Contact Name: Rosie McGrath Organisation: Active West Coast Email: <u>rosie.mcgrath@cdhb.health.nz</u> Phone: 03 768 1176 Postal Address: C/- P O Box 443 Greymouth 7805



Kia Ora

Thank you for the opportunity to respond to the consultation document "Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items".

Active West Coast

Active West Coast (AWC) is a network of agencies and groups committed to improving the health and wellbeing of West Coasters through the promotion of healthy lifestyles and the creation of healthy social and physical environments. To support our aims we have made submissions to relevant documents at both a local and national level. This includes, but is not limited to, input into the Indicators Aotearoa New Zealand – Ngā Tūtohu Aotearoa, the draft West Coast Regional Waste Minimisation and Management Plan, and, via the Long Term and Annual Plan consultation process, advocacy for local councils to provide support for the Enviroschools programme and for a more environmental health perspective in their activities.

The Dahlgren and Whitehead 1991 model below is a useful illustration of factors that affect the wellbeing of individuals, whānau, communities, our country and the world. The model highlights the broad nature of wellbeing which ranges from personal health to global sustainability. Active West Coast members work towards making the **healthy choice the easy choice** for individuals, whānau and communities. We attempt to positively influence as many spheres of the model as possible.



While member organisations were involved in preparing this submission, the recommendations, in their entirety, do not necessarily reflect the views of each individual agency.

Information about the West Coast

The West Coast is home to less than one percent of New Zealand's usually resident population in a region which is, by area, the third largest in Aotearoa New Zealand. Most of the population live along the coastline with Reefton, a township of around 1000 people, being the most populated settlement inland. The region extends over 600kms from north to south: bounded by the Southern Alps to the east descending via forested hills to the Tasman Sea to the west. The resulting high rainfall feeds waterways that converge into rivers that transport significant volumes of water to the sea.

As described in the model above a healthy natural environment underpins and supports wellbeing. The natural environment is the primary driver of the West Coast's economic base with tourism, farming, mining and fishing the predominant industries. The natural environment is also the reason that a lot of people reside here as it offers multiple opportunities to commune with nature or challenge ourselves in all manner of recreational pursuits.

There is a noticeable trend towards more sustainable practices across the West Coast with each of the three Districts now providing some level of recycling and a growing number of people trying to make good choices with respect to consumer products. However existing landfills are under pressure and much of our rubbish is transported off the Coast. Additionally there is a lack of consistency across the three districts as to the types of plastics able to be recycled. This creates confusion and often leads to bins being contaminated and refused for recycling resulting in recyclable products being sent to landfills for disposal.

Furthermore, the West Coast has been awakened to the permanency of plastic waste when historic landfills sited close to waterways (at Fox River, Grey River, and Hector) were exposed during recent storm events. These events resulted in significant amounts of waste, <u>much of it plastic-based</u>, being strewn long distances along coastlines requiring huge efforts to clean up and contain. These situations have a negative impact on our region's natural environment and the health and wellbeing of our communities.

We wish to make the following comments:

While we acknowledge that plastic-based items provide significant benefits to society the plethora of single-use and/or hard to recycle plastic items is becoming increasingly burdensome. The throw away nature of many of these items results in increasing volumes of waste in our landfills and litter in our environment.

The World Health Organisation, as part of its Healthy Communities initiative, has stated that people in a healthy community enjoy a clean, safe physical environment. That plastics, in all its forms, are now being found in our rivers, oceans and wider environment is a sad indictment on our inability to properly manage waste. The fact that micro plastics and toxic chemicals related to them can enter our food chain is a call to action to prevent a possible

global public health crisis.

AWC therefore supports the proposal to further reduce the impact of plastic on our environment by moving away from hard-to-recycle packaging and single-use plastic items. This will build on recent action such as the ban on microbeads and single-use plastic shopping bags.

Options for shifting away from hard-to-recycle and single-use plastics

As described above Active West Coast seeks to make the healthy choice the easy choice. We therefore support the option to initiate a mandatory phase out of PVC and polystyrene packaging, oxo-degradable plastics, and some single-use items including plastic straws, stirrers, cutlery and plates.

We believe this option will, with support through the transition phase, create a level playing field for businesses by effectively banning the manufacture, distribution and use of these items. This will reduce the impact these items are having within the environment and should incentivize further development and/or use of more environmentally-friendly alternatives.

Consumers will also benefit as the substituted items will be replaced with multiple-use items or more easily recycled items alleviating confusion with respect to purchasing and disposal of the product.

We believe there is potential to include other single-use plastic packaging products within this proposal. For example the sports promotional products pictured below come with an unnecessary amount of wrapping that most likely would be consigned to the rubbish bin or end up in the environment.





We are also aware that plastic farm wrap is ending up in waterways on the West Coast and, more recently, we have been made aware of the issue with plastic bladders used to transport large quantities of produce are ending up in landfills. While these articles are not included in this proposal we believe regulation to prevent the harmful effects associated with items such as these is required.

Time-frame

We agree with the phase out time-frame of 2025 for all items under this proposal. However we would support a shorter phase out period for single use items listed in Table 7 where alternatives already exist. As described in the document the cost of implementing the

phase out of hard to recycle packaging and single-use plastics is likely to fall on businesses that produce and/or use the products. While it appears the costs will not be overwhelming for most, the phased lead in time should assist with alleviating these costs where the cost impact is higher. Nonetheless there may be a need for additional support for businesses to facilitate research and development of alternative, more eco-friendly products.

The cost of not reducing the impact of plastic on our environment is insurmountable. Without a purposeful and time targeted plan plastic will continue to have a negative impact on the environment and wellbeing of communities across the West Coast and Aotearoa.

'Disposable' coffee cups and wet wipes that contain plastic

While we acknowledge the reasons for not including disposable coffee mugs and wet wipes under this proposal we strongly support the need to take action to reduce the impact of these items on the environment. We anticipate that the awareness raised through the implementation of the phase out of products under this proposal will increase public expectation of the need to also reduce the impact of coffee cups and wet wipes. We support interim measures such as public education campaigns, mandating 'do not flush' labels, stewardship schemes and investment in innovation and scaling up production of nonplastic coffee cup alternatives. However we believe a more regulatory approach will be required in time to ensure these products fully reduce their environmental impact.

Thank you for the opportunity to provide feedback to "Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items".

Rosie McGrath Coordinator, Active West Coast October 2020



Teresa Cendrowska Vice President, Global Cooperation

100 Barr Harbor Drive PO Box C700 West Conshohocken, PA www.astm.org 19428-2959 USA

tcendrowska@astm.org tel +1.610.832.9718

2 December 2020

Plastics Consultation Ministry for the Environment PO Box 10362, Wellington, 6143, New Zealand

Regarding: WTO/TBT Notice NZL/103 - Specific single-use plastic items

On behalf of ASTM International, I am pleased to have this opportunity to offer information specifically related to the Government of New Zealand's WTO notification NZL/103 on specific single-use plastics items. The notification invites feedback on the proposed two-stage phase-out of:

- all PVC food and beverage packaging
- all polystyrene food and beverage packaging
- all other expanded polystyrene packaging
- all oxo-degradable plastic products

ASTM International is a globally recognized leader in the development and delivery of voluntary consensus standards. Today, over 13,000 ASTM standards are used around the world to improve product guality, enhance health and safety, strengthen market access and trade, and build consumer confidence.

ASTM's international standards development process is driven by the contributions of its members: more than 30,000 of the world's top technical experts and business professionals representing 140 countries, including more than 60 experts from New Zealand. Working in an open and transparent process, these experts create the test methods, specifications, classifications, guides and practices that support industries and governments worldwide. Through more than 140 technical standards-writing committees, ASTM International serves over 90 industry sectors, including plastics.

Compliant with the WTO/TBT principles for international standards development, ASTM International standards are a resource used by governments globally to address market, regulatory, environmental, technological needs and objectives. To date, over 100 national governments have made more than 8,600 citations to ASTM standards.

ASTM International and Standards New Zealand, a business unit within the Ministry of Business, Innovation and Employment specializing in managing the development of standards, signed a Memorandum of Understanding in September 2020. The agreement grants MBIE/SNZ access to ASTM's collection of nearly 13.000 standards: the standards are available as a resource for consideration in addressing needs such as those identified in the Government of New Zealand's call for feedback on "Reducing the Impact of Plastics on Our Environment".

As this work progresses, it may be helpful for New Zealand to be aware of a collection of more than 15 ASTM International standards under the jurisdiction of ASTM Technical Committee D20 on Plastics, Subcommittee D20.96 on Environmentally Degradable Plastics and Biobased Products. Organized in 1990, the subcommittee develops and maintains standards that address aspects of the degradation of various types of plastics including photodegradation, biodegradation, and aerobic and anerobic degradation in land and marine environments.

For example,

D6868-19 Standard Specification for Labeling of End Items that Incorporate Plastics and Polymers as Coatings or Additives with Paper and Other Substrates Designed to be Aerobically Composted in Municipal or Industrial Facilities

D3826-18 Standard Practice for Determining Degradation End Point in Degradable Polyethylene and Polypropylene Using a Tensile Test

ASTM D5491-08(2014) Standard Classification for Recycled Post-Consumer Polyethylene Film Sources for Molding and Extrusion Materials

In addition, ASTM committees on plastics (D20), plastic pipe (F17) and packaging (D10) develop several product specification standards and classifications for materials that embed requirements for recycled content to be used in finished products. An example, of this type of reference is:

ASTM D6835-17 Standard Classification System for Thermoplastic Elastomer-Ether-Ester Molding and Extrusion Materials (TEEE)

Should you require additional information about the agreement, access to the standards, or technical details, please contact me at <u>tcendrowska@astm.org</u> so that I may appropriately direct the inquiry.

Thank you again for this opportunity to respond to NZ/103.

Respectfully,

Teresa J. Cendrowska

cc: A. Fick C. Updyke Ministry for the Environment Environment House 23 Kate Sheppard Place Thorndon Wellington New Zealand



3 December 2020

Tēnā koutou katoa,

Please find attached Auckland Council's submission in response to the Ministry for the Environment's '*Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items*' consultation document.

Auckland Council represents, supports, and provides services for over 1.5 million residents – approximately one third of the nation's population. Our strategic approach to waste sees a shift away from a linear to a circular economy, with an aspirational goal of Zero Waste to Landfill by 2040. As Chair of Auckland Council's Environment and Climate Change Committee, I welcome the opportunity to provide feedback on how we can move closer to this goal as a country.

Mandatory phase-outs of problem plastics have already been successful in Aotearoa, as shown by the phase-out of single use plastic shopping bags in 2018 under this same piece of legislation. Auckland Council supports the continuation of priority product designation and mandatory phase-outs in combination with the other levers outlined in this paper in order to innovate hard-to-recycle plastics and single-use plastic items out of our waste streams.

It is important that Aotearoa New Zealand continues to proactively address and respond to our waste disposal issues, particularly in light of the global impacts of COVID-19 and the subsequent lockdowns. The infrastructure and innovation needed to bring the proposals in this consultation document into effect are a vital part of the economic recovery from COVID-19.

Auckland Council would like to speak to this submission at Select Committee if the opportunity becomes available.

If you have any questions regarding this submission, please do not hesitate to contact Parul Sood, General Manager Waste Solutions on <u>parul.sood@aucklandcouncil.govt.nz</u> or 021 832 427.

Yours sincerely,

Councillor Richard Hills

Chair, Environment and Climate Change Committee

Auckland Council.



Written Submission

for the Ministry for the Environment

on the

Proposed mandatory phase-out of hard-to-recycle plastics and single-use items

3 December 2020

Prepared by: Waste Solutions department Auckland Council

Mihi mihi

Ka mihi ake ai ki ngā maunga here kōrero,

ki ngā pari whakarongo tai,

ki ngā awa tuku kiri o ōna manawhenua,

ōna mana ā-iwi taketake mai, tauiwi atu.

Tāmaki – makau a te rau, murau a te tini, wenerau a te mano.

Kāhore tō rite i te ao.

Executive Summary

- 1. This submission presents Auckland Council's position on the Ministry for the Environment's (the Ministry) proposals regarding hard-to-recycle plastic packaging and single-use plastic items. It outlines responses to the consultation questions and sets out specific feedback on the Ministry's proposals.
- 2. Auckland Council is strongly supportive of the main policy objective of the Ministry's consultation document¹ which is to "reduce the impact on our resource recovery system and environment from hard-to-recycle plastic packaging and single-use items through significantly reducing the amount in use".
- 3. Auckland Council also supports in principle the Ministry's two proposals regarding a mandatory phase-out of specific hard-to-recycle plastic packaging, and certain plastic single-use items.
- 4. Auckland Council supports Proposal 1, relating to the phase-out of some polyvinyl chloride (PVC), some polystyrene packaging and all oxo-degradable plastic products.
- 5. Auckland Council supports Proposal 2, relating to the phase-out of single-use plastic items proposed, provided there is robust evidence that alternatives will not result in perverse environmental, social or economic outcomes. Auckland Council does not support the mandatory phase-out applying to plastic straws and recommends the inclusion of single-use coffee cups with plastic liners and wet wipes designed to be flushed down the toilet on this list.
- 6. Further details on the conditions under which Auckland Council supports the proposals and additional recommendations are outlined in the submission.
- 7. Should there be an opportunity to present this submission and be heard as part of this consultation process, Auckland Council would like to talk to this submission.

Auckland Council position statement

- 8. In December 2019, the government made a commitment to address hard-to-recycle plastics and single-use plastic items in Aotearoa New Zealand, in response to the "Rethinking Plastics in Aotearoa New Zealand" report released by the Office of the Prime Minister's Chief Science Advisor². The report set out recommendations for how the government can reduce the impact plastics have on the environment, while retaining the benefits some plastics offer modern society.
- 9. On 12 August 2020, in part a response to the Rethinking Plastics report, the Ministry released the public consultation document, Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single use items.
- 10. Auckland Council commends the Associate Minister and the Ministry for responding to recommendations in the Rethinking Plastics report and releasing this consultation document to seek public feedback on the Ministry's proposals.
- 11. Auckland Council recognises this consultation is part of a wider work programme the Ministry is undertaking to progress the country's transition to a circular economy, encourage waste minimisation and behaviour change, and stimulate innovation.

¹<u>Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items.</u>

² Office of the Chief Science Advisor to the Prime Minister: <u>*Rethinking Plastics in Aotearoa New</u></u> <u><i>Zealand*</u>. December 2019.</u>

- 12. The consultation intersects with other projects aimed at reducing plastic waste, such as the design of a container return scheme for beverage containers, regulating product stewardship for priority products (including plastic packaging), increasing and expanding the waste levy, introducing export permit requirements for plastic wastes to meet our national obligations under the Basel Convention, and developing a national action plan for plastics. These projects will continue to be vital to fostering a circular economy in which we move away from the use of unnecessary single-use plastic consumption.
- 13. Auckland Council supports option six mandatory phase-out as outlined in the consultation document. Staff note that while the other options outlined in the document would not be sufficient to address the problem of hard-to-recycle plastics and single-use plastic items alone, they should be considered as complementary mechanisms combined with the preferred option of a mandatory phase-out to best achieve a just, circular economy approach. In particular, Auckland Council supports increased regulated product stewardship schemes and the introduction of plastic reduction targets for Aotearoa. Specific elements of support or concerns are outlined further in this submission.
- 14. Auckland Council has been financially impacted by the global COVID-19 pandemic and subsequent lockdowns in Aotearoa. As such, staff have increasingly investigated innovative funding pathways to achieve our Zero Waste vision. This has included \$10.6 million from the central government COVID-19 recovery fund for the Auckland resource recovery network, and up to \$16.6 million funding for upgrades to the Materials Recovery Facility to improve recycling capacity.
- 15. Auckland Council would advocate to central government to consider waste infrastructure and innovation, including that needed to bring the proposals in this consultation document into effect, as a vital part of the economic recovery from COVID-19 and as an opportunity to genuinely invest in green infrastructure, jobs and research, and development as part of this recovery.

Auckland Plan 2050

- 16. The Auckland Plan 2050 supports a shift from a linear to a circular economy. One of the most important challenges identified through this plan is to arrest and reverse environmental degradation. Each delay in making sustainable decisions means fewer opportunities to halt the decline in our already stressed environment.
- 17. Waste generation represents a significant pressure on the environment. As such, the Auckland Plan 2050 seeks to guide and support Aucklanders in making sustainability part of our daily decisions for example, encouraging consumers and businesses to make sustainable choices in the products we consume and use.
- 18. Numerous submissions received during consultation on the draft Auckland Plan 2050 focused on both council and other agencies' responses to managing and minimising waste. A clear theme throughout these submissions were calls to ban single-use items or items that could not easily be recycled, a call that is reflected in this submission.
- 19. The recent Auckland Plan 2050 Three Yearly Progress Report (February 2020) identified waste as a significant and continuing pressure on the environment, with total amounts of waste to landfill expected to continue to climb as Auckland's population grows, even as per capita targets are achieved. The report noted that circular and regenerative models of consumption and resource use would be needed to fully address these issues.

Issues of Significance to Māori in Tāmaki Makaurau and the Māori Plan 2017

20. The Independent Māori Statutory Board has a statutory responsibility to monitor Auckland Council against its Treaty of Waitangi obligations, and promote Issues of Significance to Māori in Tāmaki Makaurau.

- 21. As set out in the Board's document, Issues of Significance to Māori in Tāmaki Makaurau and the Māori Plan 2017³, the vision for Māori in Auckland is "Te Pai me te Whai Rawa o te Māori i Tāmaki Makaurau'- Healthy and Prosperous Māori in Tāmaki Makaurau".
- 22. The Schedule of Issues of Significance and Māori Plan assists the Board in planning and prioritising its programme of advocacy on issues and outcomes for Māori.
- 23. There are five Māori values that 'anchor' the Board's Schedule of Issues of Significance and sit alongside the five key directions of the Maori Plan. These are: whanaungatanga (relationships); rangatiratanga (autonomy and leadership); manaakitanga (to protect and look after); wairuatanga (spirituality and identify) and kaitiakitanga (guardianship). These emphasise the idea that Māori contribute their own worldviews and practices to policies and plans that affect Māori in a way that is meaningful and enduring.
- 24. While there is no specific mention of waste minimisation or plastics wastes in the Board's Plan, the Ministry's proposals to phase out hard-to-recycle plastics and single-use plastic items align specifically with Māori values of kaitiakitanga and manaakitanga, along with several issues of significance and social, economic, cultural and environmental outcomes and actions that comprise the Māori Plan. Examples include:
 - Ensure Sustainable Futures: Intergenerational Reciprocity
 - the mauri of Te Taiao in Tāmaki Makaurau is enhanced or restored for all people: Access to clean parks and reserves; Sustainable energy use; Water quality
 - Māori are actively involved in decision-making and management of natural resources
 - Māori are kaitiaki of the environment
 - Environmental Resilience, Protection and Management: Māori are empowered and treasured in their customary role as kaitiaki over lands, cultural landscapes, sites of significance and wāhi tapu
 - Water Quality: The mauri of our waterways is restored, maintained, and preserved for future generations.
- 25. In the development of the Māori Plan, representative Māori rangatahi were engaged. Their aspirations generally echoed those of mana whenua and mataawaka from T Tāmaki Makaurau, with a particular emphasis on rangatahi leadership, Māori identity, te reo, and having a clean, green environment.

Te Mahere Whakahaere me te Whakaiti Tukunga Para i Tāmaki Makaurau Auckland Waste Management and Minimisation Plan

26. The three key overarching goals of Te Mahere Whakahaere me te Whakaiti Tukunga Para i Tāmaki Makaurau Auckland Waste Management and Minimisation Plan 2018 (the Waste Plan) are shown in Figure 1. These goals reflect the five Māori values and priorities that are at the core of Auckland's waste plan: rangatiratanga, kaitiakitanga, kotahitanga, manaakitanga, and whanaungatanga.

3

https://www.imsb.maori.nz/assets/pdf/Schedule%20of%20Issues%20of%20Significance%20FINAL% 20low%20res.pdf

| Goals | A. Minimise waste generation | B. Maximise opportunities for resource recovery | C. Reduce harm from residual waste |
|------------|--|--|---|
| Objectives | Advocate for stronger regulatory incentives to reduce waste Advocate for product stewardship to avoid or reduce waste at source Increase individuals' sense of personal responsibility for waste reduction | Develop infrastructure and processes to en able resource recovery Identify local economic development opportunities through resource recovery Achieve operational efficiencies in Council's do mestic waste and recycling services | Restrict organic and other harmful waste going to landfill Reduce the incidence of litter and illegal dumping Continue to manage residual waste effectively and efficiently while progressively reducing Auckland's reliance on landfills |

Figure 1: Auckland Waste Management and Minimisation Plan 2018 goals

- 27. The Waste Plan recognises plastic as one of the most visible forms of waste, and one that is a rapidly growing waste stream making up approximately 12 per cent of the tonnages to landfill in 2016. As such, plastic is identified as one of three priority waste streams in the plan.
- 28. Auckland Council has previously submitted in support of addressing single-use plastics in previous Ministry consultations, including the ban of single-use plastic shopping bags using the same mechanism as the current consultation proposes. Auckland Council continues to support acting to phase-out single use plastics and foster innovation and producer responsibility in designing out these materials.
- 29. Aucklanders care deeply about the issue of plastic waste and, in particular, increasing amounts being disposed to landfill or ending up in the marine environment. Concerns were expressed by a considerable number of Aucklanders during consultation processes for Auckland Council's Long-term Plan 2018-2028, the Auckland Plan 2050 and the Waste Management and Minimisation Plan 2018. Residents were interested in seeing single-use plastic usage addressed in a variety of ways, from a local ban to increased funding for alternatives.
- 30. The recognition by the Ministry that over the longer term, plastic waste needs to be designed out of the system is encouraging for Auckland's Zero Waste vision. This recognition reinforces that Aotearoa New Zealand can be prosperous and still create an economy that is not reliant on externalising the cost of plastic wastes being disposed to landfill, entering our streams and oceans or leaving our shores to be managed by other countries.

Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan

31. The consultation document proposals align with aspects of Te Tāruke-ā-Tāwhiri: Auckland's Climate Plan (the Climate Plan), which was unanimously adopted by Auckland Council on 21 July 2020. The Climate Plan sets a path to reduce greenhouse gas emissions by 50 per cent by 2040 and achieve net zero emissions by 2050 while ensuring Auckland is prepared for the impacts of climate change.

- 32. The Climate Plan sets out eight priority areas for action on climate change that deliver broader environmental, economic, social and health benefits for all Auckland residents. One of the key priorities is the economy, with the aim to shift to a more resilient, low carbon economy, guided by kaitiaki values, that supports Auckland residents to thrive.
- 33. The Climate Plan acknowledges disruptions such as climate change have highlighted vulnerabilities in our regional and global economy, demonstrating the need for a more regenerative economy. Embedding "circularity" is a core requirement of a regenerative economy, reducing the need to extract further resources and minimising waste.
- 34. The proposal to phase out hard-to-recycle plastics and some single-use items will contribute to reducing the need to extract new resources to make these materials, fostering a potentially more circular approach to materials.
- 35. Embracing circular and regenerative approaches is increasingly important as we better understand the finite nature of our natural resources and the implications of exceeding our planetary boundaries.

Local feedback on the proposal

- 36. During the development of the Waste Plan Auckland Council received strong feedback from local community members regarding the need to reduce the distribution and use of all single-use plastics. Marine pollution and plastic litter were also a major concern for submitters.
- 37. This strong local support for change was also evident during the development of this submission. Nine of Auckland Council's twenty-one local boards provided formal feedback on this Auckland Council submission and the government's consultation document; Franklin, Māngere-Ōtāhuhu, Maungakiekie-Tāmaki, Ōrākei, Ōtara-Papatoetoe, Puketāpapa, Rodney, Upper Harbour, and Waitematā Local Boards. A summary of this feedback and full copies of all submissions received are attached to this document.
- 38. All of the local boards who submitted formal feedback supported the proposed mandatory phase-out and the two proposals in the consultation document for implementing this phase-out. Specific feedback received from local boards is incorporated in this submission.

Proposed policy objectives and problems with targeted plastics

- 1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?
- 2. Have we identified the correct objectives? If not, why?
- 39. While Auckland Council agrees with the problems the consultation report identifies that certain plastic packaging and single-use plastic items present to the environment and society, council staff consider the document lacks an acknowledgement of the wider problems relating to society's general dependence on all single-use packaging and single-use items regardless of the material(s) they are made of.
- 40. Auckland Council would like to see increased discussion and solution development through an equity lens, with consideration for lower socioeconomic households that will be impacted by this change. Lower socioeconomic households may be more reliant on materials such as food that come in plastic packaging, for example. The impacts on

these and other vulnerable groups should be analysed by the Ministry as part of planning for the move away from single-use and hard to recycle plastics.

- 41. In order to enable this analysis, the Ministry for the Environment should consider financially support further research around what the changes proposed in this document will mean for Māori and lower socioeconomic communities.
- 42. Auckland Council suggests that the problems identified with respect to plastic packaging could be widened to consider various other 'hard-to-recycle' household plastic packaging not included in the policy proposals, such as 'black' plastics, coloured PET, soft-plastics, composite packaging that includes plastic materials, #7 plastics, or small plastic packaging items such as bread-tags, lids and tops. These single-use plastic packaging types also require action.
- 43. The description of problems with plastics also lacked an acknowledgement of the ubiquitous nature and wide range of plastic products manufactured and significant quantities of plastic waste disposed to landfill (both from packaging and products). This includes industrial packaging such as 'bladder bags', pallet wrap or building shrink wrap, as well as plastics in electronics, automotive, children's toys, construction materials, furniture, textiles, fishing equipment and more. As there are no alternative end-of-life reprocessing options and/or national product stewardship schemes to influence product design and recovery systems, these types of plastics also remain 'hard-to-recycle'.
- 44. Regardless of the above points, Auckland Council strongly supports the main policy objective presented in the consultation document, "to reduce the impact on our resource recovery system and environment from hard-to-recycle plastic packaging and single-use items through significantly reducing the amount in use".
- 45. To achieve the above objective, Auckland Council notes the Ministry view that the proposals to target polystyrene, PVC, oxo-degradable plastics and some plastic single-use items, "as a starting point". Auckland Council agrees with the position that this is a starting point and encourages the Ministry to lead other initiatives and regulatory solutions to address the wider range of plastic products and single-use items and associated environmental impacts.
- 46. The six secondary objectives presented in the consultation document are in line with Auckland Council priorities and thus are also supported.
- 47. Reducing contamination of kerbside recycling continues to be a significant focus for local authorities in the wake of the impacts of COVID-19 on international recycling markets. Auckland Council believes the secondary objectives outlined in this document, if achieved, will improve the viability and effectiveness of onshore recycling infrastructure through reducing contamination and increasing the value of material from kerbside collections.
- 48. Auckland Council commends the identification of the waste hierarchy and a circular approach to resource management as a secondary objective in this document. Recycling should not be seen as an end-goal for waste minimisation in Aotearoa, and Auckland Council supports initiatives and innovations that avoid unnecessary single-use packaging and single-use items by implementing re-use systems instead.
- 49. In addition to the policy objectives outlined in the document, Auckland Council recommends an additional focus on reducing the amount of plastic entering our waterways. This will better reflect the critical Māori value of kaitiakitanga and the importance of restoring the mauri of waterways in Auckland, as identified in Auckland's Māori Plan 2017. Plastics and microplastics in freshwater and marine environments, from numerous sources, cause ecological and cultural damage, pose human health risks and can jeopardise our future drinking water supplies. Increasing information is becoming available on the risk to human health that plastics in water pose, likewise the

financial impacts plastics cause by blocking wastewater infrastructure. Given Auckland's water provider, Watercare, is managing biosolids reuse programmes, and is considering future wastewater reuse programmes, it becomes vital that plastics do not enter waterways or wastewater systems.

Options for addressing hard-to-recycle plastics and single-use items

- 3. Do you agree that these are the correct options to consider? If not, why?
- 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?
- 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?
- 50. Auckland Council agrees overall with the following eight voluntary or regulatory options identified and assessed by the Ministry, and their analysis:
 - option one: voluntary agreement or pact with industry and business
 - option two: plastic reduction targets
 - option three: labelling requirements
 - option four: levy or tax
 - option five: product stewardship
 - option six: mandatory phase-out
 - option seven: mandatory recycled content for hard-to-recycle packaging
 - option eight: continue as usual and rely on voluntary action.
- 51. Option 7, 'Mandatory recycled content for hard-to-recycle packaging' is not considered to be feasible or relevant to all the targeted plastics. Current resource recovery infrastructure does not separate and process PVC or polystyrene materials, and therefore there is no recycled material available to incorporate into the targeted hard-to-recycle plastics. The option would not address the issue of their continued use and lack of end-markets. Creating mandatory content in packaging with higher-value plastics such as PET, HDPE PP, would however be an option for the Ministry to consider and one that is incorporated in voluntary global and regional plastic packaging commitments, such as the Ellen MacArthur Foundation Global Commitment and the UK Plastics Pact⁴ (e.g. average 30% recycled content in all plastic packaging).
- 52. In general, Auckland Council supports the Ministry's preferred **option six (mandatory phase-out)**. It is acknowledged however that the assessment of the options could have been better tailored to the plastic in question as not all of the options are considered relevant across the targeted plastics (that is, a separate assessment for PVC plastics versus oxo-degradable plastics).
- 53. Auckland Council supports and has contributed to the WasteMINZ Territorial Authority Officers (TAO) Forum feedback, which suggests additional criteria should also be used to assess the eight options, including technical feasibility, willingness of the public and readiness of business to embrace the change. These would be in addition to the criteria

⁴ https://www.wrap.org.uk/content/what-uk-plastics-pact

used by the Ministry in the consultation document. Auckland Council also considers a Te Tiriti o Waitangi lens should be included to assess equitable outcomes for Māori.

- 54. In a previous submission by Auckland Council on single-use plastic shopping bags, support was expressed for the same legislative tool, a mandatory phase-out. Auckland Council has also supported addressing single-use plastics through submissions on mandatory product stewardship and requiring permits for exporting plastic waste material under the Basel Convention.
- 55. While Council agrees that a mandatory phase-out (or ban) for all oxo-degradable plastics and some of the other targeted plastics is the best option to take forward, there remains much opportunity to use a combination of the other options considered in the document for other plastic packaging or single-use plastic items that may not end up being included in the phase-out.
- 56. Plastic reduction targets should be included in the review and revision of the New Zealand Waste Strategy in order to create long-term and binding guidance to the waste and manufacturing industries on the direction of and expectations for material usage in Aotearoa New Zealand.
- 57. Labelling requirements would be a useful mechanism, particularly if the standardisation of kerbside recycling work currently being undertaken by the Ministry for the Environment is implemented, to create greater consistency across the country over what can be recycled and thus reducing consumer confusion.
- 58. Auckland Council has long supported regulated product stewardship schemes as a mechanism for shifting the onus onto producers and manufacturers of wasteful materials to design "out" waste and move towards reusable and recoverable materials. Council is therefore in support of the Ministry for the Environment's recent announcement naming plastic packaging as a 'priority product' under the Waste Minimisation Act 2008. Council welcomes the opportunity to be involved in the future design of these schemes.

Proposal 1: Phase-out of hard-to-recycle plastics

Proposed phase-out of PVC and polystyrene packaging

- 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?
- 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?
- 8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.
- 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?
- 10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?
- 59. While PVC and polystyrene plastic packaging only make up a very small fraction of the materials collected in household kerbside recycling collections, their presence causes problems for Auckland's Materials Recovery Facility in Onehunga, as well as for the recyclers that reprocess other more readily-recyclable grades of plastics.
- 60. For example, PVC looks very similar to clear PET plastics (plastic type with code #1 often used for soft drink bottles and other packaging) and is difficult to separate from PET. Its different properties, such as melting point and chlorine content, compromises the recycling of the other more recyclable materials (such as PET and HDPE) and therefore becomes a contaminant in bales of these separated materials.
- 61. Rigid polystyrene packaging equally cannot be separated easily and has very limited local and off-shore recycling end-markets.
- 62. The lack of end-markets or alternative uses for PVC and polystyrene plastic packaging is an ongoing issue for council and the wider resource recovery sector.
- 63. Auckland Council understands the rationale for the two stages (by 2023 and by 2025) outlined in the consultation document. Timing is critical to allow industry and community to support the changes and to avoid poor environment, economic and social outcomes.
- 64. However, Auckland Council would support shorter timeframes for certain products if feasible. The 2018 plastic bag phase-out, with a six-month lead in, set a clear precedent that this change can be made in a short timeline where alternatives are available. Auckland Council urges the Ministry for the Environment to endeavour to get all of the materials listed in both stages phased-out sooner, by 2023 if possible.
- 65. Where robust alternatives are readily available for oxo-degradable plastic products, PVC and polystyrene packaging (such as meat trays, polystyrene cups, biscuit trays), a quicker phase-out (earlier than 2023) should be considered. Alternatives made from more sustainable, recyclable, or reusable packaging are already available for the materials listed under Stage 1 in the consultation document.

- 66. Auckland Council understands the increased complexity surrounding recyclability of Stage 2 materials such as yoghurt packs and other chilled goods, and their polystyrene content. These materials are rightfully separated from the Stage 1 materials, as Stage 1 materials can be more easily phased-out and should not be delayed while solutions are found for the Stage 2 materials.
- 67. Funding may be required to invest in research and alternatives for the materials captured in Stage 2, and if approved, this funding should be made available as soon as possible as it would provide an economic stimulus that is particularly important under current economic circumstances.
- 68. Funding criteria for alternatives must include ensuring that these alternatives promote Māori values, innovation, and ingenuity, and are primarily delivered by Māori. This will both ensure that we are supporting sensible alternatives to single-use items and hard-to-recycle plastics, and that we actively implement the actions under the Issues of Māori significance, such as including mātauranga Māori in decision making and design. As previously recommended in our submission on the waste levy review, this could be delivered through a funding mechanism available only to Māori-led solutions.
- 69. Making funding available now for the development and design of alternatives will contribute to a Just Transition away from harmful materials for all parts of our community, provide an economic stimulus and support Aotearoa's transition to creating a greater international flow of ideas and services as outlined in Auckland's development arm, ATEED's, Statement of Intent 2018-20215.
- 70. While acknowledging that reuse and elimination alternatives would be preferred, Auckland Council suggests that any single-use alternatives developed for these materials will need to be compatible with onshore resource recovery and recycling systems.
- 71. In the interim, during which innovative solutions for yoghurt packs and expanded polystyrene are being designed, Auckland Council supports combining more than one policy instrument from the options analysed in this consultation document to address material use. For example, setting an (earlier) date for the mandatory phase-out to commence, combined with an immediate levy to discourage use of less desirable materials.
- 72. A three-year period is considered sufficient time to allow retailers and consumers to prepare and adapt for changes, provided the programme of behaviour change interventions is comprehensive.

Phase-out of oxo-degradable plastics

- 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?
- 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

⁵ <u>https://www.aucklandnz.com/sites/build_auckland/files/media-library/documents/ATEED-SOI-2018-</u> 21-300618.pdf

- 73. The Government needs to send a strong signal to industry that oxo-degradable plastics should not be available on the New Zealand market and Auckland Council is fully supportive of a mandatory phase-out of all oxo-degradable plastics by 2023, or sooner if possible.
- 74. Auckland Council would like to understand how compliance with this part of the policy will be conducted, and, how the sale of imported products from offshore will be controlled.
- 75. In line with WasteMINZ TAO forum's feedback, Auckland Council highlights that the ban must cover the wide range of existing degradable products and any future degradable⁶ products. This would include both oxo-degradable and photo-degradable plastics.
- 76. A shorter phase out period (for example within two years instead of three) for these plastics is recommended due to both the harm they cause and also the deceptive nature of the advertising for many of these products. Many of these products imply that they are more environmentally friendly than conventional plastic, confusing people who are trying to make ethical purchasing decisions.

Costs and benefits of Proposal 1

- 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.
- 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.
- 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?
- 77. The greatest risk of a ban on hard-to-recycle plastics is that they could be replaced with something as bad or worse from an environmental perspective. This would increase the costs but also reduce the benefits of the ban. Consideration will therefore need to be given as to how to not only ban these types of packaging materials, but also to ensure a transition to high value plastics such as PET, HDPE or PP or other recyclable materials, or reuse systems that will result in better outcomes.
- 78. In terms of compostable packaging, the Ministry for the Environment needs to assist industry to develop the appropriate processing and collection infrastructure. This may be through funding or designating compostable packaging a priority product. If this is not possible, the Ministry must clearly signal that until the necessary recovery or home-based composting systems are in place, compostable packaging is not an appropriate alternative for the targeted PVC and expanded polystyrene packaging.
- 79. Although the "cleaner marine environment" is acknowledged as a benefit of this proposal, Auckland Council would like to reiterate the vital importance of keeping our waste water system clear of plastics in order to enable potential future reuse of both wastewater and biosolids (such as Watercare's Puketutu Island project, recently recognised in the waste levy cabinet paper as a reuse project). Keeping waterways clear

⁶ Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break more quickly down into microplastics when littered, they are a greater source of environment harm than conventional plastic

of plastic should be a major policy driver in the environmental space, particularly as we see increasing drought and associated impacts across the country.

- 80. Auckland Council notes the absence of any discussion in the consultation document on benefits and costs of the proposals to Māori sectors, systems and groups. Auckland Council, together with the Independent Māori Statutory Board, ask that comprehensive Māori participation is provided for in the development of the final policy solutions, to uphold government's Te Tiriti o Waitangi obligations, and to seek solutions that incorporate mātauranga and tikanga Māori. This will also ensure that the implementation of a plastic packaging phase-out occurs in a way that works well for Māori.
- 81. Auckland Council acknowledges the various benefits identified in the consultation document and agrees that the proposals will likely create cost-savings to Council's rate-payers (by reducing costs associated with resource recovery and litter management) and benefits to the natural environment.

Proposal 2: Phase-out of certain single-use plastic items

The following section addresses in part the consultation questions:

- 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.
- 17. Do the proposed definitions in table 7 make sense? If not, what would you change?
- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.
 - a. 12 months?
 - b. 18 months?
 - c. 2 years?
 - d. 3 years?
 - e. Other?

If you think some items may need different timeframes, please specify.

- 82. In principle, Auckland Council supports a rapid phase-out of all single-use plastic items for which there is a reasonable alternative available or, materials for which an alternative does not largely impact quality of life.
- 83. Of the options listed in the consultation document, Auckland Council supports a mandatory phase-out of:
 - Plastic cotton buds
 - Plastic drink stirrers
 - Single-use plastic tableware (plates/trays, bowls) and cutlery
 - Single-use produce bags
 - Single-use plastic cups and lids

- Non-compostable produce stickers
- 84. Auckland Council agrees there are alternatives available for all of the materials listed above. The Ministry for the Environment should ensure that consideration is made of the full environmental impact of all materials recommended as an alternative to ensure that there are no perverse outcomes from a plastic material ban that would result in a more harmful material being used.
- 85. Auckland Council also notes that priority should be given to alternatives that include elimination or reuse. Operating at the top of the waste hierarchy will ensure our overall disposal to landfill decreases as a result of the proposed changes, rather than simply shifting to a different type of material.
- 86. Shifting away from single-use plastic items also has the benefit of reducing our overall reliance on fossil fuels, which supports a global Just Transition to a low carbon economy.
- 87. For materials that have sustainable alternatives readily available, phase-out should commence as soon as practicable. Auckland Council supports the shortest timeframe possible, while acknowledging that this decision will need to be informed by manufacturers and producers confirming available to produce alternatives.
- 88. In line with a Just Transition approach, it is important to note that some communities will be more affected by the proposals included in this consultation document than others. Auckland Council supports a focus on education and empowerment for consumers and businesses to be champions of the transition and to help identify communities and businesses that may need more assistance to transition, and an increased focus on education and support initiatives for the community to be informed and equipped to successfully transition towards alternative, more sustainable products, and environmentally considerate practices.
- 89. The Ministry should ensure that funding for research, education, and support initiatives (including potential subsidies for alternative products) are provided to communities and businesses identified as being more affected than others. Initiatives that promote Maori values, innovation, and ingenuity, and are Māori-led, should also be prioritised.
- 90. Additionally, the Ministry should note that new packaging materials are likely to emerge into the market after this initial list is legislated. For example, since the release of this consultation document, media attention has been focussed on "bladder bags" which weigh the same as 20,000 single-use plastic bags. The policy decision resulting from this consultation should enable the addition of future plastic waste streams.

Plastic straws

- 91. On the whole, Auckland Council does not support the inclusion of plastic straws in the list of items proposed to be phased-out at this time. Although there are some concerns regarding the continued environmental impacts of plastic straws, these are not considered to outweigh the concerns outlined below from the disability community.
- 92. Concerns have been repeatedly raised by the disability community regarding the need for plastic straws for some members of the community, particularly those with mobility and strength concerns, to be able to consume beverages, and the lack of suitability of the proposed alternatives.
- 93. Rigid metal or bamboo straws can propose a serious injury risk to members of the community. Reusable straws need to be properly sterilised after each use to reduce risk of infection, something which is difficult to achieve for those whose motor skills are

affected. A number of reusable straws are also made of materials such as silicon which have a high allergic reaction prevalence in the community.

- 94. The potential exemption outlined by the Ministry in the consultation document in which plastic straws are made available on request to people who need them for accessibility requirements is insufficient, as it requires a person to identify themselves as disabled when they may choose not to, and thus comes with an attached social stigma.
- 95. Auckland Council therefore will not support a ban on plastic straws until an alternative is available that is widely supported and used by affected members of the disability community.
- 96. In order to address this waste stream long term, the Ministry for the Environment should ensure that funding for innovative alternatives includes specific funding for disability advocate and design groups to develop safe and reasonable alternatives to straws.

Discussion on other single-use plastic items

The following section addresses in part the consultation questions:

- 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.
- 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic -based materials in the future?
- 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Plastic-containing wet wipes

- 97. Plastic-containing wet wipes is not one of the Ministry's targeted single-use plastics items and recommended for mandatory phase-outs.
- 98. Auckland Council confirms a significant amount of single use plastic items are flushed into wastewater networks, including wet wipes, and cotton buds. These are all highly problematic because they do not break down in sewer systems, consequently they bind together and cause pipe blockages in piped networks and equipment blockages in pump stations and in treatment processes. Watercare estimates that up to 15% of blockages can be attributed to wet wipes.
- 99. As an example, at Watercare's Wastewater Treatment Plant in Mangere, on average, the single-use plastics component of wastewater screenings is around 500 1600kg per day, or 350 600 tonnes per year. Almost half of this quantity is estimated to be wet wipes.

- 100. Therefore, Auckland Council, together with Watercare, strongly encourage the Ministry for the Environment to begin immediate work towards educating people away from the use of wet wipes that that contain plastic and are designed to be flushed down the toilet, to avoid the disposal of wet wipes via wastewater systems, and working with industry to voluntarily shift away from plastic as an ingredient in wet wipes. If these courses of action are not successful in substantially reducing the volumes of wet wipes that are disposed of through the wastewater network, the Ministry should then work towards banning the use of wet wipes that contain plastic.
- 101. Action on plastic-containing wet wipes should be undertaken in a way that ensures that the needs of communities that may rely on wet wipes, such as the disability community, are met during the transition. This includes applying the phase-out only to those which are designed to be flushed down the toilet.
- 102. Watercare also encourages the Ministry to work toward reducing the volumes of other commonly flushed single-use plastics such as personal sanitary items, condoms, and cotton buds all of which can, and do, cause blockages to pipes and equipment.
- 103. Auckland Council supports the Ministry developing equitable solutions to the use of these materials, which should include subsidies to lower income household in order to enable them to choose to purchase alternative products that would reduce the volume of single-use sanitary items used and disposed of. This is in line with local work in our region, such as the Waste Free Parenting education provided through Auckland Council that raises parents awareness around reusable items such as cloth nappies and flannels.

Single-use coffee cups with plastic liners

- 104. Auckland Council contends that single-use disposable coffee cups with plastic liners be added to the list of materials to phase-out, with a timeline attached, rather than be set aside for further investigation.
- 105. There are already readily available alternatives to single-use disposable coffee cups. For example, through the Auckland Waste Minimisation and Innovation Fund, Auckland Council has supported the social enterprise 'Again Again' to provide a convenient reusable cup model in-store at numerous cafes.
- 106. In addition to business models such as Again Again, Auckland Council supports a national public education campaign centred on consumers bringing their own reusable coffee cups.
- 107. Although re-use alternatives are becoming more readily available, Auckland Council recognises the need for increased investment in re-use initiatives and associated infrastructure to support businesses to transition away from providing single-use take-away coffee-cups (and other single-use packaging choices).
- 108. Single-use coffee-cups commonly end up in Auckland's kerbside recycling bins, despite them not being an accepted material in Auckland Council's kerbside recycling collection service. There is public confusion about disposal options and a misconception that they can be recycled in a similar way to other paper products, due to cups typically being made of paper material along with unclear labelling. The plastic liners on takeaway coffee-cups however contaminate other recyclable materials and cause problems when more readily recyclable paper/cardboard materials get reprocessed.
- 109. Depending on the materials that take-away coffee cups are made of, if they end up being processed at one of New Zealand's few commercial composting plants, they can also cause processing issues and/or contamination in compost end-products.

- 110. To address these current disposal and composting issues, the preference would be for a phase-out of all single-use coffee-cups, including those made with biodegradable or compostable plastic liners.
- 111. Action on single-use coffee cups should also consider the needs of the disability community, in particular those who are not able to use heavier reusable options or those with an inappropriate lip. Additional research and funding support should be committed to developing alternatives suitable for these people.
- 112. Auckland Council supports a timeline of up to one year to implement a mandatory phase-out of takeaway coffee-cups, considering there would need to be sufficient time to address the likely impacts and support affected parties, such as stock run-out issues, and changes in business operations.
- 113. While acknowledging that reuse and elimination alternatives are preferred, and in the absence of a mandatory phase-out, Auckland Council would suggest any design and use of single-use coffee-cups needs to be compatible with onshore resource recovery and recycling systems.
- 114. As stated earlier, in terms of compostable packaging, the Ministry for the Environment needs to assist industry to develop the appropriate processing and collection infrastructure. This may be through funding or designating compostable packaging a priority product. If this is not possible, the Ministry must clearly signal that until the necessary recovery or home-based composting systems are in place, compostable packaging (or recycling) does not yet provide a robust solution to singleuse coffee cup use.

Costs and benefits of Proposal 2

- 22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.
- 23. How should the proposals in this document be monitored for compliance?
- 115. The same feedback on costs and benefits as for Proposal 1 apply to Proposal 2. In addition, local board feedback highlights that certain communities will be more affected by a mandatory phase-out than others, and appropriate measures will need to be taken to ensure alternative products are suitable and accessible for all members of our diverse communities.
- 116. Financial implications will need to be reviewed alongside the flow-on economic effects of the COVID-19 pandemic recovery, to clearly understand financial impacts of the mandatory phase-outs. A transition plan can then be designed to minimise adverse effects on small businesses and affected communities and ensure ample time to adapt.
- 117. As part of the Ministry compliance programme to monitor and enforce these proposals, Auckland Council recommends that the Ministry considers a customs check for targeted plastics. The majority of plastics used onshore are manufactured overseas, so compliance will require a focus on the borders to ensure non-compliant materials do not continue to be sent into the country.

- 118. A fine at the border may be issued however it would need to be enough to ensure it is not written off as simply an additional administrative cost at the border by companies looking to import materials.
- 119. Auckland Council acknowledges the need to clarify aspects of proposed border checks, for example, determining who would be responsible for the importation of non-compliant product (the importer or the supplier), and what would happen to non-compliant material and who would pay (disposed or sent back to point of origin).
- 120. Some burden of compliance should also be placed on the individual. One option could be encouraging individuals to send non-compliant materials back to the producer overseas.
- 121. In addition, individuals from the community would be able to report compliance breaches to the Ministry, as is the case with the plastic bag ban.



Summary of local board feedback on hard-to-recycle plastics and single-use items.

Background

- 1. The Ministry for the Environment is consulting on the *Reducing the impact of plastic on our* environment – moving away from hard-to-recycle plastics and single-use items consultation document.
- 2. The regional submission will be taken to the Environment and Climate Change Committee for approval on 12 November 2020. The deadline for submissions to be submitted to the Ministry is 4 December 2020.
- 3. Local boards also had the opportunity to provide feedback on this consultation. Any formal local board feedback will be attached verbatim to the Auckland Council regional submission.

Summary of feedback

- 4. As of **5pm 6 October 2020** staff received feedback from ten local boards on the council's submission on the Ministry's consultation document.
- 6. Staff also received feedback from the Manukau Harbour Forum, a collective comprised of representatives of the nine Auckland Local Boards on the shores of the Manukau Harbour. The nine local boards represented in this group are Franklin, Manurewa, Ōtara-Papatoetoe, Puketāpapa, Whau, Māngere-Ōtahuhu, Maungakiekie-Tāmaki, Papakura and Waitākere Ranges. This feedback is attached to this summary.
- As of 28 October 2020 staff have also received feedback from Albert-Eden, Aotea / Great Barrier, Manurewa and the Waiheke Local Boards. These were recieved past the deadline to be included in the summary below but the resolution is attached along with the other Local Boards.

Local support and feedback on key points made in the draft regional submission

 Common themes emerged across the local board feedback. Key themes are detailed in Table 1 below along with staff's response.

| Theme of feedback | Local Board | Council response |
|---|---|--|
| Strong support for mandatory phase-out of hard-to-recycle plastics and certain single-use items (Option 6 in consultation document) | 10 boards (Franklin, Māngere-Ōtāhuhu, Maungakiekie-Tāmaki, Ōrākei, Ōtara- Papatoetoe, Papakura, Puketāpapa, Rodney, Upper Harbour, and Waitematā) | Council has indicated support for this in the draft submission. |
| Support for faster timelines of phase-out for both hard to recycle plastics and single-use items. | 3 boards (Papakura, Rodney, Waitematā) | Council has indicated support for this in the draft submission. A number of specific timelines were suggested. Council have |

Table 1. Summary of local board feedback and response

| Theme of feedback | Local Board | Council response |
|---|---|---|
| | | proceeded with requesting the fastest feasible timeline, while noting that alternatives are readily available for many of the materials outlined in the document. |
| Support for mandatory phase- out of: Plastic cotton buds Plastic drink stirrers Single-use plastic tableware (plates/trays, bowls) and cutlery Single-use plastic produce bags Single-use plastic cups and lids (not including disposable coffee cups) Non-compostable produce stickers | 10 boards (Franklin, Māngere-Ōtāhuhu, Maungakiekie-Tāmaki, Ōrākei, Ōtara- Papatoetoe, Papakura, Puketāpapa, Rodney, Upper Harbour, and Waitematā) | Council has indicated support for this in the draft submission, noting that the support assumes that alternatives are readily available and accessible for the materials being phased-out. |
| Proposal to include single-use coffee cups with a plastic lining in the list for single-use items to be subject to a mandatory phase-out | 2 boards (Rodney, Ōrākei) | Council has indicated support for this in the draft submission, including specific notes around looking for alternatives for single- use coffee cups. |
| Proposal to include wet wipes containing plastic in the list for single-use items to be subject to a mandatory phase-out | 2 boards (Maungakiekie-Tāmaki, Papakura) | Council has indicated support for this in the draft submission |
| Support excluding plastic straws in the list for single-use items to be subject to a mandatory phase-out | 1 board (Ōrākei) | Council has indicated support for this in the draft submission. In addition, Council specifies in the draft submission the need for alternative products that are suitable and accessible for all members of our diverse communities, as suggested by Puketāpapa Local Board. |
| Support for educational and behaviour change programmes to support the transition away from hard-to-recycle plastics and single-use items | 3 boards (Puketāpapa, Maungakiekie-Tāmaki, Waitematā | Council has indicated support for this in the draft submission. This is a broad recommendation that will need to be developed at a local level as well as a national level. |
| Support for financial and educational support for businesses and manufacturers to support the transition away from hard-to-recycle plastics and single-use items, including the identification of alternatives. | 5 boards (Rodney, Puketāpapa, Maungakiekie-Tāmaki, Waitematā, Franklin) | Council has indicated support for this in the draft submission, including a recommendation for increased funding to the sector in order to stimulate innovation as part of the COVID-19 response. |

Individual local boards also highlighted a range of other concerns, relating to both the levy and other waste issues. For example:

- Rodney Local Board expressed disappointment in the announced waste levy increase being only \$60 per tonne by 2024 when industry best practice is \$140 per tonne. The board believes this does not provide an incentive to businesses to look at alternative practices for reducing waste.
- Māngere-Ōtāhuhu Local Board specifically did not support a status quo approach relying on voluntary action, one of the options considered in the consultation document.
- Puketāpapa Local Board would like to see investigation into reducing systemic single-use plastic demand in a broader range of products, including medical consumables, nappies and other packaging products such as plastic tape. Staff are already investigating some of these materials and will engage further with the Local Board as relevant.
- Ōtara-Papatoetoe Local Board notes that meaningful consultation to communicate these changes will need to include clear and concise messaging, include language translations for the diverse range of groups residing in Aotearoa New Zealand.
- Papakura Local Board suggests that businesses should be able to apply for an extension to the mandatory phase-out timelines to 2025 if there is a proven genuine need for the delay. In addition, the board recommends plastic lollipop sticks be included in the list of items for a phase-out.

These points, along with many others, have been considered by staff in development of the draft submission and will also inform future delivery of regional waste services.



30 September 2020

Urgent Decision

| To: | Parul Sood, General Manager Waste Solutions Barry Potter, Director Infrastructure and Environment Services. Briar Wyatt, Senior Waste Planning Advisor, Strategic Planning Waste Solutions Nick FitzHerbert, Relationship Advisor, Infrastructure and Environmental Services |
|---------|---|
| CC: | Carol McKenzie-Rex, Local Area Manager, Franklin Local Board Franklin Local Board members |
| From: | Orrin Kapua, Local Board Adviser to the Franklin Local Board |
| | |

Subject: Feedback on the Ministry for the Environment Consultation document: Reducing the impact on our Environment

Purpose

To provide approved feedback on the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and singleuse items.

Context

In December 2019, the government made a commitment to address hard-to-recycle plastics used in Aotearoa New Zealand in response to a report released by the Office of the Prime Minister's Chief Science Advisor – Rethinking Plastics in Aotearoa New Zealand

The Ministry for the Environment is consulting on proposed mandatory phase-outs of specific hardto-recycle plastic packaging materials and single-use items sold, used, and manufactured in Aotearoa New Zealand.

Feedback is sought on two proposals outlined by the Ministry for the Environment:

Proposal 1: phasing out hard-to-recycle plastic packaging made from polyvinyl chloride (PVC) and polystyrene packaging, and all oxo-degradable plastic products.

Proposal 2: a phase-out of specified single-use plastic items, including plastic straws and fruit stickers.

The Franklin Local Board is surrounded by the Hūnua Ranges, Manukau Harbour to the west and the Hauraki Gulf to the east which are all environmental tāonga that are socially and culturally significant to our people. The community has a strong interest in protecting the natural environment and the Local board supports and advocates for decision-making that reflects the values and needs of today's residents while also anticipating the needs of future members of our communities.

The Local Board plan 2021 supports a local transition to circular economy approach to waste management and enable local climate action through funding aimed specifically at projects that:

- Advocate for and support locally accessible landfill diversion facilities such as the Waiuku Community Recycling Centre and support community-led initiatives that enable locals to divert waste from landfill.
- Work with local business, industry and resident groups to deliver a circular economy and low carbon living education programme to enable our community to respond to climate change issues.
- Support community-led waste reduction and management education programmes and initiatives

The Local Board want to provide feedback alongside the Auckland Councils submission:

Feedback from the Franklin Local Board

- 1. The Franklin Local Board agrees with the consultation document to reduce the environmental impacts of specific plastic materials and supports option six which is a mandatory phase-out of hard to recycle plastics including packaging made from PVC, Polystyrene, oxo degradable products and single use plastic items.
- 2. The Local Board would suggest future consideration of the way that products are packaged and sold online as there are many local businesses that realise the need to move in this direction and a consistent approach to all industries is needed to make sure that hard to recycle plastics and single use plastic items are properly phased out permanently.
- 3. There needs to be a system in place to deal with the unused PVC, polystyrene and oxodegradable products after the deadline so that it is disposed of properly.
- 4. Alternative to single use plastic bags to collect fruit and vegetables in a hygienic way need to be provided, especially in light of the current COVID-19 environment and suggest investigating the use of mesh bags or other environment friendly bags.
- 5. The Local Board supports industries that turn domestic and commercial plastic into premium products like fence posts and suggest that Auckland Council and the Ministry for the Environment work with industries like Future Post based in Waiuku to collect soft plastics that are not currently being collected.
- 6. Encourage supermarkets to assume greater environmentally responsibilities, aligning with Industries like Future post, to limit the amount of plastics that comes into the community.
- 7. The local board supports greater incentives for local companies to support research and design in development of products that support the circular economy, for example replacing plastic based food packaging with bio-based/vegetable material.

