



# Te kawe i te haepapa para

## Taking responsibility for our waste

Summary of submissions



Ministry for the  
**Environment**  
Manatū Mō Te Taiāo



**Te Kāwanatanga o Aotearoa**  
New Zealand Government

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# Executive summary

In October 2021, the Ministry for the Environment (the Ministry) released a consultation document, *Te kawae i te haepapa para | Taking responsibility for our waste* (the consultation document). The document sought feedback on proposals for a new waste strategy and on issues and options for developing new waste legislation.

This report summarises views submitted during the consultation, which ran from 15 October to 10 December 2021.

## Submissions received

The Ministry received 2,485 submissions on the consultation document. Submissions were coded against a framework based on the questions in the consultation document. The Ministry took part in 15 webinars, including several organised by industry, and ran a social media campaign to promote consultation.

Most submissions were from individuals, the waste sector, businesses and local government. Individual submissions included 1,862 form submissions that were based on a template provided by Greenpeace.

## Major themes

Most submitters emphasised the need to transform the way Aotearoa New Zealand manages its waste, with strong support for moving towards a circular economy. Submitters wanted this transformation to be implemented with urgency and within a faster timeframe than by 2050.

A greater focus on reducing waste generation was broadly supported as a way to smooth the transition to a circular economy, or for waste to be designed-out of the broader system. Submitters wanted to see more regulatory tools and decisions being made that would deliver outcomes embedded in the upper part of the waste hierarchy. Examples included more system-level focus on product-stewardship schemes, more reuse and refill systems, and waste being designed-out of products. Submitters were also keen on measures to regulate disposal and recycling of waste through a national licensing system and duties of care.

There was a desire to see local and central government funding align with direction that would be set in a waste strategy, with most of the investment to be focused on initiatives where materials and residual waste will be dealt with in the upper part of the waste hierarchy.

There were strong calls by industry bodies and businesses for the Government to work more closely with industry to get sector-based insights into system barriers and solutions, and to send clear signals about where industry investment and development should be directed. Another common theme was the importance of a genuine partnership approach between the Crown and iwi. Many submitters emphasised the need for the Government to consider and support a kaupapa Māori approach and to integrate mātauranga Māori concepts.

A range of submitters noted an absence of explicit Te Tiriti O Waitangi or mātauranga Māori references and concepts within the consultation document, particularly in relation to the strategy process, to the vision and the principles proposed. Submitters recognised that the proposed concepts in the vision and principles were well aligned with te ao Māori. However,

some commented that the proposals were weaker and less engaging for not firmly grounding themselves in both world views, and in Te Tiriti framework designed in partnership with tangata whenua.

Submitters also stressed the importance of education and behaviour change campaigns to support and embed culture change at an individual level, so that living in a circular economy becomes a normal way of life. There was a desire to see solutions that are equitable and fair, with people being supported at the local level through good resources and helpful strategies.

# Introduction

## Background

Aotearoa New Zealand is one of the highest generators of waste per person in the world, and the amount of waste we create is increasing. We are sending more waste to landfills each year, when much of this could be recycled, reprocessed or reused. The Government is committed to transforming Aotearoa into a low-waste, low-carbon, circular economy that protects the environment for future generations to come.

This transformation requires a shift away from an increasingly unsustainable, ‘take–make–dispose’ economic model which relies on large quantities of cheap, easily accessible materials and energy. In a circular economy, resources are kept in use for as long as possible. Maximum value is extracted from resources while they are in use and products that are at or near the end of their intended use, or life, are regenerated, repaired or recovered. Products are deliberately designed so that they do not end up as waste. The transformation will impact everyone, from individuals to companies, as well as local and central government, and will require change in the way we think about and manage our waste across the economy.

In October 2021, the Ministry for the Environment (the Ministry) released a consultation document, *Te kawe i te haepapa para | Taking responsibility for our waste* (the consultation document). The consultation document sought feedback on proposals for a new waste strategy and on issues and options for developing new waste legislation.

## Submissions analysis and next steps

This document summarises the feedback the Ministry received from consultation on the document. The Ministry will use the submissions as part of evidence to inform its advice to Cabinet on the proposed new waste strategy and on new waste legislation. Following Cabinet’s decisions, a draft Bill will be prepared for introduction to Parliament.

# Public consultation

The Ministry held public consultation from 15 October to 10 December 2021. The purpose of the consultation was to seek suggestions and ideas from the public rather than just providing a set of options. Therefore, the consultation was more qualitative in nature.

The consultation document questions are listed in appendix A.

The public was invited to submit views on the consultation document in three possible ways:

- by using a public consultation website platform (Citizen Space)
- by writing their own submission and uploading a file in Citizen Space
- by sending an email submission to [wastelegislation@mfe.govt.nz](mailto:wastelegislation@mfe.govt.nz).

The Ministry received a total of 2,485 submissions.

The Ministry presented the document at 15 webinars between 18 October and 16 November 2021, as part of the consultation process. Some webinars were held in coordination with the Ministry's consultation process for the Emissions Reduction Plan. A range of groups held webinars, including: the Waste Advisory Board; seven WasteMINZ membership groups, including the Territorial Authorities' Officers Forum and various regional groups; the Waste Management Industry Forum; Wellington Region Waste Management and Minimisation Plan Joint Committee; Food and Grocery Council; Packaging NZ; as well as some non-profit organisations (NGOs) and other businesses.

The Ministry ran a social media campaign to stimulate engagement in the consultation. This campaign generated 183,276 impressions across its 11 social media posts and 12 paid advertisements on Facebook and Instagram. There were more than 7,858 views of the four pre-recorded information videos. The Ministry also sent around 870 emails to stakeholders promoting the public consultation. The consultation website for the document attracted more than 23,170 visits.

## Methodology

The Ministry used three different software platforms to collate, process and analyse feedback on the submissions: Citizen Space, Croissant and Tableau.

The Ministry collated the submissions received through Citizen Space and its consultation inbox. Submissions were reviewed to identify those that were unique and those that were form submissions. Form submissions were further reviewed for any unique content, which was extracted for analysis alongside other unique submissions.

Submissions were uploaded from Citizen Space together with emailed submissions, onto the Croissant software platform and tagged by selecting submitters' text responses to questions and connecting them to a corresponding range of common responses and themes. Alternative or uncommon responses were also captured. A review was carried out to ensure quality and consistency and to eliminate the possibility of double counting.

Croissant provided the qualitative and quantitative information set that was then analysed to identify common themes and topics across all submissions using Tableau.



Further information on quantitative and qualitative methods used to analyse the submissions is included in appendix B.

## Quantifying submitters

When referring to submitters, the report quantifies support based on the classifications in table 1. The classification for a proposal is proportionate to the number of responses received to the question (or group of questions) relating to the proposal.

**Table 1: Classification of support**

Classification	Definition
Few	Fewer than 5% of submitters on this topic
Some	5 to 25% of submitters on this topic
Many	26 to 50% of submitters on this topic
Most	More than 50% of submitters on this topic
All	100% of submitters on this topic

## Limitations

Some submissions did not directly address the questions in the consultation document or questions on the Citizen Space platform, which created challenges to coding and analysis.

Individual submissions that used the Greenpeace template for form-submissions made up 75 per cent of the submissions received. This form template did not directly address the questions posed in the consultation document, so these submissions could not be quantified for analysis with the other submissions. Additionally, the two joint submissions could not be quantified by the total numbers of individuals who submitted to the coordinator of their respective submission; each submission was treated as one.

However, as the purpose of the consultation was to seek ideas and feedback on the two proposals presented, a fully quantitative-based analysis was not crucial for the success of the consultation process. Officials read and considered all submissions, which were then used to inform policy recommendations.

## Responses

### Number and types of submissions

The Ministry received a total of 2,485 submissions, including:

- 560 submissions that used Citizen Space
- 68 unique email submissions
- 1,862 individual submissions based on a template of a form submission produced by Greenpeace
- 25 endorsements were given in support for another submission.

The quantitative analysis used the 628 submissions from Citizen Space and the unique email submissions, that is 25 per cent of all submissions received.

The 1,862 individual submissions using the Greenpeace template for a form submission did not specifically answer the consultation questions and could not be included in the quantitative analysis with the other submissions. A copy of the Greenpeace form submission template is in appendix C.

The 628 submissions included two joint submissions made by organisations that consulted and collated responses from individuals or organisations. One joint submission was received from Pare Kore Marae Incorporated, and the other from Zero Waste Network and The Rubbish Trip. These were counted in the quantitative analysis as a total of two separate submissions but were recognised as representing the collective voice of many, which could not all be quantified in this analysis. The content of each joint submission is summarised at appendix D.

Twenty-five endorsements of other submissions were noted but these could not be included in the quantitative analysis.

## Key submitter groups

A broad cross-section of Aotearoa New Zealand is represented in the submissions (table 2). Submissions are summarised by type in appendix E.

**Table 2: Key submitter groups**

Submitter group	Total number of submissions
Individual	369
Waste and resource recovery sector	74
Business	
Business – goods-producing industries	44
Business – primary industries	1
Business – service industries	7
Industry body or association	28
Iwi, hapū	5
Environmental NGO, charity or trust	27
Other NGO, charity or trust	9
Central government organisation	6
Local government or board	58
<b>Total</b>	<b>628</b>

## Submitter groups

Submitters were categorised into groups. Initially each submitter self-selected its group on the Citizen Space platform. That group selection was checked against a set of definitions and re-categorised where needed to ensure the perspectives of all submitters were best represented, and to ensure consistency in analysis and reporting. Since email submitters did not self-select their group (as they did not use Citizen Space), they were categorised based on the submitter group definitions. The definitions for the submitter groups are included in appendix F.

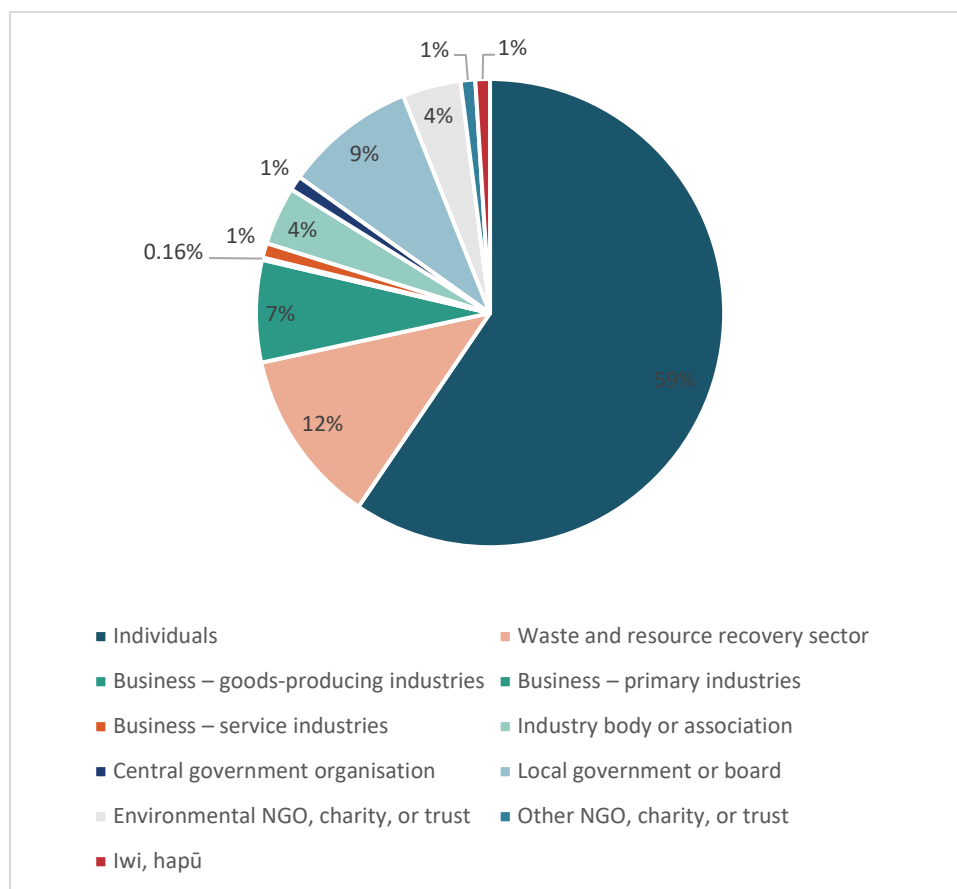
## Demographics

Of the 628 (non-form) submissions received, 59 per cent were from individuals with 41 per cent from organisations.

The waste and resource recovery sector group comprised the largest organisational group, at 12 per cent of the submissions received, with local government representing 9 per cent, businesses from goods-producing industries representing 7 per cent, and the business sector combined with industry bodies or associations representing 13 per cent.

The relative proportion of submissions from each submitter group is shown in figure 1.

**Figure 1: Submitters by group**



## Overall themes and messages

*Strong support for changing how Aotearoa manages waste and moving towards a circular economy – and to do so with urgency*

Most submitters emphasised the need to transform the way Aotearoa approaches its waste. There was strong support for moving towards a circular economy, acknowledging that this represents a major shift in our current approach. Some submitters, however, preferred the goals of zero waste and zero carbon. Many submitters wanted to achieve a circular economy within a faster timeframe than 2050, advocating for widespread change to be implemented with urgency.

