

Following engagement with stakeholders on the proposed options we will provide you with a briefing note and Cabinet paper seeking final policy approvals to implement the Basel Amendment.

2.3. Compliance audit programme: waste disposal levy

The Waste and Resource Efficiency Directorate is responsible for compliance, monitoring and enforcement (CME) of the waste disposal levy under the Waste Minimisation Act 2008. Administrative responsibilities not only include collecting the levy from disposal facility operators or landfills (DFOs) and distributing levy money to territorial authorities (TAs) but also monitoring to ensure that:

- DFOs are paying the correct amount of levy, and
- TAs are spending the levy money to achieve or promote waste minimisation, and are meeting the requirements regarding their waste management and minimisation plans (WMMPs).

The CME team has recently welcomed several new regulatory specialists to lift capacity and capability. We are in a good position to introduce a comprehensive and enhanced audit programme to detect non-compliance regarding levy collection, payment, spending, and WMMPs.

Significant progress to set a strategic direction and plan a programme of audits, aligned with best practice, international auditing standards and the 2017 Government Expectations for Good Regulatory Practice has been achieved. The plan will see all 67 territorial authorities audited over an 18 month period (starting in Q1 of 2020/21 financial year) and all 38 disposal facilities audited over a period of 12 months. This programme is key to build a nation-wide picture of compliance in a timely way to meet existing regulatory stewardship obligations and prepare for possible future expansion of the waste levy.

The CME team is monitoring the risk and uncertainty associated with COVID-19 and future alert levels. We are prepared for undertaking remote audits to the extent that we can balance activity that requires travel and site visits. We will provide you with regular updates as this programme progresses, including any trends, compliance challenges or scope for regulatory improvements.

2.4. Waste levy expansion

We briefed you on 3 April about the potential effects of the COVID-19 pandemic on the waste levy expansion proposals. You agreed to a slightly delayed timeline for this work, so that we could:

- prioritise work to put forward waste infrastructure projects for possible inclusion in the budget and other economic stimulus initiatives
- engage with selected parts of the sector after a month of lockdown to understand how the pandemic and the expected economic downturn is affecting the waste sector and the main producers of waste, and to see if it had changed views on the levy proposals (especially the timing and scale of the proposed changes)
- complete any further policy analysis needed on the proposals to respond to the new context.

By Monday 11 May, we will be able to bring together information from:

- decisions by Ministers on what projects and other initiatives relating to waste will receive funding through the budget
- the continuing engagement with the sector that has been occurring throughout the COVID-19 crisis and lockdown

- our focussed engagement to assess whether the crisis has changed views on the levy proposals, which concludes on Friday
- decisions by Cabinet on next steps for the levels of lockdown in New Zealand.

With this range of information, we will be able to complete any further analysis needed, prepare updated advice for you and revise the draft Cabinet paper as needed. We have a meeting scheduled with you on Monday 18th May to discuss the updated proposals. We will provide you with a briefing beforehand.

2.5. Para Kore funding avenues 2020

Para kore has an established relationship with the Ministry, having received grants from the Waste Minimisation Fund (WMF) since 2010. Their application in 2019 was unsuccessful, s 9(2)(g)(i)

You have signalled that you value the Ministry's relationship with Para Kore and would like to see them continue to be a significant partner in the areas of waste minimisation and Iwi engagement.

You have indicated that they should focus on building capacity and capability while continuing existing activities, and possibly utilising the services of Ākina to do so. We have communicated this to Para Kore, who indicated that it aligns well with the goals of their organisation. They do have a short term need to increase the work they are able to offer in order to retain existing staff.

You asked the Ministry to explore options for allocating remaining Community Environment Funds (CEF) to applicants who were unsuccessful in applying for the CEF during the last contestable round (B-06402). Another option for this funding is to support Para Kore, as Para Kore's operational and capacity building work fits with the CEF's funding criteria.