Urgent decision-making process authorisation

1. Her

Signed by Carol McKenzie Local Area Manager, Franklin Local Board

30 September 2020

Urgent decision approval

Andy Baker Chairperson, Franklin Local Board

a.a. Junjames

Angela Fulljames Deputy Chairperson, Franklin Local Board

30 September 2020



Memo

29 September 2020

- To: Nick Fitzherbert, Relationship Advisor (<u>nick.fitzherbert@aucklandcouncil.govt.nz</u>)
- cc: Manoj Ragupathy, Local Area Manager, Local Board Services; Janette McKain, Democracy Advisor

From: Māngere-Ōtāhuhu Local Board

Subject: Ministry for the Environment's consultation document on hard-to-recycle plastics and single-use items

- 1. The Māngere-Ōtāhuhu Local Board appreciates the opportunity to provide feedback on the Ministry of Environment's consultation on "*Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items*" and gives the following feedback comments:
- 2. That the Māngere-Ōtāhuhu Local Board:
 - i. in principle, support council's approach to developing the feedback to the consultation document; and to take into consideration past feedback and concerns raised by local boards and communities.
 - ii. supports Auckland Council's Te Mahere Whakahaere me te Whakaiti Tukunga Para i Tāmaki Makaurau - Auckland Waste Management and Minimisation Plan 2018 which supports moves to reduce environmental and human health harm caused by residual waste. Plastic waste is one of three priority waste streams identified in the plan
 - iii. places a high value on council's responsibility to recognise Māori values such as rangatiratanga, kaitiakitanga, kotahitanga, manaakitanga, and whanaungatanga
 - iv. is of the view that, we, as a local council have confronted serious challenges to manage and deliver waste services following the COVID-19 lock down and it is time for urgent government action to address reduction of plastic at a starting point of production and use
 - v. is of the view that the inappropriate consumption, use and discarding of plastic bags adversely affects Auckland's natural environment and our waste collection systems; this creates a burden of costs on local government and local boards to manage waste, pollution and litter
 - vi. support policy frameworks that make the shift to a more "circular economy" for plastics and reducing the impact of plastic on our environment
 - vii. holds a view that legislative measures are required to reduce the irreversible damage to the environment and these measures need to include financial incentives at the local level
 - viii. has serious concerns about the contamination and damage to the marine ecosystems and local waterways - the Manukau Harbour and Tamaki Estuary – from plastic, and the health and wellbeing of our local community

- ix. support, in principle, 'Proposal 1 - to move away from hard-to-recycle plastics, starting with a phase-out of some polyvinyl chloride (PVC) and polystyrene packaging and all oxo-degradable plastic products; and is in support of a long-term shift toward a more circular economy for plastics where packaging materials are made of higher value materials that are easier to recycle.
- Support, in principle, 'Proposal 2' to moving away from single-use items in the future Х. to encourage reuse, reduce waste to landfill, and minimise harm to the environment from plastic litter.
- note that the Ministry of Environment's discussion document addresses policy xi. concerns that are closely aligned to the outcome of the board's draft Local Board Plan 2020 - 'Protecting our environment and heritage for future generations
- note the following comments in relation to the eight options in the discussion xii. document:

| Option | Comments |
|--|--|
| option 1: voluntary agreement or pact with industry and business | While this may allow flexibility for individual businesses, board has a concern, noting that the uptake is very low to date. |
| option 2: plastic reduction targets | Support setting targets as this has potential for a national direction to guide industry and different stakeholders to take action. |
| option 3: labelling requirements | Labels for packaging and single-use items do not address the core issue of reducing hard to recycle plastic; this option does not go all the way in truly preventing unrecyclable products from becoming waste in the first place. |
| option 4: levy or tax | - |
| option 5: product stewardship | Support |
| option 6: mandatory phase-out | Support |
| option 7: mandatory recycled content for hard- to-recycle packaging | - |
| option 8: continue as usual and rely on voluntary action. | Do not support |

Next steps:

- The consultation on the Ministry of Environment's discussion document closes on 4 1. November 2020.
- 2. The board is informed that local board feedback before 30 September will be incorporated in the draft council submission for consideration by the Environment and Climate Change Committee.

Togiatolu Walter Togiamua Deputy Chair and topic lead on Infrastructure and Environmental Services



Feedback on:

Ministry for the Environment's consultation document, *Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use-items*

28 September 2020

For clarifications and questions, please contact: Mal Ahmu Local Board Advisor – Maungakiekie-Tāmaki Local Board

Context

- 1. In December 2019, the government made a commitment to address hard-to-recycle plastics used in Aotearoa New Zealand in response to a report released by the Office of the Prime Minister's Chief Science Advisor Rethinking Plastics in Aotearoa New Zealand.
- 2. The report set out recommendations for how the government can reduce the impact plastics have on the environment, while retaining some of the benefits plastics offer modern society.
- 3. On 12 August 2020, the Ministry for the Environment released the consultation document, Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items
- 4. The consultation document is part of a wider waste work programme currently underway by central government to progress the transition to a circular economy, encourage behaviour change, and stimulate innovation.
- 5. The Ministry for the Environment is currently seeking feedback on two proposals outlined in their consultation document, *Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use-items*:

Proposal 1: phasing out hard-to-recycle plastic packaging made from polyvinyl chloride (PVC) and polystyrene packaging, and all oxo-degradable plastic products, which would enable a long-term shift toward a more circular economy for plastics where packaging materials are made of higher value materials that are easier to recycle.

Proposal 2: a phase-out of specified single-use plastic items, including plastic straws and fruit stickers. The single-use items proposed for phase-out are:

- plastic straws
- plastic cotton buds
- plastic drink stirrers
- single-use plastic tableware (including plates, trays, bowls) and cutlery
- single-use plastic produce bags
- single-use plastic cups and lids (not including disposable coffee cups)
- non-compostable produce stickers.
- 6. At the Maungakiekie-Tāmaki Local Board's 28 April 2020 business meeting, it delegated authority to the Chair and Deputy Chair to approve and submit the local board's input into Auckland Council submissions on formal consultation from government departments, parliament, select committees and other councils (resolution: MT/2020/32).

- 7. For local board feedback to be incorporated in Auckland Council's main submission, it needs to be received by 30 September 2020. Due to these timeframes an urgent decision is required for the local boards feedback to be incorporated into Auckland Council's main submission.
- 8. Otherwise local board feedback will need to be received by 28 October to be appended to Auckland Council's main submission.

Relevance to the Local board

- 9. Local boards are responsible for decision-making on local issues, activities and services and providing input into regional strategies, policies and plans. Local boards also have a role in representing the views of their communities on issues of local importance.
- 10. Maungakiekie-Tāmaki Local Board have provided feedback on other central government projects aimed at reducing waste, such as the design of a container return scheme for beverage containers, regulating product stewardship for priority products (such as plastic packaging), the increase and expansion of the waste levy, introducing export permit requirements to meet our national obligations under the Basel Convention and the development of a national action plan for plastics.
- 11. Every three years local boards set their strategic direction through a local board plan. The Proposed Priority Products and Priority Product Stewardship Scheme Guidelines have relevance to the following outcomes and objectives the 2017 Maungakiekie-Tāmaki Local Board Plan:

| Outcomes | Objectives |
|---|---|
| Maungakiekie-Tāmaki is an active and engaged community | People are cared for and enabled to participate, celebrate and contribute to the community. |
| | Our young people are engaged in the community and have access to a wide range of opportunities. |
| Maungakiekie-Tāmaki is a community that cares about its environment | Demonstrate environmental leadership and support community sustainability initiatives. |
| environment | Clean, beautiful waters and waterside areas. |
| Maungakiekie-Tāmaki is the place to be | Our businesses, town centres and industry flourish and provide high quality jobs. |

Maungakiekie-Tāmaki Local Board feedback on the Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use-items

The Maungakiekie-Tāmaki Local Board:

- a) endorse proposal one, phasing out hard-to-recycle plastic packaging, which will enable a long-term shift toward a more circular economy for plastics where packaging materials are made of higher value materials that are easier to recycle.
- b) endorse proposal two to phase-out of specified single-use plastic items such as plastic straws, reducing the impact these have on our waterways and ecosystems
- c) recommend the inclusion of wet wipes (containing plastic) be included in the proposal due to the blockages these cause to our wastewater system
- recommend highlighting the importance and need for continuing education for businesses and the community on the importance of reducing plastic waste and alternative non-plastic products that they can use
- e) recommend ensuring manufacturers of alternative non-plastic packaging and products (that will replace the proposed phased-out plastics) are not able price gouge their products, so that they are affordable and accessible to local businesses and communities.
MFE Reducing the Impact of Plastics

Örākei Local Board Feedback/Draft Recommendations

The Ministry of Environment's (MFE) proposal, *Reducing the Impact of Plastic on the Environment*, seeks to reduce the use of hard-to-recycle plastics and single use items.

The first proposal is to phase-out the following types of unrecyclable plastic.

- Some polyvinyl chloride (PVC) and polystyrene packaging
- All oxo-degradable plastic products.

The second proposal is to phase-out seven types of single-use plastic items.

The Ōrākei Local Board members have all been involved in beach and community clean ups. We have seen the impact of single-use plastics in our community, particularly in our significant ecological areas, such as reserves and beaches. Pourewa Valley, in the Ōrākei Local Board, is one of the largest urban forests in New Zealand. Significant energy and resource are being spent on enhancing its natural amenity and cultural value. The phase-out of single-use and hard-to-recycle plastics will further contribute to the ecological restoration of this critical community treasure.

The Ōrākei Local Board offers its feedback to be included in the Auckland Council submission on the consultation document currently open for public comment; *Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items.*

Questions for elected members

Do you agree with the staff recommendation for this submission as outlined in the memo?

• Ōrākei Local Board agrees with the Auckland Council position as outlined in the memo.

How may a ban on these hard-to-recycle plastics and single-use items affect your community?

• Financial implications, and the flow-on economic effects of COVID-19 should be considered by the relevant subject matter experts to ensure that there is an understanding of the financial impacts of a ban. We also acknowledge the Auckland Council position that the disability community may be unfairly affected by the mandatory phase-out as it applies to items such as plastic straws and supports seeking advice of the Disability Advisory Panel through this process.

Questions from consultation document

- 1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?
 - Ōrākei Local Board agrees that hard-to-recycle plastic packaging and single-use plastic items need to be phased out.
- 2. Have we identified the correct objectives? If not, why?
 - We believe the correct objectives have been identified, and we wish to highlight the aspiration towards a circular economy for plastic that is recovered for further use, reuse, repair, recycling or repurposing.
- 3. Do you agree that these are the correct options to consider? If not, why?
 - We believe in the need to phase out single-use plastics and hard-to-recycle plastics, but we do not believe that the proposed options should be considered in isolation, as many of them are complimentary to each other.

- 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?
 - Yes, we believe the weighted options are correct, but in a post COVID environment the cost weightings may need to be reviewed, as the financial impact of a mandatory phase-out may directly impact local businesses in the Ōrākei board area.
- 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?
 - In principle we agree with the assessed options and the preferred option of a mandatory phase-out, though we again note our earlier comment that these proposed options should not be considered in isolation.
- 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?
 - The board is in favour of this proposal.
- 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?
 - We believe the right products have been identified and are satisfied with the proposed alternatives (such as PET, cardboard, or reusable containers).
- 8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.
 - We believe that the proposed stage 1 and stage 2 phase-outs are sufficient.
- 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?
 - As an elected local board, we are not able to comment on the financial impacts of this Ministry of Environment proposal.
- 10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?
 - The market alternatives proposed as examples for replacing hard-to-recycle packaging are appropriate, as outlined in Table 5 on Page 41 of the consultation document.
- 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?
 - Yes
- 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.
 - Not applicable.
- 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

- We believe the consultation document identifies the appropriate costs and benefits of a mandatory phase-out as illustrated Table 3 on Page 34 of the consultation document.
- 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.
 - We believe the consultation document highlights the benefits of phasing out targeted plastics, though we note that there may be further benefits which are unknown at this time.
- 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?
 - Financial implications, and the flow-on economic effects of COVID-19 should be considered by the relevant subject matter experts to ensure that there is an understanding of the financial impacts of a ban. These effects must be considered before exploring opportunities to encourage transition away from hard-to-recycle materials and single-use items.
- 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.
 - The single-use items that have been identified for the Stage 1 phase-out in 2023 are appropriate.
- 17. Do the proposed definitions in table 7 make sense? If not, what would you change?
 - Yes.
- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.
 - We believe 2-3 years is enough time for a staged implementation of a mandatory phaseout.

If you think some items may need different timeframes, please specify.

- Consultation with industry is important to ensure that this process does not negatively impact manufacturers and exporters, particularly fruit and vegetable exports.
- 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.
 - Financial implications, and the flow-on economic effects of COVID-19 should be considered by the relevant subject matter experts. We cannot comment on options for reducing the use of single-use coffee cups or plastic-containing wipes without understanding the associated costs.
- 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?
 - Not applicable

- 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?
 - We believe the phase-out of plastic lined disposable coffee cups should occur concurrently with the Stage 2 phase out of hard-to-recycle plastics in 2025.
- 22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.
 - As an elected local board, we are not able to comment on the financial impacts of this Ministry of Environment proposal.
- 23. How should the proposals in this document be monitored for compliance?
 - Since the preferred option is a mandatory phase-out (by law) this is enforceable.

Chairman Scott Milne

Member Troy Elliott



29 September 2020

Ōtara- Papatoetoe Local Board feedback on reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items

Submission points

Proposal 1- Move away from hard-to-recycle plastics

The board generally supports the proposal to move away from hard-to-recycle plastics, starting with a phase-out of:

- some polyvinyl chloride (PVC) and polystyrene packaging
- all oxo-degradable plastic products.

Proposal 2- Phase-out of some single-use plastic items

After reviewing the eight options provided in the consultation document the board supports the Ministry for the Environments recommendation of a mandatory phase out of some single-use plastic items (option 6).

We strongly recommend there must be careful consideration in how the phase out is to take place. Many small business and local communities that fundraise use these products. There must be a clear transition plan to ensure all who are affect have ample time to adapt. There must also be accessible and affordable alternatives to ensure minimal adverse effect to businesses and local communities.

In order for implementation to be of a high standard there must be meaning consultation with businesses and communities. Meaningful consultation must include:

- early consultation
- clear/ concise messaging
- translations for minority groups

The Ōtara- Papatoetoe Local Board would like to thank you for your consideration

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Lotu Fuli- Chairperson of the Ōtara-Papatoetoe Local Board



Urgent Decision Memo

29 September 2020

- To: Carol McKenzie-Rex, Local Area Manager, Franklin, Manurewa and Papakura Local Boards
- cc: Papakura Local Board Chair and Members

From: Lee Manaia – Local Board Advisor

Subject: Urgent decision - Papakura Local Board feedback on the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items

Purpose

To endorse the Papakura Local Board's feedback on the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items.

Reasons for the urgency:

- Local Board feedback is required by 5pm on Wednesday 30 September to be incorporated into the Auckland Council submission and before Wednesday 28 October 2020 to be appended to the council submission.
- The next scheduled meeting of the Papakura Local Board is 4.30pm on Wednesday 28 October 2020 which is too close to the deadline.

Decision sought from the chair and deputy chair (or any person acting in these roles)

That the Papakura Local Board:

- a) provides the following feedback on the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items
 - i) Proposal 1: phasing out hard-to-recycle plastic packaging made from polyvinyl chloride (PVC with #3 identification code) and polystyrene packaging (with a #6 identification code), and all oxo-degradable plastic products.
 - The board agree with the proposed long-term shift to phase out hard-torecycle plastic packaging.
 - The board believe the move should be implemented as quickly as possible. The changes in behaviours with the phase out of single use plastic bags has driven consumers to question plastic packaging in general and particularly in food packaging where alternatives could be utilised.
 - ii) Proposal 2: a phase-out of certain single-use plastic items seven possible items identified (including plastic straws, drink stirrers and fruit stickers)
 - In general, the board is in agreement with the proposal. However, the board does have a concern where New Zealand gets too far ahead of the

world resulting in the consumer being held to ransom with alternatives that are too expensive.

| Question | | Papakura Local Board feedback |
|----------|---|---|
| 1. | Do you agree with the description in this document of the problems with hard-to- recycle plastic packaging and single-use plastic items? If not, why? | The board agrees with the description of the problems with hard-to-recycle plastic packaging and single-use plastic items. |
| 2. | Have we identified the correct objectives? If not, why? | The board agrees with the identified objectives. |
| 3. | Do you agree that these are the correct options to consider? If not, why? | The board does not agree with voluntary options as businesses and people will opt out. Action is required now. It has been too long where no action has been taken. The board believes product stewardship where the user of the packaging is responsible to the disposal would go some way to creating the desired behaviour change. The board does not believe a levy or tax will create the desired outcome of reducing hard to recycle plastics in the waste stream as people will happily pay the increased cost for convenience. The board agrees that the mandatory phased out option will create the change required. |
| 4. | Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single use items? If not, why? | No comment |
| 5. | Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase- out)? If not, why? | The board agrees with the assessment of the options and taking forward the mandatory phase-out option. |
| 6. | Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why? | The board agrees with the proposed phase out of PVC and polystyrene packaging by 2023. A business should be able to apply for an extension to 2025 if there is a proven genuine need for the delay. |

| Question | Papakura Local Board feedback |
|---|---|
| 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? | The board agree with the packaging items listed. The board believe if the need is created innovative replacements will be found. |
| 8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer. | The board is happy with the current proposal providing there are suitable alternatives available for use. |
| 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025? | The board believe there would be a likely cost to the business owner who would pass that on to the consumer. The board would have a concern if these costs created a situation that deterred compliance. |
| 10. Do you believe there are practical alternatives to replace hard-to- recycle packaging (PVC, polystyrene and EPS)? If not, why? | The board believe a mandatory approach would create the environment for innovation for alternatives. Don't under- estimate human ingenuity when the need presents itself. |
| 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why? | The board agrees with the mandatory phase-out of all oxo-degradable plastics. |
| 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details. | N/A |
| 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer. | N/A |
| 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer. | N/A |

| Question | Papakura Local Board feedback |
|--|---|
| 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives? | The board believe alternatives need to be cost effective, easy to use and readily available. |
| 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why. | The board agree with the proposed mandatory phase-out of some single-use plastics items. The board would like to see plastic lollipop sticks included in the list. The plastic sticks are often discarded on the ground and make their way into the stormwater system, eventually finding their way into the water ways and marine environment. Lollipop sticks used to be wooden sticks which had a minimal environmental impact as they were bio-degradable. |
| 17. Do the proposed definitions in table 7 make sense? If not, what would you change? | No comment |
| 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. a. 12 months? b. 18 months? c. 2 years? d. 3 years? e. Other? If you think some items may need different timeframes, please specify. | The board believe where there are existing alternatives a shorter phase-out period could be implemented, eg: 12-18 months. A two to three year period would more practical to allow businesses and manufacturers to develop alternatives. New Zealand needs to keep pace but not necessarily lead, where the consumer is held to ransom when the alternative is disproportionately expensive. |
| 19. What options could we consider for reducing the use of single- use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options. | The board believe the disposable coffee cups should be made from plant-based bio- degradable plastics. The board believe where there is a need, someone will find a way to come up with an alternative. In terms of wet wipes, the board believe they should be banned altogether. There are alternatives of using a flannel or baby lotion with paper tissues. |
| 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain | N/A |

| Question | Papakura Local Board feedback |
|---|--|
| plastic), what would enable you to transition away from plastic based materials in the future? | |
| 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic? | The board believe the government should be providing the incentive for encouraging the science for alternatives. |
| 22. Have we identified the right costs and benefits of a mandatory phase-out of single- use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items. | The board agree with the mandatory phase- out of all single-use plastic items as and when viable alternatives are available. |
| 23. How should the proposals in this document be monitored for compliance? | A mandatory approach needs to be complemented with getting the entire community onside with the proposal. |

Background

- 1. The Ministry for the Environment is consulting on proposed mandatory phase-outs of specific hard-to-recycle plastic packaging materials and single-use items sold, used, and manufactured in Aotearoa New Zealand.
- 2. Feedback is sought on two proposals outlined by the Ministry for the Environment:
 - Proposal 1: phasing out hard-to-recycle plastic packaging made from polyvinyl chloride (PVC) and polystyrene packaging, and all oxo-degradable plastic products.
 - Proposal 2: a phase-out of specified single-use plastic items, including plastic straws and fruit stickers.
- Local board formal feedback is required by 5pm Wednesday 30 September to be considered for incorporation in the council submission by the Environment and Climate Change Committee members delegated with drafting the council submission.
- 4. Any local board feedback received after this date but before 5pm Wednesday 28 October 2020 will be appended to the regional submission. However, the feedback will not be able to be considered by the delegated Environment and Climate Change Committee members for inclusion in the council's final submission.
- 5. Feedback is due to the Ministry for the Environment by 4 November 2020.

About Papakura Local Board

 Papakura Local Board is one of 21 local boards which are part of the Auckland Council cogovernance model. The board has responsibility for local decision making while the Governing Body has the regional decision making focus. 7. The board's population, as at the 2018 census, was 57,636. The population is ethnically diverse with 49.1% European, 26.8% Māori, 23.4% Asian and 16.9% Pacific peoples. Since the 2013 census there has been a significant growth in the Asian population. Papakura still has the largest Māori population per head of capita. The median age in Papakura is 32 years, with 23.6% of the population being aged between 0 and 14 years.

Authorisation of the urgent decision-making process

Willer

Signed by Carol McKenzie-Rex Local Area Manager, Franklin, Manurewa and Papakura Local Boards

Date 30 September 2020

Brent Catchpole Chairperson, Papakura Local Board

Date 6 October 2020

Jan Robinson Deputy Chairperson, Papakura Local Board Date 6 October 2020



Feedback on:

Reducing the impact of plastic on our environment: moving away from hard-to recycle and single-use items

29 September 2020

Context

The Ministry for the Environment is consulting on proposed mandatory phase-outs of specific hardto-recycle plastic packaging materials and single-use items sold, used, and manufactured in Aotearoa New Zealand.

Feedback is sought on two proposals outlined by the Ministry for the Environment:

- Proposal 1: phasing out hard-to-recycle plastic packaging made from polyvinyl chloride (PVC) and polystyrene packaging, and all oxo-degradable plastic products.
- Proposal 2: a phase-out of specified single-use plastic items, including plastic straws and fruit stickers.

This feedback from the Puketapapa Local Board is made under delegation to the Chair and will be appended to the Auckland Council submission.

Relevance to the Local board

Local boards are responsible for decision-making on local issues, activities and services and providing input into regional strategies, policies and plans. Local boards also have a role in representing the views of their communities on issues of local importance.

Every three years local boards set their strategic direction through a local board plan. The proposed mandatory phase-outs of specific hard-to-recycle and single-use plastics has particular relevance to the 2017 Puketāpapa Local Board Plan aspirational outcome of having a *treasured and enhanced natural environment*. It also aligns with the board's Low Carbon Action Plan.

Puketāpapa Local Board feedback:

The Puketāpapa Local Board supports both Proposal 1, the phasing out hard-to-recycle plastics, and Proposal 2, taking action on single use plastic items, as laid out in the consultation document, and supports the two proposals being implemented together other for ease of transition.

The board also supports Option Six, the Ministry for the Environment's preferred option for shifting away from hard-to-recycle and single use plastics, a mandatory phase-out approach.

In addition, the local board provides the following comments in response to the consultation document:

General support

- 1. The board supports a long-term approach to reducing plastic through:
 - a. Reducing the use and availability of all types of plastic,
 - b. Developing alternative options to using plastic,
 - c. Ensuring plastic that must be used can be recycled easily and onshore,

- d. Reducing contaminants entering recycling and waste recovery processes, and
- e. Developing access to appropriate, resilient and local systems for recycling and waste recovery.
- 2. The board supports the proposal to take forward mandatory phase-out as the sole approach for shifting away from hard-to-recycle and single use plastics, noting the phase-out of single-use plastic bags as a successful example of positive change.
- 3. The board notes that phasing out all PVC and polystyrene packaging by 2025 will help business to become more sustainable, reduce waste and remove contaminants from the recycling process.
- 4. The board notes that many practical alternatives to hard-to-recycle packaging are already in use.

Impacts on businesses and the community

- 5. When considering appropriate phase-out periods, the board recommends the following are taken into consideration
 - a. The additional stress experienced by businesses due to the COVID-19 pandemic
 - b. Availability of alternative non-plastic and environmentally friendly products
 - c. Time required to shift supply chains and form a cost competitive market
 - d. Cost impacts of a 'new normal' without plastic
- 6. Regarding single-use plastics, the board notes that certain communities will be more affected by a mandatory phase-out than others, and appropriate measures will need to be taken to ensure alternative products are suitable and accessible for all members of our diverse communities.
- 7. The board notes that an assessment of the markets for alternative products should be investigated for availability, suitability and price. The carbon footprint of alternative products should also be considered.
- 8. The board requests an increased focus on education and support initiatives for the community to be informed and equipped to successfully transition towards alternative, more sustainable products, and environmentally considerate practices.
- 9. The board notes that local businesses will need clear guidance on what is required, and support to change their supply chains if their business currently uses the plastics in concern.
- 10. The board supports a focus on education and empowerment for consumers and businesses to be champions of the transition and to help identify businesses that may need more assistance to transition.
- 11. The board notes that monitoring or banning imports of certain plastic products may aid this transition.

Where to next?

- 12. The Puketapapa Local Board strongly supports less plastic being used in New Zealand in the long term and believes that the problems around plastic should be addressed at the source once plastics are in circulation; they remain in the environment indefinitely.
- 13. In general, the board supports ongoing education and culture change approaches for moving away from all hard-to-recycle and single-use plastics.
- 14. The board would like to see investigation into stemming systemic single-use plastic demand in products like medical consumables, nappies and other packaging products like plastic tape.

The Puketāpapa Local Board appreciates the opportunity to provide feedback on this proposal and looks forward to continuing its support for progress toward a more circular economy.



URGENT DECISION OF THE RODNEY LOCAL BOARD

SUBJECT

Auckland Council's feedback on the Ministry for the Environment's consultation document on hardto-recycle plastics and single-use items.

BACKGROUND:

The Ministry for the Environment is consulting on proposed mandatory phase-outs of specific hardto-recycle plastic packaging materials and single-use items sold, used and manufactured in Aotearoa New Zealand.

Feedback is sought on two proposals outlined by the Ministry for the Environment:

- **Proposal 1**: Phasing out hard-to-recycle plastic packaging made from polyvinyl chloride (PVC) and polystyrene packaging, and all oxo-degradable plastic products
- **Proposal 2**: a phase-out of specified single-use plastic items, including plastic straws and fruit stickers.

Local boards have been invited to provide feedback on the two proposals to inform Auckland Council's submission to the consultation.

REASON FOR URGENCY

The Rodney Local Board is providing its feedback as an urgent decision of the local board as the opportunity to provide feedback has arisen outside of a business meeting.

DECISIONS

- The Rodney Local Board provides the following feedback on the Ministry for the Environment's consultation document on hard-to-recycle plastics and single-use items. The Rodney Local Board:
 - a. strongly supports the mandatory phasing-out of hard to recycle plastics
 - recommends that the timelines for phasing out of hard-to-recycle products are tighter, and that both Stage One and Two of Proposal One (hard-to-recycle plastics) are adopted within 12 months of adoption
 - c. encourages the use of compostable alternatives available on the market, and notes that industries have been aware of the issues surrounding hard to recycle plastics and their impact on our environment for a number of years.
 - d. supports the phasing out of the single-use products as identified in Table 7 of the consultation document, and is also very supportive of looking for alternatives for single use coffee cups as it is estimated that 295 million disposal coffee cups are thrown away each year in New Zealand

- e. acknowledges the pressures facing the hospitality industry at this time, and therefore proposes that any alternatives to single use coffee cups would have to be cost effective.
- 2. The Rodney Local Board expresses its disappointment that the waste levy is only being increased to \$60 per tonne by 2024 when the industry best practice is \$140 tonne and considers that if waste continues to be cheap to dump, then there is no incentive for businesses to look at alternative practices for reducing waste.
- 3. The Rodney Local Board is concerned that the dumping of contaminated waste in both managed and clean fills is encouraged by the different levy rates across waste streams and that clean fills are exempt from these levies and managed fills will only be levied at \$10 per tonne.
- 4. The Rodney Local Board provides the following feedback to the Environmental and Climate Change Committee:
 - a. considers that both Auckland Council and its Council Controlled Organisations should be leaders in the phasing out of single-use plastic products, be earlier adopters of the associated policies, and require changes to business operations and re-negotiations with suppliers to discontinue the use of hard to recycle plastics including packaging and single use plastic items
 - considers that changes within Auckland Council and Council Controlled Organisations need to be implemented within a timely manner, with assurance that our offices and practices do not contribute to a waste stream that cannot be recycled or re-purposed.

AUTHORISED FOR RELEASE

esley

Lesley Jenkins Relationship Manager, Local Board Services

Date

APPROVED

Authorisation

This decision is authorised by Chairperson P Pirrie and Deputy Chairperson B Houlbrooke, who have delegated authority to make, on behalf of the local board, urgent decisions on matters that cannot wait until the next scheduled ordinary meeting of the local board. Resolution number RD/2019/147.

Roaldeeloode

Phelan Pirrie Chairperson Beth Houlbrooke Deputy Chairperson

Date:

Date:

Feedback on the Ministry for the Environment's consulation document on hard-to-recycle plastics and single-use items.

From: Upper Harbour Local Board

Thank you for the opportunity to provide feedback for these two proposals. Proposal 1 being phasing out hard to recycle plastic packaging made from PVC, polystryrene packaging and all oxodegradable plastic products and Proposal 2 being a phase out of specified single use plastic items.

In summary, we support both proposals. For proposal 1, we support option six which is a mandatory phase out. We request that the phase-out happens by 2023. For proposal 2, we also support option six which is a mandatory phase out but acknowledge that feedback needs to be sought from disability groups with regards to some items, eg plastic straws. Feedback should also be sought from industry as there are available alternatives to these items. Once alternatives are available, we support mandatory phase out as soon as possible, 2023 if possible.

Both proposal 1 and proposal 2 are a step in the right direction towards a circular economy where plastics can be recycled without low quality plastic parts contaminating the remaining plastic. It also sends a clear signal to consumers and to producers to further reduce plastic use. Alternatives are available now and once demand increases for these alternatives then costs should decrease for both industry and consumers. Most consumers don't know that many of these items (eg Sushi boxes) are unrecyclable and replacing them with higher quality plastic or alternatives is a necessary step as currently so many are used they can't all be banned. Some sushi takeaway restaurants already offer bamboo boxes, but often these are priced higher (eg 50c premium to be paid) which affects uptake.

In addition, we would also ask that continuing efforts are made to disincentivize the use of the disposable coffee cup. While most consumers know the lids aren't recyclable, some people aren't even aware that the cups aren't recyclable. This suggests more consumer education is required, or even a stamp on each one that says 'non recyclable'. Another potential is to only allow compostable cups to be used and have a levy on them to fund the commercial composting required.

We request that groups keep working with industry to move away from plastic as an ingredient in Wet Wipes. Signaling a date to industry by which time this must happen (eg 2023) would be clear for both parties once discussions have been had.

In light of the current Coronavirus response we also ask that an education campaign be run re safe disposal of masks and other PPE.

In summary, please move forwards with urgency on these proposals in order to safeguard both the environment and the economy and signal to consumers and producers that changes are needed.



Memo

30 September 2020

- To: Trina Thompson, Waitematā Local Board Relationship Manager
- cc: Waitematā Local Board

From: Caroline Teh

Subject: Urgent decision request of the Waitematā Local Board – Approve local board feedback on the Ministry for the Environment's consultation document: *Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items.*

Urgent Decision Process WTM/2019/259

The purpose of this memo is to initially seek the Local Area Manager's authorisation to commence the urgent decision-making process and if granted, seek formal approval from the chair and deputy chair (or any person acting in these roles) to use the process to make an urgent decision.

The decision required, and the supporting report, are attached to this memo. The urgent decision being sought needs to be authorised by the chair and deputy chair (or any person acting in these roles) by signing this memo. Both this memo and the report will be reported as an information item at the next business meeting if the urgent decision-making process proceeds.

Reason for the urgency

A request to consider the report under urgency is sought for the following reasons:

- The local board received a memo on 11 September 2020 informing of the opportunity to give feedback on the Ministry for the Environment's consultation document: *Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items*. The timing of the memo did not provide sufficient time for staff to include this item in the agenda for the 15 September meeting.
- Local boards must provide formal feedback by Wednesday 30 September 2020 to be considered by the delegated Environment and Climate Change Committee members to inform council's submission. The Waitematā Local Board's next business meeting is not scheduled until 20 October 2020 meaning the local board cannot wait until then to resolve its feedback.
- The local board has indicated that this is an important subject to them. There is a number of objectives and advocacy positions in the draft Waitematā Local Board Plan related to reducing waste and carbon emissions. The local board has also previously strongly supported the phase out of single use plastic shopping bags.

Decision sought from the chair and deputy chair (or any person acting in these roles)

That the Waitematā Local Board:

a) approve feedback to the Environment and Climate Change Committee by Wednesday 30 September 2020 to inform council's submission on the Ministry for the Environment's consultation document on hard-to-recycle plastics and single-use items

Background

The Ministry for the Environment is consulting on proposed mandatory phase-outs of specific hard-to-recycle plastic packaging materials and single-use items sold, used, and manufactured in Aotearoa New Zealand.

Feedback is sought on two proposals outlined by the Ministry for the Environment:

- Proposal 1: phasing out hard-to-recycle plastic packaging made from polyvinyl chloride (PVC) and polystyrene packaging, and all oxo-degradable plastic products.
- Proposal 2: a phase-out of specified single-use plastic items, including plastic straws and fruit stickers.

Local boards are invited to provide formal feedback on this consultation, which will inform the development of the council's draft submission before it is approved by the delegated Environment and Climate Change Committee members.

To be considered by the delegated elected members as part of the draft submission, formal feedback is required by Wednesday 30 September 2020.

Any local board feedback received after Wednesday 30 September, but before Wednesday 28 October 2020 will be appended to the regional submission. However, it may not be possible for this feedback to be referred to in the submission or considered by the delegated committee members before the final submission is sent to the Ministry for the Environment.

The submission is due to the Ministry for the Environment by 4 November 2020.



Authorisation of the urgent decision-making process

Signed by Trina Thompson Local Area Manager, Waitematā and Ōrākei

Date

Approval to use the urgent decision-making process

Richard Northey Chair, Waitematā Local Board

Kerrin Leoni Deputy Chair, Waitematā Local Board

Date

Date

Waitematā Local board Resolution/s

That the Waitematā Local Board:

 a) receive the urgent decision – Approve feedback on the Ministry for the Environment's consultation document on hard-to-recycle plastics and single-use items dated 30 September 2020

Richard Northey Chair, Waitematā Local Board

Kerrin Leoni Deputy Chair, Waitematā Local Board

Date



Waitematā Local Board Feedback on the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and singleuse items.

General Position:

The Waitematā Local Board supports the mandatory phase-out of the hard-to-recycle plastic packaging materials listed in proposal 1 (packaging made from PVC ('3'), polystyrene ('6') and oxodegradable plastic products) and of the single-use items listed in proposal 2 (plastic straws, drink stirrers, cotton buds, tableware, produce bags, plastic cups and lids, and fruit stickers).

Timeline for Implementation:

If possible, we would like to see the timeframes for implementation brought forward by up to 12 months for proposal 1 (i.e. stage 1 implementation by Jan 2022 and stage 2 by Jan 2024).

For proposal 2, we suggest that each item has its own timelime for phase-out, so that items that are easy to phase-out can begin the process as soon as possible.

Additional Initiatives to Reduce Virgin Plastic Use:

We note that proposal 1 will result in a net increase in PET, HDPE and PP use. Given that these plastics can only be recycled one or two times before they lose their structural integrity, this proposal will not eliminate the requirement for fossil-based plastic manufacture for the food and beverage industry, even in the context of a bottle deposit scheme or other initiatives to increase recycling rates.

In addition, we note that proposal 2 excludes disposable coffee cups on the basis of a lack of available alternatives.

To address both these issues, we suggest the implementation of the following initiatives (in addition to the proposed mandatory phase-outs):

- <u>Public Education Campaign</u>, to encourage bring-your-own cups and takeaway containers.
- <u>Food & Beverage Industry Incentives</u>, for example guidance on how to encourage bringyour-own among their customers, provision of case studies of Food & Beverage providers excelling in this area, list of suppliers of non-plastic alternatives, financial incentives for purchasing non-plastic alternatives (subsidies or taxes).

Compostable and recyclable cups/packaging will be part of the solution, however there needs to be a corresponding public education campaign and roll-out of ease-of-compliance initiatives to ensure these 'green' cups/packaging enter the relevant compost/recycling stream, and don't end up in landfill.



However, the onus on improvements in plastic reduction and recycling should be on industry, and not reliant on individual behavioural change. We need to be educating, encouraging and incentivising industry to adopt stewardship responsibilities and to find sustainable and reusable alternatives for these products.

We very much hope that Auckland Council's submission will also convey our enthusiasm for these proposals, for going further and faster where this is practicable.

16th October 2021.

Manukau Harbour Forum feedback on The Ministry for the Environment's consultation document on hard-to-recycle plastics and single-use plastic items

Context

The Manukau Harbour Forum (MHF) is a collective comprised of representatives of the nine Auckland Local Boards on the shores of the Manukau Harbour.

The Forum was created in 2010 in response to concern about the deteriorating state of the Manukau Harbour and the urgent need for a collaborative response to improve its condition.

The member local boards are:

- Franklin
- Manurewa
- Ōtara-Papatoetoe
- Puketāpapa
- Whau
- Māngere-Ōtahuhu
- Maungakiekie-Tāmaki
- Papakura
- Waitākere Ranges

This collective recognises and values the special relationship that Mana Whenua have with the Manukau Harbour.

The role of the MHF is to champion the integrated management of the Manukau Harbour on behalf of the communities the members represent. The Manukau Harbour is considered to be something special and an asset of regional significance for all Aucklanders, for which a collective and concerted effort is needed to realise its potential. The MHF know they can't do this alone and look to work collaboratively on a vision that is largely shared.

The MHF acknowledges the significance and importance of ensuring the relationship between tangata whenua and the Manukau Harbour, as a taonga tuku iho, is maintained and enhanced. The MHF is committed to acting in line with principles of the Treaty of Waitangi in this regard.

Vision for the Manukau

The Manukau Harbour is recognised and valued as a significant cultural, ecological, social and economic taonga, and that a programme of integrated harbour management is developed that will ensure it has a rich and diverse marine and terrestrial environment that is able to be enjoyed by all.

The objectives of the Forum are to:

- raise the profile of the Manukau Harbour
- ensure there is a robust knowledge base to support integrated management
- champion and advocate for the development and implementation of planning frameworks and projects to support the integrated management of the Manukau Harbour
- ensure there are sufficient resources, including staff input and budget, to support the Forum to deliver on its vision.

As is noted, the MHF is made up of elected members of a diverse range of backgrounds and whom in turn are representative of communities and local board areas that are all different.

Manukau Harbour Forum involvement with the submission by Auckland Council

The MHF has sought to support the Council in its current preparation of a submission on MfE's consultation document.

As elected member representatives on the local boards surrounding the Manukau Harbour, MHF members have had the opportunity to provide feedback into the submission process via local board submissions. As such, this feedback is prepared with the intention to convey the perspective of the Forum in its role advocating for the Manukau Harbour, in particular, the waterways and marine environment. The MHF members seek to provide feedback on MfE's proposal that has come to their attention in relation to hard-to-recycle plastics and single-use plastic items.

Manukau Harbour Forum feedback on the Ministry for the Environment's consultation document on hard-to-recycle plastics and single-use plastic items

The Manukau Harbour Forum's position on the proposal

The Forum, as advocates for the sustainable and integrated management of the Harbour, is supportive of the main policy objective to 'reduce the impact on our resource recovery system and the environment from hard-to-recycle plastic packaging and single-use items through significantly reducing the amount in use'.

The MHF acknowledges that the proposals are part of a wider package of work on waste minimisation by MfE and encourages the continuation of this work.

The Forum supports the preferred Option 6 (Mandatory phase-out) – noting that the MfE's assessment of the available options ranked Option 6 as the top option to significantly reduce or eliminate hard-to-recycle packaging and single-use items. MfE's assessment identified the main beneficiary of the policy to be the Environment, MFH wishes to build on this noting that what is good for the environment is good for those communities who have a relationship with the environment. In the context of this feedback, that includes the communities represented by the nine local boards surrounding the Manukau Harbour.

The Forum supports Proposal 1 relating to the phase-out of some polyvinyl chloride (PVC) and polystyrene packaging and all oxo-degradable plastic products.

The Forum supports Proposal 2 relating to the phase-out of hard-to-recycle plastics. The MHF note that the proposal has a 2-stage process with the completion of stage 2 in 2025.

The Manukau Harbour is the 'coal-face' of the receiving environment

The catchments and shoreline surrounding the Manukau Harbour are diverse in their landscapes – From the forested Waitakere Ranges, the urban settings of Central and South Auckland, rural farmland along the southern shores and out to the rugged west coast beaches. The development that has occurred throughout this catchment has effectively resulted in the Manukau Harbour being the receiving environment for a considerable amount of litter and rubbish. Plastic pollution generated by human activities makes up a large proportion of this waste.

Plastic pollution in the Manukau Harbour and activities to tackle plastic pollution

The MHF has been mucking in with communities and organisations to help with clearing the Manukau Harbour of litter. Efforts and volunteer hours have been directed towards the collection and clearing of plastic litter from the Manukau Harbour. It is worth noting that while this is an act in restoring the environment, the funds, time and effort used in 'clean-up' activities are limited. These funds and efforts might be utilised in other activities to enhance the Harbour but are instead directed towards cleaning up the resulting waste that includes hard-to-recycle plastics and single-use plastic items. There is an opportunity-cost occurring where effort is spent cleaning up plastic pollution resulting from the continued use of hard-to-recycle plastics and single-use plastic items

Examples of community-led and local government-led initiatives aimed at tackling pollution in the Manukau Harbour include Seaweek volunteer actions across the Manukau Harbour, of which MHF has contributed funding, the coordination of volunteer actions by Sustainable Coastlines and Sea Cleaners, as well as many community groups assisted by Auckland Council.

MHF provides ongoing budget support to development and education awareness raising of rangatahi and young leaders through the Young Leaders Sustainability Programmes. This programme holds an intergenerational outlook through supporting secondary students from across the Auckland region to develop leadership skills, knowledge of sustainability and gain competence in Māori perspectives to enable them to initiate authentic action projects for the Manukau area. As part of the programmes students develop action projects for the Manukau catchment area. Previous action projects have included establisment of Enviro-Groups in schools to undertake sustainability actions, partnerinng Auckland Zoo to restore local waterways, Pacific Vision Aotearoa working with Lynfield College to promote waste education and minimise waste in schools and communities. One such action project directly relevant to this proposal is a clean-up conducted with Airport rescue in December 2019.

Sea Cleaners have a vessel dedicated to the Manukau Harbour which aids in the clean-up. Of the 9.8m litres of rubbish (total volume) removed from the coast by the Sea Cleaners team, approximately a quarter of the total volume has been collected from the Manukau Harbour.

Thanks to the Sustainable Coastlines Litter Intelligence Programme, there is data available on the plastic the items entering and polluting the Manukau Harbour. Sustainable Coastlines data indicates that plastics make up a significant proportion of the litter within the Harbour. Surveys conducted in the Manukau Harbour show plastics make up anywhere from 85-95% of the litter collected.

A recent Litter Collection Survey – Taumanu Reserve (Onehunga Reclaimed Beach) was almost entirely composed of plastic and foamed plastic pieces. The items included resin pellets, bottle neck rings, food containers, food wrappers, bottle caps and lids, cable ties and zip ties, straws, plastic utensils, toys, lollipop sticks and unidentified plastic pieces. There is considerable overlap with those plastic items identified for removal from circulation through a mandatory phase-out.

The action of community groups and NGO's,e.g. Sea Cleaners and Sustainable Coastlines, adds weighting to any decision to remove plastics from circulation. These groups carry out fantastic work in an effort to restore the marine environment and provide effective avenues to reduce the presence of marine litter and plastic pollution. However, the establishment of such groups can be seen as a response to plastic pollution and should be seen as a reflection of the value the public places on accessing a pristine and unpolluted marine environment.

The importance of the phasing out of plastics for the Manukau Harbour

The most visible and disturbing impacts of marine plastics are the ingestion, suffocation and entanglement of hundreds of marine species. Marine wildlife such as seabirds, whales, fishes and turtles, mistake plastic waste for prey, and most die of starvation as their stomachs are filled with plastic debris. They also suffer from lacerations, infections, reduced ability to swim, and internal injuries. Floating plastics also contribute to the spread of invasive marine organisms and bacteria, which disrupt ecosystems.

A mandatory phase-out of hard-to-recycle plastics and single-use items will have direct biodiversity benefits for the Manukau Harbour.

Māui dolphins

The Manukau Harbour holds a specific concern regarding plastics as it is within the Māui dolphins natural range, and is part of the West Coast North Island Marine Mammal Sanctuary. Marine mammals can become physically entangled in loops or openings of drifting plastic debris. Entangled animals may suffer impaired ability to catch food or avoid predators. They may also incur cuts, wounds and infections from the debris. Plastic ingestion could also pose a threat to the dolphins. The risk is unquantified for Māui dolphins.

Benefits for shorebirds

The Manukau Harbour is the most significant shorebird habitat in New Zealand. In the Harbour the birds feed on the extensive mudflats at low tide which contain high-quality food, gather on the shell banks at high tide and roost along the foreshore. There is increasing evidence that shorebirds are vulnerable to ingestion of plastics. It is essential, therefore, that the health of the Harbour and the mudflats, shell banks and roosting areas are maintained and that the natural balance is not

destroyed. Species of shorebird that inhabit or rely on the Manukau Harbour include the Bar-tailed Godwit, South Island Pied Oystercatchers, Wrybill, Variable Oystercatcher, Australasian Pied Stilts, Royal Spoonbills, Caspian and White-Fronted Terns, Pied Little and Black Shags, Kingfishers, and White-faced Herons.

A mandatory phase-out of hard-to-recycle plastics and single-use items will have direct benefits for food-gathering in the Manukau Harbour.

Benefits for food-gathering

The Manukau Harbour is a place known for gathering kaimoana. It is a common sight to see people fishing or gathering shellfish throughout the Harbour. It is important to note that plastic pollution and the breakdown of plastic pollution into smaller and smaller pieces (microplastics) also presents a potential food safety issue. The accumulation of microplastics in shellfish and fish through ingestion (as well as organisms through-out the food web), occurs throughout the water column. There is increasing concern regarding the toxicological effects of plastics on marine biota.

Invisible plastic has been identified in tap water, beer, salt and are present in all samples collected throughout the world's oceans. Several chemicals used in the production of plastic materials are known to be carcinogenic and to interfere with the body's endocrine system, causing developmental, reproductive, neurological, and immune disorders in both humans and wildlife.

Toxic contaminants also accumulate on the surface of plastic materials as a result of prolonged exposure to seawater. When marine organisms ingest plastic debris, these contaminants enter their digestive systems, and over time accumulate in the food web. The transfer of contaminants between marine species and humans through consumption of seafood has been identified as a health hazard but has not yet been adequately researched.

Reduction in plastic pollution entering the Manukau Harbour and waterways will contribute to a reduction in this risk.

General feedback

The general feedback below outlines issues and concerns MHF wishes MfE to consider. The opportunity to undertake 'upstream' measures to reduce plastics entering waterways and the marine environment is crucial. The task of clearing all plastic pollution from the natural environment, once it is present, is an 'ambulance at the bottom of the cliff' approach.

Reduce the duration of the phase-out period

MHF encourages the proposed measures to be undertaken over a shorter duration. While the proposal will allow time for users to adopt plastic alternatives, plastic pollution entering the marine environment will still occur and will remain in the environment for a disproportionately longer time than the phase-out. Any opportunity to prevent further plastic entering the environment should be taken.

As experienced with the ban on plastics bags – It shows that adaptation to new forms of nonplastic sustainable replacement items can be achieved quickly and efficiently with very little inconvenience to most. The cost of a long phase-out period will allow for more plastic to accumulate in the end environment. This includes the waterways, beaches and ocean that make up the Manukau Harbour.

Consideration of additional plastics for phase-out

The proposal is specific in the plastics which it will cover. The items covered do not cover all of the plastic pollutions that are found in the Manukau Harbour, which is assumed to be representative of the marine environment elsewhere. The MHF encourages the adoption of additional plastic items that are not included in MfE's proposed items but are commonly found polluting the marine environment. Additional items to be considered include – balloons and balloon sticks, lollipop sticks, pens, plastic rope, cigarettes, butts & filters, disposable razors, long-life milk UHT cartons, and other soft plastics like bread bags. Further consideration of plastics that originate from

recreational and commercial fishing activities i.e. 'ghost gear' made up of polyvinyl chloride includes fishing lures, nets and fishing line.

The MHF understands that Auckland Council will draw upon community feedback on this matter and supports this.

Consider the enhancement of initiatives to clean-up existing plastic pollution

As individuals and representatives of communities engaged in initiatives to clean the environment, e.g. beach litter clean-ups, MHF feels it is important to tackle this existing problem in tandem. Removal of plastic from circulation or the 'closing of the loop' into a circular economy does not resolve the issue of plastic pollution already present within the environment. Greater support to clean up the plastic pollution from the environment should be undertaken to expedite the recovery of the environment, including the Manukau Harbour.

Adapting to a changing plastics future

The MHF acknowledge that there will be pressure on businesses and services that use the plastics in the proposal to adapt. The MHF also acknowledge that if plastic pollution is not curbed now then due to growth of population and competing demands, there will be an increase in plastic pollution and the associated negative impacts.

In a diverse city, peoples expectations and how they use plastic varies. Education to raise peoples understanding of the impacts and potentially harmful effects of plastics will be an important part of a mandatory phase-out of plastics. Education aimed at changing behaviours of the general public that contribute to pollution including awareness of the products that are harmful.

MfE needs to continue the waste minimisation workstream and move forward with the proposals in the consultation document to encourage and support businesses through education, regulation and monitoring enforcement to manage the flow of plastic

The MHF is wary that when adapting to a changing plastics future there can be unintended consequences. A potential consequence is the greater adoption of glass packaging as a plastic replacement. The Manukau Harbour already contains significant amount of glass pollution, often occurring as broken glass in the environment. An awareness of such consequences needs to be maintained and ways in which to circumvent them should be implemented. With this in mind, MHF is supportive of MfE adopting the Principles of Product Stewardship (New Zealand Product Stewardship Council) in the efforts to minimise waste.

Waterways and stormwater discharges all eventually run to our harbours and coastal areas. The Manukau Harbour is a receiving environment that has been significantly degraded through these inflows, which carry plastic pollution, and is now a heavily modified environment around the bulk of its perimeter. The potential for plastic pollution to further degradation of the remaining natural environment in the Harbour is a cause for concern.

A mandatory phase-out of plastics is a strategic intervention that will reduce plastic pollution entering the Manukau Harbour and will assist in the healing process and enhancement of a significant water body, a taonga, and its tributaries. Extract Albert Eden Local Board Minutes 20 October 2020

18 Albert-Eden Local Board input into Auckland Council's submission on Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items

Claire Abbott was in attendance to speak to the report. Resolution number AE/2020/1

MOVED by Member J Maskill, seconded by Member C Robertson:

That the Albert-Eden Local Board:

- a) provide input into Auckland Council's submission on the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items
- b) note their overall support for the intentions of the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard-to-recycle and single-use items.
- c) request a shorter time frame for the completion of the phase-out of PVC, polystyrene packaging and oxo-degradable plastics of stage 1 by January 2022, and stage 2 by January 2023.
- d) request a shorter time frame for the completion of the phase-out of single-use plastic items such as produce stickers and drink stirrers of 12 months for all items.
- e) note that the phase-out of single use plastic bags provided early warning to industry that further phase outs were pending, so the longer timeframes are not required.
- f) note that the local community will benefit from a ban on these hard-to-recycle and single use plastics in the following ways:
 - the bans would contribute to a more circular, environmentally sustainable economy, which is a move consistent with environmental protection, priority concern for Albert-Eden residents and also reflected in our draft Albert-Eden Local Board Plan 2020.
 - ii) local boards have kaitiaki responsibilities for coastal environments which will benefit from the proposed bans due to the reduction of small pieces of plastic polluting the marine environment.
 - iii) currently our community has to travel to out-of-area facilities to dispose of bulky non-recyclable packaging that does not fit in rubbish bins.
 - iv) travelling and paying to dispose of bulky non-recyclable packaging is challenging for our residents on the lowest incomes and the growing number who do not own a private vehicle.
- g) note that the local board has consulted with the Albert-Eden Youth Board and taken into account their support for the proposals as a step towards achieving a wider elimination of all plastics over time including because of the association between plastics and the oil industry.
- h) thank the Albert Eden Youth Board for their feedback to the Ministry for the Environment's consultation document: Reducing the impact of plastic on our environment: Moving away from hard to recycle and single use items.

CARRIED



Aotea / Great Barrier Local Board feedback on the Ministry for the Environment "Reducing the impact of plastic on our environment – moving away from hard to recycle plastics and single-use items" consultation

Background

- Aotea / Great Barrier Island lies 90km east of Auckland City in the Hauraki Gulf and is Auckland Council's most remote and isolated area.
- Over 60 per cent of the island is Department of Conservation (DoC) estate; 43 per cent of which is the Aotea Conservation Park.
- The island has a permanent population of 936 residents (2018 Census)
- The island has no reticulated power, wastewater/septic, nor water. Households are off-the-grid powered by generators, solar and wind, and collect water by bore, stream-take or rainwater. Residents are actively moving towards sustainable methods of power as fuel becomes more expensive and alternative methods become more affordable.
- Aotea is an International Dark Sky Sanctuary and has no streetlighting.
- Transport and freight to and from the island is by either plane, a 35-minute flight one way, or by ferry a four-and-a-half-hour trip one way. There is no on-island public transport.
- The island has one landfill that is consented until 2027. However, based on current volumes will reach capacity by 2022.

Aotea / Great Barrier Local Board feedback

- A. Being a remote and isolated island in the outer gulf, Aotea / Great Barrier is heavily reliant on freight networks to supply our goods. The extra distribution involved often means lots of packaging is used. Aotea residents are limited to the companies and services that can reliably deliver to the island and often do not have the luxury of consumer choice to guide industry standards and practices in environmental directions for our choices. We would like to strongly advocate for the phase out of hard-to-recycle packaging in all its forms immediately including Styrofoam containers and packing tape.
- B. Aotea / Great Barrier is an island in the outer gulf and plastics pollution washes up on our shores daily. We support any efforts to reduce the amount of plastic waste that ends up in our marine environment.
- C. Aotea was one of the first areas to start community-led waste diversion. Our community has a keen interest in how waste is managed. In June 2018, Aotea / Great Barrier Local Board and the community worked together to develop a road map to dealing with waste 'Making the most of waste on Aotea Great Barrier'.



- D. Since nations are becoming less likely to import the waste of other countries, the board strongly recommends that plastic waste be retained in New Zealand and separated as early as possible in the collection process.
- E. The board advocates for the transition from a linear to a circular economy, recycling within New Zealand and with rapid phasing out of those plastics which are hard to recycle.
- F. The report found that around 4-8 per cent of global oil production was for plastic; And the plastic industry's consumption of oil is also projected to increase to 20 per cent of total annual oil production by 2025. Therefore, the Aotea / Great Barrier Local Board would like to strongly advocate that all imported raw plastics, unless with exemption (such as, not feasible goods and medical equipment) to have a minimum percentage of recycled material similar to UK's proposal of 30 per cent recycled material.
- G. Aotea / Great Barrier Local Board support including plastic straws in the list for single-use items to be subject to a mandatory phase-out.

Please find the board's responses to the questions posed in the discussion document below:

1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

Yes

2. Have we identified the correct objectives? If not, why?

Yes, but we should also put in place disincentives to importing hard-to-recycle plastics into NZ, particularly those made from fossil fuels.

New Zealand should aim to use only the higher grades of plastic which can be recycled within the country.

For those plastic that are imported the board would support a levy or tax placed on problematic items. This is a popular method internationally for reducing single-use items like plastic shopping bags or disposable coffee cups.

The Aotea / Great Barrier Local Board would support a new tax on plastic packaging produced in, or imported into, NZ that does not contain at least 30 per cent recycled plastic; Like the proposed levy in the UK.

3. Do you agree that these are the correct options to consider? If not, why?

The board would support most options bar option 8 as doing nothing is not an option.



4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

It is suggested that NZ use an international standard such as ISO 15270:2008 Plastics — Guidelines for the recovery and recycling of plastics waste to help make industry efforts in this regard transparent.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes, the board supports mandatory phase out.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Yes

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

If New Zealand phases out PVC, we need to be sure there is something to replace it with. We should retain plastics for which there are no substitutes.

We must ensure that polystyrene food packaging is included as this can readily be replaced by paper products.

We should ensure that PVC and polystyrene beverage containers are included and encourage switching to higher-grade plastics or refundable glass bottles.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Yes, PVC and PS are used in consumer packaging in non-food and beverage contexts. Any PVC or hard polystyrene packaging can become a contaminant in the 'easy-to-recycle' plastic streams, so it's better to be consistent and phase-out all hard PVC and PS packaging.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Benefits would be more cost-efficient recycling streams.

Costs would be that businesses are slow to adapt and may struggle to find packaging suppliers as adaptable business will get in quick and secure supplies of eco-packaging.

Aotea / Great Barrier Local Board support taxes on lower grades plastics during the phaseout to incentivise a move to higher grade HDPE plastic use.



10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Yes

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

n/a

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Benefits will be less waste to have to recycle – a greater cost for the manufacturer or importer but a smaller cost to the circular economy. One benefit currently missing is the opportunity for businesses and community enterprises to develop reuse schemes and reusable packaging systems to replace the targeted plastics. This would have a positive job creation impact, as well as reducing waste. The growth of reuse schemes and shifting social norms will also lead to a reduction in other single-use packaging (not just targeted plastic), which will further reduce costs for local authorities and ratepayers.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Aotea Great Barrier as community has many limitations to accessing retail items, (mostly delivery networks) sometimes we do not have the option of picking the more environmentally friendly options that's why we would seek to have eco-packaging mandatory and hard-to-recycle plastics completely phased out alongside the banning or taxing of hard-to-recycle items.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

We recommend adding: cellulose acetate cigarette filters, polypropylene vegetable bags, nurdles, polyester and polypropylene wet wipes, nylon or polyethylene terephthalate (PET) teabags, single use items used in cafes such as stirrers and plastic straws, bread tags,



lollipop sticks, price-tag labels, tetra-packs, packaging bands, plastic can rings, fruit stickers, eco-ware containers with PLA lids. These products are perennial marine pollutants.

Also seek phase out of large flexitanks and bladders for industrial importing of wines etc. It has been shown these are too hard to clean for recycling and most of the time just end up in landfills.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Yes

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.

