

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 7 October 2019

Environment weekly meeting 1.45pm – 2.30pm, Monday 7 October

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

Sam Buckle, Deputy Secretary, Resource Efficiency

Shaun Lewis, Director, Investments and Partnerships

Abbie Bull, Acting Director, Natural and Built System

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	10
2.	WasteMinz	Shaun Lewis	Verbal update	15
3.	Container Deposit Return Scheme	Sam Buckle	Verbal update	15

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1. Actions and decisions

1.1. Self-Announcement of Round #9 Community Environment Fund projects from 2017

Three projects from the 2017 round of the Community Environment Fund have not been announced to date (details as to the three projects are set out below). Announcements can be made in three different ways:

- In-person announcement – through you attending an event and announcing it, often followed by a press release from your office
- Ministerial Press Release Only – your office provides a press release about the project and the funding
- Recipient Self Announcement – where you provide written approval for the funding recipient to self-announce that funding has been provided by the Ministry for the Environment.

You have previously indicated that you would like the three projects listed to self-announce. Once self-announced we will list them on the Ministry website as recipients of Community Environment Fund funding.

Project	Crown Contribution	Total project cost	Region	Short Project Description
Lower Taipo Stream Environmental Enhancement Project - Stage 2	\$200,000	\$251,680	Hawkes Bay	The project aims to restore the health and mauri of the Te Whanganui-a-Orotu, by expanding the wetland resource available to capture sediment flows from key contributory waterways. The project involves residents of Hohepa House who are intellectually disabled suffering from autism, down syndrome etc.
He Ripo Kau	\$300,000	\$594,000	Northland	He Ripo Kau seeks to provide a unique opportunity to facilitate a more coordinated, cohesive, and sustainable approach to ecological restoration in the catchment by adopting and applying Reconnecting Northland's model of connectivity, facilitating active partnership and key enabling features essential to large scale landscape restoration.
Urban Kai Network	\$54,231	\$298,022	Wellington	Urban Kai Network aims to restore collective ability to grow food to give access to affordable, locally grown food, which is chemical free and not harmful to our environment.

Do you approve these three projects to self-announce?

Yes/No

2. Updates for noting

2.1. Waste being sent back from Indonesia

s 9(2)(g)(i)



We are working closely with the Ministry of Foreign Affairs and Trade, the Environmental Protection Authority and Customs on this issue and options to deal with these containers if and when they are returned to New Zealand. We will keep you informed.

2.2. London Protocol – Norway resolution

You have received a briefing from the Minister of Foreign Affairs and Trade, dated 25 September 19, *41st Consultative Meeting of Contracting Parties to the London Convention and the 14th Meeting of Contracting Parties to the London Protocol*.

The Norwegian Government has sought New Zealand's support for its joint resolution (with the Netherlands) to provisionally apply the 2009 amendment to article 6 of the London Protocol, which is not yet in force. The proposal would allow states to transport CO₂ across boundaries for sequestration in sub-seabed geological formations (oil and gas reservoirs). The proposal will be discussed at the Meeting of Contracting Parties to the London Convention and the London Protocol from 7-11 October 2019.

New Zealand intends to support Norway and Netherland's resolution. New Zealand was one of 15 countries that supported the 2009 amendment and our international approach has been to support carbon and capture storage activities. Currently, New Zealand does not sequester CO₂ in the seabed and there are no plans to utilise the provisional application. However, we consider the proposal aligns with the purpose of the Protocol because CO₂ streams from carbon capture processes are listed as a waste that may be considered for dumping.

2.3. Request from Netherlands for New Zealand to consider participation in plastic initiatives

A formal message was issued by the New Zealand post in the Hague providing an update on circular economy and agriculture from the Netherlands ahead of a New Zealand visit from Prime Minister Rutte on October 8-9.

The Netherlands has set an ambitious domestic target to re-use its waste and transition to a circular economy by 2050. Plastics has been identified as a priority area. New Zealand has been asked to consider participating in various projects launched by the 'Platform for Accelerating the Circular Economy' (PACE), namely the New Plastics Economy or the Global Plastics Action Partnership (GPAP).