Funding Para Kore from the CEF would not exclude them from applying to the WMF for a separate waste minimisation-focussed project, provided that the activities did not duplicate those funded by the CEF.

We will provide you further information about funding Pare Kore through the CEF as part of the upcoming briefing on allocating CEF funds to Environment Hubs Aotearoa and options for funding previously unsuccessful applicants. There is no action for you to take at this stage.

2.6. New Zealand Eco-labelling Trust – update for information

The New Zealand Ecolabelling Trust delivers and manages the Environmental Choice New Zealand (ECNZ) ecolabel, which was launched in 1992. The objective of the ecolabel is to support the use of purchasing power to reduce the environmental impact of products and services over their lifecycle, through clearly identifying products that have adopted best practice in design, production, marketing and use. The Crown continues to own the label and associated intellectual property rights. The Ministry has a contract with the Trust to develop product specifications and to licence the use of the ECNZ logo. The most recent contract was signed in 2015. The Trust has not received funding from government since 2008.

s 9(2)(j)

1. Briefing notes

May 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06714 Waste levy expansion proposals	MfE	This briefing provides advice on any further revisions to the waste levy proposals as a result of the changed context, for discussion on 18 May.	15 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

2. Cabinet Material

May 2020

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

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

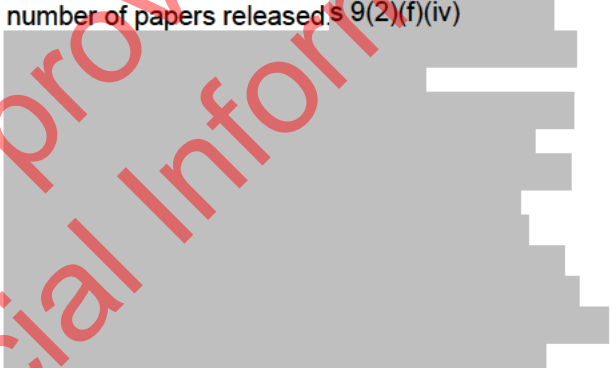
Paper title and number	What this paper covers	Date confirmed by Cabinet	Date due to your office	Date due for proactive release	Date published
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2019-C-06400 Proposed National Environmental Standard for the Outdoor Storage of Tyres: Consultation	Seeks 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	

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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	<p>The paper seeks cabinet's approval to draft an Order in Council (OiC) under the Christ Church Cathedral Reinstatement Act 2017</p> <p>The proposal would substitute for the normal resource consent processes under district and regional plans an expedited process that removes local agency discretion and curtails public notification and appeals. The activities that would ordinarily be discretionary activities under the existing plans include the removal of a heritage-scheduled war memorial and three scheduled heritage trees. The proposal also suggests unspecified overrides to any discretionary consents under the NES-Contaminated Soil.</p>	<p>The Ministry broadly supports the use of an OiC to facilitate the reinstatement works, as was envisioned in the Christ Church Cathedral Reinstatement Act 2017.</p> <p>We made comment about the need to ensure adverse impacts to Cathedral Square were considered and remedied in the OiC in the drafting stage, as well as the need to provide for public participation and coordination with the local authorities. These comments were largely taken on board.</p>
Dam Safety Regulations: Policy Decisions	MBIE	DEV 29 April	s 9(2)(f)(iv)	