We recommend 12 months as there is already increased public awareness of the environmental cost of single-use items.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

We would recommend an outright ban on plastic-based wet wipes. Single use coffee cups could be replaced with keep-cups and reusable cups.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

A combination of regulation to disincentivise single-use and build a reuse culture, community engagement, and reuse infrastructure would enable the transition away from single-use coffee cups. We invite the Government to consult with the hospitality businesses, collaborations, and social enterprises working in this space in Aotearoa to hear what has made their projects successful, as well as ongoing barriers and opportunities, such as:

- UYO
- SUC-free Wanaka
- Again Again
- Cupcycling
- Good to Go Waiheke
- The Grey Lynn Koha Jar Project
- Takeaway Throwaways
- Wanakup



In relation to wet wipes, a collaborative effort with an educator such as Kate Meads who has long advocated and supported public transition to reusable alternatives, could be appropriate.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

12 months

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Yes

23. How should the proposals in this document be monitored for compliance?

Best to use a voluntary standard such as ISO 15270:2008 Plastics — Guidelines or a develop a local equivalent. However, when the low-grade plastics are phased out there need to be regulations and prohibitive penalties in place to stop the import and use of these products.



Manurewa Local Board feedback to Auckland Council's submission on the Ministry for the Environment's consultation document on hard-to-recycle plastics and single-use items

Proposal 1: Phase out hard-to-recycle plastics

The Manurewa Local Board supports the proposal to phase out hard-to-recycle plastics including packaging made from PVC and polystyrene and all oxo-degradable plastic products. We agree that this will result in less contamination of kerbside recycling, and increased recyclability of items that are collected. We also support this as a way to reduce confusion for residents which items should be disposed of in their kerbside recycling bin.

We support the proposed timeframes of implementing Stage One of the phase-out by 2023 and Stage 2 by 2025. These timeframes balance the need to address the environmental issues posed by the use of hard-to-recycle plastics with the need to allow businesses sufficient time to implement these changes.

We note that the proposed policy does not cover use of polystyrene on construction sites. We acknowledge the point that construction uses of polystyrene tend to have a longer life cycle and are less likely to end up in kerbside recycling. However, waste polystyrene from construction still needs to be disposed of in landfills, and we are also aware of occasions when polystyrene from construction sites in this area has blown onto neighbouring streets and reserves. Even with the best clean up response possible, debris entered the stormwater system and waterways. We suggest that further consideration be given to how polystyrene use on construction sites can be reduced.

We note that proposal states that compliance and monitoring costs for this proposal will fall to central Government, rather than local government. We believe it is important that this is the case and that this does not become an unfunded mandate with responsibilities being passed onto local government without any extra funding being provided to meet additional costs.

Proposal 2: Take action on single-use plastic items

The board supports, in principle, the proposal to phase out single-use plastic items that are problematic in the waste or litter stream and present an unnecessary use of plastic. However, we agree with the council submission that more information is needed on the scope and implications of the proposal in order to give a more detailed response.



We support the phasing out of wet wipes that contain plastic as soon as non-plastic alternatives are widely available. In the meantime, we believe that mandating clear labelling of the product as non-flushable and undertaking a public education campaign would assist in reducing the harmful effects they can have on our wastewater system.

This feedback is authorised in accordance with Manurewa Local Board resolution MR/2020/44 – 16 April 2020.

Joseph Allan, Chairperson 28 October 2020 On behalf of the Manurewa Local Board


29 September 2020

Formal feedback to the Ministry for the Environment on "Reducing the impact of plastic on our environment – moving away from hard to recycle plastics and single-use items."

- A. The Waiheke Local Board appreciates the opportunity to provide feedback to the Ministry on reducing the impact of plastic on our environment.
- B. The Waiheke Local Board is active in waste minimisation and in fact has its own section of the Auckland Waste Management and Minimisation Plan. The area includes Waiheke Island, Rakino Island and over ten other small islands in the Hauraki Gulf Marine Park.
- C. Waiheke Island has a history of proactive leadership regarding waste, which remains strong today. Waiheke was one of the first communities in Auckland to undertake comprehensive community recycling. A council/community partnership has recently been awarded the new 10-year waste contract on Waiheke and is in the process of establishing a Community Resource Recovery Park.
- D. In view of the actions in the board's waste plan, and of the fact that nations are becoming less likely to import the waste of other countries, the board strongly recommends that plastic waste be retained in New Zealand and separated as early as possible in the collection process.
- E. The board advocates for the transition from a linear to a circular economy, recycling within New Zealand and with rapid phasing out of those plastics which are hard to recycle.
- F. At present we understand that co-mingled recycling is separated, and plastics sent offshore for recycling. The board strongly advocates for plastics to be separated and capacity to be grown to recycle locally.
- G. The board would like to see a stronger educative component to ensure that residents choose higher grade plastics with their purchases which are more likely to be recycled locally.

Please find the board's responses to the questions posed in the discussion document below:

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes

2. Have we identified the correct objectives? If not, why?

Yes, but we should also put in place disincentives to importing hard-to-recycle plastics into NZ, particularly those made from fossil fuels.

New Zealand should aim to use only the higher grades of plastic which can be recycled within the country.

The product stewardship scheme should be extended to cover beverage containers.

3. Do you agree that these are the correct options to consider? If not, why?

The board feels that stronger measures are needed than the voluntary agreement suggested in Option 8. A mandatory agreement is required with targets and compliance systems.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

The board suggests that incentives can work at least as effectively as sanctions and should also be considered.

It is suggested that NZ use an international standard such as ISO 15270:2008 Plastics — Guidelines for the recovery and recycling of plastics waste to encourage industry efforts and to make those efforts more transparent.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes, the board supports mandatory phase out.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Yes, this a relatively short timeframe which we support.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

If New Zealand phases out PVC, we need to be sure there is something to replace it with. We should retain plastics for which there are no substitutes.

We must ensure that polystyrene food packaging is included, as this can readily be replaced by paper products.

We should ensure that PVC and polystyrene beverage containers are included and encourage switching to higher-grade plastics or refundable glass bottles.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg. not just food and beverage and EPS packaging)? Please explain your answer.

Yes, PVC and PS are used in consumer packaging in non-food and beverage contexts. Any PVC or hard polystyrene packaging can become a contaminant in the 'easy-to-recycle' plastic streams, so it's better to be consistent and phase-out all hard PVC and PS packaging.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Depends on the alternatives available but our enquiries have shown that there are alternatives. We support taxes on lower grades plastics during the phaseout to incentivise a move to higher grade HDPE plastic use.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Yes, we particularly support paper and cardboard products which are not plastic-coated.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

The use of oxo-degradable plastics is increasing, and we are seeing more of it washing up on our shores, so phase out now would be beneficial before it becomes too commonplace.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

n/a

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Benefits will be less waste to have to recycle – a greater cost for the manufacturer or importer but a smaller cost to the circular economy. One benefit currently missing is the opportunity for businesses and community enterprises to develop reuse schemes and reusable packaging systems to replace the targeted plastics. This would have a positive job creation impact, as well as reducing waste. The growth of reuse schemes and shifting social norms will also lead to a reduction in other single-use packaging (not just targeted plastic), which will further reduce costs for local authorities and ratepayers.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

The easiest way is for manufacturers to phase them out. More prominent labelling on the packaging is required to support shopper selection, and better public education is required around life streams of products. On Waiheke better knowledge about local recycling processes would help. If residents knew that recyclables from the door-to-door collection went to the Visy plant in Onehunga for processing and export, whereas recycling dropped at the local resource recovery park (RRP) went to New Zealand processors - they would be more inclined to purchase products that they knew could be recycled locally and to sort recyclables for delivery to the RRP.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

We recommend adding: cellulose acetate cigarette filters, polypropylene vegetable bags, nurdles, polyester and polypropylene wet wipes, nylon or polyethylene terephthalate (PET) teabags, single use items used in cafes such as stirrers and plastic straws, bread tags, lollipop sticks, price-tag labels, tetra-packs, packaging bands, plastic can rings, fruit stickers, eco-ware containers with PLA lids. These products are perennial marine pollutants.

17. Do the proposed definitions in table 7 make sense? If not, what would you change? Yes

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.

We recommend 12 months as there is already increased public awareness of the environmental cost of single-use items and switching to alternatives by retailers.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

We would recommend an outright ban on plastic-based wet wipes. Single-use coffee cups could be replaced with keep-cups and reusable cups/jars. Waiheke has an island-wide system for washing and returning cups and jars. Other locations could encourage cup washing schemes and businesses through environmental awards.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

A combination of regulation to disincentivise single-use plastic products and build a reuse culture, community engagement, and reuse infrastructure would enable the transition away from single-use coffee cups. We invite the Government to consult with the hospitality

businesses, collaborations, and social enterprises working in this space in Aotearoa to hear what has made their projects successful, as well as ongoing barriers and opportunities, such as:

- UYO
- SUC-free Wanaka
- Again Again
- Cupcycling
- Good to Go Waiheke
- The Grey Lynn Koha Jar Project
- Takeaway Throwaways
- Wanakup

In relation to wet wipes, a collaborative effort with an educator such as Kate Meads who has long advocated and supported public transition to reusable alternatives, could be appropriate.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

12 months

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Yes

23. How should the proposals in this document be monitored for compliance?

Best to use a voluntary standard such as ISO 15270:2008 Plastics — Guidelines or a develop a local equivalent. However, when the low-grade plastics are phased out there need to be regulations and prohibitive penalties in place to stop the import and use of these products.

CMH-ly

Cath Handley Chair Waiheke Local Board



PO Box K61, Haymarket. NSW 1240 Ph: 02 92802130 ACNC Registered Charity. ABN 33484952023 52 environment NGOs - www.boomerangalliance.org.au

Submission on Reducing the Impact of Plastic on our Environment (consultation document ME 1520)

26 October 2020

Thank you for the opportunity to provide our views on these proposals.

About Boomerang Alliance

The Boomerang Alliance in an Australian NGO advocating for zero waste and the elimination of problematic plastics. As a peak organisation in Australia we represent 52 allied organisations, that include many of the key national, state and regional non-government environmental organisations.

As an NGO advocate organisation we have been instrumental in establishing state-based bans on lightweight plastic bags (to date in every State and Territory, bar NSW) and container deposit schemes (now in every State and Territory, with announced schemes in 2022/3 in Victoria and Tasmania). We currently advocate for the introduction of bans on certain single use plastics (takeaway), with other problematic plastics to follow.

We also run a national Plastic Free Places (PFP) program that directly engages with food service outlets and public event organisers in several states, to promote a switch away from single use plastics. PFP assists businesses to review their procurement practices and adopt acceptable alternatives (including avoidance). We maintain an up to date register of alternatives; with PFOP being increasingly acceptable as a transition for ban legislation. To date we have over 450 member businesses who collectively have removed over 6 million single use plastics through practice change.

www.plasticfreeplaces.org

Australian Policies

South Australia has passed legislation and two other jurisdictions currently have legislation before their Parliaments to introduce bans on certain single use plastics in 2021, with other jurisdictions expected to follow. Boomerang Alliance is involved through our membership of jurisdictional advisory committees.

Other major policy movements include a forthcoming National Plastics Plan; Plastic Pact; and work by the Australian Packaging Covenant.

Our Submission

Your consultation document seeks views on (1) hard to recycle plastics and (2) on the phaseout of some single-use plastic items. Our submission will address both categories.

Your consultation document cites plastic packaging as your primary concern at this point. As a result, whilst recognising that there are many other forms of plastic that could be avoided, reduced, reused or recovered as part of a circular economy approach - in this submission, we have put our focus on recommended plastic packaging policy strategies and regulations.

The three policy settings we recommend are all consistent with the Waste Minimisation Act 2008 and provide our views on addressing all the options contained in your consultation document.

We also note that NZ packaging companies are engaged in the development of an ANZPAC Plastic Pact. However, in recent discussion on the establishment of the Pact it was identified that NZ plastic targets lagged behind other comparable economies and needed further development, certainly compared to Australia and the EU. We would urge the development of stronger government targets on plastics for 2025.



Current Australia/New Zealand targets as outlined in ANZPAC documents

A Plastic Pollution Reduction Strategy

We submit that a Plastic Pollution Reduction Strategy (PPRS) would be an effective strategic framework to build plastic policies on. Such a framework could include problematic single use plastics; in the home, away from home, in agriculture, in business and industry and in the marine environment. It could engage all sectors concerned with these plastics and incorporate a continuous improvement program to address the most problematic or low hanging fruit plastics, within a systematic framework. In the context of this consultation, the

most obvious low-hanging fruit is away from home packaging and product packaging brought into the home. These are the items with very disappointing recovery rates.

1. Away from Home (takeaway packaging)

Away from home packaging is the most obvious policy choice for first-up action and it is packaging most identified by the public as problematic. When discarded this packaging is the most likely to be littered and wasted and in virtually all cases there is an alternative practice or product available.

To address this we support the option to ban certain single use plastic products. In this submission we will outline the options we believe most effective to this end.

2. Other Consumer Packaging

This refers to packaging brought into the home, office or business. It includes packaging of consumer products and goods and the packaging used to transport those goods. To address this we support the establishment of a Extended Producer Responsibility or Product Stewardship Scheme for packaging. Such a scheme would establish mandatory recovery targets and schedules, with honest labelling requirements, and obligations by manufacturers to contribute to both reductions in excessive packaging, redesign and to the recovery of packaging that is used.

Plastic Bags and Container Deposits

New Zealand has introduced an advanced plastic bag ban (<70mg) and intends to introduce a container deposit scheme for bottles and cans. Both of these measures are important and complementary to the above.

1. A Single-use Plastics Ban

A NZ ban should be consistent with addressing the main unnecessary and problematic plastics in New Zealand. In this context, that is broadly-speaking takeaway plastic items.

In the EU and in parts of Australia who have brought in legislation, that includes plastic straws, stirrers, cutlery, plates, bowls and containers, coffee cups/lids, other cups and other plastic takeaway items (e.g. condiment sachets and containers) and heavyweight plastic bags. Expanded polystyrene products are included in this list. It should include helium balloons and plastic balloon sticks. Other items identified include barrier bags, cotton buds and wet wipes. All these items are routinely represented in litter and waste data. All have alternatives through changed practices or preferred other products. We fully support the Paper's views on oxo-degradable and polystyrene items.

Specific action to curb cigarette butt litter should also be considered.

Only 100% compostable products (certified to a standard accepted by the organics and compost sector in NZ) would be allowed under this policy setting. In Australian, jurisdictions are applying the Australian compost standards (AS 4736/AS 5810)

A compostables only exemption means that oxo-degradable products will be banned from use, (as proposed by the Discussion Paper).

Most jurisdictions have introduced bans on these products according to a schedule. Most have started with obvious items such as straws, cutlery and expanded polystyrene. Their intent is to add other products to the list, over time. This schedule allows affected sectors the opportunity to transition their practices and procurement and the public to become accustomed to the changes. In Australia jurisdictions have announced bans for 2021, with other products to be added within a prescribed period.

A ban on these items will act to change practices and procurement options. Those alternatives are avoidance in the use of these products, a practice change to more reusable food ware and, where not possible, a switch to 100% certified compostable products.

Whilst avoiding unnecessary single-use plastic and reusable food ware are the best options, we include compostable products as an alternative option as insisting upon only avoidance and reusables is impractical and probably unachievable right now, for most businesses providing takeaway services. However, under this regime, reusable food ware should become increasingly commonplace. The ban drives a transitionary process away from single-use items.

We recognise that a switch to compostables does not reduce litter or waste, and that collection and processing of these products will also have to be developed and introduced. With government now moving to remove organics from the waste stream, these services will become increasingly available, and allow compostable takeaway packaging to be included in those services. Our experience with locations in which we have worked (Plastic Free Places) has shown that creating a demand and building an awareness about better practices, is driving and creating composting facilities, where none previously existed.

An exemption for those with a disability being able to access these products if needed, should be part of the regulation.

Costs

In recent times the costs of non-plastic or compostable alternative products has reduced considerably. Today the difference in cost between a standard 12oz S-Wall polystyrene cup /lid and a compostable alternative is about 2 cents. Other products are similarly comparable or even less than standard plastic products. Packaging is a minor component of a beverage that might cost \$4-\$5 or a meal that might cost \$10 or more.

The two products where there is a cost difference are plastic straws and plastic cutlery. Alternative straws are about three times the price and cutlery twice. However, the plastic products are so cheap that most food outlets are in the practice of providing them to every customer, whether they request or need them or not. In our Plastic Free Places program we ask our cafes to remove plastic straws from sight and only provide alternative straws on request. The result is that virtually every café reports a 70-80% drop in demand, more than enough to offset any additional costs. A similar practice change with plastic cutlery also works.

2. Extended Producer Responsibility/Product Stewardship (Other Consumer Packaging)

We are strong advocates for post-consumer, producer responsibility and would urge the NZ Government to also introduce mandatory requirements on packaging that will achieve the government's desired outcomes on plastic waste and litter reductions.

The global Plastic Pact (Ellen Macarthur Foundation) that over 400 multi-nationals and packaging suppliers have committed to, states:

'Businesses producing and/or selling packaging have a responsibility beyond the design and use of their packaging, which includes contributing towards it being collected, reused, recycled or composted.'

'Governments are essential in setting up effective collection infrastructure, facilitating the establishment of related self-sustaining funding mechanisms and providing an enabling regulatory and policy landscape.'

In addition to outlined bans for takeaway plastic products, an effective EPR for packaging should be established. The purpose being to achieve the goal of having all packaging reusable, compostable or recyclable by 2025.

Packaging reduction targets have been an issue for decades, and little has changed as the industry has been largely left to its own devices to make any changes. The result has been no packaging reductions and static recovery results, and little clarity around labelling and standards for packaging.

Now that most major packaging companies have accepted the need and the extent of required reduction and recovery targets for their products, the NZ government has the opportunity to take effective policy action. An EPR/PS scheme, based around circular economy principles, will make the change. NZ can address its own problem wastes without exporting them, can create new economic opportunity in resource recovery and can reduce the excessive resource and material use that our throwaway culture has promoted.

We strongly urge an EPR/PS scheme for Packaging not covered by a single-use ban as outlined above.

Key Elements for an effective EPR/PS scheme include:

- Mandated requirements that manufacturers and distributers of packaging entering the NZ market, must comply with eco-design standards so that their products can be readily and economically reused, composted or recycled. Eco-design standards include minimising material use, eliminating toxins, the use of recycled content, where required by NZ regulations, as well as energy and water efficiencies and pollution controls during production
- Voluntary accreditation schemes on packaging/associated plastic products should be removed and replaced with mandatory ones. Mandatory product stewardship places

a legal obligation on manufacturers and suppliers and to meet basic and stated requirements.

- No product should be permitted to display a reusable, compostable or recyclable symbol until it can be shown that (1) the product meets NZ standards for that post-consumer recovery and (2) it can be shown that the product is recovered in practice and at scale across multiple regions in NZ and (3) recovery rates meet established targets for that product.
- Manufacturers and suppliers bear a responsibility for the performance and postconsumer recovery of their products. In addition to meeting eco-design and postconsumer product standards, manufacturers should financially contribute to the collection, recovery and processing of their products. This contribution should continue until it can be demonstrated that their product is being recovered as part of a self-sustainable, circular economy system.
- A Packaging EPR/PS scheme should be fully supported by government policies on procurement and agreed investments that support effective collection and create new opportunities and markets for those post-consumer products.
- A published plan and investment strategy should be produced and designed to meet 2025 packaging targets and goals.
- The Act should require the use of environmental accounting in benefit cost assessments of proposed schemes so that the full environmental, social and employment benefits of a scheme are assessed.
- Incineration and energy from waste should not be considered as an option in achieving product stewardship goals. Acceptable options are avoidance and reduction, reuse, composting and recycling, with a continuous improvement approach to ensure that post-consumer performance improves based upon the principles pf the waste hierarchy.

Plastic Free Places

The Boomerang Alliance runs a series of community programs around Australia that engage with food service outlets and public events. The program promotes a switch away from identified single-use plastics and presents a how-to and what-to-do guidance. We work with cafes, suppliers and manufacturers to make the change achievable and affordable. The work operates in partnership with governments, hospitality associations and local business.

The program collects verifiable data to show its performance in reducing single use plastics. It acts in tandem with any government policies to phase-out problematic plastics by providing a means for the providers of takeaway packaging (food service outlets, hospitality businesses and event managers) to transition away from single-use plastics. A similar program could be developed for New Zealand as part of government action on single-use plastics.



Boomerang Alliance is happy to provide any further info you may require and can be contacted on the email/phone number supplied. We hope that our recommendations are useful and prove helpful.

We strongly urge the NZ Government to act on these problematic plastics. Reducing their use and impacts will not just benefit NZ but also act as a model for other neighbouring nations currently facing plastic pollution problems, usually not of their own making.

Signed,

Jeff Angel Director

Toby Hutcheon Campaign Manager



District Health Board

Te Poari Hauora ō Waitaha

Submission on Ministry for the Environment -Reducing the impact of plastic on our environment (2020)

To:

Ministry for the Environment Environment House 23 Kate Sheppard Place, Pipitea, Wellington 6011

Submitter: Canterbury District Health Board

Attn: Matt Willoughby Community and Public Health C/- Canterbury District Health Board PO Box 1475 Christchurch 8140

PLASTIC ON OUR ENVIRONMENT (2020)

Details of Submitter

- 1. Canterbury District Health Board (CDHB).
- 2. The submitter is responsible for promoting the reduction of adverse environmental effects on the health of people and communities and to improve, promote and protect their health pursuant to the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
- 3. The Ministry of Health requires the submitter to reduce potential health risks by such means as submissions to ensure the public health significance of potential adverse effects are adequately considered during policy development.

Details of submission

- 4. The CDHB welcomes the opportunity to comment on the Reducing the impact of plastic on our environment (2020). The future health of our populations is not just reliant on hospitals, but on a responsive environment where all sectors work collaboratively.
- 5. The CDHB submission has been adapted from the South Island DHB's submission. Whilst most of the content is the same, some amendments have been made.

PLASTIC ON OUR ENVIRONMENT (2020)

General Comments

Q1. Do you agree with the description in this document of the problems with hardto-recycle plastic packaging and single-use plastic items? If not, why?

6. This is a well-considered description of the problems with hard-to-recycle plastic packaging and single-use plastics items. Microplastics, such as those caused by oxo-degradable plastic, are of significant public health concern as little is yet known of the effects of microplastics on human health, however research suggests the chemicals found in plastic (such as styrene and BCPs) can have harmful health effects such as cancers, reproductive problem, immune system issues, and more.

Q2. Have we identified the correct objectives? If not, why?

7. The objectives are sound from a resource recovery perspective. While health related impacts may not be relevant in this perspective, they are still significant if end-of-life plastic is not managed appropriately.

Q3. Do you agree that these are the correct options to consider? If not, why?

- 8. The options are relevant and considered, however, the mandatory phase-out option could be more explicit (see Q5).
- Q4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?
 - 9. We are happy with the criteria used to assess the various options.

Q5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

10. We strongly support the mandatory phase-out option in terms of food and beverage packaging/plastics, however this option could be more explicit. For example, some concerns have been raised about the importing of prohibited materials in packaging.

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- 11. However, a sector-by-sector approach is recommended to fully understand the level of imported plastic and its use in New Zealand. For example, the healthcare sector relies heavily on imported equipment, clinical supplies, and pharmaceuticals. As this is already a competitive market, limiting access to products due to their plastic content and packaging could have serious implications on the ability to provide certain health services. It is important sectors such as ours are supported as we transition away from hard to recycle materials. Product stewardship embedding localised solutions for packaging could be an interim solution, for example.
- 12. An example in a healthcare setting is where expanded polystyrene boxes are used to transport medical supplies that must be kept refrigerated. A concern has been raised regarding reusable alternatives potentially having a significant expense, and single-use alternatives not being able to provide the stability required for the transportation of the products. In a case such as this, a product stewardship scheme may be a more appropriate option, however this could be argued as an exception and not as a rule until a better solution becomes available.
- 13. Inclusion of incentives for reduce and reuse before recycling could be a useful addition. Further, we strongly support a return scheme (product stewardship) whereby the consumer has an incentive to return plastic and/or other packaging to the supplier/manufacturer, and the mandatory labelling of any materials used for packaging.
- 14. Our recommendation would be that sector specific options are considered as an adjunct to this proposal.

Q6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

15. The proposed phase-out of PVC and polystyrene packaging seems well considered.

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Q7. Have we identified the right packaging items that would be covered by a phaseout of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

16. Generally we agree with the packaging items listed, however we do query rigid bins made of polystyrene in a healthcare setting if a reliable alternative is not found (see response to Q5).

Q8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Q9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

- 17. Please refer to our response to Q5 relating to the need to review this sector-bysector.
- 18. However, it should be noted we consider food and beverage part of the wider retail sector. We feel all forms of consumer product packaging containing hard-to-recycle plastics should be included in this ban (e.g. as clamshell product packaging, plastic shrink wrapping, etc., made of PVC or polystyrene). To not include all product packaging seems to unfairly target the food and beverage industry, while leaving other consumer goods industries free to continue to use products that may cause detrimental environmental impacts. Environmental degradation caused by plastic waste is not solely due to food and beverage packaging. For example, the cosmetic and household chemicals industries also create footprints. Would these items be classed as food and beverage? What is the definition of food and beverage packaging?
- 19. We accept this may require a longer lead time, particularly on imported goods. Further,
- 20. We recommend the Ministry for the Environment undertakes a full review of PVC and hard polystyrene as well as exploring alternatives before a stage 2 phase-out is considered.

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Q10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

21. Generally we agree that there are practical alternatives available to replace hardto-recycle packaging, however it must be acknowledged we do not currently have the required infrastructure in New Zealand to accommodate 4 and 5 plastics in the volume they are created (or 1 and 2 plastics for that matter). Investment in decentralised infrastructure is necessary to really see any benefits otherwise these plastic types could also be considered "hard-to-recycle".

Q11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

22. Oxo-degradable plastics are a human health concern and for that reason we support the mandatory phase-out of this type of plastic.

Q12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

23. Not applicable

Q13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

24. We feel comfortable the right costs and benefits have been assessed, however the benefit to human and animal health could also have been considered.

Q14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

25. Consumer demand for more ethical products is growing and this often comes with higher costs to meet compliance standards. Therefore, we accept additional costs associated with a phase-out of targeted plastics will be borne by the consumers.

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- 26. We do not see any disbenefits identified in relation to human or animal health which will occur if all plastic waste generated in New Zealand is collected and recycled.
- 27. We also note consideration of localised environmental costs (e.g. water/air pollution) may be incurred by providing more recycling infrastructure in New Zealand and in our local communities. However, it could be argued currently any adverse effects from virgin plastic creation and plastic recycling processes are being exported, often to countries who do not have strict health and safety and/or environmental regulations as we do here in New Zealand. We are moving the risks rather than reducing them.
- 28. Further the cost benefit of any accumulated infrastructure environmental footprints would need to be compared with the status quo. We do not see reference to this in these documents.
- 29. The public sector has obligations to meet the broader outcomes as defined in the Ministry of Business Innovation and Employment Procurement Rules (4th Ed), one of which is to reduce waste. This submission is made in good faith that the public sector needs to be considered by the Ministry for the Environment as to its overall footprint, generation of plastic waste and infrastructure access requirements.

Q15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

- 30. While we support reusable and refillable alternatives where they are available and appropriate, organisationally we require single-use materials on some occasions, such as cutlery, drinking vessels, etc. where visitors may be inclined to take items offsite for consumption. Currently in New Zealand we do not see any solutions for this in the scale we would require.
- 31. Compostable solutions (i.e. cardboard, wood, bamboo) are the best option for us, however there are two significant barriers to their adoption presently:

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- 1. Compostable solutions (e.g. wooden cutlery) are almost twice the cost of plastic solutions currently, and
- 2. The lack of decentralised commercial composting infrastructure does not enable us to divert these waste streams from landfill currently.
- 32. To enable us to move away from hard-to-recycle plastics New Zealand would need to see more investment in decentralised commercial composting infrastructure.

Q16. What do you think about the proposed mandatory phase-out of some singleuse plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

- 35. We are disappointed to see single-use coffee cups and wet wipes left off this list.
- 36. Single-use coffee cups and lids are the main culprit of recycling contamination in hospital environments. Reusable coffee cup systems are already available in New Zealand (such as Again Again). Further, unless there is significant investment in commercial composting systems, having commercially compostable only single-use products (such as PLA lined coffee cups) as the only products available on the market makes no difference to landfill volumes from the waste stream.
- 37. Wet wipes can easily be replaced with the humble flannel (therefore alternatives are available). While we use wipes in the healthcare environment, we feel they could potentially be treated similarly to straws where they are only available for medical use.

Q17. Do the proposed definitions in table 7 make sense? If not, what would you change?

38. The proposed definitions seem sensible, however plastic tableware may require a more detailed definition to ensure flimsy tableware is not labelled reusable.

Q18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

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- 39. While a short time frame would be great from a zero-waste perspective, a 2-3year phase-out should allow organisations enough time to organise procurement of replacement options, and allow the market to introduce more suppliers of sustainable options reducing the financial cost.
- 40. We would recommend all items have the same timeframe for ease of phase-out and communication.

Q19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

- 41. As stated in response to Q16, we are disappointed to see single-use coffee cups and wet wipes left off the original list. As discussed in the consultation documentation, innovations already exist for coffee cups and plastic based wet wipes. Enforcing a ban on a 2-3 year timeline will encourage more innovation and behaviour change. For example, if there is already a supplier providing a 100% paper coffee cup alternative, setting a ban timeline will allow other innovators (including the likes of Again Again) to join the movement to reduce the significant landfill footprint single-use coffee cups create.
- 42. Further, wet wipes are a significant disruption to waste water systems, including in a hospital environment. Similar to the coffee cup example above, if products already exist that do not contain plastic, even if wet wipes were not constrained to a medical environment, this would significantly reduce plastic pollution.
- 43. It would be helpful if a life cycle account of the costs of managing wet wipes and lids could be done. It is conceivable it would be cheaper for the taxpayer to purchase compostable substitutes than to pay for the drain blockages and other infrastructure costs related to disposal of these items. This would mean DHB procurement services were enabled to purchase better quality items e.g. compostable disposable cups of polystyrene cups.

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Q20. If you are a business involved with the manufacture, supply, or use of singleuse plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

- 44. From a user perspective, three things will assist us to transition away from singleuse items:
 - 1. Access to a reliable plastic-free product,
 - 2. Access to decentralised commercial composting infrastructure, and
 - 3. Financial power to purchase better quality items.

Q21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

45. We feel these items should be aligned with the single-use items already listed (with the exception of medical use for wet wipes) therefore suggest a 2-3 year timeframe.

Q22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

46. We feel comfortable many of the right costs and benefits have been assessed, however the benefit to human and animal health could also have been considered.

Q23. How should the proposals in this document be monitored for compliance?

47. We would expect the Ministry for the Environment would understand compliance monitoring and would either set up a specific unit for this purpose, or fund local government to complete this task.

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Final Comments:

- 48. Overall, the comments made in this submission identify the challenges we face, specifically in the health sector, and the need for significant investment in decentralised infrastructure to promote the circular economy and reduce waste being sent to landfill.
- 49. We fully support the intention of the Ministry for the Environment to consult and the purpose of this consultation overall, however we ask you to conduct a similar exercise for other sectors / industries to extend the responsibility to high users of hard-to-recycle plastics, with urgency. This would pave the way for a consistent and unified approach to managing hard-to-recycle packaging/plastics in New Zealand.

Summary

50. Thank you for the opportunity to comment on the reducing the impact of plastic on our environment consultation (2020)

Person making the submission

Mon

Dr Anna Stevenson Medical Officer of Health

Date: 4/12/2020

PLASTIC ON OUR ENVIRONMENT (2020)

Contact details

Matt Willoughby For and on behalf of Community and Public Health C/- Canterbury District Health Board PO Box 1475 Christchurch 8140

P +64 3 364 1777 F +64 3 379 6488

matt.willoughby@cdhb.health.nz



4 December 2020

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Plastics.Consultation@mfe.govt.nz

Christchurch City Council submission on *Reducing the impact of plastic on our environment – moving away from hard-to recycle and single-use items*

Introduction

Christchurch City Council (the Council) thanks Ministry for the Environment for the opportunity to provide comment on the *Reducing the impact of plastic on our environment* consultation document.

Our submission is attached below. Please note that the Council staff have contributed to, and fully support the submission made by the TAO Forum.

Submission

As stated in the Christchurch City Council 2020 Waste Minimisation and Management Plan, working with Central Government on initiatives to reduce plastic waste in the environment is an important part of meeting growing public expectations to address issues with plastics with no current solutions in NZ.

As of 22 October 2020, the Council has spent close to \$1.5 million, sending almost 1500 truckloads of contaminated material from yellow bins to landfill since May (post lockdown), equating to about 41 per cent of all kerbside recycling bins. A significant proportion of recoverable product is being contaminated by problematic plastic items, including those listed in both proposals within the consultation document.

The impact of plastics on our environment is visibly apparent in Christchurch waterways. Over 75 tonnes of litter was collected in 18 months (Nov 2017 to May 2019) from booms on the Otakaro-Avon River installed in two suburbs alone (Dallington and Woolston). Larger litter items create many issues, including navigational and hygiene hazards for recreational river users. In addition, a study – *Wastewater treatment plants as a source of micro plastics to the environment (Helena Ruffell, 2019)* – carried out in Christchurch, demonstrated micro plastics from littered plastic items, are entering the wastewater treatment plant, where they are unable to be filtered out, and discharge into local ecosystems.

The Council's upcoming resource recovery service delivery review includes a recommended action to adopt a regional approach to litter and illegal dumping. However, with the waste levy increasing, the cost of disposing of the tonnes of litter being collected during community clean ups (Christchurch examples include the annual *Mother of all Clean Ups, Keep NZ Beautiful* and *Operation River Quest*)

will also increase. Many items collected during these clean ups include single use plastic items listed in the document.

In regards to the ban of plastic straws, we acknowledge that disability action groups have raised concern. We therefore strongly support the involvement of these groups in the consideration of any regulations around plastic straws, given the advice that available alternatives are not appropriate for various health needs.

Councils are often seen as the ambulance at the bottom of the cliff in regard to waste and are meeting a substantial part of the cost associated with this service. Council strongly supports any initiative that removes the issue and places responsibility on those responsible for the decision to package and manufacture products in the first place as this is where a real difference can be made.

Thank you for the opportunity to provide this submission.

For any clarification on points within this submission please contact Ross Trotter, Resource Recovery Manager, Three Waters and Waste directly on 03 941 8377 or by email at <u>Ross.Trotter@ccc.govt.nz</u>

Yours faithfully

David Colam

David Adamson General Manager City Services Christchurch City Council

1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

Christchurch City Council Resource Recovery Team agrees with the description but think a broader framing of the problem would allow wider issues to be considered and tackled, which will likely require more than a simple ban. Firstly, there is a culture of dependence (economic and social) on the convenience of single-use plastics. In addition, we note the following issues that could be a barrier to the objectives outlined below:

- The low price of virgin plastic can create an economic barrier to utilising recycled resin
- Product design such as the use of coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches can still limit a products recyclability

The present proposal should be part of a comprehensive Government policy targeting reliance on both single-use products in general and on virgin plastic resin. This could include specific regulations and investment to disincentive single-use and create a reuse culture.

In addition, overreliance on offshore markets increases our carbon footprint through importing fossil-fuelled plastic resin or manufactured plastic products. There is a need to develop zero or low carbon alternatives where single-use is necessary and encourage onshore manufacture.

2. Have we identified the correct objectives? If not, why?

Yes, however, we think there should be three main objectives

- 1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy.
- 2. Minimise the environmental impact of single-use items that are littered and make their way into our oceans and streams.
- 3. Reduce the current level of contamination in kerbside recycling

The following list expands on the three main objectives rather than being secondary objectives.

- lower risk of environmental damage including through litter and poor resource management
- decreasing the risk of wildlife consuming plastic and plastic entering into our food chain
- less PVC contamination in our recycling stream, so high-value materials like PET can be recycled rather than sent to landfill
- fewer unrecyclable plastics in our recycling stream such as plastic cutlery plates etc. leading to lower contamination
- less contamination of plastic in both home and commercial composting
- increasing the uptake of high-value packaging materials including PET (1), HDPE (2) and PP (5)
- improving the recyclability of plastic packaging
- reducing public confusion and making it easier for New Zealanders to recycle right
- reducing carbon emissions associated with the manufacture, distribution and disposal of single-use plastic items.

3. Do you agree that these are the correct options to consider? If not, why?

Yes, however we believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. For example, an approach that combines the proposed bans with levies/fees, eco-labelling, measurable targets, deposit-return, take back schemes, and community engagement. The EU Directive on Single-Use Plastics, and the plastics and packaging and single-use plastics chapters of the recently released Irish National Waste Policy, provide useful examples of blended approaches.

In addition to the options listed, we would support the consideration of additional measures to support the uptake and scale of reuse such as:

- mandatory targets for reuse/refill on specified items
- deposit return systems for takeaway serviceware to ensure that they are in a recyclable condition (i.e., clean) and put in the correct recycling bins
- mandating reusable in dine-in settings (as done through phase 3 of the Berkley Single Use Foodware and Litter Reduction Ordinance)
- levies on targeted single-use items
- Guidelines for the durability, reparability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1) (d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No. Christchurch City Council Resource Recovery Team thinks that separate tables, weighting and criteria should be used to evaluate PVC and polystyrene; oxo-degradable plastic and single-use plastics as these product categories are distinct from each other and there are different issues with each of them.

There should be a criterion around technical feasibility. Currently, there is not R-PVC or R-polystyrene on the market so mandatory recycled content is technically not feasible. Conversely, there are labelling schemes such as the Australasian Recycling Label, so the option of mandatory labelling requirements is technically feasible.

Christchurch City Council Resource Recovery Team also thinks that there should be criteria around willingness of the public to embrace the change and readiness of business – what shifts have businesses already made in this space.

Note with regards to the criteria the alignment of strategic direction should also include legislation such as the Zero Carbon act.

- 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why? Yes
- 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Whilst Christchurch City Council Resource Recovery Team is very supportive of moves to ban unrecyclable packaging, there is a need to carefully consider what the viable packaging alternatives are. A ban on PVC/PS/EPS packaging could result in their replacement with packaging materials as bad, or worse, in terms of environmental effects.

Firstly, both food safety and shelf life need to be considered. We need to balance the desire to reduce use of hard-to-recycle plastics with the potential for inferior packaging choices leading to increased food loss and waste, given that approximately one-third of all food produced for human consumption globally is already lost across the supply chain.

Secondly, we need to consider recyclability and how to ensure that measures to reduce PVC/PS/EPS packaging do not lead to an increase in packaging coded as plastic #7 or compostable packaging where there is no infrastructure in place to process it.

Finally, it is also important to have a carbon footprint lens, to ensure, where possible that alternatives use less resources in production, transport etc.

Therefore, Christchurch City Council Resource Recovery Team is supportive of a ban for products where known alternatives are available that are recyclable e.g. products which can be made out of plastics #1, #2 and #5. However, Christchurch City Council Resource Recovery Team notes that there is a risk that products could move from plastics #3 and #6 and switch instead to equally unrecyclable plastics.

The Christchurch City Council Resource Recovery Team is supportive of a ban in two stages. Stage 1 should only include those products where there are known alternatives available. In particular, banning PVC and polystyrene trays would ensure that valuable PET trays that are currently being landfilled can be sent to processors such as Flight Plastics for recycling and could prevent some councils from needing to purchase costly optical sorters. EPS containers (eg, clamshell takeaway containers) and EPS and polystyrene cups cause contamination in kerbside recycling and once again there are suitable alternatives on the market.

The Christchurch City Council Resource Recovery Team thinks that more research needs to be undertaken to ensure that the proposed 2025 timeframe for Stage 2 is sufficient to ensure recyclable alternatives to PVC and polystyrene.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

A blanket ban may not necessarily be the most appropriate measure at this stage for PVC and PS rigid packaging. It may be better to focus on specific items within these packaging types where appropriate alternatives are readily available, particularly around supermarket food packaging and takeaway items that can easily be swapped out e.g. meat trays, sushi containers, and PS takeaway containers. This would place the focus on specific items that prevent the effective recycling of other recyclables e.g. PVC trays.

The Christchurch City Council Resource Recovery Team notes that EPS packaging for homeware and whiteware can't be collected at kerbside due to its size but can be collected through store takeback schemes. Plastic NZ has already begun work on voluntary product stewardship for preconsumer EPS packaging and several large retailers offer takeback schemes, but these are not widely promoted. ¹Designating packaging for homeware and whiteware as a priority product and

¹ E.g. Harvey Norman

setting up a product stewardship scheme for this type of packaging to encourage industry-led innovation such as a redesign of packaging materials may also be a suitable option.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

PVC and PS/EPS are used for packaging for medications and to ensure products are kept at suitable temperatures for transportation. It is possible that exemptions might be needed for medical use if suitable alternatives are not available. PVC is also used in the construction industry for a variety of materials. The Christchurch City Council Resource Recovery Team recommends that more research is undertaken to determine whether there are suitable replacements for these materials and to investigate where reusable or refillable options may be possible. The Christchurch City Council Resource Recovery Team recommends that more fillable options may be possible. The Christchurch City Council Resource Recovery Team recommends that the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

The Christchurch City Council Resource Recovery Team believes that there would be the following benefits:

Environmental

- There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- It will encourage the transition away from non-renewable oil-based products

Social

- There will be amenity improvements due to less litter in the environment.
- Reducing plastic waste in our environment contributes to improving the mauri of our environment.

Economic

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs.
- Cleaner, higher value recycling streams, assuming materials are swapped out for domestically recyclable plastics #1, #2 & #5.
- Increasing the viability of domestic recycling opportunities for #1, #2 & #5s due to higher volumes and increased quality.
- Businesses that produce products for export may gain a competitive advantage by using more recyclable packaging
- It would create a level playing field for all businesses that would provide certainty and fairness.
- With many of the alternatives being fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

The Christchurch City Council Resource Recovery Team believes that there would be the following costs:

- Industry will need to develop new processes and alter production lines to accommodate different packaging materials.
- Higher cost of alternative material types for packaging, especially for takeaway containers. While a significant % increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ² and Colmar Brunton³ has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by the long lead-in time.
- Inferior-quality packaging could result in increased food loss and waste.
- Potential for higher environmental costs depending on new packaging choices.

The Christchurch City Council Resource Recovery Team believes that the last point noted above is the greatest risk. A ban on PVC/PS/EPS could end up with these materials being replaced with something as bad or worse from an environmental/waste perspective e.g. a composite material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home compostable and also unlikely to reach a commercial composting facility which is able to process it. There is a risk of creating yet another contaminant in kerbside recycling or in commercial composting processes, or at best the use of additional materials whose only option is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but ensure the transition to PET/ HDPE/ PP.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Given the complexities involved in determining which plastics are used in food packaging, ranging from ensuring plastics are food safe, to offering physical protection and providing adequate oxygen and moisture barriers where required, this is a very technical and specialised area and so not a question that Territorial Authorities are necessarily best placed to answer.

Alternatives are already available for some food and beverage packaging items e.g. PET meat or biscuit trays where PET is proven to be effective as a packaging material, acceptable in kerbside recycling and with a domestic market for reprocessing (Flight Plastics).

There may not be practical replacements readily available for all PVC/PS/EPS food and drink packaging items, for example flexible PVC which is often used to package fresh pasta or ham, and PVC-related plastics which are used for barrier coatings.

Therefore, at this stage the Christchurch City Council Resource Recovery Team believes that for the purposes of this consultation, in the short term, the scope must stay focused on single-use packaging where there are known viable alternatives and that further research and innovation may be needed for other packaging types

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

² WasteMINZ Plastic Bag Charges and Beverage Container Deposits Study 2016

³ https://static.colmarbrunton.co.nz/wp-content/uploads/2019/05/Colmar-Brunton_Better-Futures-2020-Presentation.pdf

Partially

Yes, degradable plastics of all types should be phased out. This includes both oxo-degradable and photo-degradable plastics. The Christchurch City Council Resource Recovery Team notes that it is important when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break down more quickly into micro plastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and also the deceptive nature of the advertising for many of these products. Many of these products imply that they are greener and more environmentally friendly than conventional plastic see image below.

Due to the issues caused by these types of plastic and the deceptive nature of how some of these products are advertised the Christchurch City Council Resource Recovery Team believes they should be phased out over a shorter time period by January 2022.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details. n/a

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes, the Christchurch City Council Resource Recovery Team agrees that correct costs and benefits have been identified

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

As mentioned previously, the greatest risk is if a ban on PVC/PS/EPS ends up with these materials being replaced with something as bad or worse from an environmental perspective. This would increase the costs but also reduce the benefits of the ban. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging, but ensure the transition to PET/ HDPE/ PP. Other measures which could assist would be standardising kerbside recycling and introducing compulsory labelling for recyclability and compostability. In terms of compostable packaging the Ministry for the Environment needs to assist industry to develop the appropriate processing and collection infrastructure whether that be through funding or designating compostable packaging a priority product. Alternatively it could be clearly signalled that compostable packaging is not an appropriate alternative to PVC and EPS. The Christchurch City Council Resource Recovery Team prefers this option.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

n/a

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

The Christchurch City Council Resource Recovery Team is supportive of a ban of all the items proposed in Table 7. In additional to causing issues when littered, none of these items are accepted for kerbside recycling but they contribute to contamination in recycling. A 2019 national waste audit⁴ found that an estimated 851 tonnes of paper cups⁵ are disposed of in kerbside recycling 1.3% of all contamination. Soft plastic which would include plastic produce bags makes up 3,754 tonnes of contamination 5.7%. Plastic straws and plastic cutlery were found in the top 20 most common types of contamination by frequency.

These items also cause contamination for those councils who offer food and green waste collection services and there is strong support for the proposed ban on plastic fruit stickers.

The Christchurch City Council Resource Recovery Team notes the concerns raised by disability groups on the proposed ban on plastic straws, but also notes that Auckland District Health Board has moved to providing paper straws only in their hospitals without incidence.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Whether a piece of cutlery or a drink cup is single-use or reusable isn't always clear cut. Microns were used as the differentiating measure for the plastic bag ban to distinguish between reusable or single-use bags. Single-use can be subjective, so further clarity is needed for the definitions of single-use plastic tableware and cutlery and single-use plastic cups and lids.

For clarity, we would encourage all the definitions to include the following description: Plastic including both degradable and biodegradable plastics.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Plastics New Zealand has noted that many businesses import these products in bulk and often have inventory sufficient for a number of years. However, the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling. Wellington City Council estimates the costs of dealing with contamination in recycling at c\$300,000 per annum. Therefore, the Christchurch City Council Resource Recovery Team is supportive of a ban being implemented as early as possible to reduce the impact on the environment and the financial burden of councils whilst ensuring that the financial impact on businesses is mitigated. The Christchurch City Council Resource Recovery Team is supportive of a lean being in the support of a well signalled phase out within two years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Only 56% of councils support the decision not to ban coffee cups at this stage with 44% of councils in favour of a ban.

The waste caused by New Zealand's coffee drinking culture and the associated costs are significant. The Rethinking Rubbish and Recycling research found that 1,288 tonnes of single-use cups are disposed of via councils' household kerbside rubbish collections with a further 851 tonnes

⁴ Rethinking Rubbish and Recycling 2019 Sunshine Yates Consulting

⁵ Paper cups is defined as all cups made from fibre products, including single use soft drink cups, coffee cups, takeaway noodle bowls etc.

contaminating household recycling bins. In addition there would be a significant number that are disposed of via public place and commercial collection systems 1.24 million coffee cups are used per annum in New Plymouth (as a conservative estimate), and it costs \$230,000 to dispose of these cups per annum. Therefore, the aim should be to move up the waste hierarchy, supporting systems that reduce the number of single-use cups used. This requires systematic change and incentives that establish a dominant culture of avoidance or reuse.

Reusable cups

If more people use reusable cups, there will be savings for businesses and less waste and therefore less burden on territorial authorities who bear the cost of a linear system. In alignment with the waste hierarchy, the focus should be on reuse rather than recycling or disposal for both waste and carbon reduction. In its simplest form, the best option to address coffee cups is through incentivising reusables.

We support investment into reuse systems such as cup-lending schemes but recognise that this type of scheme acts primarily as a backup for the personal choice consumers make to bring their own cups. Therefore, supporting the creation of a 'bring your own cup' norm should be the main focus area. There are also community-led approaches such as cup libraries which could be supported, for example by providing 'how-tos' and health and safety guidelines as an educational package to guide the hospitality sector. Behaviour change programmes using tools such as prompts, and commitments should be built into the support for wider use of reusable cups.

Single-use cups

In New Zealand coffee cups contaminate kerbside recycling and in the case of compostable cups, New Zealand lacks both the collection infrastructure and sufficient composting facilities with the resource consent to accept them. We note that single-use cups are not considered in the upcoming mandatory product stewardship scheme for beverage containers, although they do meet the criteria in the potential scope. We suggest that inclusion in this scheme should also be investigated when identifying the most effective method to reduce/eliminate use of these items. One way to stimulate reuse is through strategic use of taxation. A 2019 study showed that people are inclined to use a reusable coffee cup if they see other people doing this or if they are charged extra for a disposable cup. This aligns with the theory of loss aversion in which people experience the negative feeling of a loss more strongly than a positive sense of a gain, even if it's the same size. This means that cafes voluntarily giving a discount for a reusable cup is not as effective in changing behaviour as putting a levy on a disposable cup. To most effectively incentivise reuse, Ireland has committed to introducing a €.25 tax on coffee cups in 2021 and the Californian city of Berkeley has already put a "latte levy" in place. This tax could potentially be used to fund the infrastructure required for single-use cups to be collected and composted.

The main barrier for composting facilities to be able to process compostable cups is the commercial requirement to produce organically certified compost. Products containing compostable plastics cannot be processed at these facilities.

For single-use cups to become part of the circular economy through composting, all cups on the market would need to be made from the same material as the cost involved in sorting compostable from non-compostable products would be prohibitive. The material used would need to be certified compostable and the cup would need to be fibre based with no plastic films or additives. Notwithstanding, this does not resolve the issue of resource consumption and carbon emissions.

Overall, the Christchurch City Council Resource Recovery Team recommends that a suite of actions are needed to tackle the prevalence of singe use coffee cups.

- promoting reusable cups and cup loan schemes in the first instance
- investment to scale up re-use systems like Again and Again
- standardisation of any single use cups available on the market (addressing composability and contamination issues)
- improved labelling requirements to make it clear whether a cup is compostable or not
- encouraging the development of well-publicised disposable cup-free zones (e.g. university campuses & government buildings, museums and galleries, coasts and national parks)
- a ban on coffee cups with plastic linings of any type; or in place of a ban, a levy on disposable coffee cups and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.

Wet wipes

73% of councils would like to see wet wipes banned with only 26% of councils supportive of the decision not to ban them. Wet wipes are a significant issue for TAs, who spend thousands of dollars undoing blockages in wastewater systems. For example, Gisborne District Council estimate wet wipes are costing roughly \$100,000 per year due to complications they cause for the wastewater network's operation and maintenance costs. In addition to that, GDC estimate a spend of about \$43,500 p.a. for disposal costs at their wastewater treatment plant due to wet wipes, which would be rise under the new waste levy increases. South Taranaki District Council spends approximately \$20,000 annually unblocking pipes due to wet wipes.

The Watercare operated Mangere Wastewater Treatment Plant screens out substantial volumes of single use plastics and wet wipes on a daily basis. On average, the total single use plastics component of the screenings are around 500 – 1600kg per day, or 350 – 600 tonnes per year. It is estimated that almost half of this quantity is wet wipes.

Wet wipes are another case of local government and thus rate payers footing the bill for industry's poor product design choices.

Reusable wipes

In alignment with the waste hierarchy, we see the best option being to promote reusable wipes as a simple return to squares of cloth. It is noted that building acceptance of reusable wipes as an alternative to wet wipes connects closely to the promotion of reusable nappies –trialling alternative approaches in the early childhood sector is the type of activity which could be considered. Developing a culture of reusable wipes may also provide a potential use for unwanted textiles, contributing to a circular solution.

It is important to recognise that time, and access to the washing facilities required for reusable wipes, may present a barrier for some. Considering the reasons why consumers choose to flush these products should also be part of any programme, for example disposable wipes may be flushed even when consumers are aware of the problem because they are reluctant to place smelly used wipes in the rubbish.

Single-use regulation and action

In conjunction with promoting a reusable option, we support requirements and action which will help consumers make an informed choice. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. We call for a requirement to state the content in wipes so that the consumer is aware they contain plastic.

Ideally, industry would be required to transition away from plastic based wipes through a mandatory phase out. This should also include products that are currently touted as biodegradable as they do not break down in a timely enough manner. This would avoid blockages and contribute to

minimising plastic pollution of waterways and marine environment. We support mandatory prominent labelling 'do not flush' messaging for all wipes regardless of plastic content. It is also worth noting that research has identified that placing a 'please don't flush wipes' message close to public toilets has proved effective, and campaigns such as this to create new social norms should be considered . In conjunction with educating around reusable options, Ministry should continue to support behaviour change around flushing wipes.

Finally, there are other non-biodegradable products entering the wastewater system which are also responsible for introducing plastic and causing blockages. These include sanitary products (the average pad can contain up to 90% plastic, and there is a significant amount in most tampon products as well). Facial tissues and kitchen paper often contain bonding agents – this can slow their breakdown and add to the blockage problem as well as introducing more chemicals to the wastewater system. We therefore call for funded behaviour change campaigns that can raise awareness of these issues and promote alternatives and subsidies for reusable products for low-income communities.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

n/a

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We support the goal of transitioning to reusable products as part of a circular economy, including a phase out of problematic single-use items. We are cognisant of pressures on the sector, however, we note that there are even greater pressures on our environment that cannot be ignored. We advise working with industry on these issues over the timeframes noted below.

Coffee cups

Much of the work around coffee cups should centre on education and behaviour so that single-use phase out can be effective. We support a gradual phase out of single-use cups which contain plastic linings or additives over the course of five years.

Wet wipes

Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from single-use items to reusable resources. We support a transition time of three years for a wet wipe ban due to the issues these pose in particular the blocking of wastewater pipes and the urgency with which we should address them. Our aim is to encourage industry to take an innovative approach to better solutions for this product by suggesting a shorter transition time.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

The Christchurch City Council Resource Recovery Team agreed with all the benefits listed but there are also additional benefits. The benefits are environmental, social and economic.

Environmental

1. It will encourage the use of reusable options
- 2. There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains. It will also reduce the amount of plastic in compost and therefore in soil.
- 3. It will encourage the transition away from non-renewable oil-based products which are responsible for carbon emissions from manufacture, freight and disposal

Social

- 1. It will support the strengthening of social norms for reuse and foster a culture of reuse and recycling, rather than disposing of single-use items.
- 2. There will be amenity improvements due to less litter in the environment.
- 3. There could be the opportunity for new job creation or migration to circular jobs.

Economic

- 1. There will be less contamination in recycling services resulting in lower sorting and disposal costs.
- 2. There will be significantly less contamination in organic waste collections particularly if single-use produce bags and non-compostable fruit stickers were banned resulting in lower sorting costs and the ability to make a higher grade of compost.
- 3. There will be lower collection and disposal costs for litter collection.
- 4. Businesses that manufacture, import and supply reusable items would benefit.
- 5. Some businesses would save money by no longer supplying these items to their customers e.g. single-use produce bags
- 6. It would create a level playing field for all businesses providing certainty and fairness.
- 7. There would be economies of scale for alternatives which would help to lower costs and drive innovation.
- 8. With many of the alternatives fibre or wood based there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.
- 9. Reuse options may eventually result in cost savings for consumers.

The Christchurch City Council Resource Recovery Team agrees with the costs listed but notes that most of these single-use items are currently imported from overseas rather than made in New Zealand so the cost of complying with this ban is likely to be less significant than the ban on pvc and polystyrene packaging.

23. How should the proposals in this document be monitored for compliance?

The Christchurch City Council Resource Recovery Team recommends that the proposals be monitored for compliance but also evaluated to see whether the aims of the legislation will be achieved.

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors. At its simplest form this could be a hotline where members of the public can email if they see a business selling a non-compliant product. This was used when the plastic bag ban was introduced with 375 alleged breaches of the ban reported in the first six months.⁶ Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging e.g. sushi stores; \$2 shops for example.

⁶ <u>https://www.newshub.co.nz/home/politics/2019/12/almost-400-alleged-breaches-of-plastic-bag-ban-but-no-prosecutions.html</u>

Many councils and businesses undertake waste audits so asking these organisations to keep aside any branded examples of banned packaging so that businesses could be followed up is also an option.

It is also important to see if the legislation has achieved its desired aim. The Christchurch City Council Resource Recovery Team identified three main aims and includes suggestions below as to how these could be evaluated:

1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy. Both supermarket chains have completed inventories of the types of plastic packaging in their brands. Funding a repeat of these audits after the ban has been implemented would determine to what extent the amount of hard to recycle plastics had been reduced.

2. Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams. Monitoring the amount and type of litter in the environment to see whether the rate at which these products have been littered has decreased.

3. Reduce the current level of contamination in kerbside recycling

If Flight Plastic is able to accept PET trays from a larger number of councils, that would also be a clear indication that the legislation had achieved its aim to reducing contamination in recycling. Council waste audits would also provide evidence that contamination had decreased. The Rethinking Rubbish and Recycling Project has benchmarked contamination and use of plastics and this audit could be repeated once the ban is in place.

Any evaluation could also include changes in public attitudes towards plastic products, packaging, litter and the general acceptance of these policies.



Submission to

Ministry for the Environment

On

The Consultation reducing the impact of plastic on our environment

Moving away from hard to recycle and single use items

By the Consumer Electronics Association of New Zealand

2 December 2020

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- 2. Summary Statements
- 3. Specific Comment
- 4. Background Information

1. Contact Details

| Submitter: | Garth Wyllie |
|-----------------|---|
| Title: | Executive Officer |
| Organisation: | Consumer Electronics Association of New Zealand |
| Postal Address: | Private Bag 92-066 Auckland |
| Telephone: | 09-3670913 (Main) or 09 3670935 (Direct) |
| Facsimile: | 09-3670914 |
| Mobile: | 021-649900 |
| Email: | ceanz@ceanz.org.nz |
| Web Site: | www.ceanz.org.nz |

2. Summary Statements

The Consumer electronics association of New Zealand (CEANZ) is supportive of the principle of moving away from hard to recycle and single use plastic however we are also deeply concerned that there must be viable alternatives when considering any potential banning of materials.

New Zealand is a very small market in global terms and therefore should not be moving ahead of our major trading partners in any restrictions or bans in the use of packaging materials

Our preferred option is to implement greater recycling of materials irrespective of how hard they are to recycle while newer equivalent materials are sourced for our members global production.