The New Plastics Economy Global Commitment is facilitated by UNEP and the Ellen MacArthur Foundation. New Zealand signed up to the commitment in October 2018. s

9(2)
(b)
(ii)

GPAP is a platform for discussion and collaboration amongst various existing and emerging initiatives to support governments facing plastic pollution challenges (particularly in developing economies). GPAP will advance action through partnerships with the Association of Southeast Asian Nations (ASEAN), Small Island Developing States (SIDS) and Africa. New Zealand is supporting a number of initiatives through the Ministry of Foreign Affairs and Trade including work in ASEAN and SIDS regions. s 6(a)



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3. Briefing notes

7 October – 8 November

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06050 Proactive release of Update on the proposed Container Refund Scheme for New Zealand	MfE	The purpose of this briefing is to seek your agreement to proactively release the Cabinet paper Update on the proposed Container Refund Scheme for New Zealand and Cabinet minute. The Ministry for the Environment (MfE) proposes to release this information by Monday 28 October 2019 on MfE's website.	7 October
2019-B-06071 Event note - Meeting with Golders to discuss the remediation of the Fox and similar landfills in New Zealand	MfE	Meeting note for your meeting with Golder Associates to discuss a potential remediation option for the Fox Landfill, Westland	9 October
2019-B-05327 Waste to energy report update	MfE	Waste to energy report update	11 October
2019-B-06076 Phone call with Graeme Barnes	MfE	This meeting note provides you with background information for your phone call with Graeme Barnes, Huhtamaki. It includes an update on the fibre processing study being undertaken as part of the National Resource Recovery work programme.	11 October
2019-B-06032 Champion and best practice models for sustainability	MfE	Models in New Zealand and overseas for organisations whose function is to be a champion for sustainability issues or to share best practice for sustainability.	31 October

4. Cabinet material

7 October – 8 November

Paper number and name	Committee	What this paper covers	Our suggested timeframes
2019-C-05889 Vulnerable Landfills	DEV	Vulnerable landfill - risks from climate change	Due to lodge: 10 October Due to Committee: 16 October Due to Cabinet: 23 October
2019-C-05775 Waste Advisory Board appointments 2019	APH	This paper outlines your intention to appoint Jacqui Forbes, Denise Roche, and Don Chittock to the Waste Advisory Board for a term of three years from the date of appointment.	Due to your office 9 October Due to lodge 10 October Due to Committee 16 October Due to Cabinet 21 October

5. Cabinet material we have been consulted on

Reference number and paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG 15 October	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Ngāti Rangitihī Deed of Settlement	Te Arawhiti	MCR 15 October	Seeks Cabinet agreement to the final s 9(2)(f)(iv) delegation to vary final aspects of redress (incl costs decisions) by Ministers (within their relevant portfolios).	MfE supports the proposed redress, and the proposed approach to delegate final decisions on costs to relevant Ministers – since agencies are still working with local authorities to determine these costs.
Urban Growth Agenda: Infrastructure Levy Model – Development Contributions	DIA	DEV 16 October	This paper seeks Cabinet approval to alter its previously agreed position that landowners who are liable for an Infrastructure Levy will not also be liable for development contributions (DCs). This paper proposes that DCs could be used to supplement the levy where a project would otherwise not proceed. This paper also seeks to provide an option to refund previously collected DCs for infrastructure that is subsequently funded by a Levy.	MfE supports the development of the levy infrastructure model, but questions whether on balance the proposal to collect both DCs and the levy from landowners is worthwhile, given that it essentially involves charging the same landowners using two different mechanisms. Also, local authorities would need to collect the DCs, which would be on their balance sheet, so this could re-introduce the local authority debt limit as a constraint on infrastructure provision. In relation to DCs previously collected being refunded, we suggested some broad principles be developed to guide decisions on refunding DCs and/or adjust liability for the levy, to avoid the risk of cost escalation in local infrastructure costs being borne by those who previously paid DCs. The paper does not propose to make any changes to the treatment of financial contributions (FCs) from the Cabinet agreement in June (CAB-19-MIN-0263) that the local authority should pass any revenue previously collected for the infrastructure via FCs on to the SPV and potentially the levy

Reference number and paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comments
				should be adjusted accordingly. We support this because FCs are a condition of a consent to mitigate effects rather than a pure infrastructure charge and in many cases it is not possible to identify the portion of FCs that were for a particular infrastructure project.
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV 16 October	<p><u>Marine risk & liability</u>: policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme. Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p><u>Onshore risk & liability</u>: the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> residual liability for offshore oil and infrastructure mining restrictions in benthic protection areas <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund. We have been providing largely 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>
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Draft Research, Science and Innovation Strategy for public consultation	MBIE	DEV TBC	<p>The RS&I strategy sets the direction of the Government's funding for science. Previously it has primarily focussed on excellence and impact. New to this version is additional emphasis on connectivity and talent.</p> <p>This is an opportunity to help re-balance the research system towards applied research end of the science spectrum.</p>	<p>MfE has been consulted throughout this review, and will provide further feedback to MBIE.</p> <p>In general MfE supports the directions of the Strategy, particularly the new focus on connectivity.</p> <p>We note the importance of research at the applied end of the science spectrum, and we believe the emphasis on connectivity should enhance the flow of science to end users such as councils, resource managers and those making land use decisions. Further to this, and following correspondence from several science providers and users, we are drafting a briefing from MfE, MPI and MBIE on the need for support for applied research.</p>