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Crown's approach to decommissioning the Tui Oil Field in response to operator Tamarind liquidation	MBIE	DEV TBC	<p>This DEV paper seeks to appropriate \$171.1 million to begin decommissioning the Tui oil field as a result of the Tamarind liquidation. It also outlines the legal options available to the Crown.</p> <p><i>* Note: Paper published at https://www.mbie.govt.nz/dmsdocument/11505-the-crowns-approach-to-decommissioning-the-tui-oil-field-in-response-to-operator-tamarind-liquidation-proactive-release-pdf - actual figure was \$154.641 million</i></p>	<p>The Ministry support the Ministry for Business, Innovation and Employment (MBIE) exploring all legal avenues to hold Tamarind and its directors accountable for the costs of decommissioning.</p> <p>The paper sets out a plan to begin decommissioning. MBIE has addressed the Ministry's previous concerns by noting that the marine consent process has the potential to extend their 2021/2022 timeline to begin decommissioning activities. MBIE has also confirmed that marine consenting costs to agencies are included in their costing.</p>
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR TBC	This paper reports on the implementation of the refreshed monitoring approach of Te Puni Kōkiri.	<p>The Ministry supports a monitoring approach that increases transparency in state sector performance for Māori.</p> <p>We agree the state sector must draw on evidence of what works for Māori and whānau, and at the same time be prepared to innovate, and partner with Māori.</p>
Substantial Alterations: Amendments to Earthquake-prone Buildings Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	The Ministry is comfortable with the proposal and had no comments on this paper.
Consultation on discussion document for Crown Minerals Act review and Minerals and	MBIE	DEV TBC	<u>Marine risk & liability</u> : policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.	<p>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

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Petroleum Strategy			<p>Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p><u>Onshore risk & liability</u>: the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>infrastructure</p> <ul style="list-style-type: none"> mining restrictions in benthic protection areas <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund. 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	<p>The paper notes that the policy is still embedding, but already producing results with regard to the number of papers released s 9(2)(f)(iv)</p> 	The Ministry supports the paper and has been involved in cross agency discussions on the proposed reporting regime.

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New Zealand's financial security regime for offshore installations- Proposed amendments to Marine Protection Rules	MoT	DEV TBC	This noting paper reports back to Cabinet on the outcomes of public consultation on proposed amendments to Marine Protection Rules Part 102 and 131. The changes strengthen the offshore financial security regime for offshore installations which includes increasing the maximum limit of insurance to \$1.2 billion and introducing a new scaled insurance framework with costs proportionate to the risk posed.	The Ministry broadly supports the changes that have been made since consultation in April. s (g)
Building Consent Exemptions in Schedule 1 of the Building Act 2004	MBIE	DEV TBC	This paper proposes amendments to Schedule 1 of the Building Act 2004 to include 12 additional exemptions for minor and low risk building work from the Building Consent process. The exemptions include short span bridges, carports, single storey detached pole sheds and hay barns, solar array panels, veranda, awnings, single storey detached buildings, pipe support structures and flexible water bladders. Guidance to 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 (eg, joint collections) • expand provisions that enable data access for research and analysis (eg, reflecting tikanga framework developed by Statistics NZ in partnership with Māori) • modernise obligations and sanctions with new 	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
			lower level enforcement tools and sanctions for less serious breaches.	
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.	The Ministry is broadly comfortable with the paper but noted that any proposals to provide ex gratia payments to affected fishers and businesses have the potential to set a precedent and therefore require careful consideration.
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.
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

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

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provision of the
Official Information Act 1982

5. Official Information Act requests

5.1. Departmental

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

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 18 May 2020

Environment weekly meeting Monday 18 May 3.00-3.45pm

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, Investments and Partnerships

Nicola White, Manager, Resource Efficiency

Kathy Bass, Manager, Resource Efficiency

Stephen Goodman, Manager, Resource Efficiency

David Stephen, Programme Manager

Dana Peterson, Senior Analyst, Resource Efficiency

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Budget Update	Sam Buckle	Verbal update	5
3.	Construction and Demolition Waste Briefing Note	Nicola White	Paper update	5
4.	Product Stewardship Update	Dana Peterson	Verbal update	5

1. Updates for noting

1.1. Update on the hard-to-recycle plastic packaging work

You asked for an update on the work on phasing out hard-to-recycle plastics. In line with our advice from March, we are progressing a draft consultation document and Cabinet paper proposing a phase out of some hard-to-recycle plastic packaging materials and seeking feedback on single-use items (BN-20-06448). Work has continued during the COVID-19 levels 3 and 4 period, although there have been some delays as a result of our work with the sector on the COVID-19 crisis response.