Alongside the support for moving towards a circular economy, there were calls from some for a new, independent circular economy agency to be established. Submitters saw this as an opportunity for a dedicated agency to lead delivery of circular economy programmes not just for waste issues, but to also coordinate activity that shifts Aotearoa New Zealand up the waste hierarchy and make it easier for New Zealanders to reduce, reuse, repair, refill and compost.

To achieve a circular economy, many submitters suggested explicit use of the waste hierarchy to guide decision-making and prioritisation.

### *Calls for a greater focus on the generation of waste and moving to the top part of the waste hierarchy*

Some submitters believed there was too much emphasis on individual behaviour change and wanted a greater focus on reducing the generation of waste as well as on designing-out waste. For example, while there was strong support for measures to regulate disposal and recycling of waste through a national licensing system and duties of care, many submitters did not want these regulatory measures to distract from a focus on addressing producer responsibilities and on designing tools to reduce waste generation – so that there is less waste that needs to be managed.

To transition to a circular economy, many submitters suggested improving the regulatory tools available to deliver outcomes at the top of the waste hierarchy, such as product stewardship and other product controls, and using these tools in a planned and coordinated way to regulate products or material streams. Also raised was the importance of ensuring that economic levers and investment drive Aotearoa New Zealand towards a circular economy rather than continuing with linear economic practices. There was a desire to see local and central government funding align with the waste hierarchy, with most of the investment focused on initiatives at the top of the waste hierarchy.

### *A call to work closely with industry*

Many industry and business submissions suggested that there would be benefits in the Government working more closely with industry to support system changes and fast-tracked goals, particularly where different solutions would be necessary for different sectors. Clear roadmaps were seen as important, so there would be clarity about where industry investment and development should be directed.

### *Importance of a genuine partnership between the Crown and Māori*

Another common theme was the importance of a genuine partnership approach between the Crown and iwi Māori. Māori submitters asserted that a partnership approach was more than consultation and that it involved supporting Māori to influence decision-making and to scale up Māori-led initiatives. Many submitters, including both Māori and other submitters, emphasised the need for the Government to consider and support a kaupapa Māori approach – which is more holistic – and to integrate mātauranga Māori concepts.

There was significant comment on the absence of explicit Te Tiriti O Waitangi or mātauranga Māori discussion in the consultation document, particularly in relation to the strategy process, the vision and the principles. Many submitters recognised that the concepts in the vision and principles aligned well with te ao Māori, but thought the proposals were weaker and less engaging for not firmly grounding themselves in both world views and needed to be in a Te Tiriti framework that is designed in partnership with tangata whenua. These comments

came from Māori submissions, most local government submissions, several from the waste industry, from many NGOs, and from several individuals and businesses.

*An emphasis on behaviour change, education and equitable solutions*

Many submitters stressed the importance of education and behaviour change campaigns to support and embed culture change at an individual level – so that the way we all approach a move to a circular economy becomes a normal way of life. Related to this was a desire to see solutions that are equitable and fair, with people being supported at a local level through good resources and helpful strategies.



# Part 1: Transforming our approach to waste

The consultation document presented the case for a major transformation in the way Aotearoa New Zealand manages waste in Part 1. It discussed the value in moving towards a more circular economy in which the current linear ‘take–make–dispose’ approach is changed to one based on ‘make–use–return’.

Two questions were asked:

1. Do you think changes are needed in how Aotearoa New Zealand manages its waste?
2. Do you support tackling our waste problems by moving towards a circular economy?

These two questions received the highest response in the consultation – 65 per cent and 60 per cent, respectively. Nearly all submitters agreed that change is needed in the way we approach waste, and most supported a transformation to a circular economy.

## Changing how Aotearoa New Zealand manages its waste

Sixty-five per cent of submissions received responded to this question – this was the highest response in this consultation (70 per cent of all organisations and 62 per cent of all individuals that submitted).

Ninety-five per cent agreed to the need for change.

Most submissions responded to this question.

Nearly all of those submitters agreed that change is needed in the way we approach waste and most believed that change is overdue. A very few individual submitters (< 1 per cent) did not support change or were unsure whether it was needed.

“It is unacceptable that New Zealand is one of the highest generators of waste per person in the world and that the amount of waste which we are sending to landfill each year is increasing when much of this could be recycled, reprocessed or reused. The focus must be on resource recovery not simply a waste reduction focus noting that well designed packaging saves more waste than it creates. Keeping products and materials in use will be driven by creating the correct incentives to focus on the right material choices based on several factors.” (Waste and resource recovery sector submitter)

“Yes, the main effort needs to go into reducing waste generation rather than reducing the impacts of disposal. Recycling requires scale for efficiency so by relying on this as the solution we are encouraging the increased extraction of natural resources rather than trying to minimise the impact our lifestyle has on the natural environment.” (Environmental NGO, charity or trust submitter)

## Support for tackling our waste problems by moving towards a circular economy

Sixty per cent of submitters responded (67 per cent of all organisations and 55 per cent of all individuals that submitted).

Ninety per cent supported a move to a circular economy, with a few that were unsure or that disagreed.

The move to a circular economy was supported by 90 per cent of submitters, with a few that were unsure or that disagreed with such a move. Most in favour of the proposal for a circular economy were in: businesses – goods-producing, service and primary industries; iwi or hapū; both environmental organisations and other NGOs, charities or trusts; industry associations; the waste and resource recovery sector; and local governments or boards.

The few who were not in favour were individuals, local government, industry associations, or the waste and resource recovery sector (a few were also unsure).

“A truly circular economy will reflect the fact that there is no 'away' in 'throw away’.”  
(Individual submitter)

“A more circular approach to waste problems is desirable. This said legacy issues cannot be ignored so it is not just about the creation of a circular economy going forward. A circular economy in isolation of considering what triggers waste is not of value so both factors must be looked at in combination.” (Business – goods-producing industry submitter)

“Whilst some of elements of a circular economy may support the Waste Strategy, it should not be the focus as a key driver of change. There are multiple reasons for this. There are a significant amount of waste streams that do not and will not ever be able to enter a “circular” economy due to their design, useful life and recovered state. Treated timber, ceramics, high pressure laminates to name a few.” (Waste and resource recovery sector submitter)

## Part 2: A new waste strategy

A new national waste strategy is presented in our proposed vision and aspirations for a low-waste Aotearoa New Zealand, and how we intend to get there. The strategy is intended to guide and direct our collective journey toward a circular economy, starting with how we think about and manage the products and materials that currently go into our waste disposal systems.

The strategy has 2050 as the year when the transition will be complete, and sets an overall course for change with three broad stages. The first stage, to 2030, includes addressing proposed priority areas with supporting key actions. It also includes setting specific targets to help assess our progress in reducing waste and making better use of resources. The intention is that the strategy is periodically refreshed.

While the strategy will outline where we want to go and how we envisage getting there, the more specific actions we need to take will be articulated in a series of supporting action and investment plans. These plans will be produced every three years, with the first plan to be produced after the strategy and long-term waste infrastructure plan<sup>1</sup> is finalised in 2022.

The proposed structure of the strategy has four main elements:

- **vision** | ngā whāinga – how we want Aotearoa to be in 2050
- **principles** | ngā mātāpono – a set of underlying principles and values to guide all future work and inform the choices we make along the way
- **proposed course** | te taka mahere – a high-level outline of the three stages of activity needed to take us to our vision for 2050, with a more detailed mapping of the first stage through to 2030
- **markers of progress** | ngā tūtohu tutukitanga – a set of strategic, system-level targets to help drive urgency and track our progress.

### The proposed vision

The Ministry proposed a vision for a circular economy for Aotearoa in 2050, with three high-level components:

- We look after the planet's resources with care and responsibility
- We respect and understand our inseparable connection with the environment
- A land where nothing is wasted.

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<sup>1</sup> The Waste Reduction Work Programme published in 2021 includes the development of a national infrastructure plan with 10+ year horizon, setting out the path to a fit-for-purpose resource recovery system. The plan will be supported by an infrastructure and services stocktake. The plan is expected to be published in 2022.

We asked:

### 3. Do you support the proposed vision?

Forty-six per cent of submissions received responded to this question (51 per cent of all organisations and 39 per cent of all individuals that submitted).

Over 70 per cent agreed with the proposed vision.

While most submitters agreed with the proposed vision, many suggested changes. Some of these submitters wanted the vision to reference a low-emissions future or moving towards reducing resource consumption overall.

Most who favoured the proposed vision were from: business (goods-producing and primary industries), industry associations, both environmental organisations and other NGOs, charities or trusts.

Those who did not agree with the proposed vision were individuals, iwi or hapū, central government organisations, the waste and resource recovery sector, industry associations, business (goods producing), or local government or boards. They mostly raised concerns about the lack of partnership between the Crown and Māori in developing a strategy, or the lack of reference to a low-emissions future.

“We support the vision of the strategy to responsibly care for natural resources, respect the connection between people and the environment, and to strive for a land where nothing is wasted.” (Local government submitter)

“We are in full support the ambition to be circular by 2050.” (Other NGO, charity or trust submitter)

“This would also be a wonderful way for the rest of the world to see our country – we could be seen as an example to the world as not only 'clean and green', but also 'sustainable'.” (Waste and resource recovery sector submitter)

“We recommend a vision which reflects the bigger picture of a connected system which prioritises avoiding and reducing waste, and transitions Aotearoa New Zealand from a high to a low waste society. Developing a circular economy is an important part of achieving this rather than the end goal. The vision should be aligned with clear objectives linked to a framework and timeline which strengthens the urgency for change.” (Local government submitter)

“While we strongly support the shift to a circular economy, we do not believe the proposed vision includes all of the principles it needs. It has not demonstrated a Māori–Crown relationship and we stand by the demands of Māori to be included in the creation of these visions and accompanying documents.” (Waste and resource recovery sector submitter)

“No. The vision should be changed to clearly state that carbon emissions are the primary consideration before making waste-related decisions. The vision should be: A low carbon circular economy for Aotearoa New Zealand in 2050.”

(Multiple submitters – individual, waste and resource recovery sector submitter)

“Kāo. We cannot accept any strategy that has been developed outside a Crown–Māori partnership.” (Multiple submitters – individuals, waste and resource recovery sector)

# The proposed principles

The Ministry proposed six core principles:

1. Design-out waste, pollution and emissions, and unnecessary use of materials
2. Keep products and materials in use at their highest value
3. Regenerate natural systems, so the environment is healthy for future generations
4. Take responsibility for the past, present and future condition of our natural environment
5. Think in systems, where everything is interconnected
6. Deliver equitable and inclusive outcomes.

We asked:

4. Do you support the six core principles, or would you make changes?

Fifty-eight per cent of submissions received responded to this question (67 per cent of all organisations and 52 per cent of all individuals that submitted).

Fifty per cent of those that submitted on this question supported the proposed principles.

Most of the submissions received responded to the question on the proposed principles.

Many submitters (nearly 50 per cent) supported the proposed principles, with most (over 50 per cent) indicating they would make changes.

Most submitter groups would make changes, except those in business (primary industries), iwi or hapū, and other NGOs, charities or trusts.

Those who would make the most changes were in the waste sector, environmental NGOs charities or trusts, business sector (goods producing), or were individuals.

Those who were not in support of the proposed principles were either iwi or hapū, in the waste and resource recovery sector, environmental NGOs, charities or trusts, local government or boards, industry associations, business sector (goods producing), or individuals.

“Yes, in principle but we would like to see changes to make it more inclusive, inspiring and focused on resources.” (Waste and resource recovery sector submitter)

“[Our organisation] supports the intent of the vision. However, as noted above, we would like to see a stronger Te Tiriti framework for this vision to ensure Māori – and through shared values such as whanaungatanga, Pasifika – have a seat at the decision-making table (while acknowledging Māori and Pasifika peoples are diverse).” (Waste and resource recovery sector submitter)

“Yes, we strongly support the proposed vision.” (Other NGO, charity or trust submitter)

“We support the proposed vision of a circular economy, particularly the element of designing out waste. Clothing and product waste labels are a significant source of waste and these need to be addressed through a waste hierarchy that moves away from low-end throwaway and is geared towards redesign or reuse. We support the proposed vision and hope that consumer behaviour will eventually change to align with it.” (Local government or board submitter)



“[Our organisation] supports the principles which will drive outcomes as they speak to the underlying need to inspire a change in attitude and behaviour. Underlying the principles should be a foundation of genuine collaboration, partnership and engagement between government, business/industry, communities and individuals to ensure their successful realisation.” (Industry body or association submitter)

## Stages, priorities and barriers

The Ministry proposed to manage the overall journey in three stages over the next 30 years.

- Stage 1: 2022–30 Catching Up
- Stage 2: 2030–40 Pushing ahead
- Stage 3: 2040–50 Embedding a new normal.

Stage One contained six priorities:

- Priority 1: Complete the foundations for transformational change
- Priority 2: Stimulate innovation and redesign for long-term change
- Priority 3: Establish long-term information and education programmes
- Priority 4: Get resource recovery and recycling systems working well
- Priority 5: Reduce emissions from organic waste
- Priority 6: Understand the scale of past damage and the best approaches for remediating it.

We asked:

5. Do you support the proposed approach of three broad stages between now and 2050, and the suggested timing and priorities for what to focus on at each stage?
6. Looking at the priorities and suggested headline actions for Stage One, which do you think are the most important?
7. What else should we be doing in Stage One?
8. What are the barriers or roadblocks to achieving the Stage One actions, and how can we address them?

An average of 53 per cent of all submissions received responded to these questions on stages, priorities and barriers (60 per cent of all organisations and 48 per cent of all individuals that submitted).