6. Official Information Act requests

6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
<p>I wish to make a request under the Official Information Act 1982.</p> <p>I wish to request any Cabinet material relating to Container Deposit Legislation or Container Deposit Schemes that have been made available to cabinet in the last 3 months.</p>	s 9(2)(a)	19-O-02126	2 October	16 October
<p>I'm currently doing some work on the resource recovery and circular economy in the extractives sector and I note from one of the written questions that the Minister received a briefing (on 18 July) on the work programme in this area.</p> <p>Is this briefing something you are able to provide (with redactions if necessary)?</p>	s 9(2)(a)	19-O-02193	7 October	21 October

6.2. Departmental

Request	Correspondent	Reference	Due to send
<p>Would you be able to provide me the complete list of all the businesses which have been reported by the public for breaching the plastic bag ban? Can I ask for the list of businesses reported for non-compliance through the OIA instead.</p>	s 9(2)(a) Stuff	19-D-02156	22 October

Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 14 October 2019

Environment weekly meeting 3.00pm – 3.45pm, Monday 14 October

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

Vicky Robertson, Secretary for the Environment

Sam Buckle, Deputy Secretary Resource Efficiency

Shaun Lewis, Director, Investments and Partnerships

Roderick Boys, Senior Investment Manager, Investments and Partnerships

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Vicky Robertson	Verbal update	15
2.	Container Refund Scheme	Roderick Boys	Verbal update	15
3.	Circular Economy	Shaun Lewis	Verbal update	15

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1. Actions and decisions

1.1. Options for potential meetings in Adelaide to coincide with Meeting of Environment Ministers on 8 November 2019

You are attending the Meeting of Environment Ministers in Adelaide on 8 November 2019.

The table below outlines potential options for additional meetings and engagement while in Adelaide. We will also liaise with the Ministry of Foreign Affairs and Trade to identify other opportunities that may be of interest to you.

Please indicate the meetings that you would be interested in. We will then make contact with the organisations regarding their availability to meet.

Meeting with	Options for additional meetings	Minister's decision
s 6(a)		Y/N
		Y/N

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2. Updates for noting

2.1. National Environmental Standard – Tyres

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

2.2. s 9(2)(b)(ii)

3. Briefing notes

14 October – 15 November

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06101 Our Marine Environment 2019 and the current work programme	MfE	Overview of government work programme relating to likely issues raised in the Our Marine Environment 2019 domain report.	16 October
2019-B-06051 Community Environment Fund Options for Unallocated Funds for FY2019/20.	MfE	This briefing provides options for transferring the unallocated funds from the Community Environment Fund to other Funds in FY19/20. This briefing is a re-draft of 19-B-05965 Community Environment Fund Background on Proposed Transfer of Unallocated Funds FY19/20	16 October
2019-B-06032 Champion and best practice models for sustainability	MfE	Models in New Zealand and overseas for organisations whose function is to be a champion for sustainability issues or to share best practice for sustainability.	31 October

4. Cabinet material

14 October – 15 November

Paper number and name	Committee	What this paper covers	Our suggested timeframes
2019-C-05775 Waste Advisory Board appointments 2019	APH	This paper outlines your intention to appoint Jacqui Forbes, Denise Roche, and Don Chittock to the Waste Advisory Board for a term of three years from the date of appointment.	Due to Committee 16 October Due to Cabinet 21 October
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Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG 15 October	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Ngāti Rangitahi Deed of Settlement	Te Arawhiti	MCR 15 October	Seeks Cabinet agreement to the s 9(2)(f)(iv) Seeks delegation to vary final aspects of redress (incl costs decisions) by Ministers (within their relevant portfolios).	MfE supports the proposed redress, and the proposed approach to delegate final decisions on costs to relevant Ministers – since agencies are still working with local authorities to determine these costs.
Urban Growth Agenda: Infrastructure Levy Model – Development Contributions	DIA	DEV 16 October	This paper seeks Cabinet approval to alter its previously agreed position that landowners who are liable for an Infrastructure Levy will not also be liable for development contributions (DCs). This paper proposes that DCs could be used to supplement the levy where a project would otherwise not proceed. This paper also seeks to provide an option to refund previously	MfE supports the development of the levy infrastructure model, but questions whether on balance the proposal to collect both DCs and the levy from landowners is worthwhile, given that it essentially involves charging the same landowners using two different mechanisms. Also, local authorities would need to collect the DCs, which would be on their balance sheet, so this could re-