Milestone	Timing
Early draft consultation document submitted to your office	Week of 8-12 June
Revised draft including your feedback and feedback from other agencies	TBC
Ministerial and cross-party consultation	
Finalise documents and lodge	
Present to Cabinet	
Indicative release date of consultation document	

We would like to discuss this work and its timelines with you at our next weekly meeting, with a view to providing a more detailed update on the hard-to-recycle plastics work in early June. We continue to build towards advice on an overall response to *Rethinking Plastics* for July.

1.2. Meeting with stakeholders on proposed options to regulate the international trade in plastic waste (Basel Amendment)

On Thursday 7 May, the Ministry held a virtual meeting with stakeholders from the waste sector on proposed options to implement the Basel Amendment. Approximately 80 participants attended the meeting from across the sector (including councils, recyclers, manufacturers and academics).

During the meeting:

- we presented on the international decision to better manage the trade in plastic waste
- explained the proposed options to implement the decision in New Zealand
- the Environmental Protection Authority gave an overview on the permitting system for Basel Convention waste
- we gave an overview of the wider resource efficiency work (as this has close links to the Basel Amendment).

There was active participation in the Q&A session, as well as in the breakout session where participants discussed the options in smaller groups. Overall, stakeholders were generally supportive of the international decision, and global efforts to improve the quality of plastic waste exported for recycling.

Key issues that were raised include:

- the need for certainty around the requirements for exports of plastic waste
- the importance of ensuring that plastic waste that is exported is of high value, and will be utilised in the country of import
- whether there is a need to validate exports of separated plastic waste, and how this could be done
- the difficulty in knowing whether the importing country will accept exported material
- the need to minimise the burden for exports of high-value plastic waste for recycling.

Stakeholders have been asked to provide any further written feedback by 22 May.

Following engagement with stakeholders on the proposed options, we will provide you with a briefing note and Cabinet paper seeking final policy approvals to implement the Basel Amendment.

1.3. National Resource Recovery update

You asked for an update on the National Resource Recovery (NRR) work. While this was originally a three-year work programme, a large proportion of the projects have kicked off and are progressing well. There has been significant progress across all of the elements of the NRR work programme. There have been some gaps, but generally we are looking at how we can fit these elements into next year's work programme.

The NRR work has evolved beyond being the initial response to China's National Sword policy. There is now a broader context, including the investment opportunities presented by an increased and expanded waste levy and the Basel Convention (which comes into effect on 1 January 2021 and will have broad impacts and limit the ability to send some materials to export markets). We have also recommended options for how you could accelerate investment as part of a COVID-19 economic recovery.

#	Element	Status	Comment
1	Investigate and design a New Zealand Container Return Scheme (CRS) and undertake cost benefit analysis on the proposal	In progress	Our priority. Project progressing well with extensive stakeholder input. Design of New Zealand CRS to be delivered in August/September 2020.
2	Investigate the recyclability of plastic packaging and the opportunities to transition to more sustainable packaging materials	In progress	Part of Rethinking Plastics Project. Potential phase-out of low value and difficult-to-recycle plastics currently being explored, alongside labelling as an education/incentive tool.
3	Investigate the feasibility of increasing plastic reprocessing capacity and capability	In progress	Part of Rethinking Plastics Project. Gap analysis (#4, below) will also support identification of increased processing capacity and capability.
4	Conduct an infrastructure and services stocktake and gap analysis	In progress	Currently going through procurement process. First deliverables (detailed stocktake) due in August 2020.
5	Investigate the feasibility of increasing fibre processing capacity and capability	In progress	Currently going through procurement process. Deliverables due in mid-late 2020.