Potential alternates such as pulp mould or corrugate cardboard add significant weight and have far less protection properties.

Our members are concerned that it may be impossible to ship new televisions and other fragile electrical goods into New Zealand if the most common viable packaging materials are banned or restricted prior to viable alternatives being developed. Additionally the risk of damage of an inadequately packed electronic product is significantly increased when it shipped to a consumer or even should the consumer uplift that product from a store location and transport it themselves.

CEANZ submits that:

- Any ban must be consistent with international moves and timing for the materials
- There must be a viable alternate for packaging materials that can protect our members products in transit and provide consistent weight equivalence so as to ensure no additional transport costs are incurred.
- What materials that are currently available are at a significantly higher cost and not widely available as a viable option on a global scale
- The timeline for implementation must be far longer that the proposed dates under option 6 (the Mfe preferred option) to allow alternates to be sourced.
- Until viable alternatives are available expanded polystyrene for electronic goods should be excluded from any ban and once a suitable viable alternative is available coordinated with the suppliers to ensure a smooth transition to the alternate environmentally friendly packaging materials.

3. Specific Comment:

CEANZ is deeply concerned that expanded polystyrene (EPS) could be banned by 2025 under the preferred option 6 proposal.

Such a move is not internationally consistent and ignores the ability of global manufacturers to source and implement viable alternatives that retain the weight benefits, the impact protection and ability to fit around globally shipped electronic goods.

Most electronic goods incorporate a significant level of plastics and particularly so in monitors and televisions. In this regard CEANZ members are highly supportive of a well-structured product stewardship scheme such as that the organisation has proposed several times when this issue has been consulted on.

Whether such a scheme could incorporate addressing the take back and processing of expanded polystyrene delivery packaging would therefore be worth exploring although it was not part of any previous CEANZ submission. We do believe however that EPA is easily recyclable and in the form that it is used for electronic goods is very suitable for recycling.

Should a ban on the use of this packaging material be applied unilaterally in New Zealand without similar rules applying in major global markets, it would;

- add significant costs to the finished product and ultimately to the consumer
- force some global manufacturers to reconsider placing products in the New Zealand market and thus reduce consumer product choice
- significantly increase the risk of damage when shipping to New Zealand
- significantly increase the risk of damage when delivering electronic goods to a consumer
- significantly increase the risk of damage when a consumer uplifts a product from retail store
- add costs to suppliers and retailers who are obliged to ensure the product is not damaged in the delivery process under the Consumer Guarantees Act
- make the ability to insure against transit damage almost impossible to achieve

The timeframe proposed in the Mfe preferred option sets down 2025 for a ban however for global manufacturers that is an incredible short timeframe assuming a viable alternative was available for EPS which we believe is not the case.

The manufacture of electronic goods such as televisions, monitors, laptops and other goods, for the New Zealand market is less than 0.5% of the global supply so any unique requirements for New Zealand around the packaging and supply barely rates in the considerations of global manufacturers. As such, to package with any alternate will add significantly to packaging costs and actually add to the environmental impact through the additional packaging materials required and costs of shipping in additional weight.

For this reason, it is important that any actions that would place requirements on suppliers be undertaken in a highly consistent manner with our global trading partners.

We believe that expanded polystyrene in the packaging of electronic goods coming into New Zealand should be excluded from any ban or restriction being applied in 2025 and that when viable alternatives are readily available work with manufacturers to progressively introduce those alternatives is a far better option.

Recycling of EPS however should be explored more fully and application of the waste minimisation fund to assist in establishing such recycling would be an appropriate use of those funds.

The proposal to ban EPS also ignores the potential for personal imports of electronics from the likes of Amazon or Alibaba to continue to have EPS and thus placing normal distribution methods such as retail at both a disadvantage and ultimately at risk. While larger size electronic goods are less likely to be imported as personal imports, the potential around smaller electronic goods is significant when offshore sellers can effectively ignore the ban.

4. Background Information

The Consumer Electronics Association (CEANZ) represents all major "Consumer Electronics" brand distributors operating within the New Zealand market. These within the market are often termed "Brownware" in relation to Televisions and Audio Visual equipment versus "White ware" which relates to fridges, freezers, cooking and washing appliances.

At present the brands holding membership total 8 members with major broadcasters also holding associate non-voting membership to allow interface issues to be addressed.

Equipment distributed includes Televisions, Video players/recorders DVD players/recorders, Stereo and audio equipment and peripheral equipment associated to these categories of equipment such as Satellite and terrestrial decoders, connection equipment and controls.

The market for consumer electronics in New Zealand is highly competitive with pricing often close to worlds best pricing making margins extremely thin. Competition comes from retailer's house brands and retail discounting making compliance costs reduction particularly important.

It is now possible to import low end products via the internet directly from Alibaba, Amazon and similar platforms which places additional competition in the most price sensitive area of the market.

As a result of such a small market and intense competition a number of brands have moved out of New Zealand in recent years but may still be available via either large retailers or via parallel importer outlets. Such brands include Sanyo, Akai and Phillips departed the television market some do still enter as parallel imports periodically. Most remain with a presence in other consumer electronics.

There are no televisions or associated consumer electronics equipment manufactured in New Zealand with the exception of highly customised business solutions and even in those instances all the major components are imported for assembly for the client involved. The majority of televisions and consumer electronics sold in New Zealand are made in Asia in such countries as Malaysia, Singapore, Korea, Taiwan, Thailand, Indonesia, Japan and Mainland China

Most consumer electronics are made to adhere to international standards such as IEE/IEC and when imported into New Zealand must meet New Zealand or Joint Australian New Zealand standards including Minimum Energy Performance and safety standards.

In the small electronic goods area in particular price is highly sensitive although some brands and types of product command a premium such as power tools (battery or plug powered) where they are perceived as a trade persons tool and not in the DIY market.

Similarly mobile phones have some brand commanding a premium while others are perceived to almost be throw away models at the lowest end.

A range of house brands exist for larger retailers which are brands that have been made specifically for the retailer under a contract manufacturing arrangement and tend to be at the low or discount end of the market.

All electronic goods require lightweight impact resistant packaging to allow transport without damage.



Submission

Consultation – Reducing the impact of plastic on our environment – moving away from hard-torecycle and single-use items

To the Ministry for Environment

By: Cosmetic Toiletry and Fragrance Association of New Zealand Inc. operating as Cosmetics New Zealand



Submitted on: 2 December 2020

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- 1. Contact Details
- 2. Summary Statement
- 3. Detailed submission
- 4. Background Details

1. Contact Details

| Submitter: | Garth Wyllie |
|-----------------|---|
| Title: | Executive Director |
| Organisation: | Cosmetics New Zealand (Cosmetic Toiletry and Fragrance Association Inc) |
| Postal Address: | Private Bag 92-066 Auckland 1142 New Zealand |
| Telephone: | 09-3670913 |
| Facsimile: | 09-3670914 |
| Mobile: | 021-649900 |
| Email: | ctfa@ctfa.org.nz |
| Web Site: | www.cosmeticsnewzealand.org.nz |
| | |

Cosmetics New Zealand agrees to this submission being publically available.

2. Summary Statements

Cosmetics New Zealand represents the majority of cosmetic companies operating in New Zealand ranging from small local New Zealand businesses to multinational brands. The majority of our members are New Zealand based companies exporting to the world and generally in the SME category.

Cosmetics New Zealand has assessed the options outlined in the discussion paper and in particular the preferred option 6. We have concerns about strict application of the timeframes and potential expansion to Cosmetic product.

Cosmetics New Zealand supports the principle of recycling of plastic packaging wherever possible and our member companies are active in the use of recycled materials in their product packaging and continually looking at packaging waste reduction.

As an industry we have been fully supportive of previous regulation such as the elimination of plastic microbeads and continue to support positive moves to reduce harm or potential harm to the environment but in line with similar moves internationally.

Cosmetics are a global product and any actions taken around restricting or banning the use of particular types of packaging should be undertaken in concert with the actions being taken by our major trading partners whether that be for our exported products or imported products.

As a result we believe the time frames are far too tight and should look to when such actions would be implemented in Europe, Canada, Australia and even in the US. (whether that is by larger states or at a Federal level)

We recommend a longer implementation timeframe and consideration of the lack of some alternatives for component parts such as PVC. We outline in our detailed comments the issues that a strict ban could have.

Cosmetics New Zealand submits that:

- 1. There should not be an expansion to include other products and that if this is considered a sector specific consultation must occur before proceeding
- 2. The timeframes outline in the consultation document are extremely short and compliance for the global supply chain would be difficult to achieve. Particularly for international brands should this expand to include cosmetic products.
- 3. Consideration of the effects on product availability and other potential side effects must be addressed including the availability of viable alternate packaging materials.

2. Detailed Comment

While there are a number of options outlined in the discussion paper, it is clear that the preferred option is the one that is more likely to proceed. Our comments while focused on option 6 however can also be taken to address some of the other options set out in the paper in a broader sense.

The proposal for a focus on food and beverage to move the use of plastics to the higher value and therefore more recyclable plastic types has merit in principle given that the majority of food products using such plastics are locally produced and therefore easier to apply without impinging WTO rules on technical non-tariff barriers and similar rules set out in our free trade agreements such as the CPTPP.

We note that New Zealand is a signatory to the Basil agreement on elimination of problematic and unnecessary plastics and since this is a global action it does need a globally coordinated response rather than a series of unilateral actions by each country. We believe that bans and restrictions should always be implemented at the same time or shortly after they are applied within our trading partners markets to avoid disruption of products.

When bans are applied in Europe for example there is normally a long lead time to ensure that products can be reformulated or repackaged with alternate materials in the manufacturing process.

This is a 2-step process to set a commencement date to ban the placing of products/materials in the market and to set a later commencement date to ban the sale in order to allow sell through of existing stocked products/materials within the market.

This avoids the expensive option of having to pull back products from retail and distribution centres and then dispose of those products.

While disposal may see them sold elsewhere it may equally entail dumping to landfill. Neither of these options are best for the environment whereas sold through products for example are still capable of being recycled at the kerbside.

We recommend that any ban that impacts finished products should follow this 2-step process whether that is for food/beverage or non-food finished goods should that be applied.

PVC

While we note that this is also intended to be for food and beverage, however in cosmetic products such as hand sanitisers/hand washes it is used for cap's and pumps as the most viable and functional option.

Any ban would adversely affect the performance of the product and alternatives such as metal are not commercially viable options due to the expense involved in producing such items even at high volumes.

In many of these products the potential of refills negates the impact of using PVC since the material is being reused.

We recommend that should at some point in time Cosmetic products be included, PVC caps and pumps be excluded due to the reuse potential.

Labelling and Labelling for recycling

It is impractical to modify labelling for consumer products such as cosmetics just for New Zealand and any mandatory requirement for a unique New Zealand requirement is likely to be a technical barrier to trade.

Cosmetics New Zealand

Regulatory issues also arise around recycling instructions on labels across multiple market/language considerations which introduce cost along with recycling limitations and variability across geographies. This can make many of the newer plastic alternatives like fully biodegradable packaging out of scope until the recycling infrastructure and capabilities also become available across multiple markets.

We recommend adopting or accepting internationally accepted recycling information on these products and to not impose any restriction that would impact on the cost of bringing products to the market in New Zealand.

We note the suggestion of printing or etching labelling directly to plastic products in the consultation paper. While in principle this does remove a non-recyclable material which currently inhibits the ability to recycle even higher value PET, it does require significant investment and the products still need to be able to retain the information necessary for consumers safety outside of the recycling.

Most critically consumers need to be able to easily read warnings or other information about use and printing to clear plastics may not provide ease of reading for some products depending on the contents.

We recommend that this be encouraged but not mandated by regulation irrespective of whether the product is food/beverage or non-food packaging.

Packaging implications

Specific targets and timing must be carefully considered, as there are a number of technical issues such as stability to preserve shelf life and reduce wastage, new plastic performance in production, transit, storage and use.

Exporter impacts

Rapid implementation would put disproportionate cost and risk of export sales loss on local manufacturers who seek to operate with global or regional pack formats due to having insufficient scale to customise product or packaging for each local market.

As such a move, on a short time frame, would adversely affect small local manufacturers and exporters, versus multinationals with local and regionalized operating infrastructure.

Personal Imports

While it may be possible to ban the sale or placing in the market product packaging made using PVC and Oxidegradable plastics, this does not stop end consumer purchasing nonfood items such as cosmetics online from grey market sellers or other more recognised online portals and having the product shipped in. It is unlikely food products would make up large volumes of personal imports due to our Phyto-sanitary regulations and availability of locally produced products.

We are concerned that if the materials are banned in New Zealand along with other suggestions like labelling requirements, companies may reduce their range available in New Zealand and consumers will instead purchase internationally online those products no longer commercial imported from such markets that do not impose such restrictions.

While over time other markets will eventually follow suit in the short to medium term this will place local commercial operations at a significant disadvantage.

Oxidegradable Plastics and Biodegradable Plastics

We are aware that British Standards have issued a standard around these materials and so any action such standards should be considered and actions should be internationally aligned to ensure that similar rules are being applied to either Oxidegradable or Biodegradable materials being banned from use.

Biodegradable/recyclable alternates to plastics are available such as sugar cane packaging however there are limits on the availability of the material, the material costs are higher, sufficient stability is not great for longer shelf life and there are some potential compatibility issues with the content the packaging is intended to contain.

As these materials are relatively new, recycling options are yet to be widely established.

4. Background Information

Cosmetics New Zealand (which is the operating name for the Cosmetic, Toiletry and Fragrance Association) is the pre-eminent membership organisation representing cosmetic and personal care companies within New Zealand. Cosmetics New Zealand is affiliated to similar bodies internationally and collaborates with such bodies to ensure international harmonisation and common objectives where possible.

The present membership consists of the majority of Cosmetic, Toiletry and Fragrance manufacturers and/or distributors of such products within New Zealand and by value around 90% of the domestic New Zealand Cosmetic market.

The Cosmetics industry in New Zealand generates over \$150 million in exports across a range of product types ranging from traditional cosmetic products to natural ingredient and unique New Zealand cosmetics. These products are also sold in the domestic market which is currently around \$1.5 billion in total retail value sales.

Cosmetics New Zealand Membership is voluntary and governed by a Code of Ethics for market conduct.

Currently Cosmetics New Zealand has 122 full members included sub groups such Beauty, Hair Salon Marketers and includes 22 domestic manufacturers. It also has 26 associate or supplier members ranging from media to packaging and services suppliers. International and multinational companies make up 15 of the full members while the balance are New Zealand companies.

Cosmetics New Zealand and its members support the charity "Look Good Feel Better" by both fund raising and providing products in excess of \$2.5 million dollars per annum. The charity provides workshops for more than 1500 women with cancer each year with support on how to deal with the effects of treatment.

Cosmetics New Zealand works in close cooperation with groups such as the Direct Sellers Association and the Employers and Manufacturers Association on issues of common interest. Direct Sellers account for around 15% of Cosmetic sales in New Zealand and for a significant component of the exports from New Zealand.

Our products range from fragrances, colour cosmetics and skincare products to products such as toothpaste, oral care and anti-dandruff shampoos. These are commonly called personal care products within the wider industry.

Regulation of our products falls primarily under the HSNO Cosmetic Products Group Standard which is empowered by the Hazardous Substances and New Organisms Act (HSNO). The Cosmetics Products Group Standard cites specific notices which provide the detailed regulatory compliance requirements.

Products that have a therapeutic benefit or associated claim maybe covered by the Medicines Act as a related product and include higher level fluoride toothpastes and antidandruff shampoos that also include treatments for other conditions.

Around 90% of cosmetic products sold in New Zealand are imported for sale, however in some product types New Zealand brands can account for as much as 25% of that segment due to the growth of domestic brands.

Cosmetics New Zealand

New Zealand is not an isolated market with more than 380 fragrances marketed to women and almost 200 fragrance or cologne products marketed to men currently. Around 50+ new fragrances are launched each year and around 15 are discontinued making this a dynamic and evolving market.

Skin care, colour make up and beauty products have a range of more than 200 product brands while hair care, body wash and care products number around 100 brands. While less products are launched or discontinued in this category of product it continues to change with new and innovative skin products constantly being launched. We see sun care and sunscreen products as part of those skincare products.

The cosmetic and personal care product offering in New Zealand is more limited than the availability in some larger markets. In spite of the size of our market, it is considered to have a significant range of consumer choice which is enabled by the current internationalisation of the New Zealand marketplace under the Cosmetics Products Group Standard. This legislative instrument is a pragmatic example of a regulation that is not a barrier to trade.

28 October 2020

Plastics Consultation

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Re: Reducing the impact of plastic on our environment

Tēnā koe,

Thank you for the opportunity to provide a submission on the proposed *Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items* consultation document.

Introduction

Countdown is a large supermarket brand with 183 stores and 21,000 team members throughout Aotearoa. We serve over 3 million customers every week. As a large business with stores and other facilities throughout the country, we take our corporate social responsibilities seriously and have had a range of commitments in place since 2017 that have helped us to improve outcomes for our people, our communities and the environment.

In mid-November, we will release our new 2025 commitments which set out our sustainability focus areas going forward.

A number of the commitments will focus on plastic and packaging including:

- Improving the recyclability of our own brand packaging and contributing to a circular economy.
- Significantly reducing the use of virgin plastic in our own brand packaging.
- Increasing the amount of recycled content in our own brand packaging.
- Providing more refill and reusable packaging options in our stores.
- Phasing out problematic and unnecessary single-use plastic packaging
- Actively promoting recycling to our customers, allowing them to dispose of their packaging thoughtfully.

We are keenly aware of the role we have to play in helping consumers make better choices for the planet. We are a signatory to the packaging commitment, which will see our own brand packaging be reusable, recyclable or compostable by 2025 and are also the only supermarket brand in Aotearoa that has continued to support the Soft Plastics Recycling scheme with 63 of our stores across Auckland, Wellington, the Waikato, the Bay of Plenty and Northland now collecting these materials for processing.

Woolworths New Zealand Limited Support Office. 80 Favona Rd, Favona, Auckland 2024, Tel: 09 275 2788, Fax: 09 275 3074 Private Bag 93306, Otahuhu, Auckland 1640, New Zealand countdown.co.nz



General comments

Given Countdown's own commitment to improving the recyclability of our Own Brand product packaging, we broadly agree with the intent of the consultation document and the objectives identified to deal with the challenges posed by hard-to-recycle plastic packaging and single use plastic items.

We also strongly believe that the success of the initiatives the consultation document outlines will be dependent on the development of the appropriate infrastructure. Aotearoa should have high performing, local waste management infrastructure to sort and recycle plastics and to contribute to a circular economy. This should include a set of nationally consistent waste and recycling guidelines to provide clarity for consumers around the items capable of being recycled. We encourage the government to combine the initiatives proposed with the right education, messaging and communications to ensure broad understanding and uptake of changes.

Options provided in the consultation document

We broadly agree with the options set out in the consultation document, but would respectfully urge the government to consider whether different options could be developed and delivered concurrently. For example, increased labelling requirements would help everyone correctly identify, sort and recycle all types of waste. Due to the length of time it takes to make changes to on-pack labels and run through existing stock, this initiative should be combined with shorter-term initiatives to ensure we are acting with urgency.

Product Stewardship schemes have operated well in Australia and a number of local schemes, including the Soft Plastics Recycling Scheme, have shown to be successful in encouraging the recycling of otherwise difficult to recycle materials.

We understand that a product stewardship scheme (APCO) operates and works well in Australia and believe this could work in New Zealand as well.

Limiting to the food and beverage industry

While we understand the government's rationale for targeting the food and beverage industry, this industry accounts for only a small percentage of PVC packaging in Aotearoa. Because of the limited use of this type of packaging across the food and beverage industry, sourcing non-PVC alternatives is particularly challenging as the market has not been forced to develop suitable alternatives.

To meaningfully avoid plastic contamination in recyclable waste streams and to encourage greater investment into the development of suitable alternatives to these packaging types, the scope of this work should extend to all PVC and hard polystyrene packaging.

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Practical alternatives to replace hard-to-recycle packaging

For a number of products, there are currently no suitable packaging alternatives to PVC or polystyrene. One example of this is snap packs of yoghurt - these are made from polystyrene so that they can be 'snapped' apart. PET and rPET can shatter under low temperature conditions, increasing the risk of injury to consumers or other handlers. PVC is capable of withstanding cold and freezing temperatures without shattering and freezer grade PET is available but great care needs to be taken when testing and transitioning to PET as to not create a food safety risk. If polystyrene could no longer be used for these snap pack yoghurts, the design of these products would have to be changed and it is likely that these products would no longer be offered to customers.

Another challenging example where there are limited alternatives is cling wrap. This is currently largely made of PVC, and alternatives made of LDPE are less adhesive and can be less effective.

Mandatory phase-out of all oxo-degradable plastics

Countdown does not sell oxo-degradable plastic products and agrees with a proposed mandatory phase out of these types of plastics. As they continue to cause harm to the environment as micro plastics and contaminants to our waste streams, they should not be considered a suitable alternative to hard-to-recycle plastics.

Compostable packaging

We respectfully urge the government to take a clear position on the use of compostable plastic packaging in Aotearoa.

Countdown has not introduced this type of packaging in our own brands because there is not the capability within Aotearoa's waste management infrastructure to collect and process it effectively. Further, there are no Aotearoa-specific compostability standards to ensure products of these types are certified as being able to break down in commercial and domestic compost bins which is a concern.

We see an increasing number of producers turn to compostable packaging as an alternative, despite there being no local standards or the infrastructure to process these items on a mass scale. While we remain hopeful that these challenges will be addressed in future, without restrictions in place, we are concerned that producers will continue to grow the amount of compostable packaging they are using and overwhelm the market, with compostables becoming a hazard for the environment in the same way as other plastics.

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Mandatory phase out of single use items

We are supportive of a mandatory phase out of all of the items listed in table 7 in the consultation document. We have already begun phasing out many of these products from our range and are working to remove all these from our stores in the next few years. As such, we would welcome a phase-out timeframe of 3 years.

We would support single-use coffee cups to be included in a mandatory phase out and investment made into loan systems (like those already operating in some cafes and coffee shops already) that will encourage people to use reusable cups for their takeaway coffees. A public education campaign that helps consumers understand the benefit of using a reusable cup should be delivered alongside this. This campaign could also include a range of other reusable packaging initiatives already available including BYO containers, which we accept in all 183 of our stores throughout Aotearoa.

With regards to wet wipes, Countdown has worked alongside suppliers, local and central government and wastewater experts to better understand the challenges wet wipes pose for our waste water systems. Earlier this year, we introduced signage in-stores to ask customers not to flush wet wipes and would support a mandatory on-pack label that includes a 'do not flush' message, as we transition towards banning plastic altogether as an ingredient in wet wipes.

It should be noted that there will be suppliers for whom many of the products proposed for phaseout provide their only source of income. We would encourage the government to consider how they can support those businesses to transition to alternative products or materials.

Final comments

Countdown is supportive of efforts to reduce the impact of plastic in our environment and move towards a circular economy. We are keen to continue to engage with the consultation process alongside other stakeholders as these proposals are developed and implemented.

We thank you for the opportunity to provide a submission on this important work.

Ngā mihi

Kiri Hannifin General Manager Corporate Affairs, Safety and Sustainability

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DAIKIN NEW ZEALAND AIR CONDITIONER LTD.

Head Office

8 Crooks Rd, East Tamaki, Auckland 2013, NEW ZEALAND P.O. Box 12-350, Penrose, Auckland 1642 Telephone: (9) 571 1101

MFE – Ministry for the Environment <u>Plastics.Consultation@mfe.govt.nz</u>

Reducing the impact of plastic on our environment

Date: 04/11/2020

Thank-you for the opportunity to comment on the Consultation Document.

Daikin is recognized as the leading air conditioning and heat pump manufacturer across the world. As one of New Zealand's most trusted names in heating and cooling, Daikin can be found in homes, offices, hotels and shops across New Zealand and around the world.

Daikin Air Conditioning New Zealand has three branches nationwide and we distribute products through the trade specialist installer channel from Cape Reinga to Stewart Island.

At Daikin we have an established environmental policy that serves as the basis for our efforts to improve the environment. We report on the overall impact of our business activities on the environment (through the categories of input and output). We regard environmental measures as important management resources and combine environmental response and corporate management. We will effectively utilize resources in product design and production processes and contribute to the realization of a circular economy. We are reducing the use and emission of chemical substances (such as refrigerant) and strive to prevent pollution from chemical substances. Daikin Industries, Ltd. has been endorsed as an Eco First Company under the Eco First Program of Japan's Ministry of the Environment.

As Daikin Air Conditioning New Zealand, we would like to comment on Proposal 1: phase out hard-to-recycle plastics in particular. Since we import and sell air conditioners, heat pumps and related products like other consumer goods such as electronics and homewares, we will be affected heavily by a 3 or 4-year phase-out of EPS packaging.

Therefore, we would like to comment on the issue as below.

Currently there is no viable alternative material replacement for EPS packaging for New Zealand. Despite being the current No.1 provider of air conditioning and heat pumps in the New Zealand market, our production quantities measure in the tens of thousands in comparison to the tens of millions in output from our manufacturing plants. It is not feasible for our low volumes to be customised by our manufacturing plants when the rest of the world are aligned in a different direction. This will be the same for all related sectors (homeware, electronics etc.). It is not acceptable to phase out polystyrene (EPS) packaging in such a short period when the product has been developed over 40 years to specifically protect our equipment from transport damage and no feasible alternatives have been developed that are widely accepted in the manufacturing sector.

Essentially, we support the idea of reducing the impact of plastic on our environment however we believe the concept of the phase-out of EPS packaging for our imported products needs to be agreed by all parties including manufacturers utilising this product. The development of alternative materials for the replacement of EPS packaging should be aligned with the rest of the world with tried and tested products that are able to stand up to the rigours of New Zealand distances and handling and logistics challenges. Air conditioning units are fragile and require correct handling as well as robust packaging to protect them.

In regard to questions over the consultation our answers are follows as below.

Question 1

Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

➔ Yes, we agree with this description in general. At the same time, we note that polystyrene (EPS) can be 100% recycled, however it requires an investment in a recycling facility and some additional logistics to separate and collect the polystyrene. This simple option has not been investigated fully or offered as an option with the "hard to recycle" tag being evident throughout your document.

Question 2

Have we identified the correct objectives? If not, why?

➔ The overall objectives are defined correctly. However, we do not agree with your recommended starting point being the timeframe for elimination of EPS packaging. It is not achievable for Daikin to replace EPS with an alternative packaging material in the timeframe nominated.

Question 3

Do you agree that these are the correct options to consider? If not, why?

→ Some of the options are acceptable. But simple things like education on kerbside collection needs to be improved. The following are our opinions related to the options.

Option 1: Yes, we agree with the option

Option 2: It is an option to be considered

Option 3: We do not agree with this option since labelling itself is an additional resource and cost. And also, it is not good for environment. Alternative methods should be considered. Option 4: For single used plastic items we agree with this. But for polystyrene packaging it is quite difficult to consider a levy or tax due to the mixed structure of the total packaging. Option 5: We agree on this option both for voluntary product stewardship and regulated product stewardship

Option 6: No, we do not agree with this option as it is not achievable in the timeline suggested.

Option 7: No, we do not agree with this option. Because it is expensive and not achievable in the time frame considering the lack of other countries' development in this area. Option 8: This option should be considered but requires an educational focus.

Question 4

Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

➔ No, we don't believe the assessment is fair and reasonable for each of the options. The weightings do not adequately reflect the real-world situation. Some of the criteria have not been adequately investigated. Unknown criteria require full investigation.

Question 5

Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

→ No, we don't agree with this. From a business aspect we need to focus on an achievable target within a reasonable timeframe. The nominated option selection means that there would not be time to achieve the target. We believe that the best solution would be a stewardship model to take into account all business and environmental requirements and assess these in a balanced and achievable manner.

Question 6

Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

➔ No, we do not agree. The phase out is not realistic or achievable. The timeframe is too short and there are no other countries aligned to the same timeline for the same EPS phase out requirement. No countries that manufacture Daikin equipment have the same intent or focus therefore there is no possibility for Daikin Air Conditioning New Zealand to supply the most popular air conditioning and heating equipment in the market to consumers throughout New Zealand.

Question 7

Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

No, stage 2 EPS packaging for products needs to be excluded from the scope because it is not achievable in the suggested timeline.

Question 8

Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

➔ No comment.

Question 9

What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025? The cost is unknown because there are no current solutions that can be applied in the suggested timeframe.

Question 10

Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

→ There are no practical alternatives to EPS packaging since there is no synergy with other countries policies or our manufacturing plants mass producing product in EPS packaging for the rest of the world. There is no option to treat New Zealand differently due to the relatively low volumes of product sold in this region. A far more in-depth study is required than this discussion document with weighted ratings that appear designed to produce the required outcome rather than a balanced and reasonable assessment of the EPS packaging issue.

Question 11

Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

➔ No comment.

Question 12

If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

➔ No comment.

Question 13

Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

→ No. We cannot see any concrete evidence of the costs and benefits scheduled should the government mandate the phase out of EPS packaging within the timeline suggested. They appear to be opinion only with no relevant facts around determination. We will not be able to supply equipment into New Zealand market under this regulation, so it causes a huge negative impact on our business and the market through lack of choice for the consumer and a large increase in cost base for this new technology that no-one has trialled in such a short span of time. How has the writer of this document calculated the costs and benefits? Please provide evidence.

Question 14

How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

➔ Not likely at all. We do not believe in the cost and benefit effects in table 6 especially for brands who sell other consumer goods like homewares and electronics may be affected by a phase-out of EPS packaging.

Question 15

What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

➔ In general, Daikin would prefer a product stewardship model rather that mandatory phase-out of EPS packaging. This is in order to set reasonable and achievable timelines and to consider the balance for both environment and business. We believe a product stewardship program is the correct option against a phase-out plan mandated by the Government.

We do not comment for the rest of the questions regarding Proposal 2.

We trust the above is of assistance and for further clarification please contact the writers at <u>usertan@daikin.co.nz</u> and <u>rcreagh@daikin.co.nz</u>.

Sincerely Yours

Ugur Sertan

Richard Creagh

National Product & Product Training Manager

Commercial Manager

Disabled Persons Assembly Nz



4th Dec 2020

Please find attached DPA's feedback on MfE Plastics Consultation

Disabled Persons Assembly NZ

Contact:

Prudence Walker Chief Executive 021 546 006 policy@dpa.org.nz

Level 4, 173-175 Victoria Street PO Box 27524, Wellington 6011, NZ dpa.org.nz

Introducing Disabled Persons Assembly NZ

The Disabled Persons Assembly NZ (DPA) is a pan-impairment disabled person's organisation that works to realise an equitable society, where all disabled people (of all impairment types and including women, Māori, Pasifika, young people) are able to direct their own lives. DPA works to improve social indicators for disabled people and for disabled people to be recognised as valued members of society. DPA and its members work with the wider disability community, other DPOs, government agencies, service providers, international disability organisations, and the public by:

- telling our stories and identifying systemic barriers
- developing and advocating for solutions
- celebrating innovation and good practice

General Comment

DPA acknowledges that waste generally, and single use plastics specifically, are a major and growing concern. Like the wider population, many disabled people are keen to play their part in reducing the impact of waste and plastics on the environment.

However, we would like to highlight that there are a number of significant accessibility barriers for disabled people wishing to avoid single-use plastics and recycle and reduce their waste responsibly. These include lack of educational information in accessible formats about recycling and alternatives, physical and sensory barriers to being able to identify and sort items for recycling, difficulty finding suitable affordable and accessible alternatives for many every-day single use items (for example many re-useable coffee cups are very difficult to get the lids on and off compared to single use coffee cups) and that many products subsidised for disabled people such as continence pads are not re-useable.

Feedback on Proposal to phase out of Single-Use Plastic Straws

DPA has significant concerns about the MfE proposal to phase out plastic single-use straws as this will have a disproportionately negative impact on disabled people who rely on straws to drink.

There are currently no alternatives that provide the access features that single-use plastic straws provide. Paper straws in particular are a very poor substitute and are unsuitable for the large majority of disabled people who use straws¹. Re-useable steel and Silicone straws are also not suitable for some disabled people.

For this reason, DPA is opposed to any phase out of plastic single-use straws. While we note that the consultation document proposes that there may be exemptions for disabled people, there is no detail around how such exemptions would work. Poorly designed exemptions can be both stigmatising and discriminatory for disabled people.

Of particular concern for DPA is that disabled people are already more likely to face abuse on multiple fronts. For example over-zealous members of the public may verbally abuse disabled people with hidden disabilities when they use disabled facilities such as accessible toilets or parking spaces.

DPA's recommendations

At present DPA is opposed to any phase out or ban on plastic straws. However, if MfE does decide to proceed with a ban on single use plastic straws then, as an absolute minimum, an exemption scheme for disabled people must be in place first. The exemption scheme must be designed in partnership with disabled people and meet the following criteria;

1. It must be simple and easy to access for disabled people

¹ <u>http://disabilityorganizing.net/uploads/donet-straw-report-012319-ACCESSIBLE.pdf</u>

- 2. It must ensure that plastic straws remain widely and reliably available despite a greatly reduced supply.
- 3. There should be no requirement for disabled people to 'prove' (such as a medical certificate) that they need plastic straws.
- It must not impose extra costs on disabled people who are already less likely to report having adequate income for every-day needs².
- 5. It must be non-stigmatising for disabled people so that they are not criticised or abused in public for using plastic straws
- 6. Any exemption scheme must also be supported by an awareness campaign to educate the wider public that some people need access to plastic straws

² <u>https://ccsdisabilityaction.org.nz/assets/resource-files/The-State-of-wellbeing-and-equality-FINAL-ONLINE.pdf</u>

Office of the Mayor



3 December 2020

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Email: Plastics.Consultation@mfe.govt.nz

Dear Sir/Madam

Dunedin City Council Submission on Reducing the impact of plastic on our environment

Thank you for the opportunity to submit on the proposed "Reducing the impact of plastic on our environment".

Dunedin considers itself to be the wildlife capital of New Zealand, and as such, is protective of our marine environment and Royal Albatross colony. Dunedin's Taiaroa Head is the only mainland Royal Albatross breeding colony in the world. Plastic being ingested by our marine animals and bird species is of grave concern to our Council.

Council acknowledges the Ministry for Environment's efforts in presenting the consultation document for feedback, but feels that implementation timeframes need to be addressed as a matter of urgency in acknowledgement of the public's confusion about packaging recyclability, the need for clear and precise public communications, and the urgent need for an appropriate NZ standard product labelling regime.

Should you have any queries regarding the content of this document, please contact Chris Henderson, Group Manager Waste and Environmental Solutions, directly on (027) 233 2996 or by email at chris.henderson@dcc.govt.nz

The Council fully supports the submission from the TAO Forum.

Ngā mihi

Aaron Hawkins Mayour of Dunedin

24 November 2020



Customer Services P. 03 353 9007 or 0800 324 636

200 Tuam Street PO Box 345 Christchurch 8140 www.ecan.govt.nz/contact

Waste and Resource Efficiency Team Plastic.Consultation@mfe.govt.nz

To whom it may concern

Reducing the impact of plastics on our environment consultation

Environment Canterbury strongly supports the Ministry for the Environment's waste minimisation programme including the latest proposals to act on single-use and hard to recycle plastic items.

Environment Canterbury has limited roles and responsibilities regarding the detailed proposals and questions posed in the consultation document. Under the Resource Management Act 1991, Environment Canterbury has responsibilities to manage discharge to the environment from waste disposal facilities. Through this role, including experience with agriplastics and landfill risk assessment, we recognise and understand the potential harm to the environment from the disposal of products and generation of waste.

Waste management is a complex issue, and national direction to help a more consistent, effective and efficient approach across the country is welcomed. We look forward to further engagement with the Ministry for the Environment as other proposals and national directives progress, including any proposed amendments and review of the Waste Minimisation Act 2008.

Yours sincerely

Jerry Highey

Chair

Laura Barnett

| From: | Evie Thorp ^{s 9(2)(a)} | |
|----------|--|--|
| Sent: | Saturday, 5 December 2020 8:40 am | |
| То: | Plastics Consultation | |
| Subject: | Reducing the impact of plastic consultation submission | |

| Follow Up Flag: | Follow up |
|-----------------|-----------|
| Flag Status: | Completed |

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Dear Minister Kiri Allan,

I welcome the Government's proposal to move away from hard-to-recycle and single-use plastic items under the Waste Minimisation Act.

We are in a global waste crisis and I want to see the Government make bold plans to address this. I support the Government's proposed plan but I think we should go further. I am really concerned about tackling plastic waste and I think we need to address this issue by not only banning unnecessary plastic waste but also implementing reuse systems and creating a circular economy. Aotearoa's precious coastlines, marine wildlife and land environment and our streets and communities depend upon this Government taking bold action on plastic waste.

I support the overall proposal, which will bring us in line with current international best practice to reduce hard-torecycle plastic packaging and single-use plastic items.

I support the Government's proposals to phase-out some polyvinyl chloride (PVC) and polystyrene packaging and all oxo-degradable plastic products.

I also support moving away from single-use items including;

- Plastic cotton buds
- Plastic drink stirrers
- Single-use plastic tableware and cutlery
- Single-use plastic produce bags
- Single-use plastic cups and lids and non-compostable produce stickers

This will help to encourage reuse, reduce waste to landfill, and minimise harm to the environment from plastic litter.

I DO NOT support a phase-out of single-use plastic straws because some people with accessibility needs require a plastic straw to drink. While some reusable alternatives work well for some people, for others there may be no reusable alternative that is suitable.

I strongly support the proposal to include single-use plastic items made of degradable, oxo-degradable, biodegradable and compostable plastics in the proposed phase-out.

I would like to see a long-term shift toward a more circular economy for plastics where packaging materials are minimised by switching to alternative methods of packaging, for instance reuse and refill systems, and made of higher value materials that are easier to recycle.

I would like the ban to go further and include single-use plastic bottles and lids, which are one of the worst offenders found on New Zealand coastlines.

We know less than 9% of all plastic ever produced has been recycled, and some 40% of it is single use. From mere minutes of use, plastic waste then leaks into our environment, polluting our waterways and choking oceans.

The world is on course for global plastic production to double in the next 20 years, and for the flow of plastic into the ocean to triple by 2040. Furthermore, plastic production is a direct product of fossil fuel extraction - the leading contributor to CO2 emissions and rising temperatures. We have wasted time in not recognising these problems for many years, so we must now act decisively to reduce what plastics we can from our economy.

I want to see priority placed on eliminating plastic waste at the source and a long-term shift to a circular economy whereby waste is designed out of the system through switching to alternative methods of packaging and delivering products to consumers. This could include significant reductions in virgin plastic production (including phase-outs, such as proposed here by the Government), reuse systems and refill options, as opposed to the current linear model which sees packaging made, used, and thrown away, harmfully impacting the environment and human health. Clear plans must be made to reduce plastic being produced and it's great to see the Government responding to this need by banning some of the worst offenders.

More could be done. I propose that we:

- Expand the list of single-use plastic items to be phased-out to include: bottles, bottle lids and caps, disposable coffee cups and lids, balloons and balloon sticks, lollipop sticks, cigarette butts and filters, single-serve pottles, sachets & containers for condiments and toiletries, coffee pods containing plastic, glitter and plastic confetti. Follow the example of the EU, prioritise them, and then ban them.

- Implement the bans proposed, which I fully support. AND, alongside a ban, adopt positive regulatory and policy options that support reuse alternatives and increase recycled content in products. For example, a combo of options that includes bans, levies, producer fees to cover estimated clean-up and disposal costs, deposit return systems for takeaway packaging, compulsory labelling on products, and moves to mandate reusable serviceware for dine-in situations and in public buildings.

- This blended approach would result in less waste, a lasting shift in social norms and behaviour change, and stronger markets for recycled resin. A'ban only' approach can sometimes lead to false solutions where we simply swap the banned single-use item with one made of another material. A 'ban only' approach also doesn't fix the problem of our over-reliance on virgin plastic resin. Even if we shift to only using 'easier to recycle' plastics, this doesn't ensure that those products are actually recycled or recycled back into the same kind of product.

- Facilitating reuse through regulation, policy and investment is key to reducing single-use plastics and plastic pollution, and to avoid or mitigate perverse outcomes of the proposed ban. The proposed policy of reducing single-use plastics must be supported by policy supporting infrastructure and community engagement necessary for reuse i.e. accessible, reusable alternatives and systems to support them (e.g. regional/localised washing facilities). This would allow solutions to move higher up the waste hierarchy, rather than incentivising the switch from one single-use material to another.

- Specifically I propose a ban on single-use plastic bottles. These are non-essential products and drinks can be delivered to consumers in different ways, including more drinking fountains for water and refillable glass schemes, which places like Oregon and Germany already run successfully. Plastic bottles make up a huge amount of plastic waste generated in New Zealand, with more than a billion produced each year, many of which end up in our oceans, choking wildlife or being sent overseas where they are incinerated, causing harm to the people living there. Refillable glass bottle systems, supported by a Container Return Scheme (CRS) will help recover more bottles, while a ban on single-use plastic bottles will decrease the sheer volume of plastic being produced daily.

- Ban disposable coffee cups and lids. It is estimated New Zealanders use 295 million single-use coffee cups a year. The overwhelming majority of single-use coffee cups are landfilled or escape into the national environment. Coffee cups are non-recyclable due to the waterproof liners and coffee residue, and they are a common contaminant in the cardboard recycling stream. Compostable cups rarely make it to a commercial composting facility where they will safely break down. I think there is enough expertise to create reusable infrastructure and accompanying community engagement is already well established in New Zealand. I think the most impactful role for the Government is to use regulation, policy & investment to increase the uptake, accessibility (including affordability), reach and availability of reusable alternatives to disposable coffee cups.

I applaud the Government for taking a stand against the plastic tide, and urge you to make bolder changes. This is an opportunity to significantly improve New Zealand's environment for generations to come - we need to create a circular economy which places reduction and reuse systems at its heart. Phasing out hard-to-recycle and some single-use plastic items is an excellent starting point; please go further by using regulation, policy and investment to implement reuse systems and infrastructure, and ban highly problematic plastic items like single-use plastic bottles and disposable coffee cups. The ocean, marine wildlife and people depend on a clean and healthy environment. It is vital we turn off the plastic tap and move to a zero waste economy.

Sincerely,

Evie Thorp

s 9(2)(a)



Laura Barnett

| From: | Tiahni Henderson ^{s 9(2)(a)} | |
|-------------|--|--|
| Sent: | Friday, 4 December 2020 4:58 pm | |
| То: | Plastics Consultation | |
| Subject: | Reducing the impact of plastic consultation submission | |
| Categories: | Does support phase out of plastic straws | |

MFE CYBER SECURITY WARNING

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Dear Minister Kiri Allan,

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This issue is deeply important to me as I am concerned about the clear negative impacts single use plastics are having on our environment and well being. I believe that we cannot call ourselves clean green New Zealand if we do not act according to this message.

I support the overall proposal, which will bring us in line with current international best practice to reduce hard-torecycle plastic packaging and single-use plastic items.

I support the Government's proposals to phase-out some polyvinyl chloride (PVC) and polystyrene packaging and all oxo-degradable plastic products.

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- Single-use plastic produce bags
- Single-use plastic cups and lids and non-compostable produce stickers

This will help to encourage reuse, reduce waste to landfill, and minimise harm to the environment from plastic litter.

I support phasing out plastic straws however there must be alternatives provided for those who need them due to accessibility issues.

I strongly support the proposal to include single-use plastic items made of degradable, oxo-degradable, biodegradable and compostable plastics in the proposed phase-out.

I would like to see a long-term shift toward a more circular economy for plastics where packaging materials are minimised by switching to alternative methods of packaging, for instance reuse and refill systems, and made of higher value materials that are easier to recycle.

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Sincerely,

Tiahni Henderson

s 9(2)(a)
FISHER & PAYKEL

То Ministry for the Environment (New Zealand Government)

Date

09 December 2020

Subject

Submission on Reducing the Impact of Plastic on Our Environment Moving Away from Hard-to-Recycle and Single-Use Items

Prepared by

Andrew McDougall, Senior Packaging Engineer Fisher & Paykel Appliances Limited andrew.mcdougall@fisherpaykel.com

Serica Cooke, Senior Legal Counsel Fisher & Paykel Appliances Limited serica.cooke@fisherpaykel.com

> Fisher & Paykel Appliances Ltd 78 Springs Road, East Tamaki, Auckland 2013, New Zealand PO Box 58546, Botany, Auckland 2163, New Zealand т +64 9 273 0600 ғ +64 9 273 0609

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Overall position: Oppose in Part - 2025 deadline for phasing out Expanded Polystyrene (EPS)

Fisher & Paykel Appliances (FPA) wholly supports the need to remove hard-to-recycle and problematic materials from packaging.

However, we oppose Proposal one, Stage 2 for 2025 phase out of EPS, for the reasons set out in this submission.

In the context of our products and business and to the best of our knowledge, there are currently no commercially available sustainable material¹ solutions to achieve a total elimination of EPS by 2025 and we do not believe this position will change in that timeframe. Our position includes the consideration of the time required to further develop existing material technologies or find new material technologies, as well as the time involved in designing, testing and verifying EPS-free packaging solutions across our wide product range.

FPA has been actively involved in trying to solve this problem. In the absence of viable EPS alternatives, we have already achieved significant reductions of EPS in specific packaging solutions. We are continuing to pursue our EPS reduction strategy through design, in parallel to continuing to search for EPS alternatives that would enable its elimination in our business.

FPA is willing to engage with the Ministry for the Environment (MfE) and relevant groups in determination of feasible EPS elimination targets but the 2025 deadline is too short for a complete halt to its use. In addition, if we were required to phase EPS out completely by 2025, if a commercially viable alternative wasn't available the resulting damage to our products could cause greater environmental harm than the impacts of using EPS. Refer to the transit damage impact table below.

Background

FPA designs, manufactures and distributes large, high value appliances for the global market (which includes Australia, New Zealand, North America, Asia and Europe). Our products are often large, heavy and cosmetic, with an expectation to be delivered to our customers in perfect condition.



Cooktop Weight ~30kg



Washing machine Weight ~70kg



Refrigerator Weight ~120kg



Freestanding Cooker Weight ~250kg

¹ For the purposes of this submission, we consider a sustainable material is both renewable and recyclable

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Manufacturing Locations and Global Distribution

FPA factories are based in Thailand, China, Mexico and Italy and we have contract manufacturers in many more locations. This means we rely on sea freight and trucking as key methods for distribution globally, including importing our products into New Zealand.

During the distribution phase, our packaged products may be exposed throughout the world to a range of seasonal climates from sub-zero up to 70°C (inside shipping containers), and a variety of storage conditions sometimes for periods of 3 – 12 months. This places a big demand on material performance, including degradation, structural integrity, and quality aspects for our brand aesthetically.

Transit Damage Impacts

Insufficient Packaging Protection = Increased Transit Damage = Financial, Environmental and Brand/Reputation damage.

| Damage effect | Form of impact |
|--|-----------------------------|
| Overall customer dissatisfaction | Financial, Brand/Reputation |
| Resources for warranty claim processing and assessment | Financial, Environmental |
| Transport for damaged products pick up | Financial, Environmental |
| Labour and resources for repair servicing | Financial, Environmental |
| Spare parts – Product and/or packaging | Financial, Environmental |
| Damaged but saleable - Price downgrade and new packaging | Financial, Environmental |
| Damaged unsaleable - Recycling or Landfill | Financial, Environmental |
| Replacement product - Delivery and packaging disposal | Financial, Environmental |

Engineering Test Procedures for Product Packaging

FPA product packaging solutions are tested via a suite of Engineering Test Procedures (ETPs), which are mostly based on global best practice International Safe Transit Association (ISTA) test procedures – Series 1 & 3, for Simulation and Non-Simulation Performance Tests.

<u>Specific cushioning tests for dynamic and constant load performance:</u> Drop test, Incline impact test, Clamp test, Stack test, Vibration test (photo not shown)



Horizontal forces



Clamp test compression



Incline impact test

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Drop test Vertical impact



Stack test compression

The role of EPS and its superior properties

EPS is a key impact protection component that we use in our current packaging solutions. Particularly with regard to our heavier products (45kg or more), to pass ISTA testing procedures². EPS has superior attributes that lead to its unmatched cushioning performance. EPS attributes allow our packaged products to withstand multiple impacts and repetitive shock fatigue, which is vital to surviving the range of product handling methods used across our global markets, during the distribution phase. Key EPS properties such as uniform density (ranging from 15 - 40 Kg/m3), dimensional stability, isotropic and hydrophobic, means finding an alternative sustainable cushioning material with similar properties will be extremely difficult.

Sustainable packaging

EPS does not meet our sustainable packaging goal of making all packaging recyclable, compostable or reusable. On that basis, we have for some time been working on a set of strategies to phase it out.

Our findings, over several years of investigating, are that sustainable packaging materials generally come at higher cost and lower performance, compared with our incumbent (hard-to-recycle) plastic solutions.

FPA strategies to phase out EPS

| # | STRATEGY |
|---|---|
| 1 | Minimise usage of EPS Minimise usage by design optimisation and/or substitution with commercially available sustainable materials (such as cardboard). |
| 2 | R&D of sustainable cushioning materials Find or develop sustainable cushioning materials, that match or exceed EPS performance properties and that are cost competitive. |
| 3 | Increased stewardship of EPS Increased stewardship of EPS to avoid waste to landfill |

² ISTA Procedure for Packaged Products Shipment over 100 lb (45 kg), 3 Series: General Simulation Performance

Strategy 1: Minimise usage of EPS

Current Status / Outcomes

By focusing our application of EPS only to specific areas of known damage, we have been able to achieve reductions of EPS in specific production packages (refer **Example A** below), while maintaining performance and avoiding waste in the form of damaged product and associated logistics. We are continuing to focus on this reduction strategy across our product range, and targeting our most commonly used parts.

In addition, we are continually working with our current suppliers of sustainable packaging materials (e.g. cardboard manufacturers) to design and prototype EPS replacement parts. However, to date this strategy has had limited success with the majority of tested products over 45kg failing.



Example A. EPS reduction in a product's base protection - following design optimisation and testing

Strategy 2: R&D of sustainable cushioning materials

Current Status / Outcomes

FPA understands the knowledge gaps to finding sustainable alternatives to EPS and we have embarked on strategies to accelerate development of a viable solution. FPA has developed a checklist of key material properties (ranging from mechanical to environmental) and we use the checklist to actively investigate and evaluate EPS alternatives, which include the following material technologies:

- Myocomposite[™]
- Zealafoam®
- Cellufoam[™]
- Other bio-based foams

Currently, these alternatives are a long way off meeting our performance, cost and sustainability needs. Refer to **Example B** below, which demonstrates how one particular foam-based product was determined to not be a suitable replacement for EPS for our packaging purposes due to shrinkage when exposed to certain temperatures.

Example B: Expanded Polylactic Acid (EPLA)

This example concerns results from in-house testing of a renewable bio-foam (Zealafoam®), which was conducted in 2019. While some industries consider this material to be a commercially viable EPS alternative, it would not be suitable to replace EPS in our product packaging based on our test results. The material became dimensionally unstable (and shrunk) when exposed to temperatures above 50°C, which would present a major issue if it was used to

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package our products - considering the extreme temperatures found in shipping containers and how much we as a business rely on sea freight. Our testing largely matches the results published by the manufacturer (Biopolymer Network).

In addition, we have engaged external innovation agencies, both overseas and within NZ, who are now supporting our request for help – by extending our global innovation search and connecting us with emerging technologies from leading R&D institutes. We believe that there are significant opportunities both within our business, our global group of companies (including the wider Haier group) and other industries globally for a novel sustainable cushioning material. However, it remains our understanding that these material technologies are still many years away from being commercially viable.

Strategy 3: Increased Stewardship of EPS

Current Status / Outcomes

FPA is increasing its investment in direct delivery to end customers. This should allow us to have more control over used packaging, including by bringing it back to our facilities. We can then arrange for recycling (both internally and using third party providers) or utilise other appropriate disposal methods.

We note that we are currently trialling the use of EPS recycling machines in our business, allowing us to take EPS returned to us, compact it then on-sell the compacted material – which ensures it avoids landfill.

Summary

We consider that the deadline for phasing out EPS needs to be later than 2025 in certain instances because:

- 1. No commercially viable alternative: Currently, to the best of our knowledge following on-going investigation on this matter in New Zealand and overseas, there is no commercially viable alternative to EPS as used in packaging products like ours. Our products are heavy, highly cosmetic and distributed globally using multiple handling methods, and must withstand extreme climates and be delivered to end customers in perfect condition.
- 2. Five year deadline too soon: It will take longer than five years, perhaps many more years, to either improve existing technologies and/or create new technologies that match EPS' superior protective/cushioning features. We will continue our investigations in this area, however in the absence of any commercially viable EPS alternative for our product packaging becoming available in the meantime we would request a deadline extension for complete phase out of EPS in products that weigh 45kg or more until 2030. We would be happy to work with MfE and other relevant groups in discussing this revised deadline request and our reasoning for it further.
- 3. Removing EPS in the absence of a commercially viable alternative could cause more environmental harm than the EPS itself: If required to phase out EPS by 2025 in the New Zealand market, we believe that in our business more waste and/or negative environmental consequences could result due to product being damaged by inferior packaging methods.

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Submission

Reducing the impact of plastic on our environment - Moving away from hard-to-recycle and single-use items

Introduction

Fonterra is a co-operative owned by around 10,000 New Zealand dairy farmers and their families. Every day we seek to ensure our farmers, their communities, the economy and every New Zealander gains the greatest benefit from our dairy industry.

The dairy sector creates wealth for New Zealand and New Zealanders. The money our farmers are paid for their milk and our Co-operative's profits remain in New Zealand. Since the creation of our Co-operative in 2001, dairy sector exports have grown from \$7.4b in 2001 to \$20.8b for the year ended June 2020, and the benefits of this have flowed back into regional New Zealand communities enhancing their wellbeing.

Our business uses approximately 150,000 tonnes of packaging per year to protect and transport our finished goods, both at the sites we directly manage and at the third-party sites we use. Most of our finished goods are bulk ingredients for use by business customers but we also produce packaged goods for foodservice and consumers.

We have established two Sustainability Programmes to help us deliver our two key global targets:

- To have 100% reusable, recyclable or compostable packaging by 2025; and
- To send zero waste to landfill from our manufacturing sites by 2025.

Since implementing the targets, we have achieved a reduction of 970 tonnes of waste to landfill. As an example, at our Takanini site, we have worked with Adhesif, a self-adhesive label company, to eliminate 33 tonnes of solid waste per year. The backings from the labels we use on large volume products are now turned into tissue paper, creating a secondary use for what otherwise would have gone to landfill.

Packaging is vital for delivering safe and quality nutrition and is also a large component of our direct and indirect waste. The packaging we use is just one component of our Food Safety and Quality System. It's important we understand the source, the make-up and quality of the materials we use for our packaging and that it protects the product all the way to consumption.

We are committed to reducing our footprint by making the packaging that we do use more sustainable. That means considering what happens to the packaging we use and how to eliminate waste across our value chain.

Collaboration is crucial to making progress towards our 2025 targets and together with our partners we have assessed the state of local recycling infrastructure, recycling standards and our level of influence in the markets where we operate.

We have also aligned with the New Plastics Economy definition of recyclable, requiring packaging to be not only theoretically recyclable but also recycled in practice and at scale. This means there must be adequate collection infrastructure with sorting and processing that can turn the recycled material into commercially viable products for which there is demand.

We have direct control over the packaging materials we use but new packaging solutions require investment, so we need to choose carefully what solutions we adopt and when. We are working closely with our suppliers and building relationships to identify suitable alternative materials and formats, and are

considering the existing and planned collection, sorting and processing capabilities in countries and regions in which we operate. We also know that we will need to work with our customers and consumers to encourage use of the available infrastructure in their location.

We know our industry must continue evolving to remain economically and environmentally sustainable. We support action being taken to have a positive impact on our resource recovery system and environment from hard-to-recycle plastic packaging and single-use items through significantly reducing the amount in use.

Overview of our global packaging portfolio

50% of all our packaging material is already recyclable in the market (e.g. cardboard)

13% is ready for recycling but there is limited infrastructure in market (e.g. rigid plastic)

24% is recyclable but the infrastructure is not widely available (e.g. liquid carton board)

13% is unsuitable for recycling (e.g. foil-based sachets)

Key considerations when changing packaging

When considering transitioning a packaging material we consider four key issues:

- 1. Ensuring the material meets and maintains our uncompromising standards of food safety and quality;
- Ensuring the material meets and maintains export and import requirements across our global supply chains;
- 3. Ensuring our packaging meets recyclability and other environmental considerations using life cycle thinking; and
- 4. Consideration of how these associated costs will impact consumers and how to best mitigate them.

Challenges

We export 95 per cent of the products we produce to around 140 countries. Our global supply chain is complex with multiple packaging formats and materials and there are different waste and recycling infrastructures in each market.

A critical challenge for our business is to ensure our uncompromising standards of food safety and quality are maintained with whatever packaging we use. Packaging can also extend the shelf-life of a product and therefore reduce food waste.

Achieving our packaging and waste targets requires innovation, collaboration and circular thinking. We're proud to work on initiatives like Future Post to recycle Anchor milk bottles into fence posts, and Moo2Shampoo with SKYCITY who turn milk bottles into shampoo, conditioner and lotion bottles.

It also means continuously improving across our manufacturing and distribution operations. We are converting used pallets into woodchips for use at playgrounds with the help of NZ owned pallet delivery business Timpack, and mulching company Enviromulch.

More information about our experience with product stewardship is in Appendix A

Innovative solutions

As an example of innovative thinking we have recently launched New Zealand's first plant-based milk bottle. The new bottle is 100% kerbside recyclable and is made from sugarcane – a natural, renewable and sustainably sourced material. The plant-based HDPE is sustainably sourced from Brazil.

Brazil is one of the largest growers of sugarcane and was also the pioneer for the technology that processes sugarcane into ethanol and then into plastic. Our chosen plant-based HDPE supplier is a member of Bonsucro, and we are too. Bonsucro was founded in 2005 to promote and certify sustainable sugarcane production, processing and trade around the world. Itsmission is to ensure that responsible sugarcane production creates lasting value for the communities, businesses, economies and eco-systems in all cane-growing origins.