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comment
			collected DCs for infrastructure that is subsequently funded by a Levy.	<p>introduce the local authority debt limit as a constraint on infrastructure provision.</p> <p>In relation to DCs previously collected being refunded, we suggested some broad principles be developed to guide decisions on refunding DCs and/or adjust liability for the levy, to avoid the risk of cost escalation in local infrastructure costs being borne by those who previously paid DCs.</p> <p>The paper does not propose to make any changes to the treatment of financial contributions (FCs) from the Cabinet agreement in June (CAB-19-MIN-0263) that the local authority should pass any revenue previously collected for the infrastructure via FCs on to the SPV. We support this because FCs are a condition of a consent to mitigate effects rather than a pure infrastructure charge and in many cases it is not possible to identify the portion of FCs that were for a particular infrastructure project.</p>
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV 16 October	<p><u>Marine risk & liability</u>: policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme.</p> <p>Mining policies are inconsistent for offshore and onshore areas of</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> residual liability for offshore oil and infrastructure

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			<p>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>	<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>We have largely been providing technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms.</p> <p>Engagement with MBIE is ongoing.</p>
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Draft Research, Science and Innovation Strategy for public consultation	MBIE	DEV TBC	<p>The RS&I strategy sets the direction of the Government's funding for science. Previously it has primarily focussed on excellence and impact. New to this version is additional emphasis on connectivity and talent.</p> <p>This is an opportunity to help re-balance the research system towards applied research end of the science spectrum.</p>	<p>MfE has been consulted throughout this review, and will provide further feedback to MBIE.</p> <p>In general MfE supports the directions of the Strategy, particularly the new focus on connectivity.</p> <p>We note the importance of research at the applied end of the science spectrum, and we believe the emphasis on connectivity should enhance the flow of science to end users such as councils, resource managers and</p>

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				<p>those making land use decisions. Further to this, and following correspondence from several science providers and users, we are drafting a briefing from MfE, MPI and MBIE on the need for support for applied research.</p>

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Weekly Update

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For the week starting 21 October 2019

Environment weekly meeting 3.45pm – 4.30pm, Monday 21 October

Attendees: Hon Eugenie Sage, Associate Minister for the Environment

Sam Buckle, Deputy Secretary Resource Efficiency

Glenn Wigley, Director, Natural and Built System

Shaun Lewis, Director, Investments and Partnerships

Dana Peterson, Senior Analyst, Hono Tataki team

	Agenda Item	Lead	Paper / verbal update	Mins
1.	Discuss Weekly Update	Sam Buckle	Verbal update	10
2.	Biogas	Hon Eugenie Sage	Verbal update	10
3.	Waste Disposal Levy Expansion	Glenn Wigley	Verbal update	10
4.	Budget 2020	Sam Buckle	Verbal update	5
5.	Product stewardship	Dana Peterson	Verbal update	5

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1. Strategic priorities

1.1. Summary of public engagement for Consultation Process

The Ministry has now completed its roadshow consulting on key matters - protecting our productive land, growing our cities to benefit people and the environment, better dealing with harmful waste and chemicals, and taking action for healthy waterways.

Over the six weeks of consultation we held:

- hui with iwi
- meetings for the general public
- primary sector meetings specifically focused on freshwater issues
- workshops with councils
- environmental Non-Government Organisations (eNGOs), youth and primary sector policy workshops
- online webinars with LGNZ, the Winegrowers Assn (80 people) and farmers

In total, we held over 60 meetings, visiting regions across the country, with almost 7,500 attendees.

The meetings were largely dominated by discussion on the freshwater policy proposals set out in the *Action for Healthy Waterways* discussion document. During informal one-on-one discussions at the end of the formal meetings there was some useful feedback on the other consultation matters. A question that came up several times was how the various national policy statements interacted.