6	Investigate feasibility of increasing construction and demolition diversion	TBC	We have provided you with a briefing note on options for taking this work forward with a more dedicated work stream. Also being progressed through levy work which will incentivise diversion.
7	Review of domestic kerbside and commercial collections	In progress	Project underway (domestic focus) with initial policy advice in June.
8	Co-design product stewardship schemes (up to three products). Examine role of product stewardship for packaging	In progress	Part of Regulated Product Stewardship project. Decisions on priority products (including packaging) expected in coming months.
9	Develop and deliver education to consumers and businesses about what is recyclable and how to reduce contamination	In progress	Deferred. While originally planned for 2020, this work ran into timing/capacity issues with WasteMINZ's Rethinking Rubbish project. We discovered on the upside that there will be higher value/impact from a campaign following findings from kerbside standardisation.
10	Develop MRF/council model contracts – a suite of model contracts, specifications and supporting documents for waste management and resource recovery services	TBC	Not currently resourced in 2019/20. Will deliver better impact off the back of kerbside standardisation.
11	Establish a sustainable procurement plan – for business, local government and central government (working with MBIE)	TBC	We are working on a plan for this for the new financial year.

2. Briefing notes

May 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06753 NES Tyres 2020 Consultation Analysis	MfE	This briefing provides you with the NES Tyres 2020 Consultation analysis.	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

3. Cabinet Material

May 2020

Paper name	Committee	What this paper covers	Our Suggested timeframes
2020-C-06690 Government response to the Environment Committee Report on	DEV	This Cabinet paper provides you with the Government response to the Environment Committee Report on Food	Draft due to your office: 15 May Due to lodge: 21 May

Paper name	Committee	What this paper covers	Our Suggested timeframes
Food Waste		Waste. The Ministry is the lead agency on the response.	Due to Committee: 27 May Due to Cabinet: 2 June
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.	Draft due to your office: 21 May Due to lodge: 28 May Due to Committee: 04 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.	Draft due to your office: 29 May Due to lodge: 18 June Due to Committee: 25 June Due to Cabinet: 29 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: 4 June Due to lodge: 18 June Due to Committee: 25 June Due to Cabinet: 29 June
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

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-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	Seeks Cabinet	24	TBC		TBC	

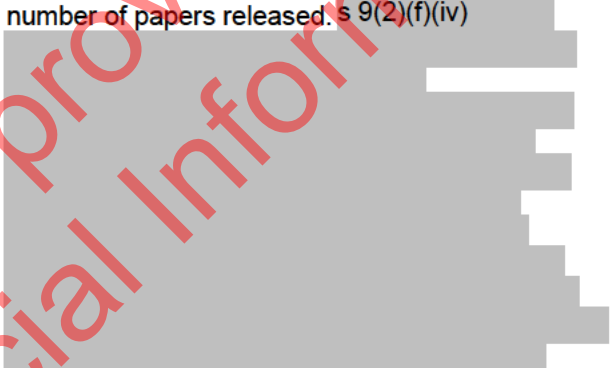
Proposed National Environmental Standard for the Outdoor Storage of Tyres: Consultation	approval to release discussion document for a second round of public consultation because of significant changes to the original proposal.	February				
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5. Cabinet material we have been consulted on

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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.
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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.
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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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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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				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.

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6. Official Information Act requests

6.1. Departmental

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

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 25 May 2020

Environment weekly meeting Monday 25 May 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, Investments and Partnerships
 Nicola White, Manager, Resource Efficiency
 Kathy Bass, Manager, Resource Efficiency
 Roderick Boys, Senior Investment Manager
 Stephen Goodman, Programme Manager

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	Container Return Scheme – update and advice as the project findings come together	Stephen Goodman/Roderick Boys	Verbal update	10
3.	Landfill levy	Glenn Wigley	Verbal update	5

1. Strategic priorities

1.1. Container Return Scheme (CRS) – Update

Fortnightly update

The CRS project team's latest fortnightly update is attached for your information. The project continues to proceed well (on budget and on time).