Initially the plant-based bottle will be available in the North Island, with a view to expand distribution based on consumer response. Anchor commissioned an independent life cycle assessment which concluded this plant-based HDPE also has a lower carbon footprint than most plastic milk bottles in New Zealand.

To validate the reprocessing aspect of the plant-based bottle (Bio) HDPE, 250kg of Anchor bottles manufactured from the resin were granulated and run through a recycling extruder using standard HDPE settings at Astron.

The material did not exhibit any abnormal behaviours during the recycling process, and from visual checks was of an acceptable standard. The recycled polymer was transferred to a repurposing facility where it was used in the manufacture of slipsheets and cablecover products. The Bio HDPE recyclate was added at a 10% inclusion level to a blend of recycled HDPE/LDPE. The resultant products were successfully manufactured without any detrimental effect to the product or related extrusion process. We have provided this information to both WasteMINZ and PlasticsNZ to provide assurance to processing facilities.

We are also pleased to have contributed \$150,000 to the new optical sorting equipment recently installed in Auckland Council's Visy recycling facility. This upgrade will keep more plastic recycling in New Zealand instead of relying on international markets. Lasers will ensure that 99% of all recyclable kerbside plastics can now be correctly sorted and recycled.

Developing a Roadmap to a Sustainable Packaging Future

As we address the hurdles we face moving towards our waste and recycling targets, we would like to work with the Government to create a collaborative roadmap that holistically addresses labelling, material collection (including the standardisation of kerbside recycling), sorting, processing and end-markets.

Due to further amendments of the Basel Convention, Fonterra, like most large New Zealand food producers, is no longer able to utilise offshore recycling options for packaging material. These materials were only being sent offshore because a New Zealand based recycling solution was not available. The lack of options leaves landfill as a destination until such a time that there are adequate local alternatives available.

In combination with phasing out hard-to-recycle plastic types we would be supportive of Government initiatives to increase recycling rates for materials such as PET, HDPE and PP, as there remains opportunity to divert significant quantities from landfill. We would also be supportive of ongoing Government educational campaigns to reduce littering, aimed at changing behaviours across multiple generations.

Response to questions

We welcome the opportunity to submit on the consultation document - Reducing the Impact of Plastic on our Environment: Moving away from hard-torecycle and single-use items. The consultation document provides an important opportunity to agree a clear direction for both industry and the public on managing and minimising plastic waste.

Tackling the waste problem won't be easy but businesses play a key role leading the change. New Zealand's success in achieving a circular economy will require genuine collaborative partnership and Fonterra is committed to working with others and playing a leading role in ensuring the New Zealand dairy industry remains at the forefront of low-emissions, zero waste food production.

If there is any further information that the Ministry would like from Fonterra regarding this submission, please do not hesitate to contact us.

Reducing the impact of plastic on our environment comments table

| Question | | Response |
|--------------------------|---|--|
| 1. Do th ha sin | Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why? | Fonterra supports action being taken to reduce the impact on our resource recovery system and environment from hard-to-recycle plastic packaging and single-use items through significantly reducing the amount and types of material in use. |
| | | We agree with the need to drive system change, and believe greater emphasis needs to be put on the expansion of onshore or regional recycling capacity and capability. Fonterra considers the following factors when transitioning a packaging material: |
| | | - Ensuring the material meets and maintains our uncompromising standards of food safety and quality; |
| | | Ensuring the material meets and maintains export and import requirements across our global supply chains; |
| | | Ensuring our packaging meets recyclability and other environmental considerations using life cycle thinking; and |
| | | - Consideration of how these associated costs will impact consumers and how to best mitigate them. |
| | | |

| 2. | Have we identified the correct objectives? If not, why? | Fonterra strongly supports more action from businesses and Government to phase out certain types of hard-to-recycle plastics packaging and some single-use plastic items. |
|----|--|--|
| | | As packaging is vital for delivering safe and quality nutrition, we encourage the Ministry to consider developing a transition plan between Government and industry to ensure plastic alternatives are available and are economically viable; are able to meet both standards of food safety and quality, and export and import requirements across global supply chains; and that potential costs to consumers are well understood and managed. |
| | | As part of this transition plan, we encourage the Ministry to consider non-plastic alternatives, in addition to the alternatives of PET, HDPE and PP listed in the consultation document. |
| | | We would like to work with the Government to create a collaborative roadmap to a sustainable packaging future. As part of this roadmap we would be able to share what we know as a food company and a global exporter and would welcome the opportunity to participate in a trial such as encouraging greater public awareness of recycling through a labelling system. |
| 3. | Do you agree that these are the correct options to consider? If not, why? | We agree that these are the correct options to consider. Regardless of the option chosen, we strongly believe that a transition plan between Government and industry should be developed. This would help to ensure plastic alternatives are available and are economically viable; are able to meet both standards of food safety and quality, and export and import requirements across global supply chains; and that potential costs to consumers are well understood and managed. |
| | | In addition, we encourage the Ministry to consider how other countries are addressing this issue especially in relation to polystyrene and expanded polystyrene (EPS). |
| | | We note with interest the South Korean ban on PVC has exemptions for packaging of various items, due to the lack of suitable alternatives for some applications. |
| 4. | Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo- degradable plastics and some single- use items? If not, why? | Yes. To help ensure New Zealand doesn't implement a less sustainable packaging type as a result of a mandatory phase-out, we would suggest the Ministry clarify whether the life-cycle impact of plastic alternatives is included in the <i>Effectiveness</i> criteria. |
| 5. | Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why? | We strongly believe that any mandatory phase-out needs to be supported by product stewardship schemes (Option 5) to help ensure the plastic packaging that remains in use is supported by systems to collect and recycle the packaging materials for further use. We support a collaborative, co-design approach to develop a product stewardship scheme to manage priority products throughout their lifecycle. |
| | | Additionally, we put forward that the potential impacts of a mandatory phase-out must consider export and import requirements across global supply chains. In instances where there are currently no practical |

| | | alternatives to maintain the food quality or safety of the product for distribution, then potential exemptions need to be developed by Government and industry. |
|----|---|--|
| | | Consideration should be given to the likely impact of the mandatory phase-out on the future availability of EPS containers for any exempted products, as these products are likely to be high-value exports. |
| 6. | Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why? | As packaging is vital for delivering safe and quality nutrition, we encourage the Ministry to consider developing a transition plan between Government and industry to ensure plastic alternatives are available and are economically viable; are able to meet both standards of food safety and quality, and export and import requirements across global supply chains; and that potential costs to consumers are well understood and managed. |
| | | <u>PVC</u> |
| | | We support the proposed phase-out of PVC, noting the considerations below. We are very concerned that the proposed timeline for Stage 1 by January 2023 does not allow enough time for companies to exit PVC packaging and replace it with viable replacements, like PET, that meet stringent local and global food safety and quality requirements, and that potential costs to consumers are well understood and managed. |
| | | While we have work underway to transition our butter products from PVC packaging to a viable replacement, it requires time to test the impact of the transition on the shelf-life of a product to ensure it meets food safety and quality standards. Safe food is fundamental to our business, and it is also a key export standard. We expect this work to be completed in time for a full product transition from PVC by January 2025. |
| | | Further, we note that the proposed phase-out of PVC extends only to food and beverage packaging, with no reference to packaging that is used in the non-food and beverage industries or single-use plastic items made from PVC, such as imported hang-cell display packaging common in retail applications. While food and beverage packaging make up a high proportion of the materials collected through kerbside recycling, if all PVC items are not addressed simultaneously in the phase-out, then the contamination of PET recycling will remain an issue. |
| | | EPS |
| | | We support the proposed phase-out of EPS, noting the considerations below. We would encourage the Ministry to give additional thought to the environmental impact of transitioning away from EPS in critical temperature-controlled applications. We expect that for a small part of our export microbial cultures business there are currently no practical alternatives to maintain the required temperature profile. |
| | | PS |
| | | We support the proposed phase-out of hard PS, noting the considerations below. We would encourage the Ministry to give additional thought to the environmental impact of transitioning from PS to PET, as this transition has not yet been fully evaluated. A phase out might force the use of a packaging solution with |

| | higher environmental footprint. The current work we are undertaking to phase-out PS for yoghurt pottles is estimated to be completed in time for a 2025 deadline. |
|---|--|
| | We expect that for a part of our export microbial cultures business there are currently no practical alternatives that can be sterilised adequately without deterioration of the packaging. |
| 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? | We agree with the proposed scope for Stage 1 and 2 phase-outs but reiterate that the potential impacts of a mandatory phase-out must consider export and import requirements, and the impact on food safety and quality. In instances where there are currently no practical alternatives to maintain the quality or safety of food products for distribution, we support potential exemptions developed between Government and Industry. |
| Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your | Yes. While we understand that food and beverage packaging make up a high proportion of the materials collected through kerbside recycling, if all PVC items are not addressed simultaneously in the phase-out, then the contamination of PET recycling will remain an issue. Many non-food items such as imported hang-cell display packaging are common in retail applications and are often larger in size that contaminates more PET. |
| answer. | As the consultation identifies, information is lacking on the prevalence of PVC and hard PS packaging beyond that for food and beverages. We encourage the Ministry to undertake analysis to quantify this waste stream during Stage 1 so all PVC and hard polystyrene packaging can be included in Stage 2, where viable plastics alternatives are available. |
| What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025? | We are currently working to cost the process to phase-out PS for yoghurt pottles. Detailed analysis of the ongoing operational cost impacts has not yet been undertaken but could include increased material cost due to increases in packaging thickness and density, as well as increased packaging costs for changes to the various attachments such as labels and sleeves. |
| | We expect both capital and ongoing operational cost increases to phase out PVC for our mini-dish butter product, but detailed analysis has not yet been undertaken. |
| 10. Do you believe there are practical alternatives to replace hard-to- recycle packaging (PVC, polystyrene | We strongly support this piece of work as an opportunity for New Zealand to rethink the use of plastic packaging and to design innovative reuse models. For example, as noted above, we have recently launched New Zealand's first plant-based Bio-HDPE milk bottle. |
| and EPS)? If not, why? | We remain concerned that the proposed timeline for Stage 1 by January 2023 does not allow enough time for companies to exit PVC packaging and replace it with viable replacements like PET that meet stringent local and global food safety and quality requirements, and that potential costs to consumers are well understood and managed. PVC is challenging to replace in our application for packing butter, as alternatives become brittle at frozen temperatures, and have higher rates of water vapour transmission. |
| | For Fonterra, the challenge moving forward is the use of EPS and hard PS for very specific applications in our microbial fermentation unit, where no suitable alternatives exist. |

| | Fonterra will need to fund a significant capital project in order to exit hard PS used for yoghurt pottles. |
|--|--|
| | In determining whether practical alternatives exist, Fonterra considers the following factors when transitioning a packaging material: |
| | - Ensuring the material meets and maintains our uncompromising standards of food safety and quality; |
| | - Ensuring the material meets and maintains export and import requirements across our global supply chains; |
| | Ensuring our packaging meets recyclability and other environmental considerations using life cycle thinking; and |
| | - Consideration of how these associated costs will impact consumers and how to best mitigate them. |
| 11. Do you agree with a mandatory phase-out of all oxo-degradable | We do not currently use oxo-degradable plastics in our packaging portfolio and are supportive of the phase-out, noting the considerations below. |
| plastics by January 2023? If not, why? | We would encourage the Ministry to consider defining these plastic materials in line with EU Single-Use- Plastic-Directive, and not place a ban on the use of the additives themselves. Future innovative packaging material developments may use these same oxo-degradable additives, in combination with other aspects of material design, to achieve desirable outcomes such as biodegradation. |
| | The potential impacts of a mandatory phase-out must consider export and import requirements across global supply chains. Recently Saudi Arabia proposed regulations which would have required exporters such as Fonterra to use oxo-degradable plastic packaging materials. While these regulations ultimately didn't come into force, we would encourage the Ministry to consider ways in which Government and Industry can work more collaboratively together to keep across the changing landscape of international packaging regulations and requirements when future submissions to international governments are required. |
| 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details. | This question is not applicable to Fonterra. |
| 13. Have we identified the right costs and benefits of a mandatory phase- out of the targeted plastics? If not, | We strongly support this piece of work as an opportunity for New Zealand to rethink the use of plastic packaging and to design innovative reuse models. We note that as work is already underway to strengthen onshore collection, sorting and processing infrastructure. |
| why not? Please provide evidence to support your answer. | In addition, we would encourage consideration to be given to a research and development fund that invests in new product development that meets food safety requirements, as well as contestable funds for infrastructure investments. |

| 14. How likely is it that phasing out the | Please refer to Appendix A for a summary of Fonterra's use of the targeted items. |
|---|--|
| targeted plastics will have greater | PVC food-packaging |
| discussed here? Please provide details to explain your answer. | The costs of a PVC phase-out for Fonterra have not been fully quantified, but involve substantial R&D costs, capital costs and possible on-going operational costs to find an alternative that meets our four key considerations. |
| | We remain concerned that the primary objective of minimising contamination of PET recycling streams may not be achieved without better data related to non-food and beverage packaging uses of PVC, and of other potential contaminants to the PET stream. |
| | EPS packaging |
| | A phase-out of EPS packaging across New Zealand may make it challenging for Fonterra to source the small amount that will remain necessary to allow the export of high value microbial cultures. We note that EPS is not used for any products placed on the New Zealand market by Fonterra. |
| | Hard PS packaging |
| | The total costs of a phase-out for Fonterra have not yet been quantified. There may be additional environmental costs due to the change in material, as the life cycle analysis has not yet been completed. |
| 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic | We would like to work with the Government to create a collaborative roadmap to a sustainable packaging future to support a circular economy. As part of this roadmap we would be able to share what we know as a food company and a global exporter, and would welcome the opportunity to participate in a trial such as encouraging greater public and awareness of recycling through a labelling system. |
| packaging and use higher value materials or reusable/refillable alternatives? | In addition, we would encourage consideration to be given to a research and development fund that invests in new product development that meets food safety requirements, as well as contestable funds for infrastructure investments. |
| 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items | We support the mandatory phase-out of plastic straws, noting the considerations below. Fonterra is currently undertaking work to transition away from plastic straws on our beverages sold in New Zealand. We expect this work to be completed by 2022 however we are reliant on the speed of capacity build for offshore paper straw manufacturers. |
| you would leave out or add, and explain why. | We manufacture substantial quantities of carton beverages in New Zealand, for export markets. Many of these currently contain plastic straws. In instances where there are currently no practical alternatives to exit plastic straws, we support potential exemptions developed between Government and Industry. |
| 17. Do the proposed definitions in table 7 make sense? If not, what would you | We recommend that the Ministry align with the definition of "single-use plastic" straws provided in the EU Single Use Plastic Directive. In keeping with the intent of this proposal we recommend: |
| change? | - That the phase-out applies to straws sold loose, as well as straws that are sold attached to items such as beverage cartons; and |

| | That the phase-out does not apply to fitments, including straw-shaped fitments, which are integral and non-detachable from product packaging. |
|---|--|
| | We would like to confirm that the phase-out would include plastic straws on imported food and beverage products to ensure a level playing field for domestic producers. |
| 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of | While alternatives to over-the-counter plastic straws are already readily available, the technology has taken longer to develop for straws sold attached to beverages due to the very specific functional needs including stiffness, size and shape. |
| timeframe, and provide details where possible. | Investments are required by offshore manufacturers in order to build the needed capacity to supply the very specific straws needed for these applications. The EU Single Use Plastic Directive comes in force in mid-2021; this is expected to drive the increase in capacity, although availability for the Asia Pacific region |
| a) 12 months? | is unknown. Due to this we recommend a three-year timeframe to allow time for supply and demand to |
| b) 18 months? | balance. |
| c) 2 years? | |
| d) 3 years? | |
| e) Other? | |
| If you think some items may need different timeframes, please specify | |
| 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options. | This question is not applicable to Fonterra. |
| 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future? | This question is not applicable to Fonterra. |
| 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable | This question is not applicable to Fonterra. |

| coffee cups and wet wipes containing plastic? | |
|---|---|
| 22. Have we identified the right costs and benefits of a mandatory phase- out of single-use plastic items? If not, why? Please provide evidence to | We strongly believe that a transition plan between Government and industry should be developed. This would help to ensure plastic alternatives are available and are economically viable; are able to meet both standards of food safety and quality; and can meet export and import requirements across global supply chains. |
| whether your answer applies to a particular item, or all items. | This plan would help ensure that the potential costs associated with plastic alternatives to manufacturers through to consumers are well understood and managed. It would also allow for a collaborative approach to public education, as we would welcome the opportunity to participate in a trial such as encouraging greater public and awareness of recycling through a labelling system. |
| 23. How should the proposals in this document be monitored for compliance? | We cannot advise on material flows and compliance monitoring, however we are aware of models currently in operation in other markets including Australia through the Packaging Covenant annual reporting. We encourage the Ministry to consider how any monitoring or compliance model would ensure an even playing field between importers of packaging and New Zealand manufacturers making these changes. |

Appendix A – Three New Zealand Case Studies

Moo2Shampoo

SKYCITY and Fonterra partnered on a product stewardship scheme where Anchor milk bottles used as SKYCITY's Sky Café are recycled at Auckland based plastics recyclers Astron Sustainability and turned into Puriri amenities range that are used in SKYCITY hotels.

The initiative recycles 35,000 milk bottles annually with extended producer responsibility for minimising the product's environmental impact throughout all stages of the product's life cycle.

At Astron Sustainability, the Anchor bottles are ground down to plastic beads that are delivered to HealthPak, a kiwi owned packaging company, to manufacture the Puriri bottles.

Bottle Back Scheme

Bottle Back is an internal initiative run by our business with some of its key customers to recycle our packaging that is returned to us. A good example of this is the return of our milk bottles from our customers back to our sites located at Takanini, Palmerston North and Christchurch.

When a new order is delivered to a customer, the empty milk bottles are collected and returned to the site where these are baled ready for delivery to our onshore solutions. Milk bottles returned through this system contribute to our initiatives with SKYCITY and Future Post.

Future Post

Fonterra has teamed up with Kiwi-owned start up, Future Post, to turn milk bottles and other soft plastics into fence posts. These fence posts are made with 100% recycled content.

The Anchor milk bottles are sourced from our manufacturing sites at Takanini, Palmerston North and also through our Bottle Back system. It takes approximately 208 milk bottles to make a 1.8m post.

Future Post fence posts are sold through our Farm Source retail stores. In addition to being an effective use of recycled products, farmers also report that they are great product to use.

ENDS



Foodstuffs (N.Z.) Limited P O Box 38 896 Wellington Mail Centre Lower Hutt 5045 New Zealand www.foodstuffs.co.nz

27 November 2020

Waste and Resource Efficiency Division Ministry for the Environment P O Box 10362 WELLINGTON 6143 Plastics.Consultation@mfe.govt.nz

Dear Sir/Madam

Foodstuffs Submission: Reducing the Impact of Plastic on our Environment

This submission is made by Foodstuffs (NZ) Ltd on behalf of its shareholders: Foodstuffs North Island Ltd and Foodstuffs South Island Ltd which are retailer-owned grocery co-operatives. Foodstuffs (NZ) Ltd is the Federation Headquarters of the Foodstuffs group of companies and co-ordinates national policy and input on matters of public policy.

Foodstuffs owns the retail brands: PAK'nSAVE, New World, Four Square, Raeward Fresh, On the Spot, and Liquorland. The network includes more than 600 retail stores, giving Foodstuffs the largest retail footprint of any single organisation in New Zealand. The regional co-operatives have supply chain operations to supply members, with various distribution centres throughout the country. They also run wholesale businesses (Gilmours and Trents) which supply grocery products to other businesses.

Foodstuffs runs a comprehensive sustainability programme which includes initiatives to improve the sustainability of its packaging. It was the world leader in transitioning from polystyrene foam trays, used predominantly in the butchery departments, initially to PET and more recently to clear rPET. We have also voluntarily phased-out products containing microbeads, single-use checkout carrier bags, plastic tampon applicators, plastic-stemmed cotton-buds, oxo-degradable plastic packaging, and plastic straws, while other voluntary phase-outs are in progress or being considered.

In 2018 Foodstuffs became a founding signatory to the NZ Plastic Packaging Declaration and we have active programmes in place to deliver on our commitment to transition to 100% re-usable, recyclable, or compostable packaging by 2025, and support the transition to a circular economy.

In this context, Foodstuffs is generally supportive of New Zealand adopting a policy of moving away from hard-to-recycle packaging and single-use plastic packaging.

Foodstuffs acknowledges the leadership role the Ministry for the Environment is taking in terms of reorienting New Zealand towards a circular economy. We are pleased to have the opportunity to engage with the agency in this current consultation.

Response to Specific Consultation Questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes, MfE have correctly identified the main environmental issues relating to these products.

2 Have we identified the correct objectives? If not, why

All of the stated objectives are legitimate and supported by Foodstuffs.

3. Do you agree that these are the correct options to consider? If not, why?

MfE has identified a range of options to deal with the hard-to-recycle plastic packaging and single-use plastic items. All have pros and cons, but we don't see any obvious omissions in the suite of options discussed.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics, and some single-use items? If not, why?

Effectiveness, cost, and alignment with strategic direction are all highly relevant. Achievability without new legislation is less important in our view but also a matter worth considering. Another criterion that should be considered is: universality - the degree to which the option will apply to all market participants and create a level playing field between competitors. All options may have unintended consequences, which also need to be considered.

In terms of the weightings to be applied, while we agree that effectiveness and cost are more important than the other criteria, the proposed weightings are somewhat arbitrary. We prefer a cost benefit approach where the total cost and total benefits are weighed to determine whether there is a net benefit or cost to society.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

The analysis of the various options appears to have been quite light – at least the commentary would suggest this to be the case. Some options could be more fully explored e.g. a tax on virgin plastic which would provide an incentive to include recycled content in packaging.

Notwithstanding, we are generally comfortable with the option that has been selected because it is highly targeted at the most problematic plastics, would be highly effective and would be universally applied. Foodstuffs is not able to provide any detail on cost implications, but we anticipate the supplier community will do so.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

It is unclear whether the proposed ban is limited to retail and consumer packaging or extends to supply chain packaging? We assume the former, but this needs to be clarified.

Dealing with PVC first, while we support a phase out in principle, we believe a more targeted and phased approach is warranted as proposed for polystyrene. We believe "rigid PVC" products and PVC cling wrap could be phased out by 2023 as viable alternatives are already available in the market, and "all remaining PVC" e.g. PVDC coated high barrier film, by 2025 or later if necessary. While there are affordable substitutes for rigid PVC, the flexible packaging variants are not as readily substitutable e.g. cheese packaging, and the industry needs plenty of time to identify and implement safe and viable alternatives. A requirement to use packaging that is less functional may well result in additional food waste, which would be counterproductive to improved environmental and social outcomes. The manufacturing sector can provide comment on the amount of time needed to innovate.

In relation to polystyrene (Type 6 plastic), Foodstuffs supports the phase out of the listed products by 2023. Fit-for-purpose substitutes are readily available. As a business, we have a "do not use polystyrene" policy in place for these use-cases and have successfully transitioned from using polystyrene to clear rPET in our retail stores.

Additionally, our wholesale businesses (Gilmours and Trents) which supply packaging products to other businesses, including the convenience, food service, and hospitality sectors, are now ranging fibre-based alternatives, and are managing a gradual exit from supplying polystyrene packaging. A mandated phase-out of these products would quicken this process as we currently compete with third-parties that pitch the cheaper polystyrene packaging to our customers and derive competitive advantage because of their products' lower pricing.

As regards the intended phase-out of "all remaining polystyrene food and beverage packaging" by 2025, we support the proposal in principal, noting that for some use-cases there are significant technical and cost challenges to overcome. In some cases, such as yoghurt packaging, viable substitutes do not currently exist, while in other cases manufacturers may need to make substantial investments in new processing equipment or retooling to use alternatives. Some use-cases warrant closer examination of the cost/benefit of phase-out and there may be justification for a longer lead-time or exemptions to be considered. Food manufacturers are better placed to provide detailed input in this regard.

We assume that PVC and polystyrene polymers used in type 7 packaging will be included in the phase-out, and support this. Section 23(1)(b) of the WMA provides for making regulations to control or prohibit the manufacture or sale of products that "contain" specified materials.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Yes, however, consideration must be given to: the substitutability of packaging for each usecase, the time needed to identify and transition to better alternatives, the cost involved in making this transition, and unintended consequences such as increased food waste. In some cases, additional time may be needed, in others, existing packaging may be the best option for the specific use-case. Life-cycle analysis would assist decision-making and government may have a role to play in supporting industry with the transition by funding such research.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

Yes. The environmental harms caused by these packaging types are not specific to the food and beverage sector. The food and beverage sector has received disproportionate focus in this regard and a more generic approach to phasing out these products should be considered because even if food and beverage PVC and polystyrene packaging was addressed, problematic packaging from other sectors would enter and contaminate the recycling system.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Rationalising polymers would improve the efficiency of recycling markets while reducing waste. The cost to suppliers to transition would include the cost of investigating alternatives, trialling them, undertaking procurement functions, and managing the change e.g. consumer comms. Product suppliers are better placed to quantify these costs.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene, and EPS)? If not, why?

Foodstuffs is working with seafood suppliers to transition from expanded polystyrene bins to fibre alternatives for the transport of seafood from processing facilities to stores. If the phase out is to include polystyrene bins further up the supply chain – on fishing boats and in transport from boats to processing facilities, the fishing companies would need to identify the specific technical challenges and food spoilage risks associated with such change. Ideally, durable reusable options would be more widely adopted within domestic supply chains.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023?

We support the phase out. Foodstuffs recognised the issues with these products some time ago and completed a national phase out of them in 2019. These products are presented to the market as being good for the environment, and traders gain benefit from this when the reality is these products are damaging to the environment. The products break down into micro-plastics and if littered can spread through the environment and get into waterways.

12. If you manufacture, import, or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

Foodstuffs are not affected because we have already completed a phase out of oxodegradable products. Alternatives: Packaging that is eligible for the soft plastics recycling scheme i.e. HDPE, LDPE, and PP, or packaging that is certified compostable bioplastic.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Without detailed cost benefit analysis it is impossible to tell, however we have identified the use-cases where we believe cost might exceed benefit. This includes flexible PVC film used for wrapping cheese and expanded polystyrene packaging used for yoghurts. Costs might be partially offset by providing longer transition times. Manufacturer input is required.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Mandatory phase-outs of the highly problematic products are warranted and will create a level playing-field for market participants and require the industry to move to better options including more recyclable materials and reusables. However, some use-cases may need longer-phase out periods or exemptions because no "better" alternatives are currently available. Government might assist in accelerating a transition by making funding available for research or adjusting depreciation rates on capital equipment needed to support a change.

We expect the upcoming plastic packaging product stewardship co-design process will provide an avenue for the parties to explore the opportunities for greater uptake of reusables.

We also recommend moving phase-out deadlines from January, which is peak trading season for the FMCG sector. A 1 April, 1 July, or 1 October deadline is preferable.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

We support the managed phase-out of these single-use plastic times. All could be made from "better" alternative materials and in many cases the use-case would support a transition to reusables e.g. produce bags, straws etc as paper has its own issues.

Foodstuffs has already voluntarily phased-out products containing microbeads, single-use checkout bags, plastic tampon applicators, plastic-stemmed cotton-buds, oxo-degradable plastic packaging, and plastic straws, while other voluntary phase-outs are in progress.

We do not support the exclusion of disposable coffee cups/lids. In a practical sense, the usecase for a disposable coffee cup is no different from that of the other forms of beverage container included in the phase-out proposal. Coffee cups make up a sizeable proportion of all single-use beverage containers. They can readily be replaced by reusable cups – bringyour-own or cup swap systems. Their exclusion would create confusion as to the scope of the ban and lead to inequities. Rules that are clear, fair, and enforceable, are what is required.

Litter data may identify items that cause issues from a littering perspective. If any new items are to be considered for phase-out, further consultation about these items is required.

There would need to be some provision for exemptions for specific use-cases. For example, a specific exemption is required for pre-packed produce packaging e.g. bagged salads and the like. Additionally, retailers will still need to use plastic barrier bags for food safety purposes

e.g. separating meat and cleaning products from ready-to-eat foods. We also recommend that compostable bioplastics are included in the ban to avoid contamination of the soft-plastic recycling steam., similar to how the ban on single-use checkout bags was framed.

The phasing out of non-compostable produce stickers poses technical challenges as viable alternatives do not currently exist, but a 2025 phase-out date should provide sufficient time for the industry to resolve this challenge. Government could assist the industry by providing support in the form of funding for research and trialling of sticker innovations.

17. Do the proposed definitions in table 7 make sense? If not, what would you change? 58 Reducing the impact of plastic on our environment

An exemption is required for produce pre-pack packaging e.g. bagged salads and the like, as well as single-use plastic bags used for food safety purposes. These may not be able to be distinguished from single-use plastic produce bags except for their use.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.

We prefer a 2025 date to align with the NZ Plastic Packaging Declaration. If a shorter transition is being considered, we request a minimum 2-years' transition period. We also request that the phase-out deadline move from January. The Christmas trading period is the busiest time of year for retailers and it would be challenging to have to manage phase-out implementation at this time. 1 April, 1 July, or 1 October are better alternatives.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Reusable cups are readily available and their use much preferred from an environmental perspective. The transition from single-use coffee cups to reusable coffee cups requires consumer behaviour change but the transition from single-use shopping bags to reusable bags has demonstrated that this transition is entirely possible. Early signalling of the change would encourage market participant to invest in their own reusable assets and systems.

In relation to wet wipes, cellulose (fibre-based) products have entered the market meaning a phase out of the plastic based product is feasible, however, as this has not been included in the recommended phase-out programme we strongly recommend further consultation before such a decision were made. In addition, labelling of end-of-life disposal instructions i.e. "dispose to rubbish bin, do not flush" should be mandated so more consumers become aware that the flushing of these products is not appropriate and causes environmental harm.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

A mandatory phase out of single-use plastic coffee cups would require all stakeholders, including hospitality and retail providers, wholesalers, and packaging suppliers to comply resulting in complete elimination and maximum environmental benefit. It would also underpin consumer acceptance of the change, and provide the commercial level playing field that a voluntary approach to phasing out cannot replicate.

While we are seeing more cellulose fibre wipes entering the market, mandatory labelling is recommended to communicate appropriate end of life disposal and ensure that used wipes are put in the rubbish and sent to landfill, not flushed down toilets to clog sewage systems.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

This is a big change and requires time. Foodstuffs required 18 months to complete its voluntary phase-out of single-use plastic carrier bags, following more than 10 years of encouraging customers to use reusable bags. We recommend a 2025 timeframe is adopted, aligning with timeframe for implementation of NZ Plastic Packaging Declaration commitments. If a shorter timeframe is to be adopted, we recommend a minimum 2-year notice period.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

The explanation of benefits appears complete. In terms of costs, the cost of communication with customers to support the phase-out activity needs to be included. When Foodstuffs phased out single-use checkout bags we engaged in an extensive programme of marketing communications to educate our customers on the need for the change and support them in making the required behavioural change. A government funded education programme would help industry by making consumers more aware of the environmental costs of single-use items and generate goodwill for their phase-out.

23. How should the proposals in this document be monitored for compliance?

Major retailers have systems to ensure the products they are buying and selling comply with regulations – we have sophisticated compliance regimes to ensure compliance. Pan-industry schemes such as the national product catalogue operated by GS1 NZ could also play a role in screening new product listings for non-compliance.

However we believe people power will work here. If the public know who to notify noncompliances to, the public will report them. There needs to be clarity about which agency would be responsible for enforcement and clear information from that agency about how to make complaints about non-compliance e.g. 0800 numbers and website enquiry forms.

Yours sincerely

General Manager Government Relations

To: Plastics.Consultation@mfe.govt.nz

Ministry for the Environment PO Box 10362 Wellington 6143

From: Forest and Bird Youth Contact: George Hobson youth@forestandbird.org.nz



Submission on the "reducing the impact of plastic on our environment" consultation

Introduction

Forest and Bird Youth is a nationwide network of young people (aged 14-25) who are protecting and restoring Aotearoa's wildlife and wild places. With over 500 members and supporters, our vision is to see empowered rangatahi actively engaged in our connection to Te Taiao and in the fight for our future. Our mission is to take action for nature as youth, with youth, and for youth.

We partially support the proposed measures by the Government, as certain problem plastics pose a threat to the environment. However, the problem isn't just plastic - it's how all materials are used in a single-use, linear economy. Using any item only once, before disposing of it, wastes energy and resources - it also harms Papatūānuku. We urge the Government to consider the broad impacts of single-use systems and culture, regardless of the material types used, and to propose more concrete policy and regulatory actions it will take to create a culture of reuse.

We would also like to see any Government action on waste address the principles of Te Tiriti o Waitangi, using kaupapa Māori principles to guide Aotearoa New Zealand's way to a circular economy. It is important that this is done in a just manner which considers Māori food and soil sovereignty, and the rampant health impacts that tangata whenua face due to the ongoing effects of colonisation and the single-use, throwaway society it has perpetuated.

Question 1: Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes, in part - This proposal will bring Aotearoa New Zealand in line with overseas current best practice. The proposed policy should be supported by a comprehensive regulatory roadmap to target reliance on single-use products in general and reduction of virgin plastic resin usage. It is important that the Government's actions focus on the top of the waste hierarchy: promoting refusal, reduction, and re-use of waste no matter what material it is made from.

Question 2: Have we identified the correct objectives? If not, why?

Yes, in part - This policy is a necessary precondition for the transition to a circular economy. However, the focus on eliminating problem plastics needs to be supported by a secondary goal to increase access to reusable alternatives and the systems that support them. We must begin to tackle waste using tools from the top of the hierarchy, while avoiding the non-solution of replacing single-use items with other materials. We also believe this secondary objective should draw from te ao Māori, specifically concepts such as para kore, and uphold the principles of Te Tiriti o Waitangi.

Question 3: Do you agree that the options listed for shifting away from hard-to-recycle and single-use plastics are the correct options to consider? If not, why?

Yes, in part - We believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban, for example:

- Banning the targeted plastics, but also implementing levies, reduction targets, compulsory labelling and product stewardship requirements for other troublesome items.
- Key policy options that could really help grow reuse, such as deposit return systems for takeaway packaging, mandatory reuse targets, and "reusables only" for dine-in situations or public buildings, like university campuses and Government offices.

Question 4: Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

Yes, in part - More weight should be given to how well each option aligns with strategic direction to ensure the highest ranking outcomes sit highest up the waste hierarchy. Some specific changes should be:

- "Effectiveness" should consider whether the options boost reuse.
- "Achievability" should consider more than whether new legislation is needed.

Question 5: Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes, in part - We support mandatory phase-outs of all the items listed (with the exception of plastic straws). We would like to see positive regulatory and policy options implemented alongside a ban to support reuse alternatives and increase recycled content in products, such as the EU's Single-use Plastics Directive. A ban only approach won't be enough to support the best alternatives, and it leaves the Government without tools to tackle problem items it isn't ready to ban yet. The Government can level the playing field between single-use and reuse, and reduce the negative impact of a wider range of items, by combining bans with regulatory policies like levies, deposit return systems and labelling requirements.

Question 6: Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Yes, in part - Right now, the world is on course for <u>global plastic production to double in the next 20</u> <u>years</u>, and for the <u>flow of plastic into the ocean to triple by 2040</u>. We need to reverse these trends, fast. The EU will ban many of these same items by July 2021. We suggest bringing the Stage 1 and 2 timelines forward to June 2021 and June 2023, respectively. Our whenua and moana can not afford to wait any longer to be protected. Rangatahi and future generations need the Government to act as soon as possible to ensure us a liveable and bright future.

Question 7: Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? Yes - the Government has done a fantastic job in creating this exhaustive list.

Question 8: Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Yes - PVC is commonly used in consumer packaging in non food and beverage contexts. Any PVC or hard polystyrene packaging can become a contaminant in the 'easy-to-recycle' plastic streams, so it's better to be consistent and phase-out all hard PVC and PS packaging. New Zealand has also invested significantly in the recycling of plastics numbers 1 and2, which is much easier to recycle and could be an alternative to PVC where no re-usable replacement exists.

Question 9: What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Benefits:

- PVC is a contaminant in the recycling stream. Phasing it out will help to provide high quality PET to reprocessors.
- EPS is not widely recyclable and creates plastic litter which harms our waterways and persists in the environment for hundreds of years. Phasing it out will help protect our waterways and soils.
- Both perpetuate consumerist culture of "make, take, and throwaway", by banning them we will be taking one step closer towards having resilient, regenerative societies with higher wellbeing.

Question 10: Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Yes, in part - the best alternatives are reusable, refillable, and accessible, followed by highly recyclable with high amounts of recycled content. To make these options work, the Government must act to level the playing field between single-use and reuse by investing in reuse systems, levying single-use, putting deposit return systems on all food and beverage packaging, mandating reusables for dine-in contexts, introducing reuse quotas/targets, and implementing mandatory recycled content regulations.

We also call for Government oversight to ensure reuse systems and products are designed to maximise accessibility and minimise GHG emissions. This is imperative as independent life cycle analyses (which measure the true impact of systems/products from start to finish) will be important to ensure schemes aren't rolled out without a proper understanding of their environmental and social costs and benefits.

Question 11: Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes - this is urgently needed, and other countries (including the EU) are phasing them out by July 2021. New Zealand should join these world-leaders.

Question 12: If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A - However, we would like to point out that reusable infrastructure is only just starting to develop. If an alternative doesn't exist now, then research and development should be prioritised in order to find reusable solutions.

Question 13: Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer

Yes - we agree with all of them. We are also happy to see recognition of the benefits of reusables for the wider community. However, the assessment would have done better to recognise the environment as a supporting structure, from which the economy and society derives from and wholeheartedly depends on. Hutia te rito o te harakeke, kei hea te kōmako e kō? Kī mai ki ahau, he aha te mea nui? He aha te mea nui o te ao? Māku e kī atu, he tangata! He tangata! He tangata!

Question 14: How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer

An additional benefit is the opportunity for businesses and community enterprises to develop reuse schemes and reusable packaging systems. The mandatory phase-out of the targeted single-use items is likely to also lead to a reduction in other single-use packaging, due to changing social norms and more availability of reuse schemes. This will equal even more cost savings for local government and ratepayers, as well as create more jobs than recycling or landfilling packaging.

Question 15: What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Increased scale and uptake of reusables would assist the move, which would require regulatory and policy measures to level the playing field between single-use and reuse, nationwide infrastructure to support reuse (such as washing facilities), combined with funding for locally-based community engagement. Also, reusable products and systems must be accessible and affordable for everyone in our community, and reflect Universal Design principles.

Mandatory recycled content for plastic packaging and products, more transparency and onshore reprocessing facilities and better designed collection and sorting systems for recycling would help ensure that higher value plastics collected for recycling in New Zealand actually get reprocessed.

The Government has suggested it could do some public education about sustainable packaging, however many NGOs and community groups do this mahi already. We need the Government to support such NGOs and community groups by focusing on the unique abilities of regulation, policy and investment.

Question 16: What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

We fully support the mandatory phase-out of all of the listed single-use plastic items, except for plastic straws. A plastic straw ban would be discriminatory; some people require a plastic straw to drink. Reusable alternatives work well for some people, but not for everyone. The Government has suggested exemptions for people that need them, but it's hard to design exemptions that aren't stigmatising. We believe that consultation with the disabled community about a possible straw ban and/or exemptions should take place before any decision is made to ban plastic straws.

We do not support exempting the following from the ban:

- Single-use coffee cups and lids
- Single-use plastic cups and lids made of plastics 1, 2 and 5

We support the list being extended to include these other single-use plastic items:

• Plastic lollipop sticks

- Single-serve pottles, sachets, and containers for condiments and toiletries
- Teabags and coffee pods containing plastic
- Single-use plastic water bottles
- Balloons and balloon sticks
- Glitter and plastic confetti
- Complementary plastic toys
- "flushable" wet wipes

We would also strongly support a strategic plan to tackle other problem plastics such as disposable sanitary products, cigarette butts, and industrial plastics like fishing nets.

Finally, we would support the Government introducing place-based bans for items it won't ban completely yet, for example: reusables only for dine-in contexts; central city single-use-free zones; and no bottled water and throwaway serviceware on university campuses and in Government buildings.

Question 17: Do the proposed definitions in table 7 make sense? If not, what would you change?

Yes, with changes - We strongly support the proposal to include items made of degradable, oxo-degradable, biodegradable and compostable plastics.

- Single-use plastic tableware: We suggest altering the proposed definition to include paper bowls and containers with plastic or wax linings
- Single-use plastic produce bags: We suggest this definition is broadened to include within the scope of the phase-out plastic net bags
- If the Government does decide to ban plastic straws then we would support an exemption (as per Q16). However, poorly drafted exemptions can be stigmatising, and the proposed exemption has not been drafted for inclusion in the consultation document, therefore it is impossible to assess its potential impact.
- We do not support exempting disposable coffee cups and lids from a ban (see our answer to Q16).
- We do not support exempting single-use cups made of plastic 1, 2 and 5.

Question 18: What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. We believe a 12 - 18 month time period would be achievable for most items. For some items (such as plastic straws), the Government needs to have conversations with parties likely to be affected by the ban, which may require a longer timeframe. However, aside from straws, we only believe single-use cups should have a 2 year time period, to allow time to implement reuse infrastructure, collaboration with businesses and undertake community engagement.

Question 19: What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Coffee cups: We believe the most impactful role for the Government is to use regulation, policy and investment to increase the uptake, accessibility (including affordability), reach and availability of reusable alternatives. We support the Government:

- investing in scaling up reuse systems, such as regional/localised washing/sterilisation facilities
- implementing regulatory and policy interventions that remove some of the barriers to reuse schemes growing, including a levy or fee on disposable coffee cups, deposit return schemes for takeaway cups, and mandating 'reusables only' for dine-in contexts and public buildings.

• providing funding to NGOs and community groups that have track-records of engaging their communities on the goal of zero waste, as this is a highly efficient way to invest in, and instigate, behaviour change

Wet wipes: We support banning wet wipes containing plastic as soon as practicable. In the meantime, we would support:

- investment in community engagement around reusable alternatives and the problems associated with wet wipes (i.e. release of plastic into waterways and blocking of sewerage systems)
- compulsory labelling requirements to inform users of how to dispose of them correctly and to prohibit use of the word "flushable" on the product packaging

Question 20: If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/A - However, the Government should engage with the 50+ hospitality businesses who are SUC free, and the organisations and small businesses around NZ that support their work such as:

- UYO
- SUC-free Wanaka
- Again Again
- Cupcycling
- Good to Go Waiheke
- The Grey Lynn Koha Jar Project
- Wanakup

These businesses and groups report that the availability of reuse systems and cup loan schemes (and customers who BYO) enables businesses to move entirely to reuse. Many more businesses would be willing to ditch disposables if they knew all outlets were going to be in the same boat - something a ban could achieve.

Question 21: What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Coffee cups: With formal Government regulatory, policy and financial support for reuse systems and community engagement, we believe individual towns can meet their goal of being single-use cup (SUC) free by 2022. Replicating the successes of those towns could lead to a SUC-free Aotearoa by 2023.

Wet wipes: We would support transitioning from wet wipes containing plastic to those not containing plastic (and that will not block sewers and form <u>fat bergs</u>) by Jan 2022.

Question 22: Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Yes, in part - The list of costs and benefits is comprehensive and we agree with them all. Additional benefits are offered by the opportunity for businesses and communities to develop reuse schemes and reusable alternative products to replace the items that have been phased out. This includes employment opportunities - <u>of which more are created by reuse systems compared to recycling and landfilling.</u>

However, we are disappointed that this list does not acknowledge how a plastic straw ban could negatively affect individuals who need a plastic straw to drink.

Question 23: How should the proposals in this document be monitored for compliance?

A compliance and enforcement strategy is needed because there is a vast range of products being proposed for a ban and this will impact a variety of sectors, industries, businesses, organisations, and individuals.

frucor suntory

Ministry for the Environment PO Box 10362 WELLINGTON 6143 By email: <u>Plastics.Consultation@mfe.govt.nz</u>

3 December 2020

Frucor Suntory submission: Reducing the impact of plastic on our environment

About Frucor Suntory

- Frucor Suntory produces, markets and distributes a range of fruit juices, fruit drinks, sports drinks, energy drinks, waters and carbonated soft drinks.
- Based in South Auckland, Frucor Suntory employs 750 people in New Zealand, 250 people in Australia and has annual revenue of more than NZ\$500 million.
- Frucor Suntory has been part of the Suntory Group, a Japanese beverage and food company since 2009.

Why and how Frucor Suntory supports work to develop a circular economy in New Zealand

- 1. Frucor Suntory welcomes the opportunity to provide a submission on the consultation document *Reducing the impact of plastic on our environment*.
- 2. Frucor Suntory sell products via retail to end users who are responsible for making the choice about how to dispose of the product at its end of life. This decision is typically made based on the packaging material.
- 3. Frucor Suntory utilises a range of materials to supply beverages, including aluminum, glass and PET. These packaging materials can be easily recycled and have a high market demand. There are other, less favourable materials such as liquid paperboard in the market, for which there is currently no option to recycle nationwide.
- 4. Frucor Suntory has been actively working to move away from using material types with limited recycling options (e.g. coloured PET) in favour of those that are easily recycled, and include recycled content.
- 5. Frucor Suntory also supports the following in relation to recycling:
 - Mandatory phase out of hard-to-recycle-plastics, including oxo-degradable plastics;
 - Initiatives that reduce the impacts of hard-to-recycle plastics and litter in our environment;
 - Reducing the amount of recyclable material being sent to landfill;
 - Increasing collection of high value materials;
 - Equalising the minimum recycling standards across New Zealand and reducing public confusion.

Frucor Suntory New Zealand Limited

86 Plunket Ave, Manukau, Auckland 2104 PO Box 76202, Manukau City, Auckland 2241 Phone: +64 9 250 0100 Free Phone: 0800 502 929 Fax: +64 9 250 0150 Frucor Suntory Australia Pty. Limited (ABN 73 060 091 536)

Level 2, 5 George Street, North Strathfield, NSW 2137 PO Box 3167 North Strathfield 2137 Phone: +61 2 8762 0399 Fax: +61 2 8762 0360

Frucor Suntory's response to relevant questions in the proposal

QUESTION 1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

Frucor Suntory agrees with the description outlined in this document as it relates to hard-to-recycle plastics, including PVC, polystyrene and oxo-degradable materials.

Frucor Suntory holds the view that a ban on oxo-degradable plastics would improve the recycling of PET and reduce the contamination in the recycling stream.

Frucor Suntory is committed to supporting and driving change, and improving New Zealand's circular economy by ensuring that plastic material used in packaging is easily recyclable and has a high market demand – such as PET. Frucor Suntory recognises their leadership role and is working hard to lead by example. It is also important to reduce public confusion with respect to material identification to ensure it is disposed of properly at its end of life.

QUESTION 2. Have we identified the correct objectives? If not, why?

Frucor Suntory is supportive of initiatives that reduce the impacts of hard-to-recycle plastics and litter in our environment. Frucor Suntory is also supportive of reducing the amount of PET and other high value material being sent to landfill and increasing the recycling uptake of these high value items. We believe this is a key component to improving the circular economy.

PET is a highly recyclable material that commands a high demand from the beverage industry. Increasing the collection and recycling of PET on-shore will increase the uptake of recycled PET content for the manufacture of new beverage containers. However, it is critical these high-value recycling streams limit contamination of other materials to ensure a high quality and affordable recycled product is available domestically.

Frucor Suntory – as a member of the New Zealand Beverage Council – has been actively engaged in the Working Group established to design a Container Return Scheme in New Zealand. Frucor Suntory is supportive of the collection of high value plastics and believes a successfully designed scheme can help close the loop and improve New Zealand's circular economy. Frucor Suntory supports a collaborative effort between Government, industry and partners to establish a not-for-profit scheme that is fit for purpose.

Frucor Suntory supports reducing public confusion and making recycling easier for all New Zealanders. It is important consumers can clearly identify the packaging material and understand how to dispose of it properly. We are supportive of equalising the minimum recycling standards around New Zealand so that no New Zealander is disadvantaged and forced to send recyclable items to landfill.

 Frucor Suntory New Zealand Limited
 Frucor

 86 Plunket Ave, Manukau, Auckland 2104
 Lee

 PO Box 76202, Manukau City, Auckland 2241
 PO

 Phone: +64 9 250 0100
 Ph

 Free Phone: 0800 502 929
 Fax

 Fax: +64 9 250 0150
 Fax

frucorsuntory.com

Frucor Suntory Australia Pty. Limited (ABN 73 060 091 536)

Level 2, 5 George Street, North Strathfield, NSW 2137 PO Box 3167 North Strathfield 2137 Phone: +61 2 8762 0399 Fax: +61 2 8762 0360

QUESTION 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Frucor Suntory agrees with the decision for a mandatory phase-out of hard-to-recycle plastics. We believe a mandatory phase-out will drive the use and uptake of higher value plastics, such as 1, 2 and 5. A mandatory phase-out of hard-to-recycle plastics will also improve the consistency of materials collected at kerbside, reduce contamination and improve New Zealand's circular economy.

QUESTION 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Frucor Suntory holds the view that oxo-degradable plastics can be harmful to the environment and contaminate the recycling stream of other valuable plastics. We agree with a mandatory phase-out of all oxo-degradable plastics by 2023. Other options are available to replace any oxo-degradable beverage containers, such as PET. These alternative materials can be recovered and recycled to increase our circular economy.

QUESTION 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Frucor Suntory holds the view that the right costs and benefits have been addressed. We agree that the main beneficiaries of a mandatory phase-out proposal are the environment and the wider resource recovery sector including recyclers, re-processors and waste operators.

QUESTION 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Packaging and post-consumer waste are issues requiring a collaborative approach. Frucor Suntory is committed to doing the work required to improve the outcomes for our environment, and to help reduce the amount of recyclable plastic from beverage containers going to landfill.

To ensure a successful move from hard-to-recycle plastic packaging, clear regulation and definitions will be required, as well as further scope into what sustainable alternatives are available in the market.

QUESTION 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

Frucor Suntory is supportive of the phase-out and banning of plastic straws, plastic drink stirrers and single-use plastic cups made from hard-to-recycle plastics. We hold the view that plastic cups made from

| Frucor Suntory New Zealand Limited | Frucor Suntory Australia Pty. Limited (ABN 73 060 091 536) |
|--|---|
| 86 Plunket Ave, Manukau, Auckland 2104 PO Box 76202, Manukau City, Auckland 2241 Phone: +64 9 250 0100 | Level 2, 5 George Street, North Strathfield, NSW 2137 PO Box 3167 North Strathfield 2137 Phone: +61 2 8762 0399 |
| Free Phone: 0800 502 929 Fax: +64 9 250 0150 | Fax: +61 2 8762 0360 |

plastics 1, 2 and 5 should be exempt as they are higher value materials with a market demand for collection and recycling.

QUESTION 17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Frucor Suntory seeks clarity on the definitiveness of exempting single-use plastic cups made from plastics, 1, 2 or 5.

CONCLUSION

Frucor Suntory strives to do its part to create a more sustainable and circular economy. Our organisation is committed to reducing waste, improving recycling rates and reducing consumer confusion.

Thank you for taking the time to consider our comments. Please do not hesitate to contact me if you require further information.

Sincerely,

Ben Walkley Head of Sustainability, Frucor Suntory E: Ben.Walkley@Frucorsuntory.com

Frucor Suntory New Zealand Limited

86 Plunket Ave, Manukau, Auckland 2104 PO Box 76202, Manukau City, Auckland 2241 Phone: +64 9 250 0100 Free Phone: 0800 502 929 Fax: +64 9 250 0150 Frucor Suntory Australia Pty. Limited (ABN 73 060 091 536)

Level 2, 5 George Street, North Strathfield, NSW 2137 PO Box 3167 North Strathfield 2137 Phone: +61 2 8762 0399 Fax: +61 2 8762 0360


Reducing the impact of plastic on our environment

Submission from the Green Team Hokitika

"We aim to do our best for our environment, by inspiring, influencing and bringing sustainable behaviours into our own lives, our organisations and our communities for the benefit of our community and future generations.

"The Green Team in particular pulls together a range of businesses, organisations and community groups who share in this aim with the purpose of creating a strong platform from which to achieve change through mutual support, exchange of ideas and collaboration."

Submitted by Inger Perkins, Chair 03 755 8600 / 027 370 1876 <u>ingerp@xtra.co.nz</u>

The three District Councils in the West Coast region commissioned and adopted the West Coast Regional Waste Minimisation and Management Plan in 2018. This was a significant step forward for waste management and we know steps are being taken to work towards the objectives.

However, progress has been slow, and we applaud the government on the proposal to reduce the impact of plastic on our environment. We believe this is the impetus for change that the country needs and we encourage the implementation in the shortest possible reasonable time frame.

As rivers and sea erode old sites where rubbish has been deposited, whether single dwelling or farm waste or municipal landfill sites, the evidence for the longevity of plastic is plain for all to see. The throw away culture needs to end and we need to take every action to keep plastic out of our drains, waterways and oceans, from microplastics to plastic and polystyrene containers. We know that once in the environment, the impact of plastic on the health of wildlife is significant and we are increasingly being made aware of the adverse effects on human health.

The Green Team Hokitika therefore supports the proposal to reduce the impact of plastic on our environment by moving away from hard-to-recycle packaging and single-use plastic items.

This will build on recent action such as the ban on microbeads and single-use plastic shopping bags and all indicators point at the urgent need for policies to achieve this.

We support the option to initiate a mandatory phase out of PVC and polystyrene packaging, oxodegradable plastics, and single-use plastic items including plastic straws, stirrers, cutlery and plates cotton-buds and vegetable stickers, and seek the shortest possible time frame for this to occur.

We believe this option will, with support through the transition phase, create a level playing field for businesses by effectively banning the manufacture, distribution and use of these items. This will reduce the impact these items are having within the environment and should incentivise further development and/or use of more environmentally-friendly alternatives.

Consumers will also benefit as the substituted items will be replaced with multiple-use items or more easily recycled items alleviating confusion with respect to purchasing and disposal of the product.

Also, where items are easily recyclable, we would like to see more prominent labelling or marking with recycle numbers to help at the time of both purchase and recycling.

We believe there is potential to include other single-use plastic packaging products within this **proposal**. For example, promotional products, cosmetic packaging etc much of which would most likely be consigned to the rubbish bin or end up in the environment.

We are also very concerned that plastic farm baleage wrap is ending up in waterways and the beach on the West Coast and, more recently, we have been made aware of the issue with plastic bladders used to transport large quantities of produce ending up in landfills. While these articles are not included in this proposal, we believe urgent regulation to prevent the harmful effects associated with items such as these is required.

Despite initiatives to recycle baleage wrap in the region, there appears to have been little take up and farmers bury or burn the waste that does not wash or blow away. The situation is harming the environment and the nation's reputation and needs to be addressed as a matter of urgency.

With regard to the proposed time frame for implementation, we encourage and support a shorter phase out period for single use items listed in Table 7 where alternatives already exist. We would also encourage the provision of support for businesses to facilitate research and development of alternative, more eco-friendly products.

The cost of not reducing the impact of plastic on our environment is insurmountable. Without a purposeful and time targeted plan, plastic will continue to have a negative impact on the environment and wellbeing of communities across the West Coast and Aotearoa and on the wildlife with whom we share this special land and sea.

Reasons have been provided for not including **disposable coffee mugs and wet wipes** under this proposal, however we strongly support the need to take action to reduce the impact of these items on the environment and remove them from the waste stream. These items are two of the most used sources of plastic waste and **we believe they should be included in the proposal now**.

We support interim measures that can begin immediately, such as public education campaigns, mandating 'do not flush' labels, stewardship schemes and investment in innovation and scaling up production of non-plastic coffee cup alternatives. However, we believe a more regulatory approach is required to ensure suppliers of these products fully reduce the environmental impact of those items.

Thank you for the opportunity to provide feedback to "Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items".

Disclaimer:

While members representing local organisations were involved in or had the opportunity to contribute to preparing this submission, the comments in their entirety do not necessarily reflect the views of each or any individual or their organisation or agency.

In particular, any input from the Department of Conservation will be via departmental consultation rather than through the submission process and we note that Celine Stokowski, Community Ranger/Hokitika for the Department of Conservation, while a member of the Green Team at the time of this submission, did not participate in the preparation of this submission.

From:s 9(2)(a)To:Plastics ConsultationSubject:Alternatives and BusinessDate:Wednesday, 2 December 2020 12:55:45 am

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Hi I am so frustrated by the lack of action being taken by many governments around the globe, there is so much opportunity to be different and do different!

1. There are many alternatives to plastic for day to day items;

- cutlery, where bamboo is easily grown, harvested and made into items that can be composted later

- packaging/picnic plates can easily be made from recycled cardboard, this includes all kinds of items and not just food

- recycled paper for day to day use

2. Plastic items being used or sold should have a large tax/VAT placed on them where there is recyclable alternatives available

- items such as coffee cups can be replaced with permanent type material for mugs e.g. steel

- education programmes in schools should be mandatory on the alternatives to plastic and a Child to Child programme would be easy to implement providing a learning and fun experience. It also means children take the information home to parents and become a force for change in the household as well. Child to Child has been used

successfully in country's of the South bringing an impact for change within families and the neighbourhood.

3. This is a golden opportunity to develop new businesses and provide training for the unemployed.

We wish the govt well in this enterprise and most citizens will happily be supporting these changes. We cannot wait any longer its time to change now, but also be a leader in the world to show change can happen and be good for the planet.

Kia Ora,

Grindl Dockery

Expat Kiwi



The Global Language of Business

04 December 2020

Ministry for the Environment PO Box 10362 Wellington 6143

Email: Plastics.Consultation@mfe.govt.nz

To whom it may concern,

Attached are the comments that GS1 NZ wishes to present on the **Reducing the impact of plastic on our environment consultation.**

This may be published in full, with my signature redacted.

Dr Peter Stevens **Chief Executive**

Private Bag 11-110, 158 The Terrace Wellington 6011 New Zealand **T** +64 (4) 494 1050 **F** + 64 (4) 494 1051 **E** info@gs1nz.org

www.gs1nz.org

The Global Language of Business



Reducing the impact of plastic on our environment.