There was near universal agreement at the meeting that New Zealand needs to improve the health of our waterways and ecosystems, though divergent views on whether existing activities would achieve this, or whether, and where, stronger regulation was needed. There was also near universal acknowledgment that urban, as well as rural, people need to make changes to reduce their impacts on waterways.

Information as to the general tone of the meetings are set out below. A detailed summary of the issues raised by each audience will be included with the submissions analysis:

- **Hui with iwi** were generally focused on freshwater policy proposals, with some limited discussion on some of the other policy proposals and on the scope of the Resource Management reform.
- **Public meetings** were largely focused on freshwater, and so the presentations often focused on the Essential Freshwater proposals. Officials also gave short presentations about proposals for highly productive land, urban development, product stewardship and Hazardous Substances and New Organisms (HSNO) assessment, and provided opportunities for less formal discussions about these at the end of the presentations. The meetings were well attended (usually around 300 people), often including farmers from the wider region.
- **Primary sector meetings** were also open to the public, and were targeted at discussion about the impact of the freshwater and highly productive soils proposals on farmers. These meetings drew between 170 and 350 people, partly as a result of primary sector organisations (Beef and Lamb, Dairy New Zealand and Federated Farmers) promoting the meetings and inviting farmers to stay for an industry workshop at the conclusion of the meeting.

- **Council workshops** generally focused on the technical detail of the policy. Focus varied depending on the region. Concerns were raised about councils' ability to implement the policies, particularly for smaller councils. The timing of the consultation was also noted as being difficult due to local elections.

Submissions received for each consultation:

- HSNO – 44
- Product Stewardship – over 4000
- Highly Productive Land – over 240
- Urban Development – over 240

All consultations are now closed with late submissions still being accepted on freshwater proposals until the 31 October 2019.

Documents in demand

Alongside the meetings, many more New Zealanders have visited our website to find out more about the policy proposals and submit their views. In the past few weeks, the *Action for Healthy Waterways* page had over 22,000 unique visitors (that is, 22,000 different people) and many may have returned more than once. Over 11,000 people visited the page on *Reducing harm from waste* and over 5,000 visited the page on *Planning for successful cities*. *Protecting our Land and Hazardous Substances* together had over 3 000 visitors.

The vast majority of visitors to each consultation page took the time to read either the discussion document, or the shorter summary document. In the case of *Action for Healthy Waterways*, more than 15,000 people downloaded the discussion document and summary.

1.2. Submissions on hazardous substances assessments

Consultation on proposed improvements to hazardous substances assessments closed on 30 September 2019. We are currently analysing the submissions and commissioning a cost benefit analysis. We aim to complete a summary of submissions this month and provide advice to you and Minister Parker on options for legislative change by the end of November.

1.3. Business and Economic Research Ltd (BERL) report summary

The Ministry commissioned BERL to provide a combination of market and environmental analysis about the potential impacts of waste to energy incineration in New Zealand. The report is attached for your information and its findings are summarised here. We intend to work with Ministry for Business, Innovation and Employment (MBIE) on further advice that would support a strategic position on waste to energy for New Zealand.

Overall the report recommends a cautious approach to considering waste to energy proposals for New Zealand. The primary risks to consider include:

- Undermining incentives designed to reduce the use of virgin materials
- Disrupting the evolution of recycling and recovery sector, despite an intention to focus on residual waste
- Displacing renewable energy

There are economic and commercial challenges that any waste to energy proposal would need to overcome in order to be viable in New Zealand. In addition proposals would be subject to consenting requirements under the Resource Management Act. However it is important to develop a strategic view to inform future investment decisions related to New Zealand's resource recovery infrastructure investments.

We will keep you informed as our work with MBIE develops.

2. Updates for noting

2.1. Marine Report Release of Our Marine Environment 2019

Our Marine Environment 2019, the latest in the Ministry's environment reporting series, was launched on Thursday. The report highlights the main issues affecting our marine environment, and particularly the cumulative effect of these issues. The report received significant media coverage at launch, with particular interest in plastic waste. We will continue to use the report to raise awareness and encourage action with stakeholders and the public.

2.2. WasteMINZ conference

You have requested a summary of some of the key themes and feedback from the recent WasteMINZ conference (including the preceding Territorial Authorities forum).

Ministry officials engaged with a variety of stakeholders during the conference and presented on several topics from the Ministry's work programme (including the waste levy expansion, regulated product stewardship, National Resource Recovery (NRR), and the amendment to the Basel Convention).