The project team is currently in the review cycle for Tranche 3. Feedback from the Scheme Design Working Group (SDWG) on Tranche 3 is due to the project team 20 May. The Technical Advisory Group (TAG) review of Tranche 3 will follow, with their meeting scheduled for 10 June.

Ministry officials are preparing a briefing for you to ensure that you are well informed as the CRS research reports come together, and the options for a CRS design become clearer.

We are thinking about how you can stay informed as participants in the project start to grapple with the findings. Following receipt of this briefing we recommend you meet with the TAG chair, Dave Brash to discuss the review process to date.

You may also wish to consider attending the upcoming TAG meeting for Tranche 3 on 10 June; and the SDWG meeting for Tranche 4, on 24 June.

Environment Select Committee – CRS update

Ministry officials are responding to a request from the Environment Select Committee to provide an update on "any work that is being undertaken" on the CRS project, due 25 May. This request stems from petitions presented to Parliament in late 2019 calling for the introduction of a mandatory beverage container deposit scheme in New Zealand.

The submission is expected to include a high-level explanation of the project, progress to date and the delivery date of the draft design.

As information within the submission has not been made available to Cabinet, we recommend you consider an update to Cabinet on the CRS project aligned to a probable mid-June oral presentation to the Environment Select Committee on the CRS co-design project. This will ensure that Ministers are kept informed on the project and progress to date in advance of any decisions on the proposed scheme design.

Trans-Tasman Mutual Recognition Arrangement (TTMRA) – Gazettal of Western Australia exemption request

In line with pre-existing exemptions for other Australian container deposit schemes, the Minister of Commerce and Consumer Affairs (Hon Kris Faafoi) is concluding the approvals process for a permanent exemption from the Trans-Tasman Mutual Recognition Arrangement for the Western Australia container deposit scheme. Once agreed, this exemption will be published in the New Zealand Gazette. The exemption applies to the scheme in full and any associated regulations made under the relevant legislation.

Practically, this means any requirements such as the deposit and labelling aspects, can be implemented as an exemption to the TTMRA and New Zealand beverage producers (or importers) selling into Western Australia must comply with the local scheme regulations.

2. Updates for noting

2.1. Wet Wipes campaign – results

The Wet Wipes campaign ran from 9 - 30 April (with most advertising run from 16-25 April), in response to reported increased blockages caused by wet wipes used by the public in response to the COVID-19 pandemic.

The advertisements were bright and utilised the same yellow as the main Unite Against COVID-19 campaign. The main image used in the campaign was of a father-son duo from Tauranga, who are workers in the sector, and was provided to us by Tauranga City Council.

The campaign was made up of a range of social media and paid online advertisements, run across Stuff, New Zealand Herald, Google and WeChat in In-Apps.

Paid online advertisements reached over 4,000,000 people 3.33 times. The advertisements were shown 14,815,728 times. Advertising placement was targeted towards geographic locations where Local Government New Zealand (LGNZ) members and Water New Zealand (Water NZ) identified there was an increased problem.

On social media we reached 1.4 million people and the posts were shown 4.9 million times.

We ran social media posts in a range of languages: English, te reo Māori, Samoan, Mandarin, Tagalog, Fijian, Hindi, Tongan and Korean.

We provided all campaign content to local government and wastewater organisations free of charge for their own use.

Countdown placed their own in-store messages. Some local government and wastewater organisations continued to also run their own local campaigns.

Using an omnibus survey we tested whether the public had received the message on 21 April towards the end of the campaign. Due to the speed of the campaign being pulled together there is no comparison data, so we asked a question to help demonstrate whether the respondents had recently discovered they should not flush wet wipes. The result is that 83% knew they should not be flushed, and 7% said they knew they should not be flushed but had only recently discovered this. A further 9% were not aware and 1% were not sure. Approximately 50% of respondents identified that they had purchased wet wipes since the lockdown. That 50% was made up of 29% that always do, 8% that purchased many more than usual, and 13% who had purchased some even though they would not normally buy them.