Fifty-five per cent supported the proposed approach of three broad stages.

Most of the submissions received (53 per cent) responded to questions on the proposed stages, priorities and barriers.

Most (over 55 per cent) of these submitters supported the proposed approach of the three stages; many (over 30 per cent) submitters who answered this question did not support the staged approach. Comments for both support and do not support included similar responses regarding a desire for the timeline to be faster and more ambitious.

“I support these priorities and only wish the timelines were more aggressive. I hope we are not talking about a great vision while at the same time kicking the can down the road of actually putting those changes in place ... We need to be making those changes now and aggressively as possible. Nature does not pay attention to politics. Pushing goals to 2030, 2040 and 2050 should be moved to 2025, 2031 and 2037.” (Individual submitter)

“Overall, we support the approach, but we believe the timeframe could be more ambitious. While a framework needs to be put in place and that takes time, work to change mindsets and actions that can accelerate innovation need to be taken before 2030.” (Business – goods-producing industry submitter)

“No I don’t support the timeframes. Effective environmental policy design requires the development of policy programs that are SMART – Specific Measurable Ambitious Realistic and Timebound”. (Individual submitter)

Submitters indicated that their top three priorities for Stage One were (in order):

- Priority 1: Complete the foundations for transformational change
- Priority 4: Get resource recovery and recycling systems working well
- Priority 5: Reduce emissions from organic waste.

Some submitters listed perceived costs, political considerations and bureaucracy as the main barriers to achieving Stage One. Many submitters suggested other barriers, including access to good data, workforce resourcing, alignment with other legislation and the need for improved infrastructure and services.

## Targets

The Ministry proposed a small number of broad, strategic-level targets to reduce waste, litter and emissions from waste for Stage One (to 2030), as markers of progress for those who generate waste. The current lack of reliable data on most aspects of our waste system and material streams was acknowledged.

We asked:

9. Do the strategic targets listed in Table 1 [of the consultation document] focus on the right areas?
10. Where in the suggested ranges do you think each target should sit, to strike a good balance between ambition and achievability?

Forty-four per cent of submissions received responded to these questions (51 per cent of all organisations and 39 per cent of all individuals that submitted).

Over 45 per cent of those submissions did not support the proposed targets.

The highest proportion of submitters (over 60 per cent) were from the waste and resource recovery sector, with most (over 60 per cent) disagreeing with the targets proposed. Least in favour of the proposed targets were submitters from the waste and resource recovery sector, followed by environmental NGOs, charities or trusts, then industry associations.

Those who did not support the proposed targets mostly supported the sentiment of setting targets but cited concerns on the quality of existing data and the need for better, more reliable baseline data.

“We are therefore concerned that setting targets without a clear idea of what the baseline is and what methodology will be used is effectively setting targets against poor data.”  
(Waste and resource recovery sector submitter)

Submitters also commented on the need to have greater focus on waste generation and suggested that more work was needed.

“There are useful elements in the current targets, but they need more work. The Waste Strategy should be based on the idea of using the waste hierarchy to prioritise actions that shift us towards a circular economy, while keeping us within planetary and social limits. Appropriate targets should be set for these measures, to check that we are on the right track. Targets should include: Circularity can be measured through Material Flows Analysis. Countries like Scotland do this already.” (Environmental NGO, charity or trust submitter)

“There should be less focus on reduced disposal for businesses and residents and more focus on waste generation, resource recovery rates and, in the case of businesses, the evolution of business models to the circular economy.” (Individual submitter)

Most in favour were industry associations and other NGOs, charities or trusts.

On suggested ranges, most commented that the targets should be more ambitious. Submitters who responded to this question also raised concerns about the quality of the data that will be used to inform the targets.

# Part 3: Developing more comprehensive legislation on waste: issues and options

The Government is proposing new and more comprehensive legislation on waste to replace the Waste Minimisation Act 2008 and the Litter Act 1979. New legislation is needed to put in place the tools and arrangements that will deliver the new waste strategy and ensure we make good use of funds generated by the expanded waste disposal levy.

New legislation will enable a complete reset of the purposes and principles, governance arrangements, and roles and responsibilities in waste legislation. It also offers the opportunity to strengthen and clarify regulatory and enforcement powers, for greater regulation of the waste sector and those working in it, and for regulation of the products and materials we currently dispose of through our waste and recycling systems.

## Embedding a long-term, strategic approach to reducing waste

In recent years, there have been many calls for central government to lead change by setting a clear, long-term strategic direction for waste. In the consultation document, we sought feedback on whether the new legislation should include provisions to require the government to produce a long-term national strategy that is supported by a series of shorter-term action and investment plans (AIPs). An AIP is essentially an implementation plan that sets out the priorities and key actions needed in the short term. We are proposing that an AIP be developed every two to three years.

For central government, the strategy and supporting AIPs could inform the development and use of regulatory levers in the new legislation, as well as how non-regulatory tools are used by the Government to achieve change. We also suggest that the new legislation should require regular public reporting on progress.

## Legislative requirements for a waste strategy, action and investment plans, and public reporting on waste

We asked:

11. Do you think the new legislation should require the government to have a waste strategy and periodically update it?
12. How often should a strategy be reviewed?
13. How strongly should the strategy (and supporting action and investment plans) influence local authority plans and actions?
14. What public reporting on waste by central and local government would you like to see?

Forty-eight per cent of submissions received responded to these questions (52 per cent of all organisations and 46 per cent of all individuals that submitted).

More than 95 per cent agreed that a strategy should be required and updated.

Seventy per cent agreed that the strategy should influence local authority plans and actions.

Over half of submitters responded to the proposals to have legislative requirements for the waste strategy, investment plans and public reporting on waste. Of those submitters who responded to this topic, almost all agreed that new legislation should require the Government to have a waste strategy and to periodically update it. The few submitters who were unsure or disagreed raised concerns around the need to prioritise action over more policy.

“The government needs a waste strategy to create a cohesive approach to management of waste across a variety of sectors. [We have] seen first-hand that some private sector organisations are laggards when it comes to dealing with waste and will only act when regulation forces them to act. Government must show leadership to enable change. This does not mean that government should act alone. Working with the private sector is vital to succeed.” (Business – goods-producing industry submitter)

As for how often the strategy should be reviewed, many submitters indicated a preference for the waste strategy to be reviewed every three to five years, with comments suggesting this would enable longer-term planning and alignment with local government waste planning. Many others thought it should be reviewed annually, and some preferred a longer review timeframe of 10 years, with comments suggesting that this would allow enough time for the implementation of consenting and construction timeframes.

There was much support for the development of AIPs from a range of submitters. Feedback included that AIPs:

- would be vital to achieving the goals of the strategy
- could have a key role in connecting central and local government waste initiatives
- needed to be developed in collaboration with key stakeholders.

Some submitters suggested how often AIPs should be reviewed and expressed interested in being involved in their development.

Over 70 per cent of submitters who responded, particularly those from waste and resource recovery sector organisations and NGOs, strongly agreed that the strategy and supporting action and investment plans (AIPs) should influence local authority plans and actions in a meaningful way.

Some submitters outlined the need for better coordination between layers of government. Feedback on this question from local government submitters was mostly split between strongly agree or moderately agree; some of those who moderately agreed felt that there was a need to maintain local flexibility, while others raised concerns relating to local government costs and resourcing.

“The Council considers that the strategy should not be too rigid or prescriptive, but provide flexibility for local councils to determine how to achieve the required outcome in their locality.” (Local government or board submitter)



The feedback received on the types of waste reporting that submitters would like to see from local and central government was quite varied and comprehensive in detail. Key themes included a desire for regular reporting and for it to focus on measuring and tracking progress. Some of the following suggestions for reporting were made:

- progress against specific targets
- tracking data: volumes to landfill, green waste volumes and recycling volumes
- volumes of waste being exported to other countries
- average waste and CO<sub>2</sub> emissions per business
- recycling and waste levels in each region
- transparent data on material and funding flows
- breakdown of levy money spending
- chain of custody reporting.

## Central government functions

New waste legislation needs to clearly set out which parts of central and local government are responsible for each function under a new regulatory framework for reducing waste. In the consultation document, we indicated there are various models around the world of how the functions are carried out. We suggested some division of responsibilities and sought feedback on which parts of central and local government should be responsible for each function.

We asked:

15. Do you agree with the suggested functions for central government agencies?
16. What central agencies would you like to see carry out these functions?

Thirty-nine per cent of submissions received responded to these questions (43 per cent of all organisations and 36 per cent of all individuals that submitted).

Seventy per cent of those who submitted mostly agreed with the suggested functions for central government agencies.

Most of those submitters who responded to question 15 agreed, or agreed in part, with the suggested functions for central government agencies. Over half of the submitters in the waste resource recovery sector and local government or boards provided feedback, with most being generally supportive of the suggested functions, but many suggested changes. Of those who did not agree, the main reasons included: concerns about the wide-ranging powers that might be accorded to central government and the perceived implications for industry; whether there was a need for a central regulator; and concerns about governance and the absence of a Māori–Crown partnership.

The waste and resource recovery sector were closely divided between favouring a new single central government agency (slightly more) and having multiple government agencies carrying out the functions.

Of those that suggested a new agency, comments included that it should have a Te Tiriti framework, be independent of political cycles, and oversee an all-of-government circular economy strategy.

“New Zealand needs a stand-alone, independent agency dedicated to circular economy, resource efficiency and zero waste. Establishing a new agency will give Aotearoa a fresh, more holistic and connected approach to how we eradicate waste, and provide an opportunity to build an agency with a Te Tiriti-compliant governance structure from the get-go. It would be funded by a portion of the waste disposal levy.” (Individual submitter)

Some preferred the Ministry to be responsible for all functions.

Submissions from the waste and resource recovery sector were split between a new government agency or multiple government agencies, with very few supporting all central functions being the responsibility of the Ministry. Submissions from local government also favoured a new dedicated waste agency, with the Ministry being responsible for all central functions as their second-most popular response.

“This needs to have two key aspects that are independent of each other: Regulatory and policy setting, including targets. eg, The Ministry; Operational performance and delivery. eg, EPA or MBIE.” (Waste and resource recovery sector submitter)

## Independent, expert advice

We stressed the importance of independent advice and suggested ways this could be provided, including how Māori advice and expertise could be included. We sought peoples’ views on which parts of waste minimisation, and which decisions, would benefit from independent expertise and advice; and what the role of Māori should be in waste decision-making.

We asked:

17. How should independent, expert advice on waste be provided to the government?

Thirty-nine per cent of submissions received responded with a wide range of feedback (46 per cent of all organisations and 33 per cent of all individuals that submitted).

Many submitters (39 per cent) responded to the question on how independent advice should be provided to the Government. In general, the waste sector favoured a new entity that would provide expert advice as a function of its role, while local government favoured keeping the existing Waste Advisory Board (WAB) but extending its powers. Individuals favoured a new entity that would provide expert advice as a function of its role, as well as providing a range of other suggestions.

There was a wide range of feedback from submitters on this topic. Many stressed the importance of this advice being independent, with some commenting that this advice could be a function of a new independent waste agency.

“The waste system is complex and the decision-making of central government would benefit from independent expertise and advice. A broad representation of the sector, from manufacturers and waste providers through to third parties (eg, ecolabels), would enable robust decision-making.” (Waste and resource recovery sector submitter)

Many submitters supported a body like the WAB, with some suggesting improvements to WAB membership and responsibilities, such as:

- expansion of the existing role to include more oversight of products, by-products and disposal

- broader sector representation, including Māori representation
- improvements to representative nomination, appointment and removal processes
- inclusion of leading international experts.

“A circular economy board is required with broad industry representation including from the waste sector. Within the waste sector, a board like ReLondon is required. ReLondon is a successful evolution of the London Waste and Recycling Board toward the circular economy. Key skills within the board need to be commercialisation, infrastructure, investment, regulatory and reporting functions. Iwi and industry should be represented. [We] can provide practical experience and advice on how to achieve policy objectives. Vital industry experience should be included.” (Waste and resource recovery sector submitter)

A few submitters felt that due to the complex nature of waste and resource recovery, independent advice should be sought from more than one advisory body.

“Separate bodies and agencies who are experts in their area should be contacted and brought in as partners, especially environmental groups who are unbiased on particular industries and have the environment as their main focus. Using everyone's key skills will help ensure the best decisions are being made so separate bodies for different functions may be best but they still need to be collated in a cohesive way.” (Individual submitter)

## Legislative provision for Māori participation

We asked:

18. How could the legislation provide for Māori participation in the new advice and decision-making systems for waste?

Thirty-five per cent of submissions received responded with a range of suggested approaches (37 per cent of all organisations and 33 per cent of all individuals that submitted).

Many submitters (35 per cent) responded to the question on how new waste legislation could provide for Māori participation in advice-delivery and decision-making in the waste system. Submitters suggested a range of approaches. Some submitters also suggested a need for Māori participation on a new independent advisory board, if one was created.

Most submitters who responded to this question specifically mentioned or requested the need for the Government to deliver waste outcomes in partnership with Māori and to honour the terms of Te Tiriti.

“There needs to be an explicit policy from the Ministry about how it will express Te Tiriti o Waitangi and partner with mana whenua. Te Tiriti o Waitangi and the principles of kaitiakitanga, manakitanga and whanaungatanga need to be woven into long-term thinking.” (Waste and resource recovery sector submitter)

Some submitters commented that Māori need to be involved at every stage of decision-making.