Submission by GS1 New Zealand Inc

04 December 2020



GS1 NEW ZEALAND INC

- 1. GS1 New Zealand ("GS1") welcomes the opportunity to comment on the **Reducing the impact of plastic on our environment consultation.**
- 2. GS1 serves ~8000 organisational members in NZ (and ~2 million worldwide) who have an interest in **globally unique identification** (products, logistics items, locations, assets), **automatic data capture** (barcodes, radio frequency identification) and **data sharing standards**.
- 3. Our members range from large corporates such as Fonterra, Johnson & Johnson, Foodstuffs and Countdown NZ, government agencies to small manufacturers and exporters of food items or components for building & construction. Over 85% of our members as small to medium sized businesses with a turnover of less than \$10m.
- 4. We are a not-for-profit working with industries to:
 - Provide globally unique identification (products, parties, logistics items, locations, assets)
 - Enable automatic data capture (barcodes, radio frequency identification)
 - Enable sharing of data across businesses and the economy

We support many forms of manufacturing, supply chain automation and data exchange (e.g. e-invoicing and e-procurement), lifting productivity within sectors.

OVERARCHING COMMENTS

- 1. GS1 is pleased to have the opportunity to comment on the proposals in the consultation document. Please note that the content of the entire consultation is of keen interest to our members.
- 2. The intent to reduce the impact of plastics on our environment, and yet retain some of the benefits that plastics offer, reflects the Government's policy commitment and response to the report by the Office of the Prime Minister's Chief Science Advisor *Rethinking Plastics in Aotearoa New Zealand*.
- 3. We have some specific suggestions listed below relevant to our expertise which is expanded in the body of this submission. These suggestions are primarily related to our work supporting the Fast-Moving Consumer Goods (FMCG) sector over many years.
- 4. Our main interest in making this submission is the importance of *data* held in labels for the tracking of a plastics type, food safety and waste reduction. This data includes label information, packaging materials, best before dates. We can also access and link this data to sales volumes in some sectors.

This information is critical to understanding the extent of policy impact and the ongoing monitoring of the effectiveness of the any interventions. Also, the *data* contained in some labels is electronically captured and used to support waste reduction within the supply chain. We know that considerable care is needed in the phasing out of these kinds of plastic.



Recommendations – aligned to the online feedback form

Question 3.

Do you agree that these are the correct options to consider? If not, why?

We believe that using **Option 3 (Labelling Requirement)** to support both proposals will strengthen the impact of the Option 6 (Proposed Mandatory Phasing Out) and Option 2 (Product Stewardship) and the ongoing management of all types of packaging in the supply chain.

The provision of labelling information via digital methods such as retailer or 3rd party apps to resolve data held in 2-Dimensional (2D) Barcodes¹ and the Digital Link² imaging. This enables consumers to make informed purchasing decisions when at the retail outlet, regarding their intended purchase as to whether it meets their dietary requirements, or product packaging.

The resolving of 2D Barcodes and the Digital link is enabled by a Resolver Service³ which can be used by the manufacturer, exporter or retailer to present information and instructions, traditionally this has already represented in On Pack nutritional label information for ingredients, allergens, country-of-origin, and in some instances, there is a recycle code. However specific instructions and/or information provided to the consumer is limited due to label size restrictions.

The information that would be resolved through scanning can be specifically targeted, whereby the consumer could receive context-sensitive information or instructions about post-use disposal/recycling which will also reduce the impact of plastic in the environment.

By utilising the labelling technologies alongside the preferred options referenced in the consultation document the Government can only strengthen the impact of any intervention at little or no additional cost to affected stakeholders.

Question 16.

What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

GS1 New Zealand **conditionally** supports a move from plastic stickers to compostable functional produce stickers:

- We see the elimination of produce stickers that function only for displaying a supplier brand as being positive.
- However, we draw official's attention to the fact that many produce stickers are functionally enhanced to provide vital traceability information to the manufacturer, exporter or retailer (see below).
- Thus, we see it as important, there must be time for a viable industry alternative to be found.

The reason we conditionally support this, is that there is an underlying disbenefit in **Proposal 2**, in that the phasing out of non-compostable stickers will mean that those suppliers that are using functionally enhanced stickers (see below) will lose the ability to trace the produce for recall (one up and back), as stipulated by MPI Food Safety regulation.

³ <u>https://www.gs1.org/standards/gs1-resolver-service</u>



¹ <u>https://www.gs1.org/barcodes/2d</u>

² Digital Link - Standards | GS1www.gs1.org > Standards

'Functionally Enhanced' Produce Stickers:

In the example below you can see a fruit label with a unique GS1 Global Trade Item Number (GTIN) encoded into a GS1 DataBar barcode⁴. Also on the label is the Price look-up code⁵ (PLU code) and packhouse name. Additional information can be embedded in this label to provide more targeted information when scanned regarding sticker disposal and use by dates.

These stickers, when used appropriately, assist in food waste management (measurement of comparative supplier performance around food rot/spoilage).

Currently, there are a number of stickers in the market for example the GS1 DataBar⁶ and/or DataMatrix^{7,} or QRcodes⁸. They provide an enhanced real-time service that can support of lowering plastics in the supply chain and to the consumer and assist with the elimination of bags, clam-shells, other packaging if used correctly.



Some existing fruit stickers that only have PLU number, do not provide additional supplier-identification (via GTIN) to allow good management. The PLU only provides category of food (e.g. medium Hass Avocado).

Loose produce labels allow for reliable identification of organic vs conventional versions of the same produce, and also reliable identification of different varieties of similar produce e.g. varieties of lemons and limes, or cucumbers vs courgettes.

In a recent recall, a DataBar PLU sticker - as seen below - assisted a targeted market recall



"On September 12, 2020 there was a recall of

Peaches from the USA. The recalled peaches were sold from 10 July to 25 August 2020 and they had green fruit stickers attached with PLU numbers of 4044 and 4038. There is a concern that this fruit had been contaminated with Salmonella enteritidis."

⁸ <u>https://en.wikipedia.org/wiki/QR_code</u>



⁴ <u>https://www.gs1.org/standards/id-keys/gtin</u>

⁵ PLU Codes | Produce Marketing Association

⁶ <u>https://www.gs1.org/standards/barcodes/**databar**</u>

⁷ <u>https://www.gs1.org/standards/gs1-datamatrix-guideline/25</u>

Without the stickers a targeted recall could not have been achieved. This is because in retail, most fresh fruit and vegetables are often stacked on the shelf or warehouse crates, and sometimes this means batches are mixed. In this instance, without the Databar PLU stickers all peaches would have had to be recalled and destroyed which would be at considerable financial loss to the retailer and importer.

The identification of fresh produce is vital for reducing food waste. Produce identifiers are used in inventory management systems, alerting retailers of the need to take appropriate action, prior to use by dates expiry. This traceability is a vital component in any supply chain and reduces food waste.

The New Zealand Government must consider label data in its approach, when looking to sustainably reduce harm to the environment and food waste, as these solutions should never be developed in isolation.

Question 23.

How should the proposals in this document be monitored for compliance?

We also would like to see regulators consider accessing baseline data from label declarations to support and report on the effectiveness and the impact of the proposed phased approaches.

This can easily be achieved through monitoring packaging "type" and "weight" declarations. This approach would allow the sizing of the problem from the get-go and provide insights into the need and type of compliance management required.

We currently maintain registries that contain the product unique identifier, product description, packaging type and net weight which are key attributes. We currently provide this data to government agencies to assist with regulation and policy. Should the proposed approach be implemented, it would be possible to test effectiveness over time by using this data set and others that use a unique identifier such as the Global Trade Identification Number (GTIN) which is a GS1 Global Standard.

We would welcome an opportunity to discuss this data and our insights with the Ministry for the Environment to assist with assessing policy impact and the ongoing monitoring of the effectiveness of any interventions.



In response quote reference: 2841806 In response enquire to: Renée We

1 December 2020



HAURAKI DISTRICT COUNCIL

FROM THE MAYOR'S OFFICE

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Email: Plastics.Consultation@mfe.govt.nz

Dear Sir/Madam

Hauraki District Council Submission to Reducing the impact of plastic on our environment

Thank you for the opportunity to submit on the proposed reducing the impact of plastic on our environment. Please find attached the Hauraki District Council's staff submission regarding these documents.

Should you have any queries regarding the content of this document please contact Renée Wentzel, Project Manager, directly on (07) 862 8609 or by email Renee.Wentzel@hauraki-dc.govt.nz.

Regards, D A (Toby) Adams, JP Mayor

Submission to Reduce the impact of plastic on our environment

1 Summary

- 1.1 HDC supports the work MfE is doing in transitioning New Zealand toward a circular economy;
- 1.2 Value an opportunity to make a submission to Reducing the impact of plastic on our environment.
- 1.3 Support a reuse systems that do not or create less waste in the first instance.
- 1.4 We recommend:
 - To establish a national reuse systems;
 - To phase out problem plastics;
 - To ensure items that are earmarked for banning are replaced with items that have the correct characteristics for recycling;
 - Introduce regulations and define "environmentally friendly" products;
 - To develop/invest in infrastructure;
 - Rethinking recycling labelling to limit confusion on packaging, i.e. "biodegradable" and "compostable";
 - To introduce mandatory economic schemes, i.e. deposit refund or product stewardship for plastics, aluminium and glass;
 - Introduce national strategies to support reusing, repairing and repurposing;
 - Acceptable and achievable metric system to measure and monitor progress; and
 - To increase levy funding for educational programming, monitoring and enforcement.
- 1.5 We look forward to future consultation process to incorporate the proposed amendments into relevant statutes and would welcome the opportunity to comment on any issues explored during their development.

Submitter details

Hauraki District Council Private Bag 17 Paeroa 3620

Contact person:

Toby Adams Hauraki District Council Mayor Email: info@hauraki-dc.govt.nz Phone: (07) 862 8609

William Street, Paeroa 3600 · PO Box 17, Paeroa 3640 P (07) 862 8609 · 0800 734 834 (from within the district) E info@hauraki-dc.govt.nz · www.hauraki-dc.govt.nz

2 Introduction

Hauraki District Council (HDC) established the Waste Minimisation Working Party on 11 April 2019 with amongst other, a purpose to oversee the implementation of the HDC requirements under the Eastern Waikato Waste Management and Minimisation Plan. HDC Council adopted the Eastern Waikato Waste Management and Minimisation Plan on 28 June 2017.

Wasteful use of materials combined with the polluting effects of waste results in environmental degradation. The long term vision for this project is to protect the environment from harm, and to provide environmental, social, economic and cultural benefits through various initiatives and programmes.

HDC's objective guiding our submission is to support the transition to a circular economy by rethinking what we buy and therefore reducing what individuals generate. HDC supports the discussion to phase out hard to recycled plastics. Engaging in this discussion and creating awareness would fast track the development and/or introduction of alternative more environmentally friendly materials to be used commercially and at home. The result would automatically be a reduction in waste to landfill and might also have an effect on the quality of materials that end at landfill. New Zealand has gained worldwide recognition in how our Government has managed the Covid-19 pandemic. This is our opportunity to lead the reduction in hard to recycle plastics further supporting the position that we have secured during the pandemic response. Manaaki whenua, manaaki tangata, haere whakamua.

The ratepayers, under the current linear model, pays the bill of a linear system. By ignoring the tonnage and quality of waste New Zealand currently generates, we are creating bigger problems for future generations. Our future citizens will have to clean up the environment, but also to rebuild the environment.

We call for a broader framing of the problem that would allow for wider issues to be considered, which will likely require more than a simple ban. The present proposal should be part of comprehensive Government policy targeting reliance on both singleuse products in general and on virgin plastic resin. This would include specific regulatory, policy and investment initiatives to create a reuse culture. It would also include legislation to increase the quality and use of locally-sourced recycled resin, including appropriate collection methodologies, mandatory minimum recycled content legislation and a cap and levy on virgin plastic.

3 Consultation questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

HDC agrees the current state of plastic production and usage has severe negative cultural, social, economic, and environmental implications. The document includes an overview of the pervasive and penetrating nature of plastics which are causing harm to our natural resources, including in the marine environment and in air, as well as killing taonga seabird species, and moving up the food chain into human consumption. HDC agrees with the current state of plastic production and usage.

However, concerns to ban hard to recycle plastics are:

- Availability of an acceptable alternative for the single use plastics/hard to recycle plastics;
- Availability of these products in New Zealand. The carbon footprint of importing and manufacturing from fossil-fuelled plastic resin is significant and there is a need to develop zero or low carbon alternatives where single use is necessary;
- The dependence and affordability of single-use items.

The matters above will be determining factors on the success to ban hard to recycle plastics or replace single use plastics with acceptable environmentally friendly products.

2. Have we identified the correct objectives? If not, why?

Yes, however we think there should be four main objectives:

- 1. Enabling a circular economy through innovation and development.
- 2. Reduction in tonnage of hard-to-recycle plastic in use;
- 3. Minimise the environmental impact of single use items which are littered and make their way into our oceans and streams.
- 4. Reduce the current level of contamination in kerbside recycling.

The following list expands on the three main objectives rather than being secondary objectives.

- lower risk of environmental damage including through litter and poor resource management;
- decreasing the risk of wildlife consuming plastic and plastic entering into our food chain, less PVC contamination in our recycling stream so high-value materials like PET can be recycled rather than sent to landfill;
- fewer unrecyclable plastics in our recycling stream such as plastic cutlery plates etc. leading to lower contamination;
- less contamination of plastic in both home and commercial composting;
- increasing the uptake of high-value packaging materials including PET, HDPE
 (2) and PP (5);
- improving the recyclability of plastic packaging;
- reducing public confusion and making it easier for New Zealanders to recycle right;
- reducing carbon emissions associated with the manufacture, distribution and disposal of single use plastic items.

3. Do you agree that these are the correct options to consider? If not, why?

Yes, however we believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. For example, an approach that combines the proposed bans with levies/fees, eco-labelling, measurable targets, deposit-return, take back schemes, and community engagement.

We also support mandatory minimum levels of easy to recycle plastics be permitted after the proposed bans.

In addition to the options listed, we would support to include additional measures to support the uptake and scale of reuse, e.g.

- mandatory targets for reuse/refill on specified items;
- deposit return systems for takeaway serviceware to ensure that they are in a recyclable condition (i.e., clean) and put in the correct recycling bins;
- mandating reusables in dine-in settings (as done through phase 3 of the Berkley Single Use Foodware and Litter Reduction Ordinance);
- levies on targeted single-use items;
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxodegradable plastics and some single-use items? If not, why?

No. We think that separate tables, weighting and criteria should be used to evaluate PVC and polystyrene; oxo-degradable plastic and single use plastics as these product categories are distinct from each other and there are different issues with each of them.

There should be criteria around technical feasibility. Currently there isn't rpvc or rpolystyrene on the market so mandatory recycled content is technically not feasible. Whereas there are labelling schemes such as the Australasian Recycling Label, so this option is technically feasible.

We also think that there should be criteria around willingness of the public to embrace the change and readiness of business – what shifts have businesses already made in this space.

Note with regards to the criteria the alignment of strategic direction this should also include legislation such as the Zero Carbon Act.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

We support a mandatory phase-out, however we caution that supporting legislation needs to be put in place to ensure packaging is not migrated to other problematic single use or unregulated materials, such as plastics number 7s and even unregulated "compostable" products. To achieve the objective, set out in question 2, further mechanisms need to be put in place to ensure perverse outcomes are not seen. In conjunction with supportive legislation and restrictions, we also call for mandatory labelling requirements and regulation on product claims such as "biodegradable", "natural", "green", and "eco" which are confusing to consumers.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Overall, we are very supportive of the move to ban unrecyclable packaging in conjunction with actions and legislation that are designed with the waste hierarchy in mind. We thus are supportive of a two phase roll out under the timeframes suggested as long as this can be achieved without perverse outcomes. This means incentivising reusables and ensuring PVC and polystyrene are not replaced with materials that have bad or worse end of life options. As discussed, we need to consider recyclability and how to ensure that measures to reduce PVC/PS/EPS packaging don't lead to an increase in packaging coded as plastic #7 or compostable packaging which is currently unregulated for plastic content and where there is no infrastructure in place to process it. Finally, it is also important to have a carbon footprint lens to ensure where possible alternatives use less resources in production, transport etc.

Secondly, we acknowledge both food safety and shelf life need to be considered. We need to balance the desire to reduce use of hard-to-recycle plastics with the potential for inferior packaging choices leading to increased food loss and waste, given that approximately one-third of all food produced for human consumption globally is already lost across the supply chain. One way to address these problems is to support locally based food systems designed to increase community resilience while reducing food packaging and transport costs/emissions.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Yes.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

PVC and PS/EPS are used for packaging for medications and to ensure products are kept at suitable temperatures for transportation. It may be possible that exemptions might be needed for medical use if suitable alternatives are not available.

We recommends that more research is undertaken to determine whether there are suitable replacements for these materials and to investigate where reusable or refillable options may be possible. We recommend that the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

We believe that there would be the following benefits:

Environmental

- There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- It will encourage the transition away from non-renewable oil-based products which are resource heavy in their production
- It will reduce waste sent to landfill which poses environmental hazards for future generations

Social

- There will be amenity improvements due to less litter in the environment.
- There is opportunity for product innovation in alignment with a circular economy model, creating meaningful participation in solutions
- It will speak to the public's concerns about plastic pollution and make it easier to "do the right thing"

Economic

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs.
- If combined with improved labelling, ease of communication about what plastics you can and can't recycle, saving TAs time and money for communications and advertising services.
- Cleaner, higher value recycling streams, assuming materials are swapped out for domestically recyclable plastics 1, 2 & 5.
- Increasing the viability of domestic recycling opportunities for 1, 2 & 5s due to higher volumes and increased quality.
- There will be lower collection and disposal costs for litter collection.
- Businesses that produce products for export may gain a competitive advantage by using more recyclable packaging
- It would create a level playing field for all businesses which would provide certainty and fairness.
- With many of the alternatives fibre or wood based there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

We believe that there would be the following costs:

- Industry will need to develop new processes and alter production lines to accommodate different packaging materials.
- Higher cost of alternative material types for packaging, especially for takeaway containers. While a significant % increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ and Colmar Brunton has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.

- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by the long lead-in time.
- Inferior-quality packaging could result in increased food loss and waste.
- Potential for higher environmental costs depending on new packaging choices. We believe that this is the greatest risk. A ban on PVC/PS/EPS could end up with these materials being replaced with something as bad or worse from an environmental/waste perspective e.g. a composite material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home compostable and also unlikely to reach a commercial composting facility which is able to process it. There is a risk of creating yet another contaminant in kerbside recycling or in commercial composting processes, or at best the use of additional materials whose only option is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but ensure the transition to PET/ HDPE/ PP

10. Do you believe there are practical alternatives to replace hard-torecycle packaging (PVC, polystyrene and EPS)? If not, why?

Given the complexities involved in determining which plastics are used in food packaging, ranging from ensuring plastics are food safe, to offering physical protection and providing adequate oxygen and moisture barriers where required, this is a very technical and specialised area and so not a question that Territorial Authorities are necessarily best placed to answer.

Alternatives are already available for some food and beverage packaging items e.g. PVC meat or biscuit trays where PET is proven to be effective as a packaging material, acceptable in kerbside recycling and with a domestic market for reprocessing (Flight Plastics).

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes, degradable plastics of all types should be phased out. This includes both oxo degradable and photo degradable plastics. We need to ensure that these will be replaced with a quality product and not another problem product. This is why it will be essential when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break more quickly down into microplastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and the deceptive nature of the advertising for many of these products. Many of these products imply that they are greener and more environmentally than conventional plastic.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

NA

13. Have we identified the right costs and benefits of a mandatory phaseout of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes, although if the proposed ban contributes to the transition to a circular economy we see high benefit to local government and the public as waste avoided will reduce ratepayer cost, will alleviate stress over pollution and enable people to "do the right thing".

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

The additional costs and benefits will result from the associated mechanisms that are put in place with the phase out. If we the replacement for targeted plastics are other unregulated plastics and single use items, we will continue to have environmental and economic costs associated with a linear system. We support mechanisms to migrate to reusable options and that encourage locally based circular economy solutions that no not create waste in the first instance.

Other measures which could assist would be standardising kerbside recycling and introducing compulsory labelling for recyclability and compostability. To avoid getting into a similar position we have created with plastics, we need regulation around compostable products to ensure the end product will not pose harm to the environment. In addition, the Ministry of the Environment needs to assist industry to develop the appropriate processing and collection infrastructure whether that be through funding or designating compostable packaging a priority product. Alternatively, a clear signal is needed that compostable packaging is a not an appropriate alternative to PVC and EPS.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Many campaigns place the onus of plastic pollution and landfill use on the individual/ratepayer, while producers have not been held accountable for the pollution their products generate. Regulation and banning certain products are part of a broader system change which will further enable both ratepayers and businesses toward a circular system, including:

- extended producer responsibility
- locally based resource recovery reflecting the community and geography (different solutions for different densities of population)
- standardisation where appropriate (national recycling standards)
- accurate and clear labelling restrictions on "green" claims
- education to empower consumers
- **16.** What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?
 - Please specify any items you would leave out or add, and explain why.

There are numerous specific items that should be banned or regulated, including: Coloured plastics. Dyed and pigmented plastics have a lower market value as there are limitations on what they can be recycled in to. Clear plastics are preferred by recyclers, followed by white plastics. Coloured plastics should be banned in order to enhance the recyclability of plastics.

Drink sleeves

Drink sleeves and wraps should be phased out as they contaminate and complicate recycling. Drink sleeves and wraps pose issues for recyclers as they disguise the underlying plastic material type and create difficulty for optical and manual sorters. Some bottle wraps have instructions for removal, but it is not realistic to expect consumers to do this.

Cigarette butts

Cigarette butts account for 78% of all litter items found in Aotearoa NZ. All-natural food grade fibre cigarette butts are available on the market. At a minimum, suggestions made in the Rethinking Plastics report to change the culture and infrastructure around butt littering should be actioned.

Glitter

Plastic based glitter is made of PET and would be impossible to collect for reprocessing. This is a form of microplastic that is entering into our environment. For example, glitter has been found to break down in wastewater treatment plants.

Tea bags

Premium nylon or PET tea bags have been found to leak billions of plastic particles. Many paper-based tea bags contain thermoplastics such as PP or PLA. These products are confusing to consumers as they would assume these are plastic free and safe to compost. Tea bags should be regulated for plastic alongside fruit stickers to improve the quality of composting systems. At a minimum, mandatory labelling should be put in place so consumers can make an informed choice.

Glossy and receipt paper

Glossy mailer paper, receipts and parking ticker paper are all recycling contaminants that are significant for TAs trying to increase the quality of recycling. These products should be further investigated to see if phasing out is a viable option.

Kitchen scrubs and sponges

Kitchen scrubs and sponges release microplastics into the wastewater system with each wash. Viable plastic free alternatives are already on the market.

Textiles

Rayon, Polyurethane (Lycra), Nylon and Polyester fibres can all be found in wastewater treatment effluent from simply washing clothing. In Europe it was found that 35% of primary microplastics were from laundering clothes. It is feasibly unlikely to ban these products. However, other regulation can reduce the impact that these products have. The first step is through redesigning the products themselves. Textile manufactures should be incentivised to design fabrics that shed less through a producer responsibility scheme. Secondly, washing machines need to be designed to reduce emissions of fibers to the environment.

Fishing gear

The United National Environment Programme estimates that between 600,000-800,000 metric tonnes of ghost gear is lost in the marine ecosystem every year. In New Zealand, commercial fishing nets cause significant environmental harm and are a threat to endangered and nationally significant species such as the yellow-eyed penguin and Maui dolphin. Seabirds, such as the Northern Royal Albatross, gather pieces of netting to make nests and can then become entangled. Similar to clothing, it is unlikely that fishing gear will be banned, however, these products should be part of a producer responsibility scheme.

Chewing gum containing plastic

Most large branded chewing gum contains plastic and causes up to 100,000 tonnes of plastic pollution globally every year.

Complementary plastic toys on children's magazines and with fast food. Plastic lollipop sticks and wrappers: These present a similar hazard to plastic cotton buds and can easily be replaced by cardboard sticks.

Single-serve containers, sachets & containers for condiments and toiletries For example, soy fish, containers with peelable plastic lids for jam, butter and other condiments, sachets of sauces, condiments, sugar and toiletries. One of the items commonly picked up by volunteers cleaning up after the Fox River landfill disaster were single-use sachets from the accommodation and hospitality providers in this popular tourist destination. Some hotels are already voluntarily phasing out these single-serve items. These types of products have been earmarked for banning by the Irish Government in their recently released National Waste Policy (p.33).

Coffee pods containing plastic

Single-serve coffee pods made of any material are hard-to-recycle because each pod contains coffee grinds that must be removed before recycling is possible. We would support a phase-out of all single-use coffee pods (reusable pods exist), but for the purposes of this consultation we call for those containing plastic to be included in this mandatory phase-out list.

Balloons and balloon sticks

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Whether a piece of cutlery or a drink cup is single use or reusable isn't always clear cut. Microns were used as the differentiating measure for the plastic bag ban to distinguish between reusable or single use bags. Single use can be subjective so further clarity is needed for the definitions of single use plastic tableware and cutlery and single use plastic cups and lids.

For clarity we would encourage all the definitions to include the terms plastic including both degradable and biodegradable plastics.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Plastics New Zealand has noted that many businesses import these products in bulk and often have inventory sufficient for a number of years. However the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling. Wellington City Council estimates the costs of dealing with contamination in recycling at \$300,000 per annum. HDC is thus supportive of a ban being implemented as early as possible to reduce the impact on the environment and the financial burden of councils whilst ensuring that the financial impact on businesses is mitigated. HDC is supportive of a well signalled phase out within two years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

The waste caused by New Zealand's coffee drinking culture and the associated costs are significant. The Rethinking Rubbish and Recycling research found that 1,288 tonnes of single use cups are disposed of via councils household kerbside rubbish collections with a further 851 tonnes contaminating household recycling bins. 1.24 million coffee cups used per annum in New Plymouth (as a conservative estimate), and it costs \$230,000 to dispose of these cups per annum. Therefore, the aim should be to move up the waste hierarchy, supporting systems that reduce the number of single use cups used. This requires systematic change and incentives that establish a dominant culture of avoidance or reuse.

Reusable cups

If more people use reusable cups there will be savings for businesses, a decrease in waste overall and a decrease in cost on territorial authorities who bear the cost of a linear system. In alignment with the waste hierarchy, the focus should be on reuse rather than recycling or disposal for both waste and carbon reduction. In its simplest form, the best option to address coffee cups is through incentivising reusables. We support investment into the creation of a 'bring your own cup'.

Single use cups

In New Zealand coffee cups contaminate kerbside recycling and in the case of compostables, New Zealand lacks both the collection infrastructure and sufficient composting facilities with the resource consent to accept them. We note that single-use cups are not considered in the upcoming mandatory product stewardship scheme for beverage containers, although they do meet the criteria in the potential scope. We suggest that inclusion in this scheme should also be investigated when identifying the most effective method to reduce/eliminate use of these items.

One way to stimulate reuse is through strategic use of taxation. A 2019 study showed that people are inclined to use a reusable coffee cup if they see other people doing this or if they are charged extra for a disposable cup. This aligns with the theory of loss aversion in which people experience the negative feeling of a loss more strongly than a positive sense of a gain, even if it's the same size. This means that cafes voluntarily giving a discount for a reusable cup is not as effective in changing behaviour as putting a levy on a disposable cup. To most effectively incentivise reuse, Ireland has committed to introducing a \in .25 tax on coffee cups in 2021 and the Californian city of Berkeley has already put a "latte levy" in place. This tax could be potentially used to fund the collection infrastructure required for single use cups to be collected and composted.

The main barrier for composting facilities to be able to process compostable cups is the commercial requirement to product organically certified compost. Products containing compostable plastics cannot be processed at these facilities. For single use cups to become part of the circular economy all cups on the market would need to be made from the same material as the cost involved in sorting compostable from noncompostable products would be prohibitive. The material used would need to be certified compostable and the cup would need to be fibre based with no plastic films or additives.

Overall, the TA Waste Liaison Group recommends:

- promoting reusable cups;
- a ban on coffee cups with plastic linings of any type;
- or in place of a ban, a levy on disposable coffee cups and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up;
- Standardisation of any single use cups available on the market (addressing composability and contamination issues);
- Mandatory reusables for dine-in customers;
- Well-publicised disposable cup-free zones (e.g. university campuses & Govt buildings, museums and galleries, coasts and national parks).

Wet wipes

Wet wipes are a significant issue for HDC and other Councils alike and spend thousands of dollars undoing blockages in wastewater systems, footing the bill for industry's poor product design choices.

Reusable wipes

In alignment with the waste hierarchy, we see the best option to promote reusable wipes as a simple return to squares of cloth. It is noted that building acceptance of reusable wipes as an alternative to wet wipes connects closely to the promotion of reusable nappies -trialling alternative approaches in the early childhood sector is the type of activity which could be considered. Developing a culture of reusable wipes poses a potential use for unwanted textiles, contributing to a circular solution.

It is important to recognise the access to time and washing facilities required for reusable wipes may present a barrier for some. Disposable wipes are flushed because consumers are reluctant to place smelly used wipes in the trash. The only fibre item which can be flushed is toilet paper, and for this reason education around replacing wipes with moistened toilet paper could be considered.

Single use regulation and action

In conjunction with promoting a reusable option or an option that can be flushed (toilet paper), we support requirements and action which will help consumers make an informed choice. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. We call for a requirement to state the content in wipes so that the consumer is aware they contain plastic.

Ideally, industry would be required to transition away from plastic based wipes through a mandatory phase out. This should include products that are currently toted as biodegradable as they do not break down in a timely enough manner to avoid blockages. We support mandatory prominent labelling 'do not flush' messaging for all wipes regardless of plastic content. It is also worth noting that research has identified that placing a 'please don't flush wipes' message close to public toilets has proved effective, and campaigns such as this to create new social norms should be considered . In conjunction with educating around reusable options, Ministry should continue to support behaviour change around flushing wipes.

Finally, there are other products entering the wastewater system which are also responsible for non-biodegradable items introducing plastic and causing blockages. These include sanitary products (the average pad can contain up to 90% plastic, and there is a significant amount in most tampon products as well), facial tissues and kitchen paper which often contain bonding agents – this can slow their break down and add to the blockage problem as well as introducing more chemicals to the wastewater system. We therefore call for funded behaviour change campaigns that can raise awareness of these issues and promote alternatives and subsidies for reusable products for low income communities.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

NA

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We support the goal of transitioning to reusable products as part of a circular economy, including a phase out of problematic single use items. We are cognisant of pressures on the sector, however, note that there are greater pressures on our environment that cannot be ignored. We advise working with industry on these issues over the timeframes noted below.

Coffee cups

Much of the work around coffee cups should centre on education and behaviour so that single use phase out can be effective. We support a gradual phase out of single use cups over the course of five years.

Wetwipes

The key outcome is that these products should not be flushed, but it is likely there will still be a market for this product, based on transitioning to lower carbon and lower environmental impact materials. Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from areas such as single use packaging to reusable resources. We support a transition time of three years for a wet wipe ban due to the issues these pose and the urgency with which we should address them.

22. Have we identified the right costs and benefits of a mandatory phaseout of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

We agree with all the benefits listed but there are also additional benefits. The benefits are environmental, social and economic.

Environmental

- 1. It will encourage the use of reusable options;
- 2. There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains. It will also reduce the amount of plastic in compost and therefore in soil;
- 3. It will encourage the transition away from non-renewable oil-based products;
- 4. Many of these items are imported from overseas so it would reduce carbon emissions.

Social

- 1. It will support new social norms for reuse and foster a culture of reuse and recycling, rather than disposing of single use items;
- 2. There will be amenity improvements due to less litter in the environment;
- 3. There could be new job creation as we migrate to a circular economy.

Economic

- 1. There will be less contamination in recycling services resulting in lower sorting and disposal costs;
- 2. There will be significantly less contamination in organic waste collections particularly if single use produce bags and non-compostable fruit stickers were banned resulting in lower sorting costs and the ability to make a higher grade of compost;
- 3. There will be lower collection and disposal costs for litter collection;
- 4. Businesses that manufacture, import and supply reusable items would benefit;
- 5. Some businesses would save money by no longer supplying these items to their customers e.g. single use produce bags;
- 6. It would create a level playing field for all businesses would provide certainty and fairness;
- 7. There would be economies of scale for alternatives which would help to lower costs and drive innovation;
- 8. With many of the alternatives fibre or wood based there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

We agree with the costs listed but note that most of these single use items are currently imported from overseas rather than made in New Zealand so the cost of complying with this ban is likely to be less significant than the ban on PVC and polystyrene packaging.

23. How should the proposals in this document be monitored for compliance?

We recommend that the proposals be monitored for compliance but also evaluated to see whether the aims of the legislation be achieved.

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors. At its simplest form this could be a hotline where members of the public can email if they see a business selling a non-compliant product. This was used when the plastic bag ban was introduced with 375 alleged breaches of the ban reported in the first six months. Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging e.g. sushi stores; \$2 shops for example.

Many councils and businesses undertake waste audits so asking these organisations to keep aside any branded examples of banned packaging so that businesses could be followed up is also an option.

It is also important to see if the legislation has achieved its desired aim. We have identified three main aims.

- Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy. Both supermarket chains have completed inventories of the types of plastic packaging in their brands. Funding a repeat of these audits after the ban has been implemented would determine to what extent the amount of hard to recycle plastics had been reduced;
- 2. Minimise the environmental impact of single use items which are littered and make their way into our oceans and streams. Monitoring the amount and type of litter in the environment to see whether the rate at which these products have been littered has decreased;
- 3. Reduce the current level of contamination in kerbside recycling.

If Flight Plastic is able to accept PET trays a larger number of councils that would also be a clear indication that the legislation had achieved its aim to reducing contamination in recycling. Council waste audits would also provide evidence that contamination had decreased. The Rethinking Rubbish and Recycling Project has benchmarked contamination and use of plastics and this audit could be repeated once the ban is in place.

Any evaluation could also include changes in public attitudes towards plastic products, packaging, litter and the general acceptance of these policies.

| Submission: | Reducing the Impact of Plastic on our Environment | |
|-------------|---|--|
| То: | Ministry for the Environment | |
| Date: | 4 December 2020 | |
| From: | Hope Moulded Polystyrene | |

| Company Name | Hope Moulded Polystyrene |
|---|--|
| Given Names Surname Contact person Address | Paul Lightowlers Paul Lightowlers s 9(2)(a) |
| Country | Auckland |
| Phone | 03 544 5090 |
| Email | info@hmp.co.nz |
| Submitter Type | Business/Industry |
| Overall position | Oppose in part |
| | |



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Submission Summary

Product Ban

Hope Moulded Polystyrene submits that an exemption from the proposed EPS ban be made for EPS poly boxes.

The consultation document, *Reducing the impact of plastic on our environment*, proposes a ban on Expanded Polystyrene (EPS), which would include EPS poly boxes, as it defines this material as a hard to recycle plastic.

Poly boxes are lidded boxes made of Expanded Polystyrene (EPS), which typically range in size from 1 to 70 litres in capacity. These are most commonly used in New Zealand for food and pharmaceutical packaging for distribution and storage purposes.

Significant unintended consequences would result from banning EPS poly boxes. This is because our national and international food and pharmaceutical supply chain rely on EPS poly boxes to provide stable and reliable cold chain solutions for their products – without this solution significant environmental (food and product waste), economic, health and reputational risks may result.

Reasonably Practicable Alternative

Under the Waste Minimisation Act 2008 Section 23 (2)(b) the Minister for the Environment must not recommend the control or prohibition of the manufacture or sale of products containing specified materials (Section 23 (1)(b)) unless a reasonably practicable alternative to the specified material is available.

The proposed ban is made on the basis that there are reasonably practicable alternatives to EPS poly boxes, with the consultation document providing one example of an alternative – cardboard box with wool liner.

However, the evidence presented in this submission clearly demonstrates that **practical alternatives do not currently exist.** One of the key benefits of EPS poly boxes for primary produce and pharmaceutical providers is their ability to meet packaging performance requirements for food safety and animal welfare during product distribution and storage, both domestically and internationally across cold chain supply chains. While packaging performance requirements vary across jurisdictions, and between products, they generally relate to temperature, moisture resistance, durability, stackability, visibility, and stability.

These requirements are especially important as a relatively remote island nation many of our primary produce suppliers are highly dependent on using poly boxes to ensure food and pharmaceutical safety throughout a complex, lengthy and often unrefrigerated supply chain.

Cardboard boxes with wool or other thermal liners, in most cases, fail to meet these performance requirements. Based on feedback from our clients, made on the basis of their trials of these and other alternative packaging types, we are not aware of any other alternative packaging solutions to EPS poly boxes, that can consistently meet their requirements.

Client feedback, on specific alternative product trials and related issues are included within section 2 of our submission as client statements.

The key findings across alternative product trials carried out by our clients can be summarised as follows:

- Not able to be used in wet environments (packing lines)
- Have no wet strength
- Are unable to maintain required chilling requirements consistently for over 24 hours, (under often extreme conditions e.g. hours in direct sun on the tarmac in the height of summer)
- Are unable to meet Cold Chain Accreditation requirements for transport and storage of food products, including seafood, vaccines¹ and other pharmaceutical products
- Meaning as a consequence, cardboard boxes with wool liners and other potential alternatives, are not suitable for our current fully or partially unrefrigerated domestic and international supply chains for food and pharmaceutical packaging for distribution and storage purposes

Accordingly, our view is that practicable alternatives to EPS poly boxes as packaging for the food and pharmaceutical sector, do not currently exist.

As such our submission is that because there are no practicable alternatives that a ban should not be made for EPS poly boxes under Section 23 (1)(b)) of the Waste Minimisation Act.

We also note that this position appears to be consistent with international Polystyrene (PS) bans, which predominantly relate only to PS food service and table ware products and do not extend to include EPS poly boxes.

In addition, we note that the Ministry for the Environment consultation document itself highlights that there may need to be an exemption to meet export and import requirements. Further stating that any such exemption would cover packaging where there are **no practical alternatives to maintain the quality or safety of the product for distribution**.

Costs and Consistency with International Obligations

Under the Waste Minimisation Act 2008 Section 23 (3)(b) (ii-iii) before recommending the making of regulations under subsection (1) the Minister must be satisfied that:

- (ii) the benefits expected from implementing the regulations exceed the costs expected from implementing the regulations; and
- (iii) the regulations are consistent with New Zealand's international obligations.

¹ the system of transporting and storing vaccines within the required temperature range of $+2^{\circ}$ C to $+8^{\circ}$ C from the place of manufacture to the point of vaccine administration

https://www.immune.org.nz/sites/default/files/national-standards-vaccine-storage-and-transportation-immunisation-providers-2017-v2.pdf

We note that imposing a ban on EPS poly boxes, without a practical alternative, would:

- Pose significant food, medical, health and safety risks
- Potentially impact the distribution of vaccines required as part of New Zealand's response to the COVID-19 pandemic
- Breach the requirements of the National Standards for Vaccine Storage and Transportation for Immunisation Providers 2017 which specially provides for the use of polystyrene chilly bins as part of cold chain requirements
- · Pose significant animal welfare risks for live courier deliveries and exports
- Pose significant financial and economic risk for some of New Zealand's most significant exporters of primary produce, and other high value products, including high quality seafood and
- Pose significant financial and reputational risk to small to medium sized businesses within food and pharmaceutical sectors.

Taking into consideration the significance of the seafood and pharmaceutical sectors, to the New Zealand economy, the potential risks to our health and wellbeing, especially during a global pandemic, and the potential risk to our reputation should serious health impacts result we submit that this legal test is also not able to be met at this time.

Accordingly Hope Moulded Polystyrene submits that an exemption from the proposed EPS ban be made for EPS poly boxes.

Hard to Recycle Plastic

We refute the Ministry for the Environment's claim that EPS poly boxes are a hard to recycle plastic. With most EPS poly boxes going into business, rather than household waste streams, Hope Moulded Polystyrene, is working with the Plastics New Zealand EPS sector group to expand access to product stewardship recovery systems. There are strong international markets for EPS and a growing EPS recycling service infrastructure nationally.

Regulatory Product Stewardship

We recommend that as an alternative to banning EPS poly boxes and packaging that a regulatory product stewardship scheme instead be adopted.

This will ensure that the recovery systems currently being developed by the EPS manufacturing and recycling sector in New Zealand are supported, expanded, refined and appropriately funded to ensure a higher rate of collection and recycling of EPS packaging across New Zealand.

We assert that the Ministry for the Environment's assessment of "hard to recycle items" has incorrectly excluded consideration of regulated product stewardship for EPS poly boxes as a preferred solution for this material and specific packaging type.

With most of this product being used for business to business sales deliveries Hope Moulded Polystyrene, Plastics New Zealand and the EPS sector group have been focused on developing a domestic and international network of EPS recyclers able to recover and recycle EPS. We note that as the final destination of most EPS poly boxes is with businesses, rather than households, a focus on point of sale return systems and ongoing development of the growing national network of recycling collection points is the most effective end of life recovery solution.

We note that Hope Moulded Polystyrene has been providing product take back recycling services for the Nelson and Tasman regions for five years now, recovering over 2,875m³ of EPS for recycling over this time.

EPS Recycling Service Infrastructure

There is now a network of 39 EPS collection and recycling sites² across New Zealand. The number of sites has increased by >105% over the past year.

Hope Moulded Polystyrene supports the adoption of a regulated product stewardship scheme for rigid EPS packaging, with numbers of collection sites likely to expand as more retailers extend return to point of sale recycling for EPS packaging. We note that retailers of whiteware and electrical goods also often take back EPS packaging for recycling on delivery of goods and that these locations are not currently reflected in this industry directory.

Formalised product stewardship would enable the key stakeholders across the wider system, including those importing protective packaging in the retail and medical sectors, to become part of the solution and for us to gather more accurate data about the volume of EPS packaging imported and being recovered for recycling.

² https://airpop.co.nz/recycling/

We note that:

- There is strong market demand for recycled expanded polystyrene
- There is a rapidly growing network of national and international expanded polystyrene recyclers
- New Zealand EPS manufacturers, including Hope Moulded Polystyrene are already providing product take back for clients and local communities
- There is growing interest from significant nationwide retailers in facilitating EPS packaging and building waste recovery and recycling, including Mitre 10³

All of the above factors provide a strong foundation for the sector to collaborate to establish a formal product stewardship scheme within the time frame originally proposed for the ban.

We look forward to being a part of the development of this. Hope Moulded Polystyrene is happy to meet with the relevant Ministers to discuss our submission.

³ https://www.mitre10.co.nz/news/expol-recycling-cubes

1. Introduction

1.1 About Hope Moulded Polystyrene

Hope Moulded Polystyrene is based in Hope, Nelson and has produced expanded polystyrene (EPS) boxes, commonly known as poly boxes, for the seafood, meat, produce and pharmaceutical industries for over 40 years.

New Zealand exports seafood to over 120 countries. The Ministry of Primary Industries estimated the value of the country's seafood exports at NZD 1.8 billion (USD 1.3 billion, EUR 1.1 billion) for the 12-month period ending in June 2017 and predicted that is would reach NZD 2 billion annually by 2020⁴.

The seafood products which use poly boxes include:

- Salmon
- Fresh Fish
- Mussels
- Crayfish Rock Lobsters
- Kina
- Clams
- Wild caught ocean fish hoki
- Oysters
- Seafood that goes to New Zealand hospitality or fish markets

Seafood New Zealand reports that Rock Lobsters are New Zealand's most valuable seafood export, with mussels a close second, followed by hoki, squid, salmon, and orange roughy². The value of live or chilled seafood exports is approximately \$530 million per annum.

Poly boxes are also extensively used across New Zealand to allow unrefrigerated cold chain distribution of medicines, vaccines and medical test samples for both human and animal use.

Hope Moulded Polystyrene employs 15 staff and as a New Zealand owned and operated business sustainability is at the heart of how our business operates.

1.2 Our Commitment to Becoming Part of a Circular Economy

With growing concern around plastic packaging waste in the environment, both nationally and internationally, we became signatories of the New Zealand Plastics Packaging Declaration in September 2019.

Our focus has been on working with our clients to encourage both reuse and recovery of our products for recycling.

Hope Moulded Polystyrene provides EPS product takeback. We also accept any clean EPS packaging from the Nelson and Tasman regions from the community at no charge.

⁴ https://www.seafoodsource.com/news/supply-trade/report-values-new-zealand-seafood-industry-atnzd-4-billion

There is a strong international demand for this material and we continue to have no difficulty finding high quality markets for this.

The table below shows our collection of EPS for recycling over the past three years, we note that collection rates in 2020 have been severely impacted by the COVID-19 pandemic.

| EPS Recovered for Recycling by Hope Moulded Polystyrene | | | | | |
|---|------------------|-------------------|--|--|--|
| 2018 | 2019 | 2020 YTD | | | |
| 750 cubic metres | 850 cubic metres | 425⁵ cubic metres | | | |

1.3 Hope's Plastic Packaging Declaration

Hope Moulded Polystyrene is committed to becoming a part of New Zealand's circular economy and is a signatory of the New Zealand Plastics Packaging Declaration. This includes a commitment to ensuring that our plastic packaging is 100% reusable, recyclable or compostable by 2025.

As part of our declaration Hope Moulded Polystyrene affirmed that:

- we recognise New Zealand has an interest in moving towards a more circular economy and reducing the use of virgin plastic packaging
- we will work toward using 100% reusable, recyclable or compostable packaging by 2025 or earlier
- we will report on progress to implement this commitment as part of our sustainability reporting, and provide annual updates to the New Zealand Ministry for the Environment
- we will encourage other companies operating in New Zealand to look at their plastic packaging and make similar commitments, inviting other businesses in New Zealand to join this Declaration.
- we are actively working to reduce our environmental impact through ongoing efficiency initiatives, to reduce waste and energy consumption. Initiatives to date have included new energy efficient compressors which should reduce our electricity consumption by up to 30% and installation of a 175kW, 650 panel, solar array which produces up to 85% of our factory's electricity needs.
- in 2018 we recycled over 750m³ of post-consumer EPS packaging from Nelson and Tasman regions, in 2019 850m³ and in the 2020 year to date 425m³. An amount which, prior to COVID-19, had been steadily growing each year.
- Our initiatives have also included the purchase of a new Hot Melt machine for recycling as part of our drive to reduce waste and maximise recycling.

⁵ The volume of material returned in 2020 has been significantly impacted by the COVID-19 pandemic

1.4 Our EPS Product Stewardship in Aotearoa

To meet our product stewardship requirements, we have:

- worked with Plastics New Zealand and Expanded Polystyrene manufacturers across New Zealand (as part of the Plastics New Zealand EPS sector group) to develop a network of expanded polystyrene recyclers across the country, with the goal of increasing access to EPS recycling nationally². To date this has included development of a directory of EPS recyclers on our own website, and the Plastics New Zealand Airpop website <u>https://airpop.co.nz/recycling/</u>
- in 2019 there were 19 recyclers identified within this network as drop off points, or offering services for collection of EPS, at the time of this submission the network of domestic recyclers has expanded to 39 sites (an increase of >105%)
- worked with our customers to raise awareness about the importance of recycling our products through these recycling services at the end of their useful lives and
- linked our customers who export product in our packaging internationally with the growing international network of Expanded Polystyrene Associations with recycling networks and supporting directories for these services². Supporting the growth of the circular economy at a global level as well.

We are also committed to playing an active role in working with others to explore packaging solutions, and innovations, supporting collection and recycling schemes, and improving recycling information on our boxes and related marketing and communication materials.

As mentioned above we now provide a directory of EPS recyclers on our website which we refer all clients outside the Nelson, Tasman region to and we have also presented to clients about the process for recovery and recycling. See: https://www.hmp.co.nz/recycling

1.5 EPS Sector Product Stewardship Initiative

Alongside Plastics New Zealand and the Plastics New Zealand EPS sector group, Hope Moulded Polystyrene has been working to develop a nationwide product stewardship scheme with a directory of both national and international EPS recyclers provided. The table below shows the popularity of these directories to date.

| Directory Host | Url | Unique page users views over the last year |
|----------------------|---------------------------------|--|
| Plastics New Zealand | https://airpop.co.nz/recycling/ | 9,074 |

In 2019 the EPS sector group of Plastics New Zealand recycled over 150,000 cubic metres of EPS⁶, with a large portion going back into New Zealand made products rather than offshore.

⁶ Plastics New Zealand
Members of Plastics New Zealand EPS sector group, which is made up of manufacturers and raw material suppliers all have established take-back schemes for their products and most take post-consumer EPS if asked. Some are actively pursuing relationships with retailers to increase the take-back, and recycling of post-consumer packaging.

We note our concern that the Ministry for the Environment's proposal for an EPS ban is contrary to our industry sectors efforts to establish product stewardship. As set out above there is plenty of scope for Extended Producer Responsibility (EPR) or product stewardship for these packaging materials.

The Plastics New Zealand EPS Sector Group, of which we are a member, had active plans in place to launch an EPS recycling media campaign on the 12th of December 2019. This was entirely focused on post-consumer packaging EPS and would have provided information to the public as to where they could take the EPS packaging collected from Christmas presents to recycle it. Expectations were that this would have had great media pickup as it showed the public what to do with something viewed as 'problematic' by many. This campaign was aligned with www.airpop.co.nz which also provides information for businesses and the public.

On the 8th of December 2019, the Government announced a planned phase-out of polystyrene. This announcement was made with no industry consultation, no understanding of the EPS recycling situation in New Zealand, and indeed no understanding of the scope of what had been proposed. It became quickly apparent that key decision-makers within Government did not understand the scope of 'polystyrene packaging' or the specific reasons it is used as a packaging material. The reputational damage to the EPS manufacturers by from this announcement led the Sector Group to withdraw the campaign which is unfortunate.

1.6 Food Safety Requirements

As a manufacturer of Expanded Polystyrene (EPS) boxes for the packaging of fish, meat and other food products, we are required to provide confirmation to users of those boxes that they conform to the requirements of the New Zealand Ministry for Primary Industries, as well as international requirements for exporters. Cold chain requirements are an essential part of these requirements with temperature requirements varying across products but most requiring 4°C or under. (We note that our clients also include caterers who use the boxes to keep food hot – avoiding the need to reheat deliveries upon arrival with customers).

Keeping food at the right temperature prevents bugs from growing quickly. Some foods must be kept cold (chilled or frozen) to stop bugs growing. For most meat, seafood and dairy products a stable temperature of no higher than 4°C must be met for the duration of delivery, which as mentioned in the statements from clients contained in section 2 of this submission, can be for periods of more than 36 hours.

As we will note within this submission alternative packaging products are often only able to meet these requirements for a maximum of 24 hours.

The Ministry of Primary Industries state that if transporting cold food, you must always use a freezer/chiller vehicle, a chilly bin with ice blocks or an insulated container.

Any food that must be chilled that has been at 5°C or more for more than four hours must be thrown out as shown in the diagram below⁷

Total time that food is kept between 5 - 60°C



Our customers supply product to businesses which must demonstrate that they are meeting these strict temperature requirements. With temperature measurements either during transit and/or on arrival.

In New Zealand to meet the MPI Simply Safe Food Control Plan requirements on delivery of food products packaged in our EPS poly boxes our client's and their customers must keep detailed records of⁸:

- 1 The name and contact details of your supplier
- 2 The type and quantity of food
- 3 The temperature of the food, if it needs to be kept at a certain temperature to make sure it is safe and suitable - when collecting or receiving chilled food, measure the temperature of it with a thermometer
- 4 Check that: cold food is cold, frozen food is frozen, packaging is not damaged or dirty, and food is not past its Use By date.
- 5 The temperature of the food, if it needs to be kept at a certain temperature to make sure it is safe and suitable.
- 6 Follow the 2-hour/4-hour rule, as shown in the diagram above for food that is 5°C or above

As New Zealand's summers become hotter as a result of Climate Change we are experiencing more hot days of over 25 degrees⁹ the capability of EPS poly box packaging to chill food becomes even more essential to avoid unnecessary food and product waste

Hope Moulded Polystyrene also meets the following MPI requirements:

⁷ Ministry of Primary Industries

⁸ Ministry of Primary Industries, Simply Safe Food Control Plan

⁹ https://www.ehinz.ac.nz/indicators/climate-change/temperature-our-changing-climate/

- All raw material used in the manufacture of Hope Moulded Polystyrene's EPS boxes comply with the current US FDA Regulations 21 CFR 177-1640, 21 CFR 207 and the relevant sections of 21 CFR 178.
- In addition, all raw materials used in the manufacture of our EPS boxes comply with the EU Commission Regulation 1935/2004 and directive 2002/72/EC which consolidates and replaces EU directive 90/128/EEC and its seven amendments, as lastly amended.

1.7 Sea Food Safety Requirements

As noted by Seafood New Zealand a large portion of seafood is distributed in live or chilled form both within New Zealand and to many export markets. The annual export value alone is approximately \$530 million.

Live and chilled seafood is extremely perishable and places high demands on packaging during transport. Thermal properties, liquid containment and product protection (requiring a high degree of rigidity) are necessary to maintain the product's integrity and to ensure high quality, safe product reaches its destination.

The food safety requirements for seafood are strict to minimise and prevent foodborne illness. The most common illness relating to failures in thermal control in seafood is histamine poisoning. This occurs when fish are not handled or chilled appropriately and bacteria convert amino acids into biogenic amines^{10.} When eaten, these cause allergic symptoms such as rashes and skin inflammation. An example of this occurred in November with Hello Fresh Trevally fillets¹¹.

The Ministry for Primary Industries (MPI) states that fish should not be exposed to temperatures more than 4.4°C for more than 4 hours after the initial chilling¹⁶.

The Processing of Seafood Products Operational Guide also indicates the temperatures in the table below as mandatory requirements12. Note the requirement to keep chilled fish products below 4°C and chilled whole fish below 1°C.

| Product type | Chilling / Freezing temperature |
|---|---------------------------------|
| Shucked paua intended for canning in New Zealand | 6°C |
| Chilled whole fish | -1°C to 1°C |
| Chilled fish product | -1°C to 4°C |
| Frozen fish or fish product (including shellfish) | -18°C |
| Brine frozen fish | -9°C |

| no spec rable 7. Maximum critical Preservation (Loadout) remperature | HC Spec T | Fable 7: Maximum | Critical Preservation | on (Loadout) | Temperatures |
|--|-----------|------------------|-----------------------|--------------|--------------|
|--|-----------|------------------|-----------------------|--------------|--------------|

¹⁰ Ministry for Primary Industries, Food Control Plan Template, Specialist Retail – Fishmonger Safe, <u>https://www.mpi.govt.nz/dmsdocument/11797/direct</u>

¹¹ <u>https://www.nzherald.co.nz/nz/hello-fresh-food-poisoning-20-more-people-report-symptoms-after-eating-spoiled-fish/MJUJVDPF6FWXI5ZBUV7EZN2B7A/?ref=readmore</u>

¹² Ministry for Primary Industries, Operational Code – Processing of Seafood Products, Section 23.2, page 135, <u>https://www.mpi.govt.nz/dmsdocument/19853-Processing-of-Seafood-Products-Operational-Code</u>

Another applicable requirement under the Commercial Slaughter Code of Welfare is that live crabs, rock lobsters (crayfish) and freshwater crayfish (kōura) must be insensible at the time they are killed¹³. This is typically done through chilling the animals to 4°C or less.

Section 2 of this submission contains detailed statements from our clients, including those in the seafood sector, which sets out their specific concerns about the proposed ban of EPS poly boxes in relation to these requirements.

1.8 Pharmaceutical Requirements

Biotech and pharmaceutical products are also subject to strictly administered cold chain requirements. With many products including blood, organs, vaccines, serums, tests, samples and medicines subject to tightly controlled compliance and accreditation requirements under national and international regulations. EPS poly boxes meet the following critical criteria:

- Thermal insulation requirements to ensure efficacy of medications and vaccines is maintained throughout shipment.
- Thermal control to maintain integrity of biologicals.
- Impact performance ensures protection of glass vials and other breakable items.
- Biologicals are also protected from damaging impacts.
- EPS is mouldable into specific required shapes required to fully protect and hold breakable items such as glass vials.
- Contact with dry ice does not impact the performance of the EPS (as required by ultra-cold supply chains).
- Under the Ministry of Health's National Standards for Vaccine Storage and Transportation for Immunisation Providers¹⁴ EPS is one of only two options for temporary storage of vaccines during refrigerator maintenance or for transport to another provider. This is consistent with the Vaccine Storage and Handling Toolkit¹⁵ put out by the CDC in the USA (updated Nov 2020 for Covid-19)

The distribution and use medical and pharmaceutical products both nationally and internationally can often be unrefrigerated and therefore reliant on the insulative capabilities of EPS poly boxes to maintain product chilling to required standards for extended periods of time.

Due to the significant health risk of breaching these requirements many products must be sent with internal temperature tracking and logging devices to ensure their efficacy is maintained.

We note the requirements of the National Standards for Vaccine Storage and Transportation

¹⁵ U.S. Department of Health and Human Services Centers for Disease Control and Prevention, Vaccine Storage and Handling Toolkit

¹³ Commercial Slaughter Code of Welfare 2018, Section 6.2. Issued under the Animal Welfare Act 1999. <u>https://www.mpi.govt.nz/dmsdocument/1409/direct</u>

¹⁴ Ministry of Health, *National Standards for Vaccine Storage and Transportation for Immunisation Providers, 2nd Edition 2019, https://www.health.govt.nz/system/files/documents/publications/national*standards-for-vaccine-storage-and-transportation-for-immunisation-providers-sep19.pdf

https://www.cdc.gov/vaccines/hcp/admin/storage/toolkit/storage-handling-toolkit.pdf

for *Immunisation Providers 2017*¹⁶, as an example of this. We note that early COVID-19 vaccines are likely to require cold storage and will require distribution at a scale which may require the use of EPS poly boxes.

We note that if a ban on EPS poly boxes for food products did proceed, our business would not remain viable if it is just servicing the pharmaceutical sector as this is relatively small part of our business.

We note that while exemptions for pharmaceutical usage would allow critical pharmaceuticals to still be shipped, EPS would still be coming into the New Zealand system. A blanket ban would leave New Zealand with no method of dealing with this substantial amount of packaging material. Following a product stewardship route, and building up the recycling capability of the industry, is a far better approach.