The exploration of expanding the waste levy was well supported by Territorial Authorities (TAs). However, there were consistent concerns around possible increases in illegal dumping and farm dumps becoming tip sites. TAs suggested that the objectives of the levy be clearly communicated along with how they were allowed to spend levy funding. Some TAs were interested in how much additional funding would be available following any increase in levy revenue, particularly smaller, rural TAs which struggle with limited resources and smaller populations. Compliance, monitoring and enforcement activities for any additional landfill sites subject to the levy was seen as very important but required more of a central or regional government role.

Following your announcement of the container return scheme at the conference, there was a lot of enthusiasm and interest from a wide range of stakeholders. The beverage and container producers were keen to understand the nature of the process and how they would be represented. Some expressed concerns that glass would be in scope.

Stakeholders at the conference were very supportive of the NRR work programme. However, there were concerns that the work programme needed to be 'future-proofed' to ensure it would endure any political change as the sector sees the work as being critical. Stakeholders also noted the linkages between NRR and any future priority products in that infrastructure investment would need to be made to support any related schemes. Optical sorters were seen as a key capability deficit for the smaller material recovery facility operators.

In regards to the amendments to the Basel Convention, there was general interest on how this would be operationalised domestically. There was also acknowledgement that some importers may impose 'stricter' requirements than what has been agreed to via the Basel amendments. Stakeholders (such as MRF operators and exporters) will need to determine what, if any, changes are required to ensure compliance (eg, infrastructure upgrades). Subject to Cabinet approval, the Ministry will begin consultation on the options to implement the amendments to the Basel Convention in early 2020.

We also received feedback from conference attendees on the operation of the Waste Minimisation Fund, particularly from past recipients. This largely supported our own assessment that there were opportunities for refining the process and applying a more strategic lens to investments.

3. Briefing notes

21 October – 22 November

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06032 Champion and best practice models for sustainability	MfE	Models in New Zealand and overseas for organisations whose function is to be a champion for sustainability issues or to share best practice for sustainability.	31 October

4. Cabinet material

21 October – 22 November

Paper number and name	Committee	What this paper covers	Our suggested timeframes
2019-C-05776 Consultation on increasing the rate and expanding the coverage of the landfill levy	ENV	Seeks approval to release a public consultation document which sets out proposals for increasing the rate and expanding the coverage of the waste disposal levy under the Waste Minimisation Act 2008	Due to lodge: 18 October Due to committee: 23 October Due to Cabinet: 4 November
2019-C-05775 Waste Advisory Board appointments 2019	APH	This paper outlines your intention to appoint Jacqui Forbes, Denise Roche, and Don Chittock to the Waste Advisory Board for a term of three years from the date of appointment.	Due to Cabinet 21 October
2019-C-05889 Vulnerable Landfills	DEV	Vulnerable landfill - risks from climate change	Due to lodge: 6 November Due to Committee: 14 November Due to Cabinet: 18 November

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5. Cabinet material we have been consulted on

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comment
Review of Racing: Paper 3 – Utilising Racing Industry Property to Support Industry Revitalisation	DIA	DEV 23 October 2019	This paper seeks policy approvals for the Government's legislative response to recommendation 12 of the Messara Report, which proposes that government legislate to "vest Race Club property and assets to the Code regulatory bodies". The Minister for Racing proposes a number of changes to the ownership and utilisation of racing property to enable codes to drive the revitalisation of the racing industry.	The majority of the paper does not have any implications on the RMA, other than the proposed exemption for these properties (when transferred) from Part 10 of the RMA, which relate to subdivision provisions. We queried the need to exempt the 'transfer' from subdivision provisions under the RMA as it is unlikely to make alterations to the site or property.
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions Trading Scheme	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Railways Amendment Regulations 2019	MoT	LEG Mid-November	This paper proposes to amend annual fees and charges that fund NZTA's rail safety regulatory function to address historical under-recovery, and ensure sufficient funding for this function.	MfE is comfortable with the proposal and had no comments on this paper.
Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a	MfE is comfortable with the proposal and had no comments on this paper.

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comment
			disproportionate impact on provincial and small towns with low value properties.	
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. 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>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> • residual liability for offshore oil and infrastructure • mining restrictions in benthic protection areas <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund. We have largely been providing technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other regulatory mechanisms. Engagement with MBIE is ongoing.</p>

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6. Official Information Act requests

6.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
I'm currently doing some work on the resource recovery and circular economy in the extractives sector and I note from one of the written questions that the Minister received a briefing (on 18 July) on the work programme in this area. Is this briefing something you are able to provide (with redactions if necessary)?	s 9(2)(a)	19-O-02193	7 October	21 October

6.2. Departmental

Request	Correspondent	Reference	Due to send
Would you be able to provide me the complete list of all the businesses which have been reported by the public for breaching the plastic bag ban? Can I ask for the list of businesses reported for non-compliance through the OIA instead.	s 9(2)(a) Stuff	19-D-02156	22 October

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Weekly Update

Hon Eugenie Sage, Associate Minister for the Environment

For the week starting 29 October 2019

There is no meeting scheduled this week.