“Te Tiriti partnership. Throughout the waste strategy and legislation, I would like to see more recognition of the relationship of mana whenua as kaitiaki of their taonga and rohe. As we reduce waste we need to support Māori efforts to ensure culturally appropriate

management of waste and protect sites such as customary food gathering areas and wāhi tapu. I would like to see a Te Tiriti o Waitangi-led waste management strategy that works in partnership with Māori as equal partners...” (Individual submitter)

Submissions from iwi and hapū encouraged the Government to not create environmental policies in isolation from one another and to move beyond ‘consultation’ by directly involving mana whenua in all aspects of the waste management system. Submitters also advocated for Māori to be enabled to participate effectively in strategic, regulatory and investment decisions for the waste sector by being sufficiently compensated to do so.

Some submitters expressed their disappointment at the lack of reference to Māori, te ao Māori or mātauranga Māori in the consultation document itself.

“The significant lack of te ao Māori and encouragement of Māori participation in this process, where governance is based on Te Tiriti, is deeply disappointing. There is a distinct lack of Māori voice and participation in the governance and funding options put forward, and we request that Māori decision making rights be strongly present in the governance processes of this strategy moving forward. We request the development of an independent Māori body to protect the decision-making rights of Māori, and ensure work is proactively compliant with Te Tiriti. These changes need to be actionable additions to the strategy whereby the wording is strong and binding, and ensures that loose wording is not used to cover up a lack of responsibility. We tau toko the submission of Para Kore Marae Inc. Please see their submission for more comprehensive details on this topic.” (Waste and resource recovery sector submitter)

Some submitters did not think that there needed to be any specific provision for Māori participation.

## Local government roles and responsibilities

We asked:

19. What are your views on local government roles in the waste system, in particular the balance between local and regional? Who should be responsible for planning, service delivery, regulatory activities like licensing, and enforcement of the different obligations created?

Thirty-seven per cent of submissions received responded to this question (47 per cent of all organisations and 30 per cent of all individuals that submitted).

Many submitters responded to question 19, and most responses came from local governments or boards.

Feedback received from local government submitters as well as from waste and resource recovery sector submitters was mixed, with a range of suggestions and viewpoints.

Some submitters commented that there was a role for both local and regional councils. A few submitters expressed concerns about the conflicting responsibilities of local governments as both regulators and service providers, and a few submitters commented that local council involvement should be limited to service provision and implementation only.

“Local government are conflicted as a regulator and an operator eg, they would have to license themselves. Local government should be responsible for planning, regulatory activities and enforcement but as an operator, they receive 50 per cent of the levy funding [now increased] but are only involved in approximately 14 per cent of the waste stream.” (Individual submitter)

Some submitters commented on the need for better collaboration and consistency across all levels of government, both vertically and horizontally, with a few also mentioning the need for more central government involvement. Some suggestions for how to achieve this included:

- a centrally funded waste network to strengthen community action and allow for positive collaboration with local government
- more collaboration across local government and sharing of best practice
- clear articulation of roles and responsibilities.

Submitters further commented that any areas of responsibility needed to be appropriately resourced both in terms of skilled workers and financial support.

“Central Government should be a lot more involved. Local and regional authorities have a poor track record in this area.” (Individual submitter)

A key theme from submitters was the need for increased involvement or collaboration with organisations located in the regions. A few submitters mentioned the future reform of local government and suggested that this needed to be considered in any proposed changes to roles and responsibilities for waste.

“[We] can see regional councils playing a valuable role in the waste system, particularly through integrated regional planning to ensure the efforts of territorial authorities are regionally coordinated and to enable interventions at a regional scale. This could be delivered through regional waste management and minimisation plans or could be linked to the regional spatial strategies proposed under the Strategic Planning Act (particularly where infrastructure is required). Regional councils also operate at a scale that allows for more support of smaller rural districts by leveraging the scale and resource of our larger urban centres. However, we suggest that any reallocation of roles in local government should not pre-empt resource management reform and the Review into the Future of Local Government.” (Local government submitter)

## Putting responsibility at the heart of the new system

The concepts of responsibility and connection are at the heart of the proposed new waste strategy. The consultation document suggested that these concepts could also provide a strong foundation for a new and more comprehensive regulatory system for the waste sector, and proposed introducing duty-of-care obligations, supported by a suite of regulatory tools including:

- a nationwide licensing regime for the waste sector
- a track-and-trace system for hazardous waste and other harmful wastes
- improved compliance, monitoring and enforcement tools.

The consultation document further suggested that these tools, together, could create the legal architecture for more comprehensive and interconnecting regulation of the sector. The document also suggested that the proposals therein could provide a strong platform for changing attitudes to litter and waste in Aotearoa by reframing the issue for long-term campaigns of public information and education.

Many submitters (41 per cent) responded to one or more questions about putting responsibility at the heart of the new waste system. Most comments received were in response to the question about adopting a duty-of-care model.

## Duty-of-care model

We asked:

20. Do you see benefit in adapting the United Kingdom’s duty-of-care model for Aotearoa New Zealand’s waste legislation, supported by appropriate offences and penalties?

Forty-seven per cent of all submissions received responded to this question (56 per cent of all organisations and 41 per cent of all individuals that submitted).

Sixty-five per cent thought it would be beneficial to introduce a duty-of-care model.

Seventy-five per cent supported strengthening obligations around litter by creating an individual ‘duty of care’ to dispose of waste appropriately.

There was general support for adopting a duty-of-care model in new waste legislation. Some common themes emerged in submitter feedback and many similar points were made regardless of whether submitters agreed or disagreed with the proposal.

Some submitters believed duties of care would help to embed a culture of individual responsibility, strengthen the foundation of the waste management system, and become a part of our way of life.

“Absolutely positively yes. This is a necessary step to effect behavioural change and shift our attitude from entitlement to obligation.” (Individual submitter)

Some submitters suggested that we should develop our own model, using a te ao Māori approach.

“The model itself is useful and has merit, however, it must be tailored to Aotearoa and embrace the principles of kaitiakitanga, manakitanga, whanaungatanga and Te Tiriti o Waitangi.” (Individual submitter)

Some submitters thought that duties of care should also reflect the production of waste, with less focus on individuals and a greater focus on the responsibilities of manufacturers and producers, so that those who create, produce, manufacture and/or import goods that result in waste share the responsibility with consumers. Alternatively, a few submitters were concerned that duties of care will make businesses responsible for the individual behaviour of consumers.

“While we support the duty-of-care framework, and the accompanying licensing regime, they are both focused on end-of-pipe responsibility at the bottom of the waste hierarchy. On their own, they aren’t enough to move Aotearoa towards a circular economy because most waste is locked-in upstream, in the design and production supply chains. The imbalance of responsibility at the end-of-pipe risks shifting resources towards policing

actors with the least ability to influence overall waste generation. This imbalance should be fixed by going further with proposals to strengthen frameworks for upstream responsibility – like product stewardship and product controls.” (Individual submitter)

A few submitters noted that duties of care would need to be strongly enforced, with an end-to-end compliance framework underpinning them and the right balance of penalties. A few other submitters raised the concern that duties of care could be punitive and impact those unable to pay the penalties.

Some submitters reflected on the scope of duties of care, with some considering that it should include a duty on households and businesses to separate their waste and recycling; and a duty on food businesses to separate out food waste and use a composting service. Others considered that duties of care should extend to farm dumps and other practices of burying or burning waste on private land, as well as waste exports.

A few submitters saw the duty-of-care approach as an important link with the proposed waste strategy and emissions reduction plan.

“Duty of care will be critical to ensure organic material is diverted from landfill, aligning the waste strategy with the proposed emissions reduction plan.” (Local government or board submitter)

## Taking litter seriously

We asked:

21. Do you support strengthening obligations around litter by creating an individual ‘duty of care’ to dispose of waste appropriately?
22. What else could we do so that litter is taken more seriously as a form of pollution?

Forty-four per cent of submissions received responded to these questions on taking litter seriously.

Seventy-five per cent supported strengthening obligations around litter by creating an individual ‘duty of care’ to dispose of waste appropriately.

Over 35 per cent considered behaviour change would be important.

Many submitters responded to the questions on how to take litter more seriously as a form of pollution.

A key theme from many submitters (raised by over 35 per cent of those who responded to this question) was that education or behaviour change programmes or campaigns would be the most important measure to ensure that New Zealanders take litter seriously. These submitters raised numerous ways that this could be undertaken, ranging from education in schools, using social media and other platforms to reach different communities, and empowering communities to own the problem of littering in their area.

“[Submitter] supports continuing to deliver education about the effects of littering so that it becomes entrenched in everyday life. An ongoing educational programme to discourage littering could be introduced into early learning centre programmes, schools, and the wider media. Education programmes should include impacts on the environment, biodiversity, soil,

water and air pollution. It should include the social and environmental impacts of litter and the consequences should you be caught littering.” (Local government submitter)

Other ideas from submitters included: introducing stronger legal penalties or fines (supported by over 30 per cent of those who responded), providing for more disposal and recycling locations in public, providing greater incentives for appropriate disposal, and using measures such as regulated product-stewardship and container-return schemes to target commonly littered materials.

“Current enforcement powers with respect to litter are limited and do little to disincentivise littering and fly tipping. Introducing increased penalties, and provisions and offences that are easier to administer and enforce will assist.” (Local government submitter)

## A nationwide licensing regime

We asked:

23. Do you support a nationwide licensing regime for the waste sector?

Forty per cent of submissions received responded to the proposal for a national licensing regime (53 per cent of all organisations and 32 per cent of all individuals that submitted).

Eighty-five per cent supported a national licensing regime.

Submissions showed strong support for a national licensing scheme, particularly those from the waste and resource recovery industry and local government.

All submitters from local government or boards, and most (over 75 per cent) submitters from the waste and resource recovery sector supported or partially supported a national licensing regime.

Key themes that arose include:

- recognition that the current regulatory context is not delivering reliably good outcomes
- emphasis on the need for consistency and more uniform approaches
- recognition that the differences between jurisdictions are often not necessary or justified
- support for greater transparency and accountability at a national scale, relying on consistent datasets and common benchmarking.

“Government needs visibility of the sector to regulate. Right now, the government does not even know how many landfills there are in the country. Everyone has stories or anecdotes of bad practices that go unnoticed or are unaddressed, like landfills accepting materials they aren’t consented to accept, or waste collectors claiming they are recycling material when they aren’t. People or organisations with a track record of dodgy activity are able to continue operating. A licensing system would help to change this.” (Waste and resource recovery sector submitter)

“Yes. In our view, all operators should be held to the same standard.” (Business – goods-producing industry submitter)

“It is essential to establish new legislation for licencing systems for waste collection and disposal, resource recovery (including organics) and the recycling sector. A licensing system to obtain data is fundamental to establish the NZ circular economy both at local



and national levels. Nationally consistent, legally binding regulation administered by the independent agency will help reduce repetition costs and ensure political cycles do not affect compliance. To ensure all services meet certain standards and data is available to establish the NZ circular economy a licensing system is fundamental.” (Local government submitter)

Concerns were raised by a few submitters that a licensing scheme might be unduly bureaucratic or cumbersome, with suggestions that the scheme would need to be agile, flexible and proportionate, and that care should be taken to ensure licensing does not stifle innovation but rather enhances best practice. Some suggestions were made about how to best support the introduction of a national licensing system, including developing good guidance and the presence of transitional support and mentors to help the sector adjust to new obligations and processes.

Submitters had a wide variety of views on who should be included in a licensing scheme. Class 1 to 5 landfills were the most common suggestion, but some submitters also considered that farm dumps, recycling operations, composting operations, waste exporters and waste collectors should also be included. Concerns were raised by a few submitters that the design of a licensing scheme would need to balance the costs so that licensing is not a barrier to operation for desired waste outcomes or community initiatives.

“While much of the waste sector is dominated by large-scale commercial entities, many critical activities are undertaken by under-resourced, small-scale, community-driven/non-profit organisations or social enterprises. The fact an activity is being undertaken by such an entity does not necessarily warrant an exemption from the licensing regime (though it might in some cases), but rather may justify proactive recognition in the licensing criteria. For example, operators may need to demonstrate basic standards of ecological and social care in their operations. In this way, licensing could support community resilience social procurement and public interest responsibility, and essentially reward community-driven operators who operate social enterprise models and high environmental outcomes.”  
(Waste and resource recovery sector submitter)

## Power to require a tracing system

We asked:

24. Should the new legislation include a power to require a tracing system to be developed for some or all types of waste?

Twenty-seven per cent of submissions received responded to this question.

Of those, over 85 per cent agreed with the development of a track and trace system.

There was strong support from submitters who responded across all categories for the introduction of a waste tracing system. While there was some support for tracing all waste, most submitters emphasised the importance of tracing hazardous waste and any other waste that could harm the environment. There was also some interest expressed in tracking hazardous waste and medical waste after it was exported.

“Yes, because it would provide useful data and the accountability will encourage responsible behaviour.” (Individual submitter)

“...definitely support mandatory tracking of any resources that are not only hazardous but have potential to cause any type of pollution. This may also be extended to record the efficiency of an implemented circular economy.” (Local government and board submitter)

“Yes, as part of increased understanding of waste from better data could ensure tracking of key waste material movement, recycling, recovery or disposal can be capture. ... Tracing is required to enable effective enforcement which is required to provide market certainty so that business can invest in alternatives.” (Business – goods-producing industry submitter)

Some submitters were concerned about the definition of waste that would be required to be traced, noting that the term “other wastes of concern” would need to be clearly defined. A few saw a tracing system as useful for material tracing – that is for what goes into products – and others saw it as useful for tracking high-value waste for recycling.