We have also been collecting information from local authorities. On Monday 18 May, we checked with a number of local authorities. South Taranaki reported that the number of blockages is better than before COVID-19, and Gisborne reported an approximately 50% drop in the number of blockages, which they considered more manageable. Auckland's Watercare Services and New Plymouth District Council report they are still experiencing higher than usual wet wipes and other rag blockages. Others, (Tauranga, Tasman, Waipa, Whanganui and Invercargill) were grateful for the Ministry's efforts and did not believe they are now experiencing increased blockages caused by wet wipes. Some have requested ongoing campaign support and a more wide-reaching campaign about what should or should not be flushed.

The Ministry, through LGNZ and Water NZ had promoted Tauranga City Council's campaign as an example of a campaign that has proven to have been effective and could be adopted in other areas as an ongoing campaign. Cost maybe prohibitive for some councils. Where the burden of cost of wastewater blockages is high, the cost of the campaign will be lower. Tauranga's campaign wasn't considered appropriate as a

response to the increased COVID-19 blockages because the campaign content was not designed for the COVID-19 context.

1. Briefing notes

May 2020

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2020-B-06753 NES Tyres 2020 Consultation Analysis	MfE	This briefing provides you with the NES Tyres 2020 Consultation analysis.	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

2. Cabinet Material

May 2020

Paper name	Committee	What this paper covers	Our suggested timeframes
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.	Draft due to your office: 21 May Due to lodge: 28 May Due to Committee: 04 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: 28 May Due to Committee: 4 June Due to Cabinet: 8 June
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: 28 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: 4 June Due to lodge: 18 June Due to Committee: 25 June Due to Cabinet: 29 June
2020-C-06754 NES for the Outdoor Storage of Tyres - policy	ENV	This Cabinet paper provides you with a policy decision following consultation	Draft due to your office: 11 June Due to lodge:

Paper name	Committee	What this paper covers	Our Suggested timeframes
recommendations			25 June Due to Committee: 2 July Due to Cabinet: 6 July

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

Paper title and number	What this paper covers	Date confirmed by Cabinet	Date due to your office	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	

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4. 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)	
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</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</p>

Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
			liability for abandoned onshore wells.	to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.
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.

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Paper title	Agency	Committee and date due	Risk/issue/opportunity	MfE comments
New Zealand's financial security regime for offshore installations- Proposed amendments to Marine Protection Rules	MoT	DEV TBC	This noting paper reports back to Cabinet on the outcomes of public consultation on proposed amendments to Marine Protection Rules Part 102 and 131. The changes strengthen the offshore financial security regime for offshore installations which includes increasing the maximum limit of insurance to \$1.2 billion and introducing a new scaled insurance framework with costs proportionate to the risk posed.	The Ministry broadly supports the changes that have been made since consultation in April. s (g)
Building Consent Exemptions in Schedule 1 of the Building Act 2004	MBIE	DEV TBC	This paper proposes amendments to Schedule 1 of the Building Act 2004 to include 12 additional exemptions for minor and low risk building work from the Building Consent process. The exemptions include short span bridges, carports, single storey detached pole sheds and hay barns, solar array panels, veranda, awnings, single storey detached buildings, pipe support structures and flexible water bladders. Guidance to 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)	
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 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</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
			seabed mining will be prohibited (with some exemptions). These changes will be gazetted and subject to a 28-day period for public comment.	

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5. Official Information Act requests

5.1. Departmental

Request	Correspondent	Reference	Due to send
I would like to request the following data: <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
Under section 12 of the Official Information Act 1982 I request the following information from the Ministry for the Environment: The BERL report detailing the merits or otherwise of Waste to Energy plants and their fit with NZ circular waste economy vs. landfills.	s 9(2)(a) Waikato Regional Council	20-D-00784	16 June

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provision of the
Official Information Act 1982