Section 2 of this submission contains a more detailed statement from one of our clients on these requirements and the trade implications of an EPS poly box ban.

1.9 Packaging Performance Requirements & Issues with Alternatives

Because the EPS poly box is a fixed unit of packaging that cannot be changed or modified by packaging operators, it's consistent form, structure and therefore integrity is much less likely to be compromised by human handling or incorrect use.

Our feedback from our clients packaging technologists is that the EPS poly box alternative materials rely on the operator consistently replicating the configuration and specification in regards to erecting, forming and packing the unit to ensure it matches the validated trial packs, this is imperative but difficult to manage at scale with constant changes in staff and resource. Not only does this additional handling result in higher labour costs but it also creates more room for error in ensuring the insulation capabilities of the product are actually achieved by correct placement of all the elements required.

Alternative packaging solutions, require multiple (up to 5) separate pieces of packaging which must be configured correctly to achieve the correct insulation outcomes. Any deviation to the configuration increases the chance of failure in the supply chain.

Packaging Technologists prefer limiting the components of the packaging, especially in manual handling, to increase the success rate and decrease the chances of failures that can have a major impact on food/pharma safety and in the generation of costly product recalls – and the waste, financial and reputational loss that these generate.

¹⁶ Ministry of Health

The poly bin is a staple of the perishable food industry and its performance has been validated. Food and pharmaceutical requirements for cold chain distribution have never been more stringent and packaging technologists report that they do not have room for error as they are accountable for the validation of all packaging to ensure consumer safety.

The successful validation of a replacement product for an EPS poly box is complex and is dependent on multiple uncontrollable and variable factors –

- the pack off temperature of the product
- the product you are packing
- the destiny of the product you are packing
- the configuration of multiple products or species of products within the case
- the head space in the case, and air in the case
- the weight of product versus the weight of ice.
- the external temperature on the day.
- the position of the case on the pallet or in the transit unit.
- the length of time in the supply chain.
- the handling and delivery method.

A change in any of the above parameters changes temperature trial results. The variations in the product and supply chain makes it almost impossible to validate polybox alternatives for all scenario's.

The most important factor of any packaging change, that has a significant impact on health and safety of consumers is, – if something goes wrong product technologists can identify where or what that was. In the case of alternatives to the EPS poly box it is very difficult, as the amount of uncontrollable variables are too great. It is imperative they can identify and control all risks prior to implementing a change.

Packaging technologists report that while EPS poly box replacements may work within a certain window – that this does not reflect the reality of our supply chain in New Zealand and internationally. Meaning they are not able to validate and utilise these for many applications.

2 Client Statements

The following section of our submission contains verbatim statements from some of our core food and pharmaceutical industry clients. These outline the barriers to using alternative packaging products, the results of product trials and the need for an exemption from the proposed EPS ban for EPS poly boxes.

2.1 Client Statements: Food Sector



¹⁷ https://www.plantandfood.co.nz/growingfutures/case-studies/maximising-value-from-rock-lobster/

| Client Statement 1: Shuck Enterprises Ltd Cont'd | | | |
|---|--|--|--|
| The features that poly boxes provide are that no other alternative can are: Insulation – no other products are currently known that come close in performance. Animal welfare is the priority here. | | | |
| Water tightness – live crayfish release saltwater. The animals can damage other types of packaging resulting in leaks that affect both the integrity of the packaging and the subsequently the aircraft. Cushioning from rough handling – the thick-walled poly boxes can absorb minor impacts without injuring the live rock lobsters Strength | | | |
| Lightweight – with domestic and international air cargo costs of \$12 per kilogram this is an important economic factor Recyclable | | | |
| Puncture proof from the horns of large lobster – I personally have cut my hands when using cardboard box alternative for local sales. | | | |
| Mike Shuck, Director, Schuck Enterprises Limited | | | |

From 1 October 2018, under the Animal Welfare (Care and Procedures) Regulations, you must not kill any farmed or commercially caught crab, rock lobster, crayfish, or kōura (freshwater crayfish) for commercial purposes unless it is made insensible first (for example by stunning or chilling)¹⁸.

Couriering live rock lobster in the alternatives suggested by the Ministry for the Environment, which are unable to maintain chilled conditions for a long enough duration, would breach these animal welfare requirements.

Seafood New Zealand has confirmed that the value of live or chilled seafood exports from New Zealand is \$530 million.

¹⁸ https://www.mpi.govt.nz/fishing-aquaculture/recreational-fishing/fishing-methods/rock-lobster/

Client Statement 2: New Zealand King Salmon

At New Zealand King Salmon, we are in the business of growing, processing and selling premium King salmon to New Zealand and overseas markets. It is imperative that our product reaches the customer in the best condition, within temperature and compliant with the airline and market that it is being transported to. We have used polystyrene for many years and it is a material that is robust, able to take knocks and bangs from airline handlers and receivers and is compliant with airline regulations. It is incredibly light, being made up of 98% air and is an incredible insulator.



Food Safety

We require our products to stay in the cold chain at between 0 and 4 degrees Celsius. As an insulator, polystyrene is better at keeping product insulated than cartons. With cartons, you need additional wall thickness, additional gel pads and an additional insulator such as wool cool. In 2019, Massey University completed a study with NZKS looking at polystyrene vs 2 different types of carton with and without wool cool. The polystyrene box performed better as an insulator than the carton with wool cool.

Access to Japanese Market¹⁹

We require polystyrene to send fresh chilled salmon into Japan. When chilled freight arrives into Japan, a hole is punched in the bottom of the polystyrene box to let any liquid or ice melt out, and then the boxes are re-iced. They will not accept cardboard for this process as the liquid would destabilise the cardboard and the structure and integrity would be lost, rendering it useless as a carrier of chilled product. We have personally observed our product sitting on the tarmac in the hot sun for 3-4 hours. The product would have been well above temperature if it was not in a polybox.

The Financial Impact

In FY20, we sent a total of 9,980 polystyrene boxes into Japan at a sales value of just shy of \$4 million. To lose the ability to service this market would be extremely detrimental to our company.

¹⁹ It is noted that the Japanese Expanded Polystyrene Association provides a list of EPS recyclers for this market https://www.jepsa.jp/

Client Statement 2: New Zealand King Salmon Cont'd

Wet Packaging Lines

Wet areas in our factory. Polystyrene is water resistant and in our wet factory areas, it is a much better proposition than cardboard. We also have conveyors that specifically fit our large polystyrene boxes for our export and some domestic customers (who require fast delivery times and therefore air freight). To change this would involve a major change in our factory costing hundreds of thousands of dollars.

There are some serious implications for our business if we do not have access to polystyrene boxes. We may not be able to supply some markets, we may not be able to meet temperature requirements on delivery therefore leading to credits and food waste, and there may be an increased cost to our business if we have to use multiple single use items instead of polystyrene.

I have highlighted some of the issues of concern to us and our business. I hope you take these into consideration when analysing whether polystyrene serves its purpose as a material that insulates and protects valuable chilled seafood products like ours.

Victoria English, King Salmon

Client Statement 3: Mt Cook Alpine Salmon

Mt Cook Alpine Salmon require poly boxes for our international air freight. Without the quality they provide (temperature and sturdiness), there would be a portion of flights that our chilled salmon would arrive over temperature. This could be due to long lead times (24-48 hrs, or more when there's delays), or when the product spends too much time on the tarmac either side of flight.

The tarmac can be very warm in Australia, Los Angeles, Asia. For 4-6 MT of chilled salmon, a claim would be very, very expensive.

Mt Cook Alpine Salmon

Client Statement 4: Barnes Oysters



Barnes Oysters Ltd have been purchasing poly-boxes from Hope Moulded for 20+ years.

Bluff Oysters are a high value, high demand product when inseason. Poly-box's offer Barnes the best, safest, secure, temperature controlled method of delivering product around the country.

Barnes harvest, process, and distribute fresh chilled Bluff Oysters to all destinations around New Zealand, via overnight courier.

Overnight non-chilled courier services are the only overnight distribution option that are available to us.

Any chilled freight services to the North Island only offer at best a two day delivery service, and the costs are prohibitive. Due to the demand, short shelf life, and NZ food safety temperature requirements, Barnes are required to deliver product to supermarkets, wholesalers, retail outlets via overnight courier, and have product delivered at less than 5 degree C from our processing plant located at the bottom of the South Island.

Over the years we have tried other options for packaging, but no alternative has all the advantages that a poly-boxes offers.

A real risk to our product, is if the couriers have any sort of "blip" with their overnight service, which ends up with late deliveries, that end up with product rejections and claim for over-temperature. Polybox's are the only option that currently minimise that risk.

Couriers currently recognise a 'Poly Box' as a priority delivery, knowing they likely contain perishable food and need to be delivered urgently.... This might not be the case when everything is in a similar looking cardboard box, this would be a reasonable issue during busy periods where deliveries get delayed due to high volumes through logistics networks.

In summary, Barnes Oysters Ltd is reliant on the continued availability of poly-boxes to ensure that our product makes it to market place in a safe temperature controlled environment, enabling us to meet stringent food safety temperature requirements, while minimising losses on a high demand, high value product.

Graeme Wright, General Manager, Barnes Wild Bluff Oysters Ltd

Client Statement 5: High Country Salmon

We are worried to hear that poly boxes may be banned when there is currently nothing yet in the NZ market that can compete alongside poly boxes for insulation for large orders of fresh salmon product, especially in the middle of summer.

Polyboxes are amazing in maintaining a stable temperature during transit to all corners of NZ. Our product must stay at 4 degrees or under to maintain freshness.

Dispatch of salmon product is about 60% of our business so it is really important to get product to customers in quality condition.

They are durable and affordable and Courier companies seem to like them.

We operate in an isolated location and at present unable to access a chilled freight chain for our perishable freight so poly boxes are an important link in getting our product all over NZ.

Cheryl Ashton, High Country Salmon

Client Statement 6: Sanford

Sanford supports efforts to reduce impacts of plastics on the marine environment and has several programs underway to identify technologies and solutions to reduce plastics use within our supply chain. In relation to packaging specifically, seafood is a particularly challenging product for alternative solutions as a result of demanding packing line environments, product thermal specifications, liquid and odour containment needs, which must be met across chilled and non-chilled logistics networks.

Driven by the stringent food safety and quality demands for fresh seafood, challenging logistics networks, absence of end-to-end cool chain courier networks for major markets domestically and internationally, and the inability of currently available packaging alternatives to meet the thermal performance of EPS, Sanford is opposed to the MfE proposed 'mandatory phase-out' for EPS polyboxes.

Sanford consider that a 'product stewardship' or similar approach represents a preferable solution to avoid significant and major impacts on the wider seafood sector, whilst still achieving the desired environmental goals identified by the MfE.

Peter Longdill, General Manager Sustainability, Sanford

Client Statement 7: Cloudy Bay Clams

We have pursued alternative products to replace the Polystyrene package. One key product we have tested is Woolcool through Planet Protector, the product does have good general functionality but concerns with cost impact and inadequate managing of temperature extremes are a concern for us and remains the mitigating factor in our progression to replace the Polystyrene unit.

We have found the following:

- The labour cost is around \$1.75 to 2.50 per unit packed when compared to a Polystyrene box due to the excessive time taken to assemble the Wool cool unit.
- There are concerns around the cardboard box not being able to withstand our wet environment.
- The Wool cool unit cannot perform in line with a Polystyrene box at extreme temperatures. Our Asian markets also being our prime volume market often exceeds 30 degree ambient heat, at these temperatures and with the poor critical controls in place (often the case in these international locations) Wool cool could not perform as well after a 2 hour window of exposure. This was confirmed in chamber trials where after 2 hours exposure in extreme ambient heat saw a rapid depart in temperature stability when compared to the Polystyrene unit. This Live product will be in a Polystyrene box for around 72 hours.
- We do use unchilled courier trucks for our domestic transport for live shellfish in a Polystyrene package with an ice pack, the Poly Boxes will withstand such freight options while maintaining product integrity of our Live shellfish, our concern is that Wool Cool cannot sustain this freight option over a 24 hour period.

Alistair Simmons, Projects Manager, Cloudy Bay Clams Ltd

The graph overleaf shows the results of Cloudy Bay Clam's testing of Woolcool packaging.

As shown in the test graph, where the test ambient temperatures (e.g. temperatures outside the box) were higher (between 10-28 degrees), even for periods of between 2 - 4 hours the temperature inside boxes quickly increased by two to four degrees. Illustrating how upon exposure to higher external temperatures for longer periods, alternative kinds of packaging are not able to sustain chilling requirements for the length of period required.

As outlined in section 1.6 where the temperature of food rises to 5 degrees Celsius for more than 4 hours it must be thrown out.



FIGURE 2: EXAMPLE OF ALTERNATIVE PACKAGING TEST RESULTS, CLOUDY BAY CLAMS

Client Statement 8: Cawthorne Institute

At Cawthron we currently use poly boxes to transport scientific samples both within New Zealand and overseas. We include either ice packs or dry ice in the poly boxes with our samples. Cawthron acknowledge that plastic pollution is a major issue and we are involved in research to assess the risks and develop more sustainable alternative options. We ensure that our code of practice for the use and disposal of the material minimises any adverse impacts.

To our knowledge the poly box is currently the most suitable container for our shipments based on weight, insulation properties, moisture resistance, durability and strength. We would like to continue to use poly boxes unless a more suitable alternative is developed.

Any ban of poly box use would significantly impact our business as we could not reliably transport our sensitive scientific samples where temperature control during shipment is essential.

The samples that we transport cost thousands of dollars to generate and if they warm up during transport they will be rendered useless and cannot be replaced.

If poly boxes were banned we estimate that our transport costs would increase considerably as we would have to utilise refrigerated shipping or specialised scientific shipping equipment that can accommodate much fewer samples per shipment than we currently ship on dry ice in the poly boxes.

Dr Seumas Walker, Senior Aquaculture Scientist, CAWTHRON Institute

2.2 Client Statements: Biotechnology & Pharmaceutical

Client Statement 9: South Pacific Sera

South Pacific Sera is a biotechnology company based in Timaru that produces biologics, vaccines and pharmaceuticals for domestic and export use.

We are conscious of the materials we use and the effect they may have on the environment. Pharmaceutical cold chain logistics are very complex. Most of our products are stored and transported either chilled or frozen.

The vast majority of our customers are based overseas which means that shipments of our products are time and temperature sensitive. Our NZ based customers also receive our products under strict temperature control. South Pacific Sera uses polystyrene boxes where it is necessary to provide thermal and physical protection to our vital biological products.

Polystyrene boxes have been central to our ability to validate our shipping channels. These validation studies are complex and expensive but provide our customers and regulators the assurance required that our product will arrive unspoilt. Alternative packaging solutions which we have looked at do not provide the same level of thermal or physical protection, reliability or risk increasing the price (and therefore the accessibility) of the final pharmaceutical product.

In a highly regulated industry many of our shipment methods have to be validated to ensure that we can assure our customers and the regulatory authorities that we can transport our products safely and at the correct temperatures - maintaining the cool chain. Many of these validated processes include the use of poly boxes because of their superior mix of attributes.

We therefore ask that until an equally reliable alternative which has reduced impact on the environment and which won't push up the cost of pharmaceuticals is found, expanded polystyrene for biological shipments be exempt from consideration under this review.

Shipping & Logistics Department, South Pacific Sera Ltd

3 Response to Consultation (Q 1-5): Defining Hard to Recycle Plastics

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

No – rigid EPS packaging has strong international markets, is able to be returned to point of sale or a national network of recyclers and only creates litter or releases toxins if burnt or incorrectly disposed of.

The Glossary provided within the consultation document defines Hard-to-Recycle as:

- · Limited markets for recycling or
- Technically difficult to recycle

It is our submission that EPS poly boxes do not fit within this definition.

| Assessment of EPS Poly Boxes against Hard-to-Recycle Plastics Definition | | | |
|--|--|--|--|
| Limited markets for recycling | There are strong international markets for rigid Expanded Polystyrene | | |
| Technically difficult to recycle | EPS is not suitable for kerbside collection BUT EPS is suitable for point of sale returns, product take back and recycling networks Rigid EPS can easily be melted down and reused in new products Up to 50% recycled content can be put into EPS building products – this is already happening within the New Zealand market All production offcuts are being recycled Less virgin material is being used as a result of increased use of recycled material In 2019 Plastics New Zealand notes that the EPS Sector Group collectively recycled over 150,000 cubic metres of EPS | | |

The basis for inclusion of a ban on Polystyrene provided by the Ministry for the Environment in the consultation document is as follows:

Polystyrene (6) does not interfere with recycling in the same way as PVC, but is difficult to recycle due to limited offshore markets. Secondly, expanded polystyrene (EPS: 6) is a source of marine litter. Recent data from Sustainable Coastlines shows that foamed plastic containers, such as EPS, make up around 6.2 per cent of litter on New

Zealand beaches. This percentage may seem small but as EPS is lightweight, it is easily windblown. It also fragments easily, making it at high risk of causing microplastic pollution. Microplastics are extremely small pieces of plastic debris in the environment. We note that many types of plastic can break down into very small particles and become microplastics over time. Reducing the impact of plastic on our environment. Some studies indicate that foamed plastic containers can take thousands of years to decompose, contaminating soil and water, and posing risk to wildlife from ingestion. There are also concerns about the potential health impacts from the toxins in polystyrene, and the carcinogenic chemicals in EPS and other foamed containers.

Hope Moulded Polystyrene **supports** the proposal to ban foamed Polystyrene food service ware - e.g. takeaway cups, containers and clamshells. We note that take away packaging is frequently littered and a significant environmental concern. Food service ware is typically contaminated with food, of lower value than rigid EPS and therefore difficult to recycle and there are readily available alternatives. Therefore meeting the requirements of the Waste Minimisation Act.

Hope Moulded Polystyrene **disagrees** with the description provided in relation to Expanded Polystyrene (EPS), as it would apply to rigid EPS poly boxes and requests that the Ministry consider making a separate assessment for these products, as follows:

3.1.1 Access to Offshore Markets

- There is strong offshore demand and markets for Expanded Polystyrene (EPS) poly boxes with recovered post-consumer materials currently being exported, and while we acknowledge that market prices do fluctuate these remain strong
- EPS poly boxes and rigid packaging recovered for recycling are not exported as a mixed grade plastic recyclate and therefore derive a higher value
- EPS poly boxes / building products and post-consumer packaging that has been collected for recycling can be processed in 2 ways. Firstly, granulated and put back into suitable new polystyrene products or secondly, compacted or hot melted into a solid block, ready for export.
- Recycled Polystyrene products include coat hangers, picture frames and engineered timbers.

3.1.2 Reuse

- EPS boxes or poly boxes are our main product.
- A significant proportion of our clients reuse these items more than once
- For example, these boxes are used for the distribution of temperature sensitive pharmaceuticals. With boxes being reused until they begin to show signs of wear. At which stage our clients are able to access a network of recycling providers across New Zealand to recycle these at: <u>https://www.hmp.co.nz/a-recycler-in-your-area</u>

3.1.3 Access to EPS Recycling

- Our EPS poly boxes can be collected through a network of recycling operators and drop off points across New Zealand, also at the point of sale through some retailers including Mitre 10 and internationally.
- There is now a network of over 39 recycling collection sites available across New Zealand: <u>www.hmp.co.nz/recycling</u> and networks for international collection accessible through international Expanded Polystyrene Associations.

3.1.4 Litter

- Expanded Polystyrene is **not** collected at kerbside as part of New Zealand's municipal recycling collections it is **not** suitable for these collections because of its low specific gravity it is easily blown away to become litter.
- As a manufacturer we are part of Plastics New Zealand's Operation Clean Sweep programme with a focus on eliminating any marine litter created from our manufacturing site
- Litter is typically caused when EPS is cut or broken outdoors or incorrectly disposed of
- Sales of our Poly Boxes are primarily direct to businesses who then use these to package and distribute their goods to both domestic and international markets and is therefore business to business in nature
- Hope Moulded Polystyrene provides guidance on storage, handling and recycling of our products to all of our customers, with a network of recyclers and drop off points across New Zealand and internationally: www.hmp.co.nz/recycling
- This recycling service infrastructure has increased by >105% over the past year alone, with 39 collection sites across New Zealand to date
- We note that some customers, and in turn their customers, do also reuse this packaging

3.1.5 Chemicals

- Polystyrene mainly contains the chemical elements carbon and hydrogen and is relatively chemically inert
- Styrene, which is known as a carcinogen, can leach from EPS packaging when it is burnt²⁰
- EPS boxes are not burnt or incinerated for disposal within New Zealand avoiding this impact
- Maximising the recovery of our products for recycling is the most effective way we can avoid any unnecessary chemical release through burning

3.1.6 A Life Cycle Approach to Packaging

- The description provided excludes all consideration of the full life cycle impacts of packaging decisions
- By considering only end-of-life impacts there is a risk that less sustainable packaging choices are made and unintended consequences result
- The use of EPS poly boxes is widespread by the New Zealand primary produce and pharmaceutical sectors because of the significant wider life cycle benefits that they provide for example:
 - Light weight meaning lower costs and lower carbon emissions for shipping
 - Insulation capability avoiding the need for refrigerated transportation – resulting in lower costs and less carbon emissions
 - Couriers currently recognise a 'Poly Box' as a priority delivery, knowing they likely contain perishable food and need to be delivered urgently – avoiding significant food waste and ensuring animal welfare and health regulations are adhered to – ensuring food waste is

²⁰ Department of Health and Human Services and the International Agency for Research on Cancer.

⁽https://ntp.niehs.nih.gov/ntp/roc/content/profiles/styrene.pdf) - source: https://cehn.org/our-work/eco-healthy-child-care/ehcc-faqs/faqs-styrofoamtm/

prevented, and the embodied carbon emissions associated with these products

- EPS poly boxes prevent waste by ensuing food and pharmaceutical products are kept chilled in transit
- Protection EPS poly boxes naturally absorb shocks, are durable, able to be reused and unaffected by moisture – meaning less product damage and waste
- Ability to Stack making transport and storage easier, ensuring no product damage or food wastage – we note that some couriers refuse to transport seafood products in cardboard due to issues with leaks and odour
- EPS boxes are fully recyclable

Couriers currently recognise a 'Poly Bin' as a priority delivery, knowing they likely contain perishable food or items that need to be delivered urgently – avoiding significant food waste and ensuring animal welfare and health regulations are adhered to

2. Have we identified the correct objectives? If not, why?

Yes, we agree with the focus on single use packaging and avoiding packaging which is of low value or a contaminant in recycling streams or is unrecyclable. However we note that these decisions must also be made taking into account the full life cycle impacts.

We refute the basis for including EPS poly boxes within this definition of hard to recycle plastic for the reasons outlined above.

We also reiterate Seafood New Zealand's concern, with respect to seafood, that it must be packed in a manner that maintains quality and food safety, otherwise it itself very quickly becomes waste. Food safety, and avoiding food waste, must also be a priority consideration for the Government in determining any future actions associated with plastic reduction, as it is for industry when assessing alternative packaging options for viability. We note that these concerns equally apply to pharmaceutical products.

3. Do you agree that these are the correct options to consider? If not, why?

• We agree with the list of options offered for consideration.

- We **agree** with the recommendation to **ban** foamed Polystyrene food service ware e.g. takeaway cups, containers, and clamshells.
- We disagree with the recommendation to ban rigid EPS packaging in the form of poly boxes
- We recommend that the Ministry for the Environment adopt:
 - Option 5 for regulated product stewardship of EPS poly boxes and
 - Option 3 labelling requirements for these to ensure that end customers are consistently informed about recycling options in their applicable national and international end markets.

New Zealand EPS manufacturers have already been working to establish voluntary product stewardship for rigid EPS packaging and construction waste.



Moulded Hope Polystyrene has been accepting EPS for recycling from customers and the Nelson and Tasman communities since 2015 as shown in the graph below. Collecting over 2,875 cubic metres to date²¹.

Introduction of regulatory product stewardship will ensure a level playing field for all parties involved in the production, import, use, recovery and recycling of EPS. With the wider Plastics New Zealand EPS group collecting over 150,000 cubic metres of EPS for recycling in 2019.

4. Have we identified the right criteria (including weighting) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

The criteria are correct but the definitions for the criteria and the weighting applied is not.

The emphasis is skewed in favour of effectiveness in eliminating the single use plastic packaging products referenced, ahead of achieving strategic outcomes in alignment with the waste hierarchy and minimising environmental and social impacts across the full life

²¹ Please note that the volume returned in the 2020 year to date has been significantly impacted by COVID-19 pandemic and is expected to return to normal levels as restrictions lift in 2021.

cycle. Measuring effectiveness should also address the effectiveness of alternatives in meeting wider health, environmental and waste goals.

In the case of EPS poly boxes replacement options identified are also single use. With multiple components requiring multiple recycling streams: for cardboard, liners, plastic film, non-recyclable ice packs and composting or landfill of wool fibre or other non-recyclable insulation material layers. Meaning there is no movement up the waste hierarchy created by this switch.

Switching one recyclable product for another does not necessarily provide any additional environmental gain. Especially where all client evidence points to potential failure of these alternatives in meeting performance requirements which would result in increased food and pharmaceutical waste.

On this basis effectiveness of packaging performance should be given weighting as well. We also submit that each individual packaging type and application needs independent assessment.

As noted above we submit that option 5 and 3 would be more effective solutions for EPS poly box packaging solutions.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

As noted above Hope Moulded Polystyrene recommends the adoption of options 3 and 5 for product labelling and regulated product stewardship to ensure higher recovery rates of EPS poly boxes.

4 Response to Consultation (Q 6-15,23): Proposal 1: Phase out of hard-to-recycle plastics

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Hope Moulded Polystyrene does not support the ban of EPS poly boxes for the reasons outlined above.

7. Have we identified the right packaging items that would be covered by a phase out of PVC and polystyrene packaging? If not, what you include or leave out, and why?

An exemption should be applied to EPS poly boxes.

The request for this exemption is made on the following basis:

- These boxes are an essential part of the domestic and international supply chain
- Poly boxes are commonly used for the distribution of:
 - o Seafood, including fish, crayfish, oysters, mussels
 - o Meat
 - o Dairy
 - Pharmaceuticals and
 - Other less common items like tropical fish
- The insulation provided by this material guarantees a longer possible distribution time for items which need to remain chilled in transit both domestically and internationally but that are not distributed using refrigerated vehicles or planes
- The boxes provide an essential service particularly to the food and pharmaceutical sectors
- Poly boxes are particularly essential for New Zealand's small to medium sized food providers who are unable to meet the higher costs of refrigerated courier services, including from remote locations where there are none of these services, as they are distributing smaller volumes of goods
- As New Zealand's summers become hotter as a result of Climate Change we are experiencing more hot days of over 25 degrees²² the capability of this packaging becomes even more essential to avoid unnecessary food and product waste
- Poly boxes are an essential item in the distribution of food and the avoidance of food waste in New Zealand
- Many of the food items being distributed in poly boxes are high value, for example \$800 worth of shell fish in a 20 kilogram box, as are vaccines and

²² <u>https://www.ehinz.ac.nz/indicators/climate-change/temperature-our-changing-climate/</u>

other medications, meaning high financial losses if alternative packaging options fail to keep the product at the required temperature during transit

- Our customers have been trialling alternative products for some time now but have not been able to demonstrate that their needs for keeping products chilled are met
- Poly boxes are well proven, meeting the demands of the New Zealand supply chain for unrefrigerated packaging
- The majority of seafood producers use wet lines for processing and packaging which mean that cardboard packaging alternatives are not suitable for use in these environments
- Banning poly boxes will have unintended consequences including:
 - o closure of domestic businesses and loss of employment
 - significant costs for the seafood industry as they would need to convert existing lines into dry packaging areas
 - an increase in packaging costs (approx \$3.50 per unit for larger poly box replacements)
 - increasing cost barriers for small to medium sized New Zealand food producers
 - o a resulting increase in food and pharmaceutical prices
 - an increase in distribution costs and greenhouse emissions as a result of an increase in the demand for refrigerated transportation
 - an increase in single use packaging imports (replacing domestically manufactured poly boxes) and
 - o an increase in food and pharmaceutical waste

Alternative Solution

 EPS recycling networks are being actively developed across New Zealand and despite recent changes in the international market for recycled materials both demand and prices for recovered materials remain strong. On this basis we recommend adoption of regulated product stewardship for EPS packaging

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g. not just food and beverage and EPS packaging)? Please explain your answer

As above we recommend an exclusion for EPS boxes, or poly boxes for the reasons outlined.

9. What would the likely costs of benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?



Hope Moulded Polystyrene is one of just over 20 businesses in New Zealand who have signed the New Zealand Plastics Packaging Declaration making a formal commitment to becoming part of the circular economy.

But if subjected to this ban we will face closure and the loss of 15 full time jobs.

The Ministry for the Environment has provided no cost benefit analysis.

Our opinion is that implementation of a mandatory ban which covers EPS poly boxes will place undue costs on New Zealand and on those businesses directly affected across manufacturing, food and pharmaceutical sectors.

In subsequent sections we highlight areas of cost and impact that must be considered in this analysis as they relate to EPS poly boxes.

FIGURE 3: IMAGE SHOWING HOPE MOULDED POLYSTYRENE'S SOLAR ROOF

A ban on EPS packaging would mean the closure of our business, the loss of 15 jobs and revenue from a multi-million-dollar business to the Tasman and Nelson community.

10. Do you believe there are practical alternatives to replace hard to recycle packaging (PVC, polystyrene and EPS)? If not, why?

Feedback from our clients is that there are not currently viable market alternatives to the poly box - as set out within the client statements included within section 2 of this submission.

We do not believe there are practical alternatives available for Expanded Polystyrene boxes (poly boxes) that meet the performance requirements of our customers for New Zealand's unique domestic and international supply chain.

Our key reasons are:

- Our clients have been unable to find an alternative packaging solutions which meet their packaging requirements
- Our clients provide essential items like vaccines and other temperature sensitive products
- The superior insulation properties offered by EPS, which resists temperature fluctuations, minimises the risk of products being spoiled in transit
- A lack of ability to maintain consistent temperature levels, for significant periods of time, within the boxes during unrefrigerated distribution is the main barrier for alternative products entering the market
- Packaging which falls short of these requirements would create significant health and animal welfare risks
- Packaging which falls short of these requirements would create significant food and medical waste
- Super lightweight yet durable nature of EPS packaging
- Our ability to offer a leak proof, stackable design which is also able to withstand wet environments
- We note that some couriers refuse to accept seafood in cardboard packaging due to
 ongoing issues with leaks and resulting odours and contamination
- Reliance of NZ food and pharmaceutical businesses on unrefrigerated domestic and international distribution

We reference the Plastics New Zealand submission on behalf of the EPS sector group which sets out more detail in relation to specific alternative packaging types and endorse their assessment of these.

Example of Alternative Packaging Failure

The recent HelloFresh recall of trevally fillets due to elevated histamine levels (which is caused by a break-down of the cold-chain) within New Zealand has highlighted the critical importance of temperature control of chilled seafood during transport and distribution²³. HelloFresh use cardboard boxes with cool pouches for distribution²⁴.



11. Do you agree with a mandatory phase-out of oxo-degradable plastics by January 2023? If not, why?

Yes, we support the mandatory phase out of oxo-degradable plastics. We submit that photodegradable plastics also be added to the ban.

²³ https://www.mpi.govt.nz/food-safety-home/food-recalls-and-complaints/recalled-foodproducts/hellofresh-brand-trevally-fillets/?utm_source=notification-email ²⁴ https://support.hellofresh.co.nz/bc/en.us/articles/360014511051 What am L supposed

²⁴ https://support.hellofresh.co.nz/hc/en-us/articles/360014511051-What-am-I-supposed-to-do-withthe-packaging-

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

Not applicable

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Under the Waste Minimisation Act 2008 Section 23 (3)(b) (ii-iii) before recommending the making of regulations under subsection (1) the Minister must be satisfied that:

- (ii) the benefits expected from implementing the regulations exceed the costs expected from implementing the regulations; and
- (iii) the regulations are consistent with New Zealand's international obligations.

The table of estimated costs provided within the consultation document does not include the costs and impacts of the following:

- There are significant financial implications for New Zealand businesses
- A ban would force closure of our business and the loss of 15 full time jobs
- Based in Hope, Nelson this closure would have a significant impact on our local community and its economy
- Our closure would mean a multi-million-dollar loss in revenue for the region
- Our closure would end our provision of free Expanded Polystyrene recycling services to the Nelson and Marlborough regions and the recovery of over 850 cubic metres of expanded polystyrene for recycling per annum
- Business users of EPS poly boxes, including New Zealand food producers and pharmaceutical suppliers:
 - The cost of replacing existing wet line processing and packaging lines across the seafood sector
 - Additional cost per unit of alternative packaging options (approximately \$3.50 per unit)
 - Additional cost of packing (estimated as \$1.75 to \$2.00 per unit by one business)
 - The risk and cost of spoiled food losses, product recalls and related reputational damage if alternative packaging options do not meet cold chain requirements in transit
 - Loss of export markets where export requirements are no longer able to be met e.g. Japan
 - o Health risks of pharmaceutical and medical products
 - Introduction of cost prohibitive refrigerated courier services for small to medium sized local food producers across New Zealand, including seafood, meat, dairy and
 - Public
 - The alternative proposed by the Ministry for the Environment within the consultation document is also single use

- As the per unit cost of this alternative packaging is higher this will result in additional costs being passed onto end consumers meaning higher costs for the seafood, meat, dairy and pharmaceutical products
- Customers will not save money as claimed

Local Government

- The alternative products proposed are single use with four to five components including cardboard, wool or other insulative layers, cool packs and plastic liners, which will increase the amount of packaging being sent for recycling
- o It is noted that most municipal authorities in New Zealand do not offer:
 - compost collections or
 - soft plastics recycling and
 - that many cool packs are not recyclable and result in an increase in waste to landfill

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

We reference the Plastics New Zealand submission on behalf of the EPS sector group which sets out more detail in relation to the costs, benefits and associated economic impacts of an EPS product ban and endorse the comments made in section 8 of their submission.

A phase out of EPS poly boxes would have significant cost burdens for a number of important sectors, including New Zealand EPS packaging manufacturers, Seafood, Primary Produce and Pharmaceutical providers as well as end consumers.

We note that no assessment of the actual costs has been provided in the consultation document.

A full cost benefit analysis needs to be completed to understand the impact on the taxpayer, businesses, these sectors and New Zealand overall.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

We do not consider EPS poly boxes hard to recycle.

Adoption of a regulatory product stewardship scheme would support our business by ensuring that other users of EPS packaging across New Zealand also contribute to the recovery and recycling of the material. Creating a more level playing field for our business.

23. How should the proposals in this document be monitored for compliance?

Current provisions seem sufficient. We note that many of our customers that we have contacted have not been aware of plans for the intended ban of EPS packaging so much more extensive communication in the lead up to any bans or product stewardship regulations taking effect is required.

Particularly in the food sector and through related industry organisations.

SUBMISSION ENDS

Phone 03 314-8816 | Fax 03 314-9181 | Email info@hurunui.govt.nz Web hurunui.govt.nz | facebook.com/HurunuiDistrictCouncil Skype hdc_customer_services | twitter.com/hurunuidc



27 November 2020

Reducing the impact of plastic consultation Ministry for the Environment PO Box 10362 Wellington 6143

Via email to: plastics.consultation@mfe.govt.nz

Submission on the Reducing the impact of plastic consultation

The Hurunui District Council thanks the Ministry for the Environment for the opportunity to comment on the Reducing the Impact of Plastic on our Environment Consultation Document.

The Hurunui District is located in North Canterbury. We have approximately 12,500 residents and cover an area of 8,600km² of predominantly rural land. Our District spans from the east coast to the Main Divide. The Hurunui District is primarily a primary producer characterised by small service towns and vast distances to markets.

Council runs five transfer stations across the District located in Amberley, Cheviot, Culverden, Hanmer Springs and Waiau. We also carry out kerbside collection in many areas throughout the District.

A user pays bag system for refuse and recycling is the main method of waste and recycling collection and bags can be attained from various distribution places. Bags are picked up through kerbside collection and deposited at the transfer station. The transfer station also offers the opportunity to deposit waste and recycling directly.

Council has found that using clear bags means that we continually have less than a 1% contamination rate of our recycling. This means almost all of our recycling actually ends up being recycled. As a result of these bags, no recycling has been rejected at EcoCentral in Christchurch, a significant achievement, particularly in light of recent changes to the acceptance criteria and Covid. Moreover, we find the system is easy to educate. If the recycling is contaminated, our waste collectors apply a label on the bag advising the owner why the bag has been rejected. Across our whole District we only have to label up to 5 bags per week (these are usually in our holiday town of Hanmer Springs).

Until the plastic bag ban, we were able to recycle the used plastic recycling bags via EcoCentral, however Council is keen to identify an outlet able to recycle this form of soft plastic at an affordable cost.

The Consultation Document sets out a range of questions which we provide answers to the relevant questions below.

Defining hard to use recycle plastic packaging

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Council supports the definition of hard-to-recycle plastic packaging. Council currently only accepts rigid plastic types 1, 2 and 5. This is the case across Canterbury.

2. Have we identified the correct objectives? If not, why?

Council supports the main objective particularly the approach of significantly reducing the amount of plastic used. The secondary objectives seem to cover the major issues.

Identification and assessment of options

- 3. Do you agree that these are the correct options to consider? If not, why?
- 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?
- 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Council agrees with the options evaluated – this seems to be a comprehensive list and covers all bases. We are comfortable with the assessment criteria used but do have some concerns with the conclusions drawn in Table 3 given the uncertainties in the information used to reach that conclusion.

A mandatory phase-out comes at a significant cost to small businesses and will not necessarily achieve all of the objectives. In particular, it is unlikely to reduce public confusion around recycling or address issues with contaminated recycling. The assessment seems to miss opportunities to implement a variety of measures simultaneously to achieve the various objectives. For example, a combination of improved/simplified labelling on recyclables, improved education and a slower mandatory phase out may meet the objectives at a lower cost.

Proposal 1: Phase out hard-to-recycle plastics

- 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?
- 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Council supports realistic timeframes for phasing out PVC and polystyrene packaging. Some businesses are already moving away from using these products. We do have concerns with the tight timeframes of the mandatory phase out if this is to occur by January 2023.

There is a risk that if change is forced we will end up with maladaptation. For example, a pizza box is made out of cardboard but can't be recycled as it has been contaminated and has a waxy coating. There is a risk that as we move away from plastic the favoured alternative might also be single use.

While pressure needs to be put on to ensure change does occur, the timeframes need to be suitably realistic to ensure that the solution does not create a bigger problem.

- 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.
- 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

The benefits table and subsequent summary states that a mandatory phase out will:

- help to clean up our kerbside recycling system, making it more likely that the materials collected can be recycled effectively
- save costs for local government and the waste industry, who will have less contamination and complexity in the recycling system, and less litter
- reduce confusion for retailers and brand owners, by removing some of the hard-to-recycle and harmful materials from the system, making it easier for them to invest in more sustainable materials.

However, we note that recycling contamination is not limited to incorrectly recycled plastics but includes general waste and unclean correctly recycled plastics as well. It is not clear how a mandatory phase out will improve public attitudes towards recycling. Moreover, EcoCentral are currently experiencing problems with high levels of recycling contamination through recycling gathered through wheelie bin collections. A mandatory phase out would not improve this.

It is also not clear how a mandatory phase out will reduce litter. For example, the document suggests that plastic takeaway containers are replaced with cardboard containers. While a mandatory phase out may reduce plastic litter it will not necessary reduce the amount of overall litter as suggested. Moreover the cardboard containers if used for food are likely to be contaminated and therefore unable to be recycled.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

To encourage a move away from hard-to-recycle plastic packaging and improve recycling practices are some options are:

- **Easy to read labels** While most people know to look for the recycling label, the system is complicated as only some products with a label are recyclable. Moreover, which products can be recycled varies across New Zealand. Labelling could be as simple as whether something can be recycled or not.
- Incentives for recycling Overseas there are examples where if you recycle you get money back. There are opportunities for such scenes in New Zealand to encourage individuals to recycle certain products.
- Incentives for moving away from single use products While this proposal excludes single use coffee cups, there are opportunities to incentivise the use of reusable products such as charging a small fee for a single use cup or having free water bottle refill locations around New Zealand.
- **Realistic and practical alternatives** Prior to a mandatory phase out there needs to be a suitable alternative that does not just transfer the problem to another hard-to-recycle product. This should focus on locally manufactured alternatives.
- **Education** When the changes are rolled out there needs to be clear and straightforward messaging to help people do the right thing.

Proposal 2: take action on single-use plastic options

- 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.
- 17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Council is of the view that all of the items targeted by table 7 are comparatively small and inconsequential. We support the inclusion of things like produce stickers, straws and cotton buds but

believe there is capacity to include bigger items such as plant pots and trays, election hoardings and construction waste.

We are also of the view that the government needs to be bolder and address more controversial waste items such as disposable nappies. We acknowledge that these have an element of convenience but note that there are alternatives and if pushed the market will develop other more convenient alternatives.

We are generally supportive of including items on the list provided. However we are unsure why exemptions are necessary for disabled persons and medical purposes. It would seem the alternatives are available to provide for these purposes and the definition would be expanded to include a thickness of plastic. It would seem exemptions such as allowing catering establishments to provide a straw on request is a soft option and does not truly phase out single use straws as there will remain a need to import them and a catering establishment will not be able to ask whether the person requiring the straw is disabled or not.

- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.
 a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.
- 22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Given the pressures on small businesses a three year phase-out period seems appropriate. The timeframe needs to consider the flow on cost to the customer. In some instances, time is going to be required to develop a cost-effective and environmentally-friendly alternative. This could vary between products where suitable alternatives are already available.

We also note that Covid has introduced issues with the supply chain. This may impact the time it takes for practical alternatives to be available. Focus should be on supporting locally produced alternatives.

- 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.
- 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Council is of the view that greater action needs to be taken on reducing single-use coffee cups. We consider that there are alternative options available currently.

- **Reusable coffee cups** These are readily available and there are affordable options available already. Those that can afford to buy takeaway coffee can afford the \$10-15 for a reusable cup. Cafés could stock reusable cups and offer the first coffee free on the purchase of one.
- **Cups for tourist** It could be argued that tourists have a greater need for single use cups due to their limited stay however tourists are more likely to drink their coffee at a café or have disposable money to spend on a reusable cup. There is also an option to use the ban to promote our climate change action. This could include the option to purchase a New Zealand survival pack at the airport including a reusable shopping bag, reusable drink bottle and reusable coffee cup. Alternatively, given the money spent dealing with reusable coffee cups there could be merit in gifting a kiwi-themed reusable cup to tourist on arrival as a welcome gift.
- Incentives Cafés should be encouraged to offer greater incentives to bring reusable cups. For example, some cafes offer a small discount to customers who bring a reusable cup or offer deals such as 'your first coffee free' if you purchase a reusable cup from the café.

Council is also of the view that stronger action needs to be taken on banning wet wipes. Biodegradable wet wipes are already on the market and there are options to make this a cost effective solution for those who use them. Wet wipes are a huge problem in our sewerage networks as well and this is an opportunity to address two issues simultaneously.

Compliance, monitoring and enforcement of regulations

23. How should the proposals in this document be monitored for compliance?

There is limited information included in the proposal about monitoring. It is unclear whether monitoring will be targeted towards small businesses or at the manufacturers. We support monitoring focused on manufacturers.

Yours sincerely,

Manie & Black.

Marie Black, Mayor (on behalf of the Hurunui District Council)

Address for service: Hurunui District Council Attn: Monique Eade, Senior Planner PO Box 13 Amberley 7441 Email: monique.eade@hurunui.govt.nz DDI: 03 314 0095

Response to the Ministry for the Environment on consultation document:

Reducing the impact of plastic on our environment – moving away from hard-torecycle and single-use items

Publication date: August 2020

Publication reference number: ME 1520

Prepared by Irene Thomas 3-11-2020

Thank you for the opportunity to provide comment to the above document.

I disagree with the approach taken in this document, which appears to be largely a response to a litter problem. As such, it does not seem appropriate to use the pre-prepared questions to answer, therefore I wish to provide the following comments as my response to the consultation document:

We know that plastics have some spectacular advantages over alternatives but are causing unacceptable environmental problems, including litter. 80% of the plastics found in the ocean is estimated to have come from land-based sources. (1) Although banning the use of single-use-hard to recycle-items may reduce plastic leakage, it does not fix our management of litter and it may in fact lead to more environmental problems. (2)

Our approach should be based on logic and sound science. This is consistent with the view of the Office of the Prime Minister's Chief Science Advisor, who states:" We need to reduce plastic pollution at source by using less, reusing what we do use, and stopping litter" (2).

Our approach should follow the following principles:

- Elimination of all unnecessary plastic (3). Only packaging that is necessary for technological performance should be allowed e.g. that for keeping food hygienic/safe may be favoured, as opposed to say, hard plastic packs used solely for shop display.
- Using sustainable inputs for plastics or purchasing only from sustainable supply. The use of petrochemical stocks is not sustainable.
- Improving options for used plastics including options such as recycling, composting, and incineration for unmanageable plastics. (4). This must be backed up by clear labelling and easy recycling/sorting. Plastic must not be able to leak into the environment.
- Measuring the impacts of using plastic vs alternatives on the environment. This should include a complete life cycle assessment.

Consultation needs to include industry, government, local government, and science representatives. There are a number of examples of approaches used overseas that could provide a starting point for our endeavors. This to me would prove long term to be a more sustainable approach.

Thank you

References:

(1) https://ec.europa.eu/environment/marine/good-environmental-status/descriptor-10/index_en.htm accessed from https://www.bpf.co.uk/packaging/environment.aspx

(2) Rethinking Plastics in Aotearoa New Zealand December 2019 Office of the Prime Minister's Chief Science Advisor pg 32

(3 A circular economy for plastic in which it never becomes waste.

https://www.newplasticseconomy.org/assets/doc/npec-vision.pdf sourced from: ellenmacarthurfoundation.org accessed 30-10-2020

(4) <u>https://www.plastics.org.nz/environment/recycling-disposal/alternatives-to-recycling accessed 30/10/2020</u>
Japan Machinery Center for Trade and Investment

No.401 Kikai Shinko Kaikan 5-8, Shibakoen 3-chome Minato-ku, Tokyo 105-0011 Japan

Telephone: 81-3-3431-9230 Facsimile: 81-3-3436-6455 WEB: http://www.jmcti.org

October 27, 2020

New Zealand Ministry for the Environment Manatū Mō Te Taiao PO Box 10362, Wellington 6143, New Zealand

Dear Sirs

Japan Machinery Center for Trade and Investment is a nonprofit organization established in 1952 in accordance with the Export and Import Transaction Law. It comprises about 240 major and medium-ranked companies engaged in exporting or investing in a broad range of machinery, including manufacturers of electrical and electronic equipment, trading firms and engineering companies.

Our committee handles environmental and product safety issues over products for trade and is strongly concerned with overseas environment-and product safety related regulations on product. From this standpoint, we would like to comment on consultation document regarding "Reducing the impact of plastic on our environment - MOVING AWAY FROM HARD-TO-RECYCLE AND SINGLE-USE ITEMS " published in August, 2020 by the Ministry for the Environment of New Zealand.

If you have any questions, please feel free to contact our secretariat (Mr. Chiaki Morikawa, E-mail: <u>morikawa@jmcti.or.jp</u>).

Sincerely yours,

Gasuhiko Kanno

Yasuhiko Kanno Chairman Environment Law Committee Japan Machinery Center for Trade and Investment <u>URL: https://www.jmcti.org/jmchomepage/english/index htm</u>

Postal Address: No.401 Kikai Shnko Kaikan 5-8, Shibakoen 3chome Minato-ku, Tokyo 105-0011 Telephone Number: 81-3-3431-9230

Japan Machinery Center for Trade and Investment

No.401 Kikai Shinko Kaikan 5-8, Shibakoen 3-chome Minato-ku, Tokyo 105-0011 Japan

Telephone: 81-3-3431-9230 Facsimile: 81-3-3436-6455 WEB: http://www.jmcti.org

Our Comments on consultation document regarding "Reducing the impact of plastic on our environment"

October 27, 2020

Dear Sirs,

We, Japan Machinery Center for Trade and Investment (JMC) would like to express our gratitude to your effort on the consultation document regarding "Reducing the impact of plastic on our environment".

We are firmly committed to protecting human health, product safety and the environment and then, to complying with various regulations as defined by worldwide countries.

In this spirit, we have carefully and conscientiously examined the proposed the consultation document regarding "Reducing the impact of plastic on our environment" and would like to offer the following comments towards making the proposed procedures more practicable, feasible and permanent, while ensuring appropriate and sufficient protection of the environment.

We would greatly appreciate it if you take them into consideration carefully.

1. Exclusion of EPS (expanded polystyrene) packaging for electronics products from a ban on all EPS) packaging

We would like to ask you to exclude the electronics from the expanded polystyrene packaging. Specifically on page 38 of the consultation document is written like:

Proposal 1: Phase out hard-to-recycle plastics Reducing the impact of PVC and polystyrene Stage2. (later by January 2025) A ban on all expanded polystyrene (EPS) packaging: "All EPS packaging for products," includes electronic.

EPS packaging for electronics should be excluded with the following reasons:

- (1) There is no alternative to EPS by means of current technologies. In order to sell electronics products in New Zealand, it is necessary to transport them with EPS packaging so as to guarantee the quality of electronics products, which include many precision instruments for long-term transportation through long supply chain from the place of production. In the development process of electronics, cushioning materials are designed after undergoing rigorous vibration and drop tests etc. and the EPS is the most suitable materials for them.
- (2) Cushioning materials, such as pulp mold and laminated corrugated cardboard, can be considered as alternatives of EPS (mentioned in "Table 5: Examples of alternatives for hard-to-recycle items made from PVC and polystyrene" on page 41 of the consultation document), while due to their inferior cushioning properties, if any other cushioning materials than EPS are applied to guarantee the equivalent performance, more materials than the amount of the EPS are needed. This will result in much higher environmental load than EPS.

Japan Machinery Center for Trade and Investment

No.401 Kikai Shinko Kaikan 5-8, Shibakoen 3-chome Minato-ku, Tokyo 105-0011 Japan

Telephone: 81-3-3431-9230 Facsimile: 81-3-3436-6455 WEB: http://www.jmcti.org

(3) The EPS packaging for electronics does not need to be cleaned and is easy to be recycled.

It should be treated separately from food packaging that is difficult to remove stains ^(see * 1). Therefore, the EPS used for electronics packaging should not be subject to "hard-to-recycle plastics".

^(*1) LIFE EPS SURE project of EU(See Page 1) :

https://ec.europa.eu/environment/life/project/Projects/index.cfm?fuseaction=search.dsp Page&n_proj_id=6184&docType=pdf

2. Scope Priorities for EPS

Most of the sources of plastic waste are packaging for food, personal care, and healthcare products etc., and the EPS used for these categories should be regarded as the first priorities of scope for EPS ^(see * 2):

^(*2) EU Plastic Strategies (See Page 3, 2nd paragraph of "What are single-use plastics and how are you tackling them? ")

https://ec.europa.eu/commission/presscorner/detail/en/MEMO 18 6

3. Polystyrene(PS) as recyclable material

In "the figure 3: Ease of recycling different types of plastic" on page 15 in the consultation document, PS is classified as the material that is difficult to be recycled, while it should be treated as a recyclable material like other plastic materials such as PET and PP. Since PS are the recyclable materials (^{see *3}), we would like you to further consider as an effective resource utilization as target of the Circular Economy. Please refer to the following site. (See Page 15 of Report with related to German Packaging Act and The Parliament News)

(*3)Umweltbundesamt (UBA) Report with related to German Packaging Act <u>https://www.verpackungsregister.org/fileadmin/files/Mindeststandard/Minimum_standar</u> <u>d_Packaging-Act_2020.pdf</u> German Packaging Act (Verpackungsgesetz)

https://www.gesetze-im-internet.de/verpackg/VerpackG.pdf

(*3) The Parliament News(deal with latest news on the European Parliament, European Commission and European Council) <u>https://www.theparliamentmagazine.eu/news/article/polystyrene-a-highly-recyclable-plastic</u>

We would greatly appreciate it if you take our comment into consideration carefully.

RAIA The Japan Refrigeration and Air Conditioning Industry Association

KIKAI SHINKO BLDG. 201. 3-5-8, SHIBAKOEN, MINATO-KU TOKYO 105-0011 JAPAN

3rd December, 2020

JRAIA's comments on **Plastic Consultation**

The Japan Refrigeration and Air Conditioning Industry Association (JRAIA) representing manufacturers of refrigeration and air conditioning equipment in Japan is continuously pursuing and supporting the development of environmentally friendly technologies to contribute to the conservation of the global environment.

Responding to environmental issues is one of the main activities of JRAIA, and JRAIA supports the New Zealand Government's basic policy on environmental issues and would like to support your proactive efforts.

However, there are some ambiguities in the proposed document this time, and we would like to make a proposal for confirmation.

Expanded Polystyrene (EPS, hereinafter) is used as a cushioning material to protect the products from vibrations or impacts during transportation when shipping the products of member companies of JRAIA. This is a globally common specification, and the same applies to products for New Zealand.

Looking at the consultation document titled as 'Reducing the impact of plastic on our environment', we are concerned that these EPS as cushioning material may also be subject to phase-out on Stage 2 of Proposal 1. Although it is mentioned as a 'potential exemptions' in the consultation document, please clarify that the EPS for cushioning purpose is exempt.

First of all, it is generally recognised that EPS is not the "HARD-TO-RECYCLE" plastic¹. A global network of EPS recycling has also been established, and it is recognised that New Zealand is actively participating in this framework^{2, 3}. When used in food packaging, it may be HARD-TO-RECYCLE due to dirt, etc., and causing environmental problems, but EPS, which is used as a cushioning material when packing products, can be collected and be considered as recyclable. Rather than taking measures(phase-out) put all EPS together, we propose that recyclable items should be dealt separately.

Regarding these recyclable materials, we believe that it is in line with the 'Circular economy' policy in the future by improving the infrastructure, collect valuable materials properly, and improving the recycling ratio, as it is in the other countries.

If EPS for cushioning is also subject to the regulation and is phased-out, moulded cardboard is proposed as an alternative material. But, in order to obtain the same cushioning performance as EPS with moulded cardboard, it must become much bigger in size and weight, especially in case of relatively large and heavy products such as air conditioners. Our understanding is that there is no practical and rational alternative material for EPS because the environmental load may increase due to the increase in packing size and weight. If New Zealand government is still considering the phase-out of EPS for cushioning also, a little more detailed Impact Assessment in wider aspect should be carried out, then finally adopt a measure that does not increase CO₂ emissions.

In addition, there are no other countries that prohibit EPS for cushioning purpose in packaging. Even in Europe, which leads the action on environmental conservation efforts, the EPS for

¹ https://epsrecycling.org/

² https://epsrecycling.org/global-recycling-access/new-zealand

³ https://www.plastics.org.nz/environment/recycling-disposal



cushioning purpose in the packaging is not subjected to the regulatory options under circular economy policy, because it can be collected and recycled. If only New Zealand introduces its own regulations, deviating from the global standard, the product specifications must become unique and special only for New Zealand, which causes various cost increases. We are concerned that it will eventually impose the burden on the general public in New Zealand.

Thank you for your consideration.

Best regards,

Hideaki Kasahara General Manager, International Affairs Dept. The Japan Refrigeration and Air Conditioning Industry Association

About JRAIA

The Japan Refrigeration and Air Conditioning Industry Association (JRAIA) was originally established in February 1949 as the Japan Refrigerating Machine Manufacturers Association which was thereafter reorganized in February 1969 to become an incorporated association and renamed as it is at present.

JRAIA is the industry association representing over 160 manufacturers of refrigeration and air conditioning equipment in Japan. We, the members of JRAIA, have so far been dedicated to offering quality products to the global markets including New Zealand. JRAIA aims to promote and improve production, distribution and consumption of refrigeration and air conditioning equipment and their applied products, as well as auxiliary devices and components, automatic controls and accessories and thereby contribute to the steady development of Japanese industry and the improvement in people's standard of living.

For more information, please see JRAIA's website: <u>www.jraia.or.jp</u> Email: jraia-global@jraia.or.jp



Submission to the Ministry for the Environment in response to

Reducing the impact of plastic on our environment – Consultation document



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Executive Summary

Jenkins Freshpac Systems is a leader in packaging and labelling solutions to the horticulture sector. For over a decade we have led the charge on sustainable packaging alternatives and options through our own R&D, partnerships with world leading manufacturers abroad and market research in New Zealand.

As a result we have: introduced the world's first certified compostable produce label to market, the world's first 100% rPET punnets and trays, the world's first certified home compostable plastic free produce netting, converted several major produce marketers from plastic containment to recyclable or compostable fibre & board products. We have worked in collaboration with all the major brands on converting from traditional packaging inputs to more sustainable options and continue to seek improvement.

In relation to Produce Labelling we have been partnered with Sinclair International for over thirty years. Sinclair International deliver a comprehensive offering of food-safe fresh produce labels and labelling equipment. This enables packers and shippers to provide individual fruit level real estate with important product information, showcase brand identity and differentiate products. Sinclair International is based in Fresno, California and Norwich, England. Sinclair International has 10 label-manufacturing sites around the world with labelling systems installed in more than 45 countries worldwide. Sinclair International is currently the only producer of a produce label in which the entire construction (backing material, adhesive and face stock) is TUV certified as compostable.

Jenkins Freshpac Systems & Sinclair International together consider ourselves an authority in this space and appreciate the Ministry for the Environment taking the time to receive and consider our submission to the consultation document: *Reducing the impact of plastic on our environment.*

This submission is formulated through two lenses:

- 1) From our position as subject matter experts on produce labelling and packaging in the horticulture sector.
- 2) As an interested party in the wider context of fresh produce handling, processing and marketing.

The document is broken into three key sections:

- 1) A summary of clarifications and corrections relating to statements made in the consultation document.
- 2) Additional supporting information not drawn on in the Q&A section.
- 3) Formal responses to the questions posed in the consultation document.

Our summary position on the consultation document in totality is supportive of the Ministry for the Environment's intention to reduce harm to the environment caused by hard-to-recycle and certain single use plastic items.