The next meeting is scheduled for: 3 – 3.45pm, Monday 4 November 2019

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1. Strategic priorities

1.1.

s 6(a)



2. Actions and decisions

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



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2.2. Next meeting of the Waste Advisory Board

We are planning the next meeting of the Waste Advisory Board (the Advisory Board). We would like to hold the meeting during the week starting 18 November 2019.

The focus of this meeting will be to seek the Advisory Board's advice on the expansion of the waste disposal levy discussion document subject to approval by Cabinet. We are drafting a letter for you to acknowledge the Advisory Board's advice on the regulated product stewardship consultation, and to start a dialogue with the Advisory Board on the waste disposal levy ahead of the meeting.

We also plan to update the Advisory Board on the progress of the container return scheme, an update on the Prime Minister's Chief Science Advisor's report on Rethinking Plastics, and an update on the summary of submissions work following the regulated product stewardship consultation.

Would you like to attend this meeting and do you have a preferred day during the week beginning 18 November 2019?

Yes/No

Monday 18 / Tuesday 19 / Wednesday 20 / Thursday 21 / Friday 22

3. Updates for noting

3.1. Draft Programme for Australian Meeting of Environment Ministers

You are attending the Australian Meeting of Environment Ministers (MEM) in Adelaide on 7-8 November 2019. You have indicated that you would like to engage with relevant organisations in Adelaide outside of the formal MEM and have provided your preferences for prioritising meetings based on suggestions provided to you via the weekly update report for the week starting 14 October 2019. Ministry Officials are working with your office and the Ministry of Foreign Affairs and Trade to provide you with a proposed programme, which will include the site visits on the MEM agenda, engagement opportunities with Australian Ministers and a small number of side meetings. You will be accompanied by Liz Butcher from the Mana Honohono team.

3.2. Linda Cooper's resignation from the Waste Advisory Board

As you will be aware, Linda Cooper has provided you with written notice of her resignation from the Waste Advisory Board.

Any member of the Waste Advisory Board can resign from office by giving written notice to you under section 94(3) of the Waste Minimisation Act 2008. This resignation is effective immediately.

Linda's term was due to expire on 16 August 2020 (as is David Carter's term). You will have seven members on the Waste Advisory Board if Jacqui Forbes, Denise Roche, and Don Chittock accept your offer of appointment. We recommend that you commence the process to fill the vacancy from Linda's resignation during the nomination round in 2020.

3.3. Update – National Environmental Standard (NES) for Outdoor Storage of Tyres

As agreed, we contacted a range of stakeholders to find out more about the likely impacts of a 40m³ threshold for discretionary resource consent. We found that the threshold will affect groups of businesses that wouldn't have been affected under a 200m³ threshold. There would also be a significantly increased impact on livestock farms. We are completing our assessment of the options and preparing a section 46A report with recommendations for your consideration.

4. Briefing notes

29 October – 29 November

Reference number and title	Lead agency	What this briefing covers	Date due to your office
2019-B-06032 Champion and best practice models for sustainability	MfE	Models in New Zealand and overseas for organisations whose function is to be a champion for sustainability issues or to share best practice for sustainability.	31 October
2019-B-06118 RMA section 46A report on NES Tyres	MfE	Attaches the Ministry's report with policy recommendations, as required by RMA section 46A.	5 November

5. Cabinet material

29 October – 29 November

Paper number and name	Committee	What this paper covers	Our suggested timeframes
2019-C-05776 Consultation on increasing and expanding the landfill levy	ENV	Seeks approval to release a public consultation document which sets out proposals for increasing the rate and expanding the coverage of the waste disposal levy under the Waste Minimisation Act 2008.	Due to Cabinet: 4 November
2019-C-05889 Vulnerable Landfills	DEV	Vulnerable landfill - risks from climate change	Due to lodge: 4 November Due to Committee: 14 November Due to Cabinet: 18 November
2019-C-6112 Environmental Protection Authority Board - Appointment	APH	Paper proposing to appoint Greg Ryder to the EPA Board	Due to lodge: 7 November Due to Committee: 13 November Due to Cabinet: 18 November