Those that did not support the introduction of a waste tracking system were concerned that it would be expensive, overly bureaucratic and complicated, and that it would create more administration and increase the compliance burden, especially for small businesses. One submitter felt that tracing waste was deferring the problem rather than tackling waste generation at the source.

A few submitters emphasised that a tracing system should be linked to the proposed licensing system.

## Extending proposals to hazardous waste

We asked:

25. What aspects of the proposals for regulating the waste sector could be extended to apply to hazardous waste?

Twenty-seven per cent of submissions received responded to this question for extending proposals to hazardous waste.

There was strong support for the improved management and safe disposal of hazardous waste. Some submitters wanted to see the production of hazardous waste managed through product-stewardship schemes, to put responsibility on the producers of hazardous waste, while some suggested that hazardous waste could be included in the proposal for duties of care. A few wanted the priority to be avoiding the production of hazardous waste in the first place: designing it out of processes as much as possible as part of the move to a circular economy.

“Hazardous wastes should be handled through product stewardship schemes, if the waste cannot be avoided. This would ensure that producers are obligated to take some responsibility for the hazardous materials throughout the product’s lifecycle. Avoid should be the first focus.” (Waste and resource recovery sector submitter)

“As with the approach to other waste types like plastic packaging and organic waste, we think a focus on minimisation and preventing waste from being generated is an important piece of the ongoing works to limit hazardous waste generation.” (Business – service industries)

Some submitters thought operators managing hazardous waste should be licensed. A few referred to the licensing system in Victoria, Australia and one local government submission suggested using Victoria's Environment Protection Amendment Act 2018 as a guide for developing a framework for managing hazardous waste in Aotearoa New Zealand. A few suggested increased community education on hazardous waste.

## Improving legislative support for product-stewardship schemes

Product-stewardship schemes mean that the responsibility and cost for a product's lifecycle and its waste management stay with manufacturers, importers, retailers and users, rather than falling on communities, councils and nature. Internationally, product-stewardship schemes are important tools for transitioning to a circular economy.

In the consultation document, we sought feedback on how to improve the process and powers for developing regulated product-stewardship schemes, especially given the likely increase in the number of schemes in the future, and how the accreditation process for new schemes could be strengthened. We also sought feedback on whether voluntary accreditation is a useful part of the system or whether it would be better to focus public and private sector effort on mandatory schemes.

Many submitters (34 per cent) responded to one or more questions on improving legislation for product-stewardship schemes.

We asked:

26. Should the new legislation keep an option for accreditation of voluntary product-stewardship schemes?
27. How could the accreditation process for new product-stewardship schemes be strengthened?
28. How else could we improve the regulatory framework for product stewardship?

## Improving the regulatory framework for product stewardship

An average of 33 per cent of submissions received responded to these questions on improvements for product stewardship (44 per cent of all organisations and 26 per cent of all individuals that submitted).

Of those who submitted, 50 per cent supported keeping an option for accreditation of voluntary schemes and 25 per cent did not support keeping it.

There were a range of suggestions on how the accreditation process could be strengthened. Some suggested it could be mandatory, while others suggested better enforcement powers, third-party assessments and ways to streamline the process.

Submitters broadly agreed with the need for more product-stewardship schemes. Zero waste advocates and submitters from local government highlighted product-stewardship provisions

as an important aspect of the reform. These submitters wanted more circular economy outcomes from schemes, such as product re-design. They tended to favour government-led development of product-stewardship schemes.

“Product stewardship is the single most powerful framework for the Government to achieve its goals of circularity and increased responsibility.” (Environmental NGO, charity or trust submitter)

Submitters from industry sectors also supported the need for more product stewardship but tended to favour industry-led approaches. Several industry submitters were in favour of more use of regulatory provisions within certain parameters. They saw the role of government as setting and monitoring outcomes and enforcing the rules, while the design and management of schemes should be left to industry bodies, including setting membership fees. Some industry submitters were sceptical of the country's ability to influence product design given the small size of our market.

A diverse range of submitters highlighted the usefulness of product regulations that could work alongside schemes as part of a “policy toolkit” approach, to provide incentives and direction to markets. Suggestions included labelling requirements, and a tax on plastic packaging that contained less than a specified amount of recycled content.

The highest number of responses was to the question on whether legislation should keep an option for accreditation of voluntary product-stewardship schemes. Just over half of the submitters who responded to this question supported keeping this option; many (25 per cent) did not support keeping it, and many (20 per cent) were unsure.

Those who supported keeping accreditation noted the value of voluntary schemes as a starting point for progressing to mandatory schemes. Some of these submitters were also open to the option of an independent body, rather than the Ministry, carrying out assessment and certification.

Many submitters thought the Government’s focus should be on regulated schemes rather than accrediting voluntary schemes.

“Compulsory schemes benefit from whole of market funding, reducing participation costs and other barriers such as physical distance and low population density. Ultimately, compulsory product stewardship schemes result in higher consumer uptake.” (Industry body submitter)

Others suggested lifting the accreditation criteria for voluntary schemes, by setting higher targets and a wider range of targets, and by basing accreditation on scheme performance.

There were a range of suggestions on how the accreditation process could be strengthened and the regulatory framework improved. A key theme in submissions was who should lead scheme design and/or run the schemes – government or industry. Some submitters, including WasteMINZ groups, thought scheme design should be led by the Government. Zero Waste Network shared this view and said the process should be Te Tiriti based.

Submitters from the industry sector as well as product-stewardship organisations and consultants viewed the Government’s role as developing legislation and setting targets, which would allow industry to develop and design the schemes, with a government agency enforcing scheme rules. They did not want the Government appointing scheme managers or setting fees. Another submitter suggested the Government should form a product-stewardship organisation (or appoint a Chair) only if industry is unable to do it.

Submitters supported a stronger emphasis on circular economy goals and outcomes that were high on the waste hierarchy.

“KPIs [Key Performance Indicators] should, where possible, incorporate addressing the entire life cycle of a material and the waste hierarchy, not just focus on recovery rates.”

(Business – goods-producing industry submitter)

There were a few suggestions on specific ways to improve the process for developing schemes. Some said the current process was “slow and cumbersome” and they supported streamlining the process.

Several submitters pointed to other factors besides product stewardship that need to be addressed to support good outcomes, including better data, recovery systems, product design incentives, labelling, and waste remanufacturing markets.

## Enhancing regulatory tools to encourage change

Section 23(1) of the WMA empowers the Government to make various regulations in relation to products, materials and waste, and these may be used as part of a product-stewardship scheme. We sought suggestions on what improvements could be made to existing regulatory powers, including:

- an expanded labelling power
- expanded quality standards provisions
- improved data collection powers
- a better framework for deposit return schemes
- better links with relevant powers in other legislation (eg, import and export controls).

We also sought feedback and input on new regulatory tools for products and materials that would help Aotearoa move towards a circular economy, including:

- national standards on matters relating to waste, recycling and resource recovery
- powers to support and improve recycling
- a right to return packaging
- provisions to support a right to repair.

Many submitters (39 per cent) responded to one or more questions on enhancing regulatory tools to encourage changes in the waste system. Most comments were received on the question about making better use of import and export controls, followed by the question on a right to return packaging.

## Improvements to regulatory powers for products and materials

We asked:

29. What improvements could be made to the existing regulatory powers under section 23 of the Waste Management Act 2008?
30. What new regulatory powers for products and materials would be useful to help Aotearoa move towards a circular economy?

An average of 30 per cent of all submissions received responded to these questions on improvements for products and materials (43 per cent of all organisations and 22 per cent of all individuals that submitted).

There was widespread support for strengthening and improving existing regulatory powers to control products and materials. To a lesser degree, there was also support for introducing new regulatory powers to ensure that as a country, we have the necessary tools to support a more circular economy.

Some submitters noted that the WMA already provides several strong regulation-making powers, which have been largely unused. A few submitters considered the existing powers sufficient and suggested the need to exercise these existing powers before considering new ones.

Some business and industry body submitters emphasised the need for greater clarity on the intent, purpose and scope of these powers. These submitters supported the inclusion of more legislative tools for regulating products and materials, providing that they clarify and guide the use of the powers and do not make the provisions too prescriptive or complex. Many submitters noted a need to improve the enforcement of these powers to ensure compliance and noted a lack of existing enforcement provisions in the WMA.

“There are a significant number of powers already contained under section 23 of the WMA. Yet only one of the powers (used to ban microbeads and single-use plastic bag products) has been used to-date. We agree with the commentary in the Consultation Document that some of the section 23 powers are potentially significant economic interventions. Given the indication that these powers will be used more frequently, we support the new legislation including greater detail on their purpose, scope, use, implementation, monitoring and enforcement.” (Business – goods producing industry submitter)

Another common theme across submitter groups was an acknowledgement of the need to reduce the amount of single-use, hard-to-recycle and ‘low-value’ products and materials in Aotearoa New Zealand’s economy. Submissions on this topic seemed to focus on preventing single-use and hard-to-recycle products from entering the country, and typically suggested that import controls should be used to filter out products that are not consistent with our objectives for domestic waste minimisation.

All submitter groups widely supported mandatory labelling requirements. Submitters observed that the lack of a consistent, standardised approach for recycling labelling was a key gap in our resource recovery system. Submitters who discussed labelling powers were also largely against Aotearoa New Zealand having a unique system, because of the added costs to manufacturers and potential trade implications. A number of submitters emphasised the importance of

leveraging existing labelling schemes, most notably the Australasian Recycling Label, which has already been voluntarily adopted in parts of the Aotearoa New Zealand market. Alongside recycling, labelling requirements were seen as key to helping consumers make better-informed purchasing decisions, particularly about issues such as product life and repairability, recycled content, and resources used throughout a product's lifecycle. Mandatory labelling was also seen to support a product's end-of-life initiatives such as product-stewardship and container-return schemes.

In terms of possible new powers, the need to target the top of the waste hierarchy through product design requirements was a key topic, particularly in submissions from the waste sector, NGOs, Māori and local government. Examples of product design elements included: requirements for product durability and repairability; designing-out waste including packaging complexity; and minimum recycled content. One local government submitter made note of the opportunities for employment creation that are likely to arise from eco-design regulations, including the growth of the repair industry in Aotearoa New Zealand.

“Focusing regulation to drive product design changes at the top of waste hierarchy has considerable downstream benefits for skilled employment which are yet to be fully captured and quantified.” (Local government submitter)

The need to consider the trade implications of implementing powers to control products and materials was a persistent theme in submissions from business and industry organisations, particularly for product design and labelling. These submitters noted that these types of regulations may constitute technical barriers to trade, and impact the country's international trade obligations. The small New Zealand market and the possibility of international manufacturers exiting our market in response to more prescriptive regulations was also noted, particularly where we are not aligned with existing international approaches.

Alongside the key themes above, other commonly discussed issues included:

- a. widespread support for national standards across all submitter groups, including the need for standards for both resource recovery processes (eg, source separation) as well as products (eg, compostable packaging)
- b. mixed support for mandating recycled content for products, with some submitters seeing this as a way to generate demand for recycled materials over virgin materials, while others expressed concern with issues such as health and safety, trade implications, and potential supply issues for recycled material
- c. some submitters also noted that financial incentives, such as fees and levies, could be better employed to promote the production and/or use of more circular products and materials.

## **A right to return packaging**

We asked:

31. Would you like to see a right to return packaging to the relevant business?

Forty-five per cent of submissions received responded to this question (53 per cent of all organisations and 39 per cent of all individuals that submitted).

Over 80 per cent want the right to return packaging.

Just over 10 per cent did not support the proposal.

Over half of all submitters in the business sector (including industry associations), waste and resource recovery sector, local government and all NGOs, charities or trusts responded to this question.

Most submitters would like to see consumers have a right-to-return option for a product's packaging to the relevant business, although some did not support this proposal, and some (over 5 per cent) were unsure.

All submitter groups provided some level of agreement to this proposal (except iwi or hapū submitters, none of whom submitted on this question) .

Within the business sector, about half of responses from industry associations and goods-producing businesses did not agree to this proposal. In contrast, most in the waste and resource recovery sector (over 65 per cent) and almost all (over 90 per cent) responses from local governments or boards did agree with this proposal.

Other submitters who did not support this proposal included those from the waste and resource recovery sector, other NGOs, charities or trusts, and a few from local government or boards, or individuals.

“Businesses should be responsible for the needless waste they generate.” (Other NGO, charity or trust submitter)

“Yes. Absolutely. Too often the end-user is left with the ridiculous amount of packaging that we had no choice in purchasing due to lack of alternative options.” (Individual submitter)

## Legal requirements to support durability and repairability

We asked:

32. Would you like to see more legal requirements to support products lasting longer and being able to be repaired?

Forty-four per cent of received responded to this question (51 per cent of all organisations and 40 per cent of all individuals that submitted).

Over 85 per cent supported the proposal.

There was widespread support, from a range of submitters, for more legal requirements to support products lasting longer and being able to be repaired. Most submitters want to consumers have the right to return packaging for relevant businesses, although a few (around 5 per cent) did not support this proposal or were unsure. Those who did not agree with the proposal were in business – goods-producing industries, industry associations, or the waste and resource recovery sector (a few individuals did not support it also).

Many submitters noted that greater durability and repairability of products would help Aotearoa New Zealand focus further up the waste hierarchy and transition to a circular economy. Some submitters noted the opportunities for job creation regarding repairs.

“Using NZ adaptability and inventiveness, NZ could easily develop a thriving domestic repair, refitting, and retrofitting industry.” (Business – industry body or association submitter)



The need to target the top of the waste hierarchy through product design requirements, including requirements for product durability and repairability, was important to submitters, particularly those from the waste sector, NGOs, Māori and local government.

“Right to repair provisions are an example of the multiple benefits that can be realised from the circular economy, by not only keeping products in the supply chain longer, but also by expanding a service industry and creating employment in green jobs in Aotearoa. They are therefore a valuable part of a multi-pronged approach to reduce waste. To fully unlock the potential of this opportunity ... right-to-repair provisions should be all-inclusive, extending from not just from electronics and whiteware to furniture and textiles.”  
(Business – services industry submitter)

Some submitters suggested that in addition to new laws there should be further assistance, such as the funding of repair centres, or providing other support for repair businesses. Some submitters noted that having a legal right to repair would be helpful only if it was practical to get goods repaired locally at a reasonable price. There were also submitters who referenced the petition organised by Repair Café Aotearoa New Zealand, which calls for the Government to bring in laws for ‘right to repair’.

There were submitters who noted the connections between repairability, durability and product stewardship, including suggestions that regulated product-stewardship schemes should include repairability and durability.

“Product stewardship schemes also need to embed financial mechanisms that will cover the costs of repairing, not only recycling. If schemes do not cover repair costs or support the infrastructure, systems and skills needed for repairing, and focus only on recycling, they can create a perverse incentive to recycle fixable products before the end of their functional life.” (Waste and resource recovery sector submitter)

Some submitters suggested that repair considerations be included in government procurement requirements.

Some submitters considered that in addition to the waste legislation, other legislation (such as consumer or intellectual property laws) should be amended to achieve greater repairability and durability of products.

## Import and export controls

We asked:

33. Is there a need to strengthen or make better use of import and export controls to support waste minimisation and circular economy goals? For example, should we look at ways to prohibit exports of materials like low-value plastics?

Forty-six per cent of submissions received responded to this question (51 per cent of all organisations and 42 per cent of all individuals that submitted).

There was strong support for using import controls to prevent single-use and hard-to-recycle products and materials from entering the Aotearoa economy. Business and waste sector submitters emphasised the importance of applying circular economy requirements to imported products in addition to those manufactured domestically to ensure a level playing field for Aotearoa producers, and to prevent the proliferation of lower-priced and unregulated

imports that undermine our domestic waste minimisation objectives. A few submitters also noted the potential free-trade implications of implementing import controls, as well as downstream effects for consumers, including on choice and price.

“New Zealand is a long way from most of its import and export markets. Freight costs and timelines already make trade complex and, in some cases, prohibitive reducing consumer choice. [Our organisation] supports ensuring that imported products and their packaging are compliant with New Zealand’s legislation and are on a level playing field with domestic products however we need to be cognisant of our geographic limitations.”  
(Industry body submitter)

In comparison, there was mixed support for strengthening export controls. Some waste and resource recovery sector, central government and NGO submitters were supportive of strengthening export controls, stating that existing controls were insufficient to satisfy our international waste minimisation obligations. These submitters pointed to issues about the way that multilateral agreements such as the Basel Convention have been given effect under the Imports and Exports (Restrictions) Act 1988, and they expressed concern that waste is still being exported to developing countries.

“We also continue to support export controls for our waste as we remain deeply concerned and ashamed by the harm caused by New Zealand’s involvement in the waste trade. When it comes to plastic waste exports, [our current] export controls are not strong enough to prevent the harm caused by New Zealand’s ongoing shipment of plastic waste to developing countries. New Zealand plastic waste sent to countries like Malaysia for recycling often is not recycled but burnt or dumped instead, causing grave human and environmental harm.” – (Waste and resource recovery sector submitter)

Other submitters from business and the waste and resource recovery sector were concerned that strengthening export controls would lead to perverse outcomes, particularly due to limited onshore processing options or capacity. These submitters noted that while strengthened export controls may be a good idea in the future, we need to ensure that we can process this waste domestically before imposing stricter export controls. International markets for waste were seen as a crucial stopgap while we develop our onshore processing capabilities. A few submitters suggested that rather than prohibiting exports, we should look to reduce the use of these materials in the first instance and provide local solutions for recovery and reuse.

“There needs to be an export market available to New Zealand as our infrastructure is not currently sufficient to process all volumes of material. It is likely that this will always be the case due to economies of scale (e.g., recycling of aluminium cans). Changes to the export permitting system for plastics have ensured that material only goes to suitable facilities with environmentally sound operations. This could be expanded to cover other material types. New Zealand has limited numbers of companies in the recycling sector and providing access to competitive global commodity markets ensures the price paid for sorted recyclable material is fair and sustainable.” (Business – goods-producing industry submitter)

## Ensuring the waste levy is used to best effect

Currently, the waste levy is imposed on waste going to disposal facilities (landfills). New legislation could increase the range of activities that could be made subject to a levy, to include not just disposal to landfill, but other ‘non-circular’ activities such as certain types of waste-to-energy operation, or even downcycling.

The new legislation also presents an opportunity to make improvements on how the levy is currently set, calculated, collected and reported on. There is also an opportunity improve details around some operational requirements (such as stockpiling, waivers or material reuse) to provide clarity to the sector.

Ensuring levy funds are used effectively is a key driver for the new strategy and legislation, along with the being able to deliver on the long-term waste infrastructure plan and shorter-term AIPs. At present, 50 per cent of the levy funds are automatically allocated to territorial authorities and distributed according to a population-based formula. Central government retains the other 50 per cent. We sought feedback on the use of levy funds, in keeping with the broader purposes of new waste legislation and the more ambitious circular economy goals of the proposed waste strategy.

We asked:

34. What types of activities should potentially be subject to a levy? Should the levy be able to be imposed on final disposal activities other than landfills (such as waste-to-energy facilities)?
35. What factors should be considered when setting levy rates?
36. How could the rules on collection and payment of the waste levy be improved?
37. What should waste levy revenue be able to be spent on?
38. How should waste levy revenue be allocated to best reflect the roles and responsibilities of the different layers of government in relation to waste, and to maximise effectiveness?
39. How should waste levy revenue be allocated between territorial authorities?

Overall, an average of 29 per cent of all submitters responded to questions 34 to 39. Most comments were received on question 34, then question 37, followed by question 35.

## Activities that should be subject to the levy

Thirty-eight per cent of all the submissions received responded to question 34 (52% of all organisations and 29 per cent of all individuals that submitted).

All submitter groups provided comment on this question. Over half of all submitters in the business sector (including industry associations), waste and resource recovery sector and local government and boards responded to this question.

Most responses came from the waste and resource recovery sector, followed by local government and boards, who discussed a broad range of issues and options on how a levy could be applied under different resource recovery and disposal scenarios. A range of waste-to-energy technologies were most discussed. Resource recovery, landfilling and other potentially non-circular options such as downcycling were also discussed.

There was strong support for the levy to be applied to waste-to-energy operations. Most submitters that addressed this question supported this proposal, with nuanced views given about what specific types of waste-to-energy operations should be included or excluded from the levy (eg, municipal waste-to-energy or anaerobic digestion). Some submitters were of the view that the levy should not apply to waste-to-energy operations for a variety of reasons,

the most common being that waste-to-energy is a more desirable outcome than disposal to land. Many submitters were unsure or did not know whether the levy should be applied to these operations.

There was less support for the waste levy to be applied to downcycling. Submitters noted the difficulty in defining what downcycling is and that in many instances they considered this to be a desirable activity. Others considered, however, that non-circular downcycling should be subject to the waste levy so that Aotearoa may progress to a circular economy more quickly.

“We strongly support the idea of extending the landfill levy to both waste-to-energy and non-circular downcycling activities. Otherwise, ongoing and necessary increases to the waste disposal levy risks incentivising a shift to waste-to-energy or downcycling.” (Waste and resource recovery sector submitter)

“Waste to Energy should be levied for any feedstock that does not reduce waste. This should not include anaerobic digestion of organics and food scraps or liquid wastes (liquid wastes are unavoidable). Incineration and pyrolysis need to match the landfill rate so incineration does not become viable and lock in feedstocks. The levy should apply to the lower levels of the waste hierarchy and levy avoidance.” (Waste and resource recovery sector submitter)

## Considerations when setting levy rates

Thirty-two per cent of all the submissions received responded to question 35 (41 per cent of all organisations and 25 per cent of all individuals that submitted).

All submitter groups commented on this question, with submitters from industry associations, and the waste and resource recovery sector providing the most.

Submitters had a wide range of views on what should be considered when setting levy rates. A key theme was that decision-making should be tied to the waste strategy and the goal of moving to a circular economy. Other submitters advocated that a ‘polluter pays’ approach be taken, where levy rates are set according to who generates the most pollution from waste. There was also a theme of supporting regular reviews of the levy rates so that Aotearoa is in line with international best practice.

While there was a broad range of responses on this topic, some (more than 20 per cent) suggested that the effect of the levy should be to encourage a circular economy and limit any potential increase in negative behaviour, and that it should factor in remedial costs to minimise environmental harm.

“A key factor is the minimum rate needed to level the playing field between the cost of disposal and the cost of implementing desired activities, so that the latter actually happen.” (Waste and resource recovery sector submitter)

A few submitters also raised concerns that the setting of the levy rate could have unintended consequences such as an increase in illegal dumping. These submitters considered that this should be a required consideration when setting the rate.

“Agree with proposed factors and note that the strategy's principles should form the basis of factors for levy rate setting – including the principle to ‘deliver equitable and inclusive outcomes.’” (Local government submitter)

## Improving rules for collecting and paying the levy

Fifteen per cent of all the submissions received responded to question 36 (21 per cent of all organisations and 10 per cent of all individuals that submitted). This question received the least responses in this consultation.

There was a limited number of submissions on the rules for how the levy be collected and paid. Submitters who did provide comment on this question were either individuals or from the waste and resource recovery sector, industry associations, business – goods producing, or local government or boards, or all NGOs, charities or trusts.

In relation to the issue of stockpiling of waste, some submitters noted that this is a legitimate activity that enables more recycling and that rural communities need to be able to stockpile materials for longer owing to the limited volumes that are managed in those areas. Other submitters, however, considered that an approval process for the stockpiling of large quantities of materials would be necessary to manage the negative effects of stockpiled waste.

Many submitters noted that an exemption to the waste levy that enabled reuse of waste on site should be maintained for materials that are being used for a general reason, such as using soil and clay for daily cover at a landfill.

“Stockpiling materials to get them to market is necessary. Stockpiling for a genuine reason should be permitted, but more fine tuning is required to avoid degradation of material.” (Local government submitter)

“The current rules are not clear around what materials the levy applies to and how to interpret the reporting requirements. Particularly around hardfill, clean fill, managed fill, cover material, and diverted material. Better guidelines and interpretation of the rules is required to assist those reporting on tonnage and calculating levy payments” (Local government submitter)

## Spending the waste levy revenue

Thirty-eight per cent of all the submissions received responded to question 37 (50 per cent of all organisations and 30 per cent of all individuals that submitted).

Fifty per cent of the submissions were from the business sector (including industry associations), waste and resource recovery sector, local government or boards.

Over 35 per cent of submitters were interested in the ability to spend levy revenue on infrastructure and recycling systems, followed by education and behaviour-change type programmes (over 20 per cent). This order of preference was also favoured by the waste and resource recovery sector.

Local government would prefer to spend levy revenue first on compliance, monitoring and enforcement, and then on subsidies or incentives, whereas the business sector favoured spending first on infrastructure and recycling systems followed by research, innovation and development.

There was a wide variety of views on what waste levy funds should be spent on. At a central government level, a general theme was that levy funds should continue to be used to increase waste minimisation but with a wider scope and more flexibility to facilitate a transition to a circular economy. Key areas of interest for submitters were research and development, new infrastructure and recycling systems, education and behaviour change campaigns, and minimising the harm from waste. Many submitters considered that funding should be predominately used for activities higher up the waste hierarchy, such as reduction and reuse. Some submitters also highlighted a need for some waste levy funds to be set aside for a Te Tiriti-based partnership approach to zero waste. A common theme among submitters was that legislation should include increased requirements for transparency on spending for agencies that receive levy funds.

“We think the Levy fund needs to be used more strategically and transparently to invest in transformative activities that increase circularity and shift behaviour. This should be based on the waste hierarchy which enshrines zero waste and circular economy principles. Key priorities are waste prevention and reduction, building a healthy reuse economy, effective nationwide resource recovery network and closed loop recycling systems.” (Waste and resource recovery sector submitter)

Many local government submitters also considered that levy funds should be able to be used to address concerns over historic or vulnerable landfills and contaminated sites. There was also broad support from local government submitters for levy funds to be directed to the enforcement of littering regulations.

“Levy expenditure should be strategically linked to the overarching vision, and harmonise with regulatory and policy changes. The goal is to move New Zealand towards a circular economy. We desperately need some clever thinking around how to make the economics of a transition to a low-waste, low-emissions circular economy work. Currently, economic drivers and investment in waste management systems favour linear business practices upstream.” (Individual submitter)

## **Allocation of the waste levy revenue between central and local government**

Twenty-four per cent of all the submissions received responded to question 38 (34 per cent of all organisations and 16 per cent of all individuals that submitted).

Submitters who provided comment on this question were either individuals or from the waste and resource recovery sector, industry associations, business – goods producing, or local government or boards, or all NGOs, charities or trusts.

There was a range of responses on this topic (with limited quantitative value), with some submitters favouring the allocation of levy revenue being based on roles and responsibilities.

Many submitters considered that the current 50/50 allocation between central and local government should continue. This view was particularly strong among local government

submitters, with a preference for the levy to be able to support ongoing service delivery, alongside other initiatives like education and community grants. Some local government submitters also suggested that regional councils could receive a share of the levy if they are given a role under waste legislation.

Other submitters, however, raised concerns about the amount of money that territorial authorities might receive and how this could impact on the viability of some products for businesses. Some submitters considered that central government should receive more, or all, waste levy funds and they should be allocated according to need rather than automatically. A key theme that emerged from submitters that supported a greater share for central government was that there are significant infrastructure needs to improve waste outcomes and that central government is better placed to use levy funds to achieve these.

“Currently local government’s receipt of the Waste Levy is disproportionate to their level of waste generated and has them looking to make investments in waste infrastructure. This ultimately disincentivises private sector investment, given local government competition destabilises the business case. A clear delineation is required here.”  
(Individual submitter)

“Continuing the current approach for allocating waste levy across levels of government is supported by the [submitter]. Providing regional authorities with waste levy funding to use for enforcement and monitoring waste disposal facilities and rural farming practices would also enhance outcomes at the regional and district level.” (Local government submitter)

## **Allocation of the waste levy revenue between territorial authorities**

Twenty-four per cent of all the submissions received responded to question 39 (37 per cent of all organisations and 15 per cent of all individuals that submitted).

Fifty per cent of local government or board submitters responded.

Submitters who provided comment on this question were either individuals or from local government or boards, or the waste and resource recovery sector, industry associations, business – goods producing, or all NGOs, charities or trusts. Local government was the only submitter group to have over 50 per cent respond to this question.

There was a range of responses on this topic, with some favouring allocation based on resident population plus visitors, followed by some who equally considered that allocation should be based on area, size and distance to main centres, and that allocation should be a fixed base amount with additional top-ups. Most in local government agreed with this same order of preference.

A key theme in submissions was that the allocation of a waste levy among territorial authorities could be improved to ensure equity for smaller councils that do not receive much waste levy funds and face many difficulties in achieving greater waste minimisation owing to a variety of factors, eg, remoteness from major infrastructure or a high number of tourists.

Many submitters raised the need for smaller councils to receive a minimum level of funding to ensure that they can have staff dedicated to waste minimisation, with the ability to access



funding from central government. Other suggested changes to the method of allocation included adjusting the amount based on tourist numbers, or on waste-to-landfill volumes. Some submitters suggested that allocation should consider the impact of some regions having to transport waste from a carbon emissions perspective.

“The allocation of the waste levy needs to be done in a way that creates coordination and cooperation across boundaries and addresses the challenges faced by small populations servicing large geographic areas or the presence of a high number of non-residents (such as tourists).” (several Local government submitters)

“In regard to the share of levy funding among territorial authorities, we note that the provision of waste services varies considerably between the regions where we operate, and we agree that the population-based formula for distribution tends to limit waste services in remote or rural regions. We think there is benefit in adjusting the allocation of the levy to provide better services for underserved regions” ([Waste and resource recovery sector submitter])

“With an increased need for progress outlined by the national targets, all councils should be mandated and have funding that covers a minimum of one FTE [full-time equivalent staff] dedicated to waste prevention, administrative costs and an operational budget.” (Local government submitter)

## Improving compliance, monitoring and enforcement

Any regulatory system needs to be supported by effective compliance, monitoring and enforcement. Experience with both the WMA and the Litter Act has shown that their enforcement provisions are inadequate.

The Ministry currently carries out most compliance, monitoring and enforcement (CME) work related to obligations under the WMA and these responsibilities are expected to increase significantly over the next few years. Local government may be best placed to take responsibility for enforcing at least some of the obligations from the new waste legislation proposals. Whichever level of government is responsible for the functions, it needs to be adequately resourced. We sought feedback on which level of government should the new waste legislation allocate the roles and responsibilities for compliance, monitoring and enforcement.

The options outlined in the consultation document could create more legal obligations than currently, which would be detailed in new regulations. Each obligation needs to be backed by relevant enforcement tools, including stipulated offences and penalties, clear responsibility of agencies for enforcement, and investigation and enforcement powers. We propose that new legislation:

- improves the investigation powers for enforcing environmental crime under the waste management system
- expands the tools to manage non-compliant behaviour
- makes a number of improvements to help address littering and dumping.

We asked:

40. Which elements of compliance, monitoring and enforcement should be the responsibility of which parts of government (central government, regional councils, territorial authorities) under new waste legislation?



41. The need for enforcement work will increase under the new legislation. How should it be funded?
42. What expanded investigation powers, offences and penalties do you think should be included in new waste legislation?
43. What regulatory or other changes do you think would help better manage inappropriate disposal of materials (that is, littering and fly-tipping)?

Overall, an average of 25 per cent of all submitters responded to questions 40 to 43 on improvements in CME. Question 41 received the most submissions, followed by question 43.

## Compliance, monitoring and enforcement roles and responsibilities

Twenty-two per cent of all the submissions received responded to question 40 (32 per cent of all organisations and 14 per cent of all individuals that submitted).

Over 40 per cent preferred elements of CME to be allocated to central government.

Over 20 per cent favoured elements being allocated to regional or territorial authorities, or another combination.

Submitters who provided comment on this question were either individuals or from local government or boards, or the waste and resource recovery sector, industry associations, business – goods producing, or all NGOs, charities or trusts. Local government was the only group to have over 50 per cent of submitters respond to this question.

Most favoured elements of CME being allocated to central government, while some equally favoured elements of CME being allocated to regional or territorial authorities, or another suggested combination.

A variety of views were expressed on who should be undertaking CME under waste legislation. There was broad support for central government to play a large and active role in enforcement and that this would be best carried out by a dedicated regulator such as the Environmental Protection Authority. Some submitters also considered that a dedicated circular economy agency grounded in Te Tiriti might be best placed to undertake central government CME roles.

Submitters also identified that local government plays a vital role in waste enforcement, particularly for littering and illegal waste disposal. Conversely, a few submitters raised concerns about territorial authorities having a large enforcement role owing to the wide range of waste responsibilities that may conflict with this role. Some submitters also considered that regional councils could take on some CME responsibilities, given their active enforcement role under resource management legislation and ongoing relationships with parts of the waste sector.

“There are risks with the Ministry for the Environment having regulatory enforcement roles in either the current or future waste system. Mixing roles risks conflict between the system design and oversight role and detailed regulatory compliance and enforcement responsibilities. The new system should ensure that compliance and enforcement responsibilities rest with a dedicated regulator.” (Central government submitter)

“If adequately enabled through legislation and funding, regional councils could help with implementing enforcement strategy. Regional councils already have auditing skills and experience in enforcement and prosecution. Regional council enforcement officers have experience both issuing fines and engaging offenders in education.”  
(Local government submitter)

## Funding for compliance, monitoring and enforcement

Thirty-one per cent of all the submissions received responded to question 41 (34 per cent of all organisations and 28 per cent of all individuals that submitted).

Fifty per cent of local government submitters responded.

Over 30 per cent of the submissions received preferred enforcement to be levy funded.

Over 20 per cent preferred funding to come from fines; over 15 per cent from central government.

Submitters who provided comment on this question were either individuals or from the waste and resource recovery sector, industry associations, business – goods-producing and service industries, or local government or boards, or all NGOs, charities or trusts. Local government was the only group to have over 50 per cent of submitters respond to this question.

While there was a range of comments on this topic, many favoured funding for enforcement coming from waste levy funds, with some favouring funding from fines, or central government tax, or a combination of options.

A key theme among submitters was that any CME responsibilities would need to be supported by adequate funding to enable appropriate resourcing and effective compliance responses. Submitters particularly emphasised the need for local governments to be funded so that they can undertake any responsibilities assigned to them. Concerns were raised about the difficulty of obtaining funding for CME at a local level.

There was strong support for enabling the waste levy to be used for CME activities at both a local and central level, with differing views on exactly what this would cover. Submitters also proposed that those responsible for waste pollution should have to pay for the costs involved with compliance, such as through cost-recovery mechanisms. Other submitters, however, considered that CME is a core government task and should be funded through general taxation, with the levy being used for waste minimisation initiatives.

“Additional enforcement should be funded through the levy and should be distributed equitably to ensure all councils have the ability to engage in enforcement commensurate with what will be mandated under the new legislation. A proportion of any fines imposed through enforcement should also be returned to the prosecuting agency (local government councils) to enable further enforcement work, as per current RMA model.”(Waste and resource recovery sector submitter)

“However, compliance, monitoring and enforcement (CME) is funded, the legislation should give CME funding priority and primacy... Funding allocation also must be sufficient for the range of competencies and resources needed to fulfil the various CME roles, from legal support for prosecutions, through to inspections and audits, and investigations.”  
(Waste and resource recovery sector submitter)

## Expanded powers, offences and penalties

Nineteen per cent of all the submissions received responded to question 42 (26 per cent of all organisations and 15 per cent of all individuals that submitted).

Most of those submitting on this question supported strengthening the powers, offences and penalties to enable effective CME to be undertaken. Submitters highlighted the importance of information-sharing among regulators, alongside having strong powers to obtain that information from the sector. There was also strong support for legislation to include a wider range of enforcement tools, with increased but proportionate penalties. The importance of infringement fees being available for waste offending was also emphasised in several submissions.

Some submitters noted, however, that legislation will need to balance people's rights to privacy **and protection** when expanding CME powers to ensure, for example, that CME legislation is designed to be proportionate to the issue and that it is consistent with human rights. Concerns were also raised that penalties needed to be proportionate so that the heaviest fines would go towards those responsible for the generation of the waste.

"The investigation powers, offences and penalties currently contained in the WMA are not fit for purpose and need a thorough overhaul. Offences and penalties should be graduated in severity to enable proportionate responses to various types of misbehaviour. The current prosecution-only approach is not appropriate for addressing many potential breaches of regulations under the Act." (Waste and resource recovery sector submitter)

## Changes to reduce littering and fly-tipping

Twenty-eight per cent of all the submissions received responded to question 43 (38 per cent of all organisations and 21 per cent of all individuals that submitted).

Fifty-five per cent of local government submitters responded.

Submitters who provided comment on this question were either individuals or from the waste and resource recovery sector, industry associations, business – goods-producing and service industries, or local government or boards, or all NGOs, charities or trusts. Local government was the only group to have over 50 per cent of submitters respond to this question.

While there was a range of comments on this topic, many (over 40 per cent) suggested better detection (monitoring), enforcement and penalties as the optimal approach, with almost half of the submissions from individuals suggesting this approach. This was followed by some (over 20 per cent) who suggested that more publicity and educational campaigns should be undertaken; around a quarter of the waste sector suggested this.

Other suggestions were favoured, including (in order): product stewardship, and systems encouraging re-design; better recycling systems; fining companies for litter from their products; duty-of-care obligations; and return schemes.

Many submitters considered that the most effective way to reduce littering and fly-tipping is to have better detection, enforcement and penalties associated with these activities. Suggestions from these submitters included using CCTV footage, heavier fines, tiered penalties for specific types of dumping, and community service for some types of offending.

The next most common theme was that better publicity and education campaigns would help to reduce littering and fly-tipping. Ideas from these submitters included using a comprehensive national programme of behaviour change to reduce littering and placing greater responsibility on the generators of the waste rather than the consumer.

“We believe that there should be increased focus on education and awareness to build civic participation in waste reduction.” (Industry body submitter)

Many submitters also considered that initiatives outside of enforcement would contribute significantly to a reduction in litter and fly-tipping. These suggestions included more regulated product-stewardship schemes, material-return schemes (such as a container-return scheme), and duty-of-care obligations.

“For some commonly consumed items, such as beverage containers, the proven best way of reducing litter is to legislate a deposit return scheme that places a value on the items to change consumer behaviour. This has the added benefit of educating the public about the value of resources and the need to return for recycling.” (Business – goods-producing industry submitter)

# Appendix A: Consultation document questions

## **Part 1: Why we need to transform our approach to waste**

1. Do you think changes are needed in how Aotearoa New Zealand manages its waste?
2. Do you support tackling our waste problems by moving towards a circular economy?

## **Part 2: Proposed new waste strategy for Aotearoa New Zealand**

3. Do you support the proposed vision?
4. Do you support the six core principles or would you make changes?
5. Do you support the proposed approach of three broad stages between now and 2050, and the suggested timing and priorities for what to focus on at each stage?
6. Looking at the priorities and suggested headline actions for Stage One, which do you think are the most important?
7. What else should we be doing in Stage One?
8. What are the barriers or roadblocks to achieving the Stage One actions, and how can we address them?
9. Do the strategic targets listed in Table 1 focus on the right areas?
10. Where in the suggested ranges do you think each target should sit, to strike a good balance between ambition and achievability?

## **Part 3: Developing more comprehensive legislation on waste: issues and options**

### *Embedding a long-term, strategic approach to reducing waste*

11. Do you think new legislation should require the government to have a waste strategy and periodically update it?
12. How often should a strategy be reviewed?
13. How strongly should the strategy (and supporting action and investment plans) influence local authority plan and actions?
14. What public reporting on waste by central and local government would you like to see?
15. Do you agree with the suggested functions for central government agencies?
16. What central government agencies would you like to see carry out these functions?
17. How should independent, expert advice on waste be provided to the government?
18. How could the legislation provide for Māori participation in the new advice and decision-making systems for waste?
19. What are your views on local government roles in the waste system, in particular the balance between local and regional? Who should be responsible for planning, service delivery, regulatory activities like licensing, and enforcement of the different obligations created?

### *Putting responsibility at the heart of the new system*

20. Do you see benefit in adapting the United Kingdom's duty-of-care model for Aotearoa New Zealand's waste legislation, supported by appropriate offences and penalties?
21. Do you support strengthening obligations around litter by creating an individual 'duty of care' to dispose of waste appropriately?

22. What else could we do so that litter is taken more seriously as a form of pollution?
23. Do you support a nationwide licensing regime for the waste sector?
24. Should the new legislation include a power to require a tracing system to be developed for some or all types of waste?
25. What aspects of the proposals for regulating the waste sector could be extended to apply to hazardous waste?

*Improving legislative support for product stewardship schemes*

26. Should the new legislation keep an option for accreditation of voluntary product stewardship schemes?
27. How could the accreditation process for new product stewardship schemes be strengthened?
28. How else could we improve the regulatory framework for product stewardship?

*Enhancing regulatory tools to encourage change*

29. What improvements could be made to the existing regulatory powers under section 23 of the Waste Management Act 2008?
30. What new regulatory powers for products and materials would be useful to help Aotearoa move towards a circular economy?
31. Would you like to see a right to return packaging to the relevant business?
32. Would you like to see more legal requirements to support products lasting longer and being able to be repaired?
33. Is there a need to strengthen and make better use of import and export controls to support waste minimisation and circular economy goals? For example, should we look at ways to prohibit exports of materials like low-value plastics?

*Ensuring the waste levy is used to best effect*

34. What types of activities should potentially be subject to a levy? Should the levy be able to be imposed on final disposal activities other than landfills (such as waste to energy)?
35. What factors should be considered when setting levy rates?
36. How could the rules on collection and payment of the waste levy be improved?
37. What should waste levy revenue be able to be spent on?
38. How should revenue from the waste levy be allocated to best reflect the roles and responsibilities of the different layers of government in relation to waste, and to maximise effectiveness?
39. How should waste levy revenue be allocated between territorial authorities?

*Improving compliance, monitoring and enforcement*

40. Which elements of compliance, monitoring and enforcement should be the responsibility of which parts of government (central government, regional councils, territorial authorities) under new waste legislation?
41. The need for enforcement work will increase under the new legislation. How should it be funded?
42. What expanded investigation powers, offences and penalties should be included in new waste legislation?
43. What regulatory or other changes would help better manage inappropriate disposal of materials (that is, littering and fly-tipping)?

# Appendix B: Quantitative and qualitative analysis

The following outlines the quantitative and qualitative methods used to analyse the submissions.

## Quantitative analysis

The following methods were used to quantify the data.

- The overall proportion of submitters who responded to a question was calculated by using the total number of submitters and the number within each submitter group that responded to a question. For each question, the proportion was converted to a percentage, and averages were calculated for groups of questions.
- The overall proportion of those who supported (or did not, or were unsure) to a 'yes or no' type of question or group of questions was calculated using the entire dataset in Tableau. A value to represent a potential for over-counting (mostly from over tagging) was factored into this analysis.
- The proportion of submitter groups who supported (or did not, or were unsure) was based on the more absolute data in Citizen space as opposed to the less structured responses available in the attachments. These proportional data were then compared with the tagged data from the attachments to confirm that data from these two sources of submissions were consistent.
- Concepts and ideas that submitters presented in free-text form and not in a format that directly responded to the consultation document questions, were tagged and analysed to identify if the information provided related to questions in this consultation.

## Qualitative analysis

The following methods of qualitative analysis were used:

- Each submission was reviewed for common themes and for matters that had been raised in relation to the questions, and for feedback provided beyond the question format.
- Tagged text for each question was extracted and reviewed for both unique points of view (which may impact a submitter group) and for common quotes, concepts or themes. These points of view were also analysed and quantified in reporting, where possible.
- Some of the feedback received was not relevant to the consultation questions; however, it revealed submitters views on the broader issues and opportunities of waste minimisation.

# Appendix C: Greenpeace form submission

The Greenpeace template which was used in the form submissions:

“To whom it may concern,

At every stage of its lifecycle from the point of extraction to when it becomes waste, plastic is a social, environmental and climate injustice. The Waste Strategy ‘Taking Responsibility for Our Waste’ does not go far enough to address all the effects that plastic production and plastic pollution has on the planet and all living things upon it.

The problem is that we are producing too much plastic and the one solution is to stop it at the source. The strategy is not ambitious enough, not urgent enough and doesn’t reference all of the harms of plastic in all its stages of life. It fails to be a radical transformation that follows the waste hierarchy.

A move to a circular economy would help us tackle the waste problem. We need urgent bans in and reductions of a much broader range of plastics. We need to invest in systems innovation, not materials innovation, and infrastructure that will support circularity such as refill and reuse systems. We can start with banning the single use plastic bottle, and introducing the container return scheme.

There should be urgent plans to regulate plastic producers, targeting product redesign to shift to a circular economy. The government should be supporting initiatives in communities and businesses that are promoting circularity, reuse and repair.

The Waste Strategy needs an emphasis on businesses’ responsibilities and state obligations to the human right to a safe, clean, healthy, and sustainable environment. There is a huge gap where Mātauranga Māori can lead us in kaitiakitanga and circularity. There are already Māori-led initiatives on waste minimisation and Māori-led research in plastic and pollution but the strategy doesn’t recognise this and a commitment to partnership with iwi and hapū is a missed opportunity and missed obligation.

The Waste Strategy must provide urgent action on our plastics problem as it upholds the Crown’s obligations under Article 2 of Te Tiriti o Waitangi, and supports whakapapa and spiritual ties of tangata whenua to the whenua and the moana, as kaitiaki.

Plastic waste is one of the biggest issues New Zealanders are concerned about as shown in surveys time and time again. We have the legislation (WMA 2008), we have the commitments to Te Tiriti, we have the wisdom of our indigenous peoples and of our community leaders in the zero waste movement, and the only thing to do now is act.

Do the right thing! We are all kaitiaki of this planet and have a responsibility to look after it. We deserve oceans, waterways, green spaces that are free of plastic pollution and our own wellness.

Ngā mihi

I consent to my submission being published on the Ministry website, along with my name”



# Appendix D: Joint submissions summary

The following provides more detail of the content of each joint submission.

## *Para Kore Marae Incorporated*

The Para Kore joint submission is a collective submission coordinated by a national Māori waste organisation. The submission represents a total of 169 views of whānau, hapū, iwi, rōpū and individuals as mana whenua, mana moana and Te Tiriti o Waitangi partners.

A key concern raised is the absence of formal input from mana whenua and mana moana into the proposed waste strategy and the review of the waste legislation. The submission also notes that “the waste strategy in particular makes no formal mention of te ao Māori, nor does it include any cohesive Māori perspectives on solutions to our current problems”. The joint submission finds this unacceptable and calls for the Government to begin the waste strategy and reform again, as a joint undertaking with Māori.

Other points and feedback outlined in the joint submission include:

- There is a lack of cohesive Māori perspectives on solutions to current waste and resource recovery problems, and an absence of te ao Māori.
- The consultation document failed to acknowledge the value of mātauranga Māori and the role it has to play in protecting and managing our environment.
- The submission advocates for the establishment of a Crown-Māori national agency for Oranga Taiao.
- A Māori worldview-based model of interconnectedness and whakawhanaungatanga will be more appropriate for Aotearoa than the Eurocentric concept of a circular economy.
- The strategy and Act should be based on systemic solutions such as reduction and reuse, decentralisation, comprehensive investment in local solutions, climate justice and sovereignty for local communities.
- There is a need for a coordinated approach across the range of environmental and other reforms that are underway.

## *Zero Waste Network and The Rubbish Trip*

The Zero Waste Network and The Rubbish Trip joint submission received input from a range of zero-waste and resource-recovery organisations. The key point made in the submission is that there is a need for greater central government leadership, support and coordination of the nation’s waste and resource recovery issues.

Other points and feedback outlined in the joint submission include:

- There is an absence of te ao Māori and a Tiriti-based partnership approach to waste strategy, legislation, policy and programme design. The submission fully supports that of Para Kore Marae Incorporated.

- Zero Waste should be a headline part of the vision and the actions presented in the waste strategy, as it is a key concept underpinning circular economy thinking.
- The submission supports a 'go hard, go early' strategy that will speed up delivery of the draft strategy's three stages.
- The submitters recommend enabling and supporting the development of a zero-waste ecosystem and observe there is a need to focus on local-scale solutions, including investing heavily in encouraging behaviour change.
- Product stewardship is viewed as critical; submitters recommend rapidly developing product-stewardship structures and economic instruments.
- The submission advocates for the creation of a new independent agency dedicated to the circular economy and zero waste.
- The submission supports the proposed new and/or enhanced regulatory powers, the introduction of a duty-of-care framework and licensing regime, and the strengthening of compliance, monitoring and enforcement provisions. The submission questions the need for the repeal, rather than amendment, of the current Act.
- The legislation should be more strongly informed by mātauranga Māori and tikanga.

# Appendix E: Submission types

Submissions were received in six ways, as detailed below. Note that numbers total more than 2,485 submissions, as submissions could be received in more than one way. For example, an email submission can also be a Greenpeace form submission.

**Table 3: Submission type and numbers**

Submission type	Number
<p><b>Citizen Space submissions – followed question format</b></p> <p>Submitters responded through the Citizen Space online platform in the consultation question format provided.</p> <p>The Citizen Space platform had 43 questions. Some submitters attached additional documentation.</p>	419
<p><b>Citizen Space submission – did not follow question format</b></p> <p>Submitters responded through the Citizen Space online platform and attached a PDF or MSWord document using a URL but did not enter responses to the consultation questions on the platform.</p> <p>Submissions were formatted to respond either directly or indirectly to the consultation questions.</p>	141
<p><b>Email submissions</b></p> <p>Submitters responded either by email or attached documentation to an email. Submission format either directly or indirectly corresponded to the consultation questions.</p> <p>Included here were 68 unique submissions and 1,862 individual submissions based on the Greenpeace form submission.</p>	1,930
<p><b>Joint submissions</b></p> <p>Two joint submissions were made by organisations that consulted and collated responses from multiple members. They were:</p> <ul style="list-style-type: none"> <li>• Para Kore Marae Incorporated: collated 169 collective submitter responses from those who identified as either iwi, marae, Māori rōpū or another entity, an organisation, or as an individual, to form their single joint submission.</li> <li>• Zero Waste Network and the Rubbish Trip: represented 63 organisations that agreed to be part of the joint submission.</li> </ul> <p>The numbers of submitters in each joint submission were not included in quantitative analysis; one submission was counted for each <b>joint</b> submission. Both joint submissions are summarised in appendix D</p>	2
<p><b>Form submissions</b></p> <p>In addition to the Greenpeace form submission template, the following organisations were identified as creating form submission templates for other submitters to use, either in full or in part:</p> <ul style="list-style-type: none"> <li>• Waste Management Limited</li> <li>• Zero Waste Network</li> <li>• Pare Kore Marae Incorporated</li> <li>• New Zealand Food and Grocery Council</li> <li>• #MorePlacesLikeThis</li> <li>• OurActionStation campaign.</li> </ul>	1,887

Submission type	Number
<p><b>Endorsement submission</b></p> <p>Submissions were incomplete but several indicated support for another submission. Endorsement was most often to one or more submissions from the following:</p> <ul style="list-style-type: none"> <li>• WasteMINZ, sector groups</li> <li>• Territorial Officers Liaison sector group</li> <li>• Taituara</li> <li>• Pare Kore Marae Incorporated</li> <li>• Zero Waste Network and the Rubbish Trip</li> <li>• Cosmetics NZ</li> </ul>	25

# Appendix F: Submitter group definitions

**Table 4: Description of submitter group definitions<sup>1</sup>**

Submitter group	Definition	Total number of submissions	
<b>Organisation</b>	Waste and resource recovery sector	Any organisation whose <b>primary vision, goals or objectives are embedded in the waste management or minimisation, or resource recovery sector</b> . Includes all applicable industry associations, NGOs, charities or trusts, and all business groups	74
	Business – goods-producing industries	Three broad groups of industry in the business sector, as used in Statistics New Zealand’s reporting of sectors' economic performance. Excludes those in the waste and resource recovery sector	44
	Business – primary industries		1
	Business – service industries		7
	Industry body or association	Represents the collective voice of a specific industry, funded by businesses related to that industry. Excludes those in the waste and resource recovery sector	28
	Iwi, hapū		5
	Environmental NGO, charity or trust	Excludes waste sector NGOs, charities or trusts	27
	Other (non-environmental) NGO, charity or trust	Excludes waste sector or environmental NGOs, charities or trusts	9
	Central government organisation	Includes regional health boards	6
	Local government or board	Includes community boards; excludes those in the waste and resource recovery sector	58
<b>Individuals</b>	Excludes submissions that represent an organisation	369	
<b>Total number of submissions*</b>		<b>628</b>	

\*Includes the joint submissions as two submissions. Excludes the individual Greenpeace form submissions and individual submitters within joint submissions.