We do however have a number of concerns as to how the consultation document prepositions certain parts of information presented. Further, there are also many areas where it is apparent the current position of the Ministry is formed on information which is light in detail and/or potentially

inaccurate. We are pleased to provide further information, context and welcome a more comprehensive analysis and discussion.

Jenkins Freshpac Systems, Sinclair International, key industry stakeholders and industry groups are eager and willing to work with the Ministry and Government to participate in this process. We wish to contribute to a sensible outcome that balances care for our environment with other areas of benefit for New Zealand stakeholders.

Primarily and most importantly: we submit that produce labels be *removed* from the list of single-use plastic items due to the highly motivated stakeholders and the significant momentum underway for voluntary transition to a more sustainable outcome.

Sinclair International is already seeing strong uptake in New Zealand and abroad with its world leading compostable(industrial) produce label. Further, Sinclair is well advanced in various work streams to bring a product to market that meets home compostable standards. No more resource, funding or duress would speed this process up as we are all pushing as hard as possible on solving the problem, and all without a government mandate to do so.

Without previous government mandate we are well advanced on dealing with the 'problem of plastic in our environment'. We are the market leaders in this space and have highly motivated customers. We believe that left to our own rigorous product development journey we will continue to expand and develop the sustainability work which has already been implemented. On this basis we submit that a voluntary and self-motivated approach is currently working well and will continue to deliver on the outcomes the government seeks. This position is given immense weight when you consider our partnership with Zespri, which is the largest consumer of produce labels in the country. In addition, our commitment to have an effective home compostable label solution in market by 2025 is a goal already in place. The encumbrance of adding mandatory phase- out legislation on top of the existing positive momentum seems distracting, unnecessary and potentially wasteful.

We would like to thank the Ministry generally, and specifically Stephen Goodman and his team, for inclusion in discussions leading to this point and appreciate the obvious inclusion/consideration of those discussions in the position made via the consultation document.

Clarification of summary information provided

Page 69 of the consultation document provides a summary table of statements and claims relating to *plastic produce stickers*. To follow, we work through this summary to make the following clarifications and corrections to the information provided by the Ministry

| Heading | Clarification/Correction |
|---------------------------------|--|
| Summary statement (blue box) | The document simply uses the word 'branding' and while this is true, it lacks the important context of the value this brings to our country and its lack of proximity to the larger markets. The critical branding provides our country with premium market positioning and relative price points and allows us greater sway with the powerful global retailers. The examples provided for distinguishing similar items are two of the lowest value examples. We have world acclaim for many of our varieties across the key export products of apples and kiwifruit and this cannot be squandered or minimised. Country of origin is a significant piece of work led by MPI and is well advanced. Without a produce label we lose one of the lowest cost options for communicating important information regarding NZ provenance. |
| Scale of the problem | The kiwifruit volume alluded to is significantly understated. The labels are claimed as non-recyclable. While we agree they are difficult to recycle, the face stock is made from recyclable PE. The document presents only the plastic component as an issue. The label itself is only one component; with the backing material, adhesive and inks used also requiring consideration. (please see Additional Supporting Feedback) |
| International examples | Under this heading it is claimed that all major supermarkets in Britain have agreed to stop using plastic stickers by the end of 2020. Except for one unsubstantiated article published in the Daily Telegraph, we cannot find any evidence of this being the case. More specifically, Sinclair International is currently working with one of the biggest chains to convert currently packaged produce into loose labelled produce to reduce plastic packaging substantially .This is a project replicated by many key retailers, which would debunk the Daily Telegraph article content. |
| Potential exemptions | It is proposed that export produce could be exempted from the ban on produce labels. While the intention is valid, logistically this is not so simple and likely impractical. In New Zealand most major crops are labelled and packed at the time of harvest, not always knowing the final application of the product e.g. will it be exported or sold domestically? It is |

| | impractical to de-label and re-label produce to accommodate exemptions. It is highly inefficient to store product unpackaged or unlabelled until its final application is known as this will require double the handling which burns resource and shortens the life of the product. The statement is made that compostable stickers can degrade during transport. This is not accurate as our compostable label (the only one certified accordingly) does hold up well in the cool chain. Paper labels (none of which are certified compostable) however do not perform well in this environment with further information provided later. |
|--------------|--|
| Alternatives | Signposting is known to be ineffective in achieving the desirable attributes provided by individual labelling: Challenges for produce recognition and appropriate price look up at checkout Consumers replacing product into the wrong bins Fruit level traceability issues A lack of marketer control over final product and brand representation, especially at scale. Laser etching can only provide basic brand or PLU information, does not provide traceability, cannot cope with the large crop throughput requirements e.g. 600-700 fruit per minute and is known to have fruit quality/degradation impacts on some produce. Compostable stickers are claimed as "slightly more expensive" while they are in reality; significantly more than \$10 million. This is based on the current solution on offer, with the cost of home compostable labels likely pushing well beyond that. (taking experience from other packaging formats as a guide.) |

Additional supporting feedback

In addition to the above; there several other items that we wish to have included in the consultation for the Ministry, which the prescribed questions do not provide opportunity to do so.

- The consultation document does not provide any specifics or quantitative information around the suggested size of the problem in relation to produce labelling. While we do not disagree with the intention of the proposal to remove difficult to recycle materials, we would expect the basis of such significant decisions being made to have a quantifiable analytical basis for the decision to include a particular product in the mix. Without a quantifiable position it makes it difficult or impossible to make comparisons with the alternative products or materials and complete life cycle assessments accordingly.
- While we do not want to seem pedantic; the choice to refer to produce labels as 'stickers' throughout the consultation document degrades the highly technical and specialised nature of the produce labels. They may be small, but they are incredibly effective at undertaking the many tasks described throughout this submission. The term 'sticker' infers the application as a simple frivolous adornment as opposed to the significant list of attributes heavily relied upon in the industry.(as discussed in detail in our submission.) We propose the term: 'plastic produce stickers' being replaced with 'individual produce labels'.
- The consultation document focuses solely on produce labels being a part of the problem. We argue that they are instead a big part of the solution. In many cases, produce labelling is used to reduce the total overall amount of plastic packaging used. For example, a labelled apple no longer requires a plastic bag to transport critical product information with value add brand details. We have on record recent communications from Aldi UK discussing their desire to expand their loose produce lines to remove packaging and use PLU/COO labels instead.
- We submit that the language used throughout the document prepositions the outcome and appears selective on where weight is given and where it is not. It is referenced that wider industry engagement will be a requirement of any plan to move forward. However we wish to be clear that the language used will need to reflect this stated desire for respectful & transparent relationships. Taking into account and consideration for the current industry stakeholders with their genuine desire and current efforts for sustainability.
- As referenced throughout our submission, the term 'compostable' is used loosely. In a document of this nature with such a significant impact and potential fallout this needs much deeper consideration and clarification. Compostable needs to be defined, the issue around the lack of infrastructure discussed and the absence of consumer education around terms such as biodegradable and compostable is a significant consideration.
- We provide the infographic below to assist in explaining the much wider application/benefits
 of the produce label. These tangible benefits have been skimmed over lightly or excluded
 altogether in the consultation document. All these items, if not on a produce label, need to
 be communicated in some other way if the label cannot be used. (cost prohibitive or
 unreliable) We will likely see a surge in plastic use to package product if the produce label
 was eliminated.

ORIGIN

Sinclair

coLabel

4134

Identifying country or region of origin helps consumers to select in-season produce.

IDENTIFICATION

Barcoded produce enables checkout efficiency, item-level identification and pricing accuracy.

BRANDING

Showcasing a brand on produce provides differentiation on price and quality, allowing consumers to make informed choices.

SUSTAINABILITY

VARIETY

Labels identify different

used to indicate eating

varieties and can be

characteristics e.g.

'sweet and juicy'.

'crunchy' etc.

Demonstrating commitment to consumer and environmental wellbeing by using compostable material; ideal for organic produce.

VARIABLE PRINT

PRINT-ON-DEMAND® (POD) technology enables the printing of variable information lot/batch and date code etc. at the point of application.

TRACEABILITY

Lot/batch codes are used for traceability purposes and also allows accurate retailer stock control of individual products.

PRICE LOOK-UP (PLU)

PLU is used by retailers to make checkout inventory control, and pricing of individual, loose fruit and vegetables easier, faster and more accurate.

Responses to the questions raised in the consultation document

| Discussion Document Question | Submission Response |
|--------------------------------------|---|
| 1. Do you agree with the | The document describes the problems well. However, we submit that it fails to provide similar weight of description |
| description in this document of | to the benefits provided. This does not excuse the problems described, however is important for balance in |
| the problems with hard-to-recycle | establishing the best way to manage the problem. The benefits are given some air but are light in detail in many |
| plastic packaging and single-use | cases. Therefore the discussion document result presents an unbalanced starting position or inaccurate spin in some |
| plastic items? If not, why? | areas. |
| | Further, in the case of product labelling, the 'problem' is not quantified sufficiently to allow perspective, analysis or consideration of the pros and cons required for a significant decision like this. |
| 2. Have we identified the correct | The objectives identified are sensible and appropriate. The objectives do lack pragmatism by not thoroughly |
| objectives? If not, why? | considering the economic flow- on effects. For example; increased costs throughout the supply chain,(especially to |
| | lower socio-economic consumers where the packaging inputs can make up a significant part of the finished product |
| | and vegetables through successful campaigns such as 5+ A Day. It would be a contradiction to then add extra cost onto consumers for healthy fruit and vegetables. |
| | Food waste is a significant issue that is best managed through smart packaging. We support this and understand |
| | that this needs to be managed in a constructive manner. To restate the earlier sentiment, this needs to be both full |
| | and balanced in its consideration. |
| | |
| 3. Do you agree that these are the | In the main, the options presented appear to cover- off the viable options at a high level. Additional considerations |
| correct options to consider? If not, | could include: |
| why? | A hybrid scenario of stewardship supported by Government mandated national recycling integration and |
| | standardisation (the biggest barrier to progress is a lack of ability to recycle and reuse). |
| | Government ownership of national labelling, collection and handling of recycling which would in turn |
| | promote the use of more appropriate materials once they can be recycled kerbside – soft plastics being a |
| | prime example. |

| | • There is no discussion of the scenario that separate items may be handled differently e.g. where there is little fallout and suitable alternatives to the same outcome then mandatory phase- out may well be the best option, while for other products one of the other options may be a better fit. |
|---|---|
| 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene | The term cost used in the criteria seems to point specifically to the physical and ignores the wider cost on society. If fresh and semi processed produce become less accessible, then we will see issues flow though our health and education system. |
| packaging, oxo-degradable plastics and some single-use items? If not, why? | Further, in some cases there could be significant flow -on economic effects e.g. transporting provenance or food safety data on produce. |
| | We also submit that the performance and ability to deliver on the required benefits should be a criterion. In the case of produce labelling, the alternatives do not perform as well as the current methods and therefore there is such significant investment being undertaken to improve the situation. Examples include that compostable food safe adhesives do not adhere as well to produce, meaning wastage where they fall off, paper labels can mould or become illegible after longer periods in the supply chain. |
| | Note: the weighting used on cost seems to be inverted e.g. the higher cost increases the score and the higher the score the more favourable the outcome which seems incorrect e.g. high cost = positive? (Please can the author re check the matrix.) |
| 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase- out)? If not, why? | We submit that there is room for a hybrid approach that allows for encouraging volunteered participation in the short term (allowing business the appropriate lead time to recalibrate and adapt) where it is appropriate and combines to a better overall outcome. We would add that it would be reasonable to provide a target timeframe for a phase- out in some cases, reassessing progress at that stage to establish if a mandatory approach would then be appropriate to sweep up the laggards. |
| | The appropriate timing around any mandatory or hybrid approach will be extremely important. |
| 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages | We believe that all affected products and materials need to be assessed on their individual merit with the consequences fully understood. We are not experts in these material types and feel it would be inappropriate for us to provide further feedback at this stage. |

| (by 2023 and by 2025)? If not, why? | |
|--|---|
| 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? | To the best of our knowledge, however we are not subject matter experts int his area. We do however seek clarification as to whether the term packaging includes labels or tags on packaging that may be made of the targeted materials even if the containment material may not be. |
| 8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase- out (eg, not just food and beverage and EPS packaging)? Please explain your answer. | No, not currently. We believe this starting point will inspire a wider shift away where possible. While not our area of expertise, durable goods should be exempt as they are not part of the issue e.g. spouting and drainage products. |
| 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025? | Our position on this relates to our current economic outlook in that the burden on business to invest in alternatives at this time will be a significant challenge with possibly significant far reaching consequences. For example: one such consequence could be that for some operators it may be deemed easier to cease trading than comply with the mandate and this is clearly not an ideal outcome with the current economic outlook. |
| 10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why? | Yes, there are options, however the term 'practical' needs significant consideration especially in context of the timeframes indicated. 1. Businesses at scale will require significant R&D and re-tooling. Capital may not be available in the short to medium term to support this. In some cases, this could run to the millions. 2. Smaller businesses will struggle to justify the capital to re-tool or may not be able to viably compete with recalibrated inputs. 3. The material cost for alternative materials is significantly higher in many cases and the cost benefit needs to be more fully understood. These cost increments are generally not less than double in many cases and in our experience can run to beyond 10 times the lower cost materials. |

| | 4. Some packaging formats are selected to promote shelf life or shelf stability of food and produce and food safety. Containment is only one function of packaging while its effectiveness in delivering on all the required attributes can often outweigh the obvious application. |
|--|--|
| 11. Do you agree with a mandatory phase-out of all oxo- degradable plastics by January 2023? If not, why? | Yes. |
| 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details. | NA |
| 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer. | We have several specific responses to some areas of concern, as follows: Packaging manufacturers: cost to convert is significantly understated and the opportunity to move to 'higher-value sales' is misguided as the cost shifts along the supply chain resulting in a false win and the consumer ultimately pays or the producer endures lower margins. Importers & suppliers of packaging: as above, cost and opportunity understated. Significant cost on flow to end user is ignored. |
| | Retailers: Positive PR is not a real or actual benefit. Further, in some cases it could result in the inability to supply certain packaged/labelled products where an alternative is not available or in the case of imports, where a supplier does not wish to comply they may refuse to supply NZ. Public: The passing on of costs is stated in the document as being a potential, while more accurately, is highly likely. Balance must be struck between ensuring sensible packaging, reduced food waste and publics access to appropriately priced, safe and correctly identified produce . The cost of food safety is key for the public and while difficult to cost, needs inclusion and consideration. |

| 14. How likely is it that phasing | While the benefits stated are reasonable, the language used plays down the costs significantly and therefore we |
|-------------------------------------|---|
| out the targeted plastics will have | submit that it is highly likely that costs will increase from those estimated in the discussion document. |
| greater costs or benefits than | |
| those discussed here? Please | • The cost to convert capital plant to accommodate new packaging formats or materials is very significant in |
| provide details to explain your | many cases e.g. up to millions of dollars. |
| answer. | Functional packaging plays a huge role in reducing food waste and in many cases, we are yet to establish viable and sensible alternatives to current solutions. |
| | The flow- on cost to consumers will be significant. Many of the products using the targeted materials are |
| | commoditised, the cost of packaging inputs can at times be a larger proportion of consumer cost than |
| | higher value items e.g. requiring the removal of polystyrene packaging from a TV has a much lower |
| | consumer price impact than removing it from yogurt pottles. |
| | While at an individual level the cost increases may seem marginal, when aggregated to industry level, they |
| | will be significant. In produce labelling alone this increase will exceed \$10 million. |
| | |
| 15. What would help to make it | The fullness of time. The Industry is already problem solving many of the labelling products. In a lot of examples, the |
| easier for you and your family, or | change to alternative materials is not as simple as this consultation document suggests. While in many cases there |
| your business/organisation to | are alternatives available now, they may not be appropriate for the application for technical reasons. |
| move away from hard-to-recycle | Fundhan the two sitism woods to be associated in two whereas. The associate and validation of materials and woods at |
| plastic packaging and use higher | Further, the transition needs to be considered in two phases. The securing and validating of materials and product |
| value materials or | performance are the first stage. In many cases it can take quite a while for the supply chain to scale appropriately to |
| reusable/reinlable alternatives! | accommodate a swing in raw material requirements. For example, if a large global brand made the decision to swing |
| | short and modium term |
| | |
| | We submit that the Ministry work with stakeholders very closely to get more granular on the far-reaching impacts |
| | before deciding on the final exclusions and timelines. Without the appropriate performance levels of substitute |
| | materials/products then we gain little by mandatory phase out over such a short time. The product development |
| | cycle, including the appropriate certifications, takes around four years for one product. Unless you throw everything |
| | at the R&D and run all conceivable options concurrently, if one option fails, you start all over again e.g. 8 years if |
| | your first attempt fails. We are well down the path with several outcomes not landing with the right outcomes and |
| | more in progress, but it all takes time that cannot be manipulated. The best example is the compostability |
| | certification testing process, in isolation of the rest of the product development process, takes a minimum of 12 |
| | months on its own i.e. you only get one chance per year. |

| | We acknowledge the documents disclosure of the intent to engage deeper with industry and stakeholders, assuming this holds true and is meaningful in outcomes , this will be a crucial part of the process. |
|--|---|
| 16. What do you think about the | The list appears very focused on products around the periphery of the bigger issue. |
| proposed mandatory phase-out of | |
| some single-use plastic items (see | In relation to single use produce bags, the clear unintended consequence here will be higher use of pre-packs which |
| table7)? Please specify any items | while easier to recycle, will increase plastic consumption overall and increase cost to consumers and on this basis |
| you would leave out or add, and explain why. | we would exclude this item in favour of stronger support around soft plastics recycling infrastructure. |
| | We submit that <i>produce labels be excluded from the list</i> as we need to stress the need for deeper understanding of the technical and economic impacts of exclusions and timings on this item: |
| | • Food safety, including traceability and country of origin information There over 30 commercial varieties of apples in NZ for sale, most are bi colour (red/green) costing many of millions to develop into commercial successes. History has proven the inability of distribution channels to effectively communicate critical variety and provenance information at point of sale, hence the reliability of produce labels being most effective. |
| | Produce labels offer a solution to quickly track back product in the event of a food safety scare e.g. metal in kiwifruit: whose kiwifruit?, when and where was it packed? Many fruit marketers are working on plans today to place unique QR codes on fruit to allow for individual fruit level traceability and production information. This will rely heavily on the technical elements of the label to adhere to the produce safely and reliably. |
| | Brand Being able to differentiate product means being able to offer higher value NZ products to market – could Mt Difficulty Pinot Noir sell for \$50 with no label? ZESPRI earns a 30-50% premium from competition as fruit identified and sold as ZESPRI, translating to hundreds of millions of extra export earnings in New Zealand. |
| | Anti-Counterfeit Close to 1 billion dollars' worth of NZ kiwifruit/apples are counterfeited in China with fake labels and |

| | packaging. We are working closely with brand owners to deliver anti-counterfeiting technologies by way of produce label to protect our countries reputation and critical revenue streams. Economic benefits As indicated previously, the economic benefit of the humble produce label is significant. In kiwifruit alone it adds an estimated half a billion dollars in export earnings by transporting brand information at fruit level. When this is multiplied out across our 40+ apple varieties that get international acclaim, the economic impact is staggering. |
|---|---|
| | • Product Performance While the current discussion document indicates that industrial compostable labels may be deemed exempt, we are submitting on the basis a more extreme outcome could result from the process along with the impracticality of running different materials for different product destinations. |
| | The current labelling products perform extremely well. Our labels can be applied at high speed (up to 12 per second) meaning a highly productive post-harvest environment. Further, they are robust and can withstand the rigours of the horticulture supply chain, in and out of temperature from -1 to +40 degrees C. They are food safe through the life cycle of the fruit product, which can be over 12 months. |
| | While alternative materials, such as paper labels, are available, millions of dollars and hundreds of trials have taken place over the last decade to find alternatives that not only perform in the challenging supply chain, but can do so meeting global food safety standards. While we have made significant progress, introducing the world's first certified compostable produce label in 2019, further development time is required to evolve this position so the labels can continue to deliver the important benefits outlined above and perform at the point of application and through the supply chain e.g. they do not fall off, grow mould or bacteria. |
| 17. Do the proposed definitions in table 7 make sense? If not, what would you change? | For items of interest to our submission, the definitions are acceptable. We do note the loose use of the term 'compostable' as in some areas of the document it refers to 'industrial compostable' and others just 'compostable'. Further, there is no reference to the need for compostable certification. For example, a paper label will likely be biodegrade but if it is not certified compostable then trace contaminants (inks and adhesive) will remain post decomposition. |

| | There are rapid improvements available if the industrial composting infrastructure in NZ is developed further. Home compostable products do not always have an appropriate life cycle assessment and are difficult to scale when compared to industrial compostability. |
|--|--|
| 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a | We submit that the timeframes should be a) as long as possibly palatable to the outcome sought and b) assessed on a case by case basis as some materials will transition with ease and pace while other more technical solutions will need time for a reasonable and balanced outcome. |
| longer timeframe, and provide details where possible. a) 12 months? b) 18 months? | In relation to produce labels, it needs to be considered that some users will have stock on hand for multiple years of consumption and it would not make sense to force them to dump the product and the obvious environmental consequences of doing so. An analysis of stock supplies should be considered in the timeframe solution. |
| c) 2 years? d) 3 years? e) Other? | For context as part of our submission, thorough and appropriate product development takes time. Our sustainable produce label development has been going for over 10 years. In 2014 we launched our first earth friendly label with the face film (the label) being certified Industrial compostable. In 2019 we launched our first fully compostable produce label to the industrial standard. |
| If you think some items may need different timeframes, please specify. | R & D continues to ultimately deliver a certified home compostable product. The certification process alone can take up to 2 years. When you load on top the need to work with seasonal produce for field trials prior to the certification process taking place this pushes the time frames out further. In the R&D process we work on the basis that new product development and certification requires a minimum of four years per attempt. |
| | Should the Ministry insist on a mandatory phase- out, we would suggest a minimum of five years, but more realistically eight years would provide some surety that the appropriate due diligence was completed to ensure an effective outcome at application through the supply chain as well as holding food safety central. |
| 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this | No comment. |

| consultation document or suggest other options. | |
|--|--|
| 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future? | NA |
| 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic? | No comment. |
| 22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items. | We do not disagree with the suggested benefits, however, would refer to our responses to questions 13 and 16 as these overlap in relation to costs. In summary, the following items are ignored or understated: Food safety Food waste Product performance Brand/variety communication and the economic value thereof |
| 23. How should the proposals in this document be monitored for compliance? | To minimise the cost of compliance monitoring, this should be managed under an honesty process with effective whistleblowing infrastructure. |

Concluding comments

The themes running through this submission are clear and emphatic. While we respect some materials/products in consideration by this proposal could be provided urgency due to their impact or the relative ease of change, this does not extend to include produce labels.

- The consultation document, while thorough in many areas, does not sufficiently deal with wider holistic cost implications and the natural course of time to provide effective alternatives. Forcing a process under the duress of time will negatively impact the process & outcome for stakeholders.
- While many of the products being considered for mandatory phase- out have reasonable like-for-like replacement products, this is not the case for produce labels. The fullness of time is required to complete the work underway currently to ensure an effective replacement is taken to scale.
- If the replacement product is to underperform then the required benefits around brand recognition and price positioning, food safety, country of origin and traceability fall away for New Zealand produce.

We trust the provision of further detail on the implications surrounding the proposal and our offer of further, fuller and ongoing consultation with the Ministry will assist in arriving at a balanced and reasonable landing position.

Contact Details

Jamie Lunam General Manager, Jenkins Freshpac Systems Limited E. Jamie.lunam@jenkinsfps.co.nz M. 022 043 2312

Formally supporting Parties of this submission

| Organisation | Contact Name | Contact Email |
|--------------------------|--------------|-----------------------------|
| Sinclair International | Wil Murray | wilm@sinclair-intl.com |
| Horticulture New Zealand | Mike Chapman | Mike.chapman@hortnz.co.nz |
| Tomatoes New Zealand | Helen Barnes | Hele.barnes@hortnz.co.nz |
| NZ Avocado | Jen Scoular | jen.scoular@nzavocado.co.nz |
| Print New Zealand | Ruth Cobb | Ruth.cobb@printnz.co.nz |

Joint Submission on the Government proposal:

Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items

Submitted on 4 December 2020, jointly by:

- Zero Waste Network Aotearoa
- Wastebusters
- The Rubbish Trip
- Takeaway Throwaways
- New Zealand Product Stewardship
 Council
- Aotearoa Plastic Pollution Alliance
- Greenpeace New Zealand
- Para Kore
- Better Futures Forum
- Refill NZ
- Waste-ed
- Envision
- Xtreme Zero Waste
- Waiheke Resources Trust
- Circular Eggs
- The Re-Creators
- Common Ground
- Our Seas Our Future
- Tāmaki WRAP
- Track Zero
- Sustainable Queenstown
- Water Protection Society

- Sustainability Trust
- Waste Free Wanda
- Plastic Free Wanaka
- Whāingaroa Environment Centre
- Palmy's Plastic Pollution Challenge
- Manawatū River Source to Sea
- Environment Network Manawatū
- The Kiwi Bottle Drive
- Kaipātiki Project
- Surfbreak Protection Society
- Whaingaroa Environmental Defence
 Incorporated
- A Rocha Aotearoa New Zealand
- Sir Peter Blake Marine Education & Recreation Centre
- Waikato Coastcare
- Whāingaroa Kirihou Kore/Plastic Free Raglan
- Again Again
- Grey Lynn 2030 Waste Away
- Sustain Aotearoa: Independent Zero
 Waste Grocers Incorporated



Whaingaroa Environmental Defence Incorporated

Overall Position: SUPPORT.

Question 1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Tuatahi ka mihi ki te kaupapa nei, arā, he whakaiti i te whakamamae i a Papatūānuku, a Ranginui me ō rāua uri. Kia kaha tonu tātau ki te titiro ki te pikitia nui, me te raru nui, koia tērā ko te whai i te taara ahakoa pēhea, anō nei he atua te taara, he rauemi a Papatūānuku. Kātahi te pōhēhē nui ko tēnei.

The consultation document describes comprehensively the problems with hard-to-recycle plastic packaging and single-use plastic items. We appreciate the research that has gone into preparing the document. We support the overall proposal, which will better align us with current international best practice to reduce hard-to-recycle plastic packaging and single-use plastic items.

We recognise that this consultation is focused solely on plastic products. In addition to the impact of the targeted plastic materials, we note that many underlying problems stem from the wider economic and regulatory eco-system through which these and other materials flow. Considering these wider problems is useful when determining regulatory responses, such as the present proposal.

For example, all single-use products (not just plastic) involve waste in terms of energy, resources and landfill space, which is harmful to Papatūānuku, and keeps us stuck in a linear economy. We would support the Government proposing additional regulatory measures for 'creating a culture of reuse' (p.20) that cuts across material types, alongside the proposed phase-out of single-use plastic items. Reuse systems will significantly reduce the climate change impacts of Aotearoa's packaging system. For example, Life Cycle Analyses (LCAs) comparing recycled and reusable plastics systems reveal that the high energy inputs needed to process virgin plastics greatly exceed the energy required for recycling process steps, and that reuse processes use significantly less than recycling.¹

¹ Stuart Ross and David Evans (2003) "The Environmental Effect of Reusing and Recycling a Plastic-based Packaging System" *Journal of Cleaner Production* 11(5): DOI: <u>10.1016/S0959-6526(02)00089-6</u>. See also

The document also defines materials as hard-to-recycle for technical reasons, like PVC or PS (pp. 14-15). However, many other plastic types (even ones that are technically easier to recycle, like PET) may still be hard-to-recycle in practice because of:

- Suboptimal collection systems (e.g. commingling or contaminated public place recycling).
- Over-reliance on off-shore markets (including markets where we cannot be certain materials will be safely received and processed).
- Inherent product design flaws (e.g. pigmented/coloured plastics or use of nonrecyclable labels, tear off tamper wraps, multi-pack packaging, composite products and soft plastic pouches).
- The use to which a product is put, e.g. take-away containers and cups, even if made of easier to recycle materials like PET, are generally too food contaminated to recycle and are used away from home where recycling bins are less accessible.

Furthermore, the low price of virgin plastic resin vis-a-vis recycled resin creates economic barriers for keeping even 'easier to recycle' plastic in a closed loop packaging system. As a result, we continue our reliance on virgin plastic, with all the associated environmental harms of that situation (such as continued resource extraction and climate impacts).

So, a broader framing of the problem would allow for these wider issues to be considered and tackled, which will likely require more than a simple ban. The present proposal should be part of comprehensive Government policy targeting reliance on both single-use products in general and on virgin plastic resin. This would include specific regulation and investment to disincentivise single-use and create a reuse culture, and to increase the use of locally-sourced recycled resin through appropriate collection methodologies, mandatory minimum recycled content legislation, and a cap and levy on virgin plastic.

Question 2. Have we identified the correct objectives? If not, why?

Yes in part

The policy objective of reducing the amount of hard-to-recycle and single-use plastics in use through eliminating certain problematic items and materials is not only a correct objective, it's a necessary condition for a circular economy.

reports assessing single-use against reuse from the UNEP Life Cycle Initiative: https://www.lifecycleinitiative.org/resources/reports/.

However, facilitating reuse is key to reducing single-use plastics and plastic pollution, and to avoid or mitigate perverse outcomes of the proposed ban. The proposed policy of reducing single-use and hard-to-recycle plastics must be supported by regulatory measures and investment to level the playing field between single-use and reuse, and accompanied by efforts to build the infrastructure and community engagement necessary for reuse, i.e. accessible, reusable alternatives and the systems to support them (e.g. washing facilities). This would allow solutions to move higher up the waste hierarchy, rather than incentivising the switch from one single-use material to another.

Furthermore, reducing the impact of hard-to-recycle plastics on our resource recovery system and the environment must surely include the objective of shifting producers away from a reliance on virgin resin towards recycled resin so that we can close the loop in our plastics economy and reduce the amount of new plastics entering New Zealand.

We believe the main objective should be amended as follows:

reduce the impact on our resource recovery system and environment from hard-torecycle plastic packaging and single-use items through significantly reducing the amount in use, and increasing the scale and uptake of reuse systems, of safe recycled content in packaging and of the systems that support the increased recyclability of each product.

An additional secondary objective should also be added:

make affordable reuse alternatives accessible across New Zealand while assisting communities to benefit from the increased employment opportunities that reuse economies offer.

These amendments to the objectives would strengthen the proposal's ability to advance New Zealand's commitments under the New Plastics Economy Global Commitment, which the consultation document states (p.22) is an outcome of this proposal. In this, Government signatories have committed to implementing "ambitious policies" for "encouraging reuse models where relevant, to reduce the need for single-use plastic packaging and/or products"². A pathway towards these ambitious policies is appropriately included in the present proposal's objectives. We note that regulations such as those available under s 23 of the WMA or through Parliamentary legislation, are needed to make

² Full text: ellenmacarthurfoundation.org/assets/downloads/13319-Global-Commitment-Definitions.pdf.

the New Plastics Economy commitments (including reuse and recycled content targets) mandatory, not voluntary.³

Question 3. Do you agree that the options listed for shifting away from hard-to-recycle and single-use plastics are the correct options to consider? If not, why?

Ves in part

The options list is thorough and considers a range of important measures.

We believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. For example, an approach that combines the proposed bans with levies/fees, ecolabelling, measurable targets, deposit-return, take back schemes, and community engagement. We also support the use of additional regulations such as mandatory minimum levels of recycled content to ensure that we do in fact recycle all the 'easier-to-recycle' plastics still permitted after the proposed bans. The <u>EU Directive on Single-Use Plastics</u>, and the 'Plastic and Packaging Waste' and 'Single Use Plastic' chapters of the recently released Irish National Waste Policy, provide useful examples of blended approaches.

In addition to the options listed, we would support including additional measures to foster the uptake and scale of reuse, e.g.:

- mandatory targets for reuse/refill on specified items;
- deposit return systems for takeaway serviceware to level the playing field between reuse and single-use (reusable serviceware usually carries a deposit), and to reduce littering of single-use serviceware and ensure that those disposable items that are recyclable are at least in a recyclable condition (i.e. clean) and put in the correct recycling bins;
- mandating reusables in dine-in settings (as done by the Berkeley Ordinance);

³ The need for legislation to back up the New Plastics Economy Commitments is discussed on pp.30-31 of Alice Delemare Tangpuori, George Harding-Rolls, Nusa Urbancic and Ximena Purita Banegas Zallio (2020) *Talking Trash: The corporate playbook of false solutions to the plastic crisis* (Changing Markets Foundation). Accessible at talking-trash.com/wp-content/uploads/2020/09/TalkingTrash_FullReport.pdf.

- levies on targeted single-use items; and
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA.

Question 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

☑ Yes

However, more weight should be given to how well each option aligns with strategic direction. This would ensure that the highest ranking outcomes are higher up the waste hierarchy e.g. reduction and reuse solutions. We would also support criteria that assesses how well an option protects against unintended outcomes.

Question 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Mandatory phase-outs are a clear, simple way of eliminating harmful plastics. We support mandatory phase-outs of all the items listed (with the exception of plastic straws).

We note that a 'ban only' approach can sometimes lead to the swapping of one single-use material for another. A 'ban only' approach also doesn't fix the problem of our reliance on virgin plastic resin. Even if we shift to only using 'easier to recycle' plastics, this doesn't ensure that those products are actually recycled or recycled back into the same kind of product.

We would like to see positive regulatory and policy options implemented alongside a ban to support reuse alternatives and increase recycled content in products. This blended approach would result in less waste, a lasting shift in social norms and behaviour change, and stronger markets for recycled resin.

Furthermore, we support the Government moving ahead with reduction targets for any plastic packaging items that are not banned, which would require transparency from producers, importers (such as supermarkets and retail chains, food chains, manufacturers and exporters) about the volume of plastic they use in order to measure plastic reduction over time.

Question 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023) and by 2025)? If not, why? ☑ Yes

We agree with the proposed phase-out of PVC and polystyrene packaging, for the reasons given in the consultation document. The two-stage approach makes sense as some items are easier to phase-out than others. However, the proposed time-frames are too slow. We suggest:

- PVC trays being phased out by June 2021: PVC trays are especially problematic for the recycling industry as they are the main contaminants of onshore clear PET recycling, and are easily substituted by clear PET trays.
- All other food and beverage items that contain PVC packaging and some food and beverage items that contain polystyrene packaging being phased out by June 2022
- Stage 2 by June 2023

The world is on course for global plastic production to double in the next 20 years,⁴ and for the flow of plastic into the ocean to triple by 2040.⁵ Furthermore, plastic production is a direct product of fossil fuel extraction - the leading contributor to CO2 emissions and

⁴ Laurent Lebreton and Anthony Andrady (2019) "Future scenarios of global plastic waste generation and disposal" Palgrave Communications https://doi.org/10.1057/s41599-018-0212-7.

⁵ The PEW Charitable Trusts and SYSTEMIQ (2020) *Breaking the Plastic Wave: A comprehensive* assessment of pathways towards stopping ocean plastic pollution. Accessible at https://www.pewtrusts.org/-/media/assets/2020/07/breakingtheplasticwave_report.pdf.

rising temperatures. We have wasted time in not recognising these problems for many years, so we must now act decisively to reduce what plastics we can from our economy.

Question 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

☑ Yes

Thank you for this comprehensive list of products proposed for a phase-out.

Question 8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

☑ Yes

PVC and PS are used in consumer packaging in contexts outside of food and beverage. Any PVC or hard polystyrene packaging can become a contaminant in the 'easy-to-recycle' plastic streams, so it's better to be consistent and phase-out all hard PVC and PS packaging.

Question 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Benefits:

PVC is not recyclable and is a contaminant in the recycling stream. Phasing it out will assist in the ongoing drive to provide high quality recycling materials to reprocessors.

EPS, which becomes litter in the environment, crumbles into thousands of tiny balls of plastic that are impossible to recover and can be mistaken for food by birds and fish. This creates lasting damage to our soil, water-ways and marine environment - damage which

is compounded by the free-ranging and harmful chemicals that adhere to these microplastics, many of which are bioaccumulating. Cheap EPS from overseas is especially likely to fall apart, resulting in pervasive pollution. Phasing out EPS would therefore protect our soil, marine ecosystem and waterways, which are so fundamental to our future survival.

A small quantity of higher quality EPS is being collected for recycling - and is reprocessed either overseas or onshore into insulation. However, due to the harmful properties of plastic in the environment, we would support it being replaced as a packaging material.

Hard polystyrene (6) packaging cannot be recycled as there is no market for it. Replacing it with a recyclable material, or ideally a reusable packaging option, would shift us closer to a circular economy.

Question 10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

We fully support the vision on p.40 of the consultation document of "more reusable or refilling alternatives to single-use plastics. There is an opportunity for New Zealand to rethink the use of some plastic packaging altogether, and to design innovative reuse models." We also support the statement that "packaging with recycled content is preferable to new plastic (where feasible)".

We agree with the list of examples of practical alternatives set out in Table 5.

As stated in Q2, we would like to see additional regulations and policy to support the scale and uptake of reusable alternatives, mandatory recycled content and sustainable product design where designing out waste is top priority. Sustainable product design would consider the end-of-life options for a material, preventing any unintended consequences from the targeted phase-out. For example, banning EPS appliance packaging is likely to boost use of moulded cardboard packaging. Research should be done to identify the best practice end-of-life solution for moulded cardboard packaging (i.e. recycling or composting). The research should be widely disseminated to packaging suppliers and product designers so that appropriate choices of glue, coatings and/or colourings are made to align with the end-of-life solution. Clear labelling is also essential so that customers know what they should do with the packaging after use. Durable, reusable appliance packaging should also be explored.

Question 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

☑ Yes

There is nothing good about oxo-degradable plastics, and we wholeheartedly support a ban and thank the Government for acting on them. We would prefer to see a quicker ban due to the harm created by these plastics and the green-washing involved. By far the majority of companies we have come across who have been supplying these to the public were under the misapprehension that they are better for the environment. Oxo-degradable plastics also contaminate recycling plastic streams. The quicker we get rid of these, the better, so we would like the phase-out of these to be a priority and for it to happen by June 2021, which brings us in line with overseas jurisdictions, such as the EU, that will phase-out oxo-degradable plastics by 2021.

Question 12. If you manufacture, import or sell oxodegradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A

Question 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer. **Ves in part**

The consultation document sets out a comprehensive list of the costs and benefits to various sector groups of the mandatory phase-out of the targeted plastics. The phase-out of targeted plastics will have additional benefits for:

• **Indigenous communities**: reducing plastic pollution may reduce degradation of the natural (including marine) environment that impacts upon customary practices.

- Fresh water quality: microplastic contamination of drinking water is already occurring.
- **Ecosystem health:** microplastics are being found in all ecosystem compartments so far examined, including within organisms. Their impacts range from the individual level to the ecosystem level.
- **Air quality**: microplastics are increasingly being found in the air of both populated and remote locations.
- Human health: The 2019 report <u>Plastic & Health: The Hidden Costs of a Plastic</u> <u>Planet</u> found that significant, complex, and intersecting human health impacts occur at every stage of the plastic lifecycle.
- Climate: Reducing single-use plastics will reduce our reliance on virgin plastic resin, and therefore on fossil fuels. In 2019 the lifecycle of global plastic production

 from extraction to disposal was equivalent to the impact on the climate of 189
 500MW coal-fired power stations. Emissions from plastic emerge not only from the production and manufacture of plastic itself, but from every stage in the plastic lifecycle from the extraction and transportation of the fossil fuels that are plastic's primary feedstock, to refining and manufacturing, to waste management. Acting to reduce single-use plastics and increase recycled content will also help New Zealand meet its international and domestic climate change obligations.
- Future generations: Reducing targeted plastics helps to reduce degradation of ecosystems essential to the wellbeing of future generations and non-human species.

It may also be valuable to supplement the cost/benefit approach included in the document with a holistic lens. The current cost/benefit approach perceives the 'environment' as an "affected party" separate to, and distinct from, our own human survival. Current and future generations - and indeed the economy - can only thrive within the planet's limits to stay in balance. Taking action on plastics is an essential step towards preserving the functional ecosystems required to sustain life.

Question 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

One benefit currently missing is the opportunity for businesses and community enterprises to develop reuse schemes and reusable packaging systems to replace the targeted plastics. This would have a positive job creation impact, as well as reducing waste. Preliminary studies indicate that <u>reuse systems produce far more jobs than systems based</u> on disposal or recycling. This is also expected to be the case for reusable packaging systems, with commentators noting that these increased jobs are also more likely to be localised and geographically dispersed,⁶ which meets provincial development goals.

The growth of reuse schemes and shifting social norms will also lead to a reduction in other single-use packaging (not just targeted plastic), which will further reduce costs for local authorities and ratepayers.

Question 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

More transparency, more onshore reprocessing facilities and better designed collection and sorting systems for recycling would help ensure that higher value plastics collected for recycling in New Zealand actually get reprocessed. This would increase public confidence and engagement in the recycling system, creating a positive flow-on of reduced contamination. It would also allow for better packaging choices by designers, who

⁶ Miller, M. Bolger, L. Copello (2019) *Reusable solutions: how governments can help stop single-use plastic pollution* (3Keel, Oxford, United Kingdom: A study by the Rethink Plastic alliance and the Break Free From Plastic movement), p.15; Patrick Albrecht, Jens Brodersen, Dieter W Horst and Miriam Scherf (2011) *Reuse and Recycling Systems for Selected Beverage Packaging from a Sustainability Perspective: An analysis of the ecological, economic and social impacts of reuse and recycling systems and approaches to solutions for further development* (PriceWaterhouseCoopers), pp.ix, xvii, 53.
can integrate end-of-life options (e.g. closed loop recycling) into design choices of materials. Mandatory recycled content is a key regulatory lever to assist with pull-through of recycled plastics in the economy and better design. Standardised collection of materials and investment in recycling education and community engagement would help more people to use the recycling system correctly, reducing the contamination that can result in recyclable materials going to landfill.

Government regulatory policy and investment is needed to move reusable alternatives from the niche to the mainstream. We note that it's already possible to BYO reusable containers and tableware for takeaway food and drink. In many cases, washable crockery is a realistic alternative instead of disposables. A handful of reuse schemes exist for reusable takeaway packaging, such as Again Again, CupCycling and Reusabowl. The issue is not a lack of ideas or models, but barriers to scale and normalisation of these systems within an entrenched linear economy, and lack of adequate incentives to ensure uptake of reusable alternatives when they are available.

Accordingly, sustained policy interventions and investment are required to level the playing field between single-use and reuse. A blended policy mix could include levies on single-use items and delivery systems (which will encourage uptake of reusable and refillable models), deposit return systems on food and beverage packaging, mandating reusable serviceware in certain situations, and reuse quotas/targets. Money must be made available for the infrastructure needed to make reuse work (e.g. reverse logistics and sterilisation), with a preference for locally-based infrastructure to reduce emissions and increase community engagement.

A coordinated universal design approach is needed to ensure reusable alternatives are accessible for everyone in our community (taking into account potential cost barriers and disability).

Question 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

We fully support the mandatory phase-out of all of the listed single-use plastic items, (including their oxo-degradable, degradable, biodegradable and compostable plastic counterparts), **except for** plastic straws.

We believe that consultation with the disabled community about a possible straw ban and/or exemptions should take place before any decision is made to ban plastic straws. Some people with accessibility needs require a plastic straw to drink. While some reusable alternatives work well for some people, for others there may be no reusable alternative that is suitable.

We also support extending the list to include these other single-use plastic items:

- **Disposable coffee cups & lids:** We would like to see coffee cups and lids included in the mandatory phase-out as discussed in Q19.
- **Plastic lollipop sticks and wrappers**: These present a similar hazard to plastic cotton buds and can easily be replaced by cardboard sticks.
- Single-serve pottles, sachets & containers for condiments and toiletries: For example, soy fish, pottles with peelable plastic lids for jam, butter and other condiments, sachets of sauces, condiments, sugar and toiletries. One of the items commonly picked up by volunteers cleaning up after the Fox River landfill disaster were single-use sachets from the accommodation and hospitality providers in this popular tourist destination. Some hotels are already voluntarily phasing out these single-serve items. These types of products have been earmarked for banning by the Irish Government in their recently released National Waste Policy (p.33).
- <u>Coffee pods containing plastic:</u> Single-serve coffee pods made of any material are hard-to-recycle because each pod contains coffee grinds that must be removed before recycling is possible. We would support a phase-out of all single-use coffee pods (reusable pods exist), but for the purposes of this consultation we call for those containing plastic to be included in this mandatory phase-out list.
- <u>Teabags containing plastic:</u> Many teabags contain plastic (either in the bag itself or the adhesives that hold the bag together). This is not common knowledge and many people put used teabags in their compost bins. Consequently, teabags containing plastic present a similar concern for potential plastic contamination of soil as plastic fruit stickers do. The consultation document has earmarked fruit stickers for a ban; for consistency's sake, teabags containing plastic should be included on the list for mandatory phase-out too. Not all teabags contain plastic, so alternatives clearly do exist. In addition to potential microplastic contamination

of soils, plastic in teabags is also a health concern as the plastic and additives may be released into the tea while it's steeping.

- Single-use plastic water bottles: In New Zealand, we have widespread access to potable water from the tap, so bottling water in plastic and transporting it around the country and the world needlessly creates harmful emissions and waste. Single-use plastic bottles are an inefficient and environmentally harmful way to provide access to potable water, which could be replaced by public fountains or bulk, reusable containers. Initiatives like Refill NZ are gaining traction. We need to see Government leadership in banning or at least imposing levies on single-use plastic water bottles to make a real difference in the volume of plastic water bottles used. This would also benefit the tourism industry by reinforcing New Zealand's brand as one of high environmental standards. Exemptions could be designed for civil defence and emergency situations.
- Balloons and balloon sticks.⁷
- Glitter and plastic confetti: Plastic-based glitter is used in a wide range of cosmetic products and art supplies. Prior to voluntary bans in the UK, <u>early childhood centres</u> admitted to using kilos every year. Similarly, <u>mardi gras</u> and music <u>festival organisers</u> are phasing out the use of glitter for environmental reasons, particularly as there are plenty of environmentally-friendly options on the market. As a microplastic, glitter shares similar environmental impacts to other microplastics, including the microbeads in personal care products that the Government has already banned (although glitter's sharp edges may cause more physical damage to smaller creatures when ingested). Therefore, it is not always distinguished from other microplastics in peer-reviewed scientific publications.
- **Complementary plastic toys** on children's magazines and with fast food.
- **Chewing gum containing plastic** most large branded chewing gum contains plastic and causes up to 100,000 tonnes of plastic pollution globally every year.⁸

Beyond the single-use items proposed in the document, we would support a strategic plan to tackle wet wipes, and other disposable sanitary products, and to reduce the harm from

⁷ Wilcox, C., Mallos, N. J., Leonard, G. H., Rodriguez, A., & Hardesty, B. D. (2016). Using expert elicitation to estimate the impacts of plastic pollution on marine wildlife. Marine Policy, 65, 107-114; Gilmour, M. E., & Lavers, J. L. (2020). Latex balloons do not degrade uniformly in freshwater, marine and composting environments. Journal of Hazardous Materials, 123629;

Mellish, S., Pearson, E. L., McLeod, E. M., Tuckey, M. R., & Ryan, J. C. (2019). What goes up must come down: an evaluation of a zoo conservation-education program for balloon litter on visitor understanding, attitudes, and behaviour. Journal of Sustainable Tourism, 27(9), 1393-1415.

⁸ https://www.sciencefocus.com/science/what-is-in-chewing-gum/; http://justoneocean.org/chewing-gum

industrial and commercial use of plastics like fishing nets, plastic wrap and strapping used in freight, and plastic building wrap used in construction.

We also urge the Government to implement a regulatory plan to address cigarette butts. According to the Prime Minister's Chief Science Advisor, cigarette butts account for 78% of all items littered in New Zealand and are the most commonly found item in beach litter clean ups. Globally, cigarette butts are thought to be the most littered item on Earth.⁹ The consultation document mentions cigarette butts in passing (p.50) but offers no plan because there may not be plastic-free alternatives. However, measures other than a phase-out could be implemented under s 23 of the WMA, such as mandatory on-packet labelling to increase smokers' awareness that butts contain plastic and about how to dispose of them appropriately, or fees on filters put on the market to cover estimated clean-up costs.

Question 17. Do the proposed definitions in table 7 make sense? If not, what would you change? ☑ Yes with changes

We strongly support the proposal to include items made of degradable, oxo-degradable, biodegradable and compostable plastics in the proposed phase-out, and applaud the Government for taking this step. As the consultation document notes, many of these products are not certified, and/or not home compostable nor marine degradable. Those that are certified compostable often don't end up in the right place to be composted (pp48), potentially contaminating recycle streams or emitting methane when disposed of in landfill. Furthermore, as with any single-use product they embody wasted energy and resources. For all these reasons, we support their inclusion in the phase-out proposal.

We recommend the following alterations or clarifications of the proposed definitions:

- **Single-use plastic tableware**: We suggest altering the proposed definition to include paper bowls and containers with plastic or wax linings (similar to the plastic cups and lids definition).
- **Single-use plastic produce bags**: We suggest this definition is broadened to include within the scope of the phase-out plastic net bags that fruit and vegetables are commonly pre-packed into.

⁹ Office of the Prime Minister's Chief Science Advisory (2019) *Rethinking Plastics in Aotearoa New Zealand*, p.95.

• Single-use plastic cups and lids: We do not support exempting single-use plastic cups made of plastics 1, 2 and 5 from a ban. Although these cups are technically recyclable, they are mostly used away from home, and are likely to enter the recycling system unwashed via public recycling bins. Any unwashed cups that contain milk products or smoothies are considered contaminated and will not meet quality standards for recycling. At best, these plastics will be pulled out from the recycling stream and discarded, at worst they can result in the entire contents of the bin going to landfill. Even if the cups are clean enough to meet quality standards (e.g. if they contained water or soft drinks), <u>public recycling bins are often heavily contaminated</u>, resulting in the contents of many going to landfill. For this reason, we recommend defining recyclability not just by the type of plastic, but also by the likelihood of it being recycled given existing collection and processing systems.

If the exemption goes ahead, we recommend that lids not be included in the exemption as their size effectively makes them 'hard-to-recycle' items in most kerbside systems that rely on automated MRFs for sorting. Furthermore, they are detachable so can easily be lost to the environment.

- **Single-use coffee cups:** We would support disposable coffee cups being included in the proposed phase-out (as discussed in our answer to Q19).
- **Plastic straws**: Table 7 notes that an exemption will be considered to allow access to plastic straws for disabled persons and for medical purposes. If plastic straws are banned, an exemption is essential to ensure those who need a plastic straw to drink can still access them, but we note that exemptions can be stigmatising, especially if poorly designed or resourced. We are concerned that the potential exemption has not been drafted in time for this consultation. We seek assurance that the Ministry will ensure active and wide participation of the disabled community in the drafting/design of such an exemption before determining whether or not to ban plastic straws.

Question 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

- **12 months** for everything except single-use cups
- **2 years** for single-use cups to allow time to implement reuse infrastructure, collaborate with businesses, and undertake community engagement

Question 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Coffee cups

The Packaging Forum estimates that New Zealanders use 295 million single-use coffee cups a year. The overwhelming majority of single-use coffee cups are landfilled or escape into the national environment. Coffee cups are non-recyclable due to the waterproof liners and coffee residue, and they are a common contaminant in the cardboard recycling stream. Compostable cups rarely make it to a commercial composting facility where they can break down. Coffee cups are also light and prone to escaping into the environment. The fully detachable lids increase the potential for harmful plastic litter.

We believe that the expertise to create reusable infrastructure and accompanying community engagement is already well established in New Zealand. Virtually all outlets already accept BYO reusables, and most outlets have in-house ceramic options if people forget their cup. There are a growing range of reuse schemes/cup loan systems. Some towns, such as Wanaka, have a vision of being free of single-use coffee cups by 2022. Nationwide, a growing number of cafes (over 50 that we know of) have eliminated single-use cups entirely by implementing strategies to encourage customers to "sit, borrow or bring". They have implemented a combination of incentives such as discounts/surcharges, retail of 'keep cups', adoption of homegrown/national reuse systems (e.g. Again Again and informal cup loans), invitations to BYO, education around the issue and importantly, encouragement to build community by making time to stay.

We believe the most impactful role for the Government is to use regulation, policy and investment to increase the uptake, accessibility (including affordability), reach and availability of reusable alternatives to throwaway coffee cups. Effective policy options (many of which are possible under s 23 of the WMA or without the need for new Parliamentary legislation) include:

- Mandating reusables for dine-in customers.
- Establishing well-publicised disposable cup-free zones (e.g. university campuses and government buildings, museums and galleries, coasts and national parks).

- Implementing a deposit return scheme for both disposable coffee cups and reusable alternatives offered through a reuse scheme (e.g. Again Again), plus mandating that all outlets dispensing takeaway cups (whether disposable or reusable) take back empty cups (for appropriate disposal or reuse) achieved under ss 23(1)(c) and (e) of the WMA.
- Ensuring that reusable cups and reuse schemes follow universal design principles and are accessible for everyone in the community.
- Investing in the infrastructure needed for reuse schemes to work well, e.g. reverse logistics and sterilisation services.
- Working with MoH and MPI to create official reusables guidelines so that businesses and the public can feel confident in the safety of reuse.
- Updating food safety legislation to require outlets to accept clean BYO cups.
- Compulsory labelling on disposable coffee cups that inform consumers about reusable alternatives and where they should be disposed of (i.e. in rubbish bins, unless a commercial collection facility is available for compostable cups)
- Banning the branding of disposable cups (under s 23(1)(f))
- Imposing a levy on disposable coffee cups, and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.
- Including disposable coffee cups in the proposed mandatory phase-out list because this will stimulate solutions.

The Government suggests it could invest in scaling up reuse systems. We support this happening alongside regulatory and policy interventions that remove some of the barriers to reuse schemes growing. Doing both will be most effective and efficient.

We do not believe that investing in expensive systems to downcycle or compost cups is the best use of public funds. It would be more efficient to invest this money in stimulating the scale and uptake of a reusables network.

Local community engagement and collaborative solutions are more impactful in terms of creating lasting behaviour change than high level national education. Funding support to NGOs and community groups already working to educate and engage on the ground would be the most efficient way to invest in behaviour change

Wet wipes

We support transitioning from wet wipes containing plastic to those not containing plastic as soon as practicable.

In the meantime, we would support investment in community engagement around reusable alternatives and the problems associated with wet wipes (i.e. release of plastic into waterways and blocking of sewerage systems), and compulsory labelling requirements to inform users of how to dispose of them correctly and to prohibit use of the word "flushable" on the product packaging (these labelling requirements should be mandated under s 23(1)(f) of the WMA).

Before a ban is phased in, we would also support fees being attached to wet wipes to cover the clean-up costs (which can be considerable when they block pipes and form fatbergs). Currently the community is covering these costs through Council. It would be more appropriate to attach this cost to producers and consumers through a fee. This is different to a levy as it is tied to the cost of managing the product and could be achieved under s 23(1)(d) of the WMA. A ban on advertising for wet wipes containing plastic would also be appropriate.

An alternative pathway that could be helpful would be to declare disposable sanitary products (which would include wet wipes) as a 'Priority Product' - this would enable a considered, wraparound approach to a multitude of similar products at once, under the banner of regulated product stewardship.

Question 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

A combination of regulation to disincentivise single-use and build a reuse culture, community engagement, and reuse infrastructure would enable the transition away from single-use coffee cups. We invite the Government to consult with the hospitality businesses, collaborations, and social enterprises working in this space in Aotearoa to hear what has made their projects successful, as well as ongoing barriers and opportunities, such as:

- UYO
- SUC-free Wanaka
- Again Again
- CupCycling

- Good to Go Waiheke
- The Grey Lynn Koha Jar Project
- Takeaway Throwaways
- Wanakup

In relation to wet wipes, a collaborative effort with an educator such as Kate Meads who has long advocated and supported public transition to reusable alternatives, could be appropriate.

Question 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Coffee cups

With formal Government support for reuse systems and community engagement, we believe individual towns can meet their goal of being single-use cup (SUC) free by 2022. Replicating the successes of those towns could lead to a SUC free Aotearoa by 2023.

Wet wipes

We would support transitioning from wet wipes containing plastic to those not containing plastic (and that will not block sewers and form 'fatbergs') as soon as practicable (e.g. by Jan 2022).

Question 22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

☑ Yes

The list of costs and benefits is comprehensive and we agree with them all. We appreciate the recognition of the potential cost savings for retailers if more reusables are used, and the cost savings for the wider community from reduced waste and litter. An unconsidered cost of the proposed mandatory phase-out of plastic straws is potential discrimination against individuals who need a plastic straw.

Additional benefits are offered by the opportunity for businesses and communities to develop reuse schemes and reusable alternative products to replace the items that have been phased out. Reuse schemes reduce waste, reduce costs for local government and ratepayers, and create more jobs than recycling or landfilling packaging. These jobs are also dispersed across the country, which meets provincial development goals.

Question 23. How should the proposals in this document be monitored for compliance?

The community will assist in monitoring if they are able to report breaches of the mandatory phase-out to MfE, similar to the plastic bag ban.

In light of the far wider scope of this particular phase-out proposal and the breadth of actors in our economy and within our communities who are likely to be affected, we support MfE creating a compliance, monitoring and enforcement strategy. We also believe that appointment of enforcement officers under s 76 would be appropriate in this case.



28 October 2020

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Email: Plastics.Consultation@mfe.govt.nz

Dear Sir/Madam

Kāpiti Coast District Council: Submission on Reducing the impact of plastic on our environment

Thank you for the opportunity to submit on the proposed bans on single-use plastic items, hardto-recycle PVC, and polystyrene food and beverage packaging. Please find attached the WasteMinz TAO Forum's submission regarding these documents. The Kāpiti Coast District Council fully supports the submission from the TAO Forum.

Should you have any queries regarding the content of this document please contact Ruth Clarke, Waste Projects Manager, Sustainability and Resilience Team directly on (027) 5555 741 or by email <u>ruth.clarke@kapiticoast.govt.nz</u>.

Of particular interest to Council is the wider opportunity for these bans to create widespread behaviour change, much as the plastic bag ban did, so that waste reduction and circular economy principles become embedded in economic, social and cultural behaviours with better environmental outcomes.

Kind regards,

Sean Mallon