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6. Cabinet material we have been consulted on

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comment
Urban Development Bill: Approval for Introduction	HUD	LEG 5 November	This paper seeks approval to introduce the Urban Development Bill which will provide Kainga Ora – Homes and Communities with a toolkit of powers to assist in the delivery of its urban development function.	MfE have provided HUD with some technical comments for accuracy but are otherwise comfortable with the contents of this paper. We are continuing to work closely with HUD to refine the drafting of the RMA-related aspects of the Urban Development Bill prior to its introduction.
Exempting Fox Glacier Landfill Waste from the New Zealand Emissions Trading Scheme	MfE	LEG 12 November	This Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill.	Minister Shaw will take this Cabinet paper that will provide Regulations to exempt persons from NZ ETS obligations for disposing waste from the Fox Glacier Landfill
Refreshed monitoring approach of Te Puni Kōkiri	TPK	MCR 12 November	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.

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comment
Railways Amendment Regulations 2019	MoT	LEG Mid-November	This paper proposes to amend annual fees and charges that fund NZTA's rail safety regulatory function to address historical under-recovery, and ensure sufficient funding for this function.	MfE is comfortable with the proposal and had no comments on this paper.
Substantial Alterations: Amendments to Earthquake-prone Buildings (EPB) Regulations	MBIE	LEG TBC	This paper proposes to change the definition of a 'substantial' alteration to an earthquake prone building, to add a minimum dollar value of \$150,000, as the previous definition (25% of the building's dollar value) had a disproportionate impact on provincial and small towns with low value properties.	MfE is comfortable with the proposal and had no comments on this paper.
Consultation on discussion document for Crown Minerals Act review and Minerals and Petroleum Strategy	MBIE	DEV TBC	<p>Marine risk & liability: policy development for decommissioning offshore oil and gas installations is out of scope. MBIE intends this to be a separate programme. Mining policies are inconsistent for offshore and onshore areas of conservation value. MBIE has not addressed this issue or indicated that it will be reviewing permit processes for benthic protection areas.</p> <p>Onshore risk & liability: the discussion document does not test policy settings for the long term liability for abandoned onshore wells.</p>	<p>MfE broadly supports the strategy and discussion document. We consider that the review scope should include:</p> <ul style="list-style-type: none"> residual liability for offshore oil and infrastructure mining restrictions in benthic protection areas <p>Greater liability for longer term cost, clean up and prosecution of future sites should be placed with industry rather than relying on the taxpayer-funded contaminated sites remediation fund. We have largely been providing technical advice to MBIE on compliance and enforcement issues such as setting penalties, court functions and other</p>

Paper name	Agency	Committee and date due there	Risk/issue/opportunity	MfE comment
				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.	MfE is comfortable with the proposal and had no comments on this paper.
Bill to amend the Greater Christchurch Regeneration Act 2016: Accelerating transition to local government leadership	DPMC	DEV TBC	The paper seeks agreement to a narrowly scoped bill to amend the Greater Christchurch Regeneration Act 2016 to speed up the transition of certain powers to local leadership. Key changes include revoking some of the planning powers early (prior to the 30 June 2021 expiry) so that standard RMA processes would apply and a limited extension of powers associated with completing the reconfiguration of land titles.	MfE is comfortable with the proposal, supportive of the transition back to local leadership and had no comments on this paper.

7. Official Information Act requests

7.1. Ministerial

Request	Correspondent	Reference	At your office	Due to send
I'm currently doing some work on the resource recovery and circular economy in the extractives sector and I note from one of the written questions that the Minister received a briefing (on 18 July) on the work programme in this area. Is this briefing something you are able to provide (with redactions if necessary)? Clarified: 22/07/2019 - Briefing with talking points – Cabinet papers: Update on the resource recovery and circular economy work programme and Priority products and guidelines for priority product stewardship'	s 9(2)(a)	19-O-02193	7 October	21 October

7.2. Departmental

Request	Correspondent	Reference	Due to send
Now that that period given for the site to be cleaned up has pasted, we are seeking an update. Under the OIA we request the following. 1.What volumes have been removed 2.What enforcement has happened to date. 3.Are MFE planning to action ? This site is never going to cleaned up by Solvent Services as they do not have the financial resources to fund this. It is time that the New Zealand Government stop this company and its directors Form continue to operate. How long before you have another at Bollard road.	s 9(2)(a)	19-D-02317	6 November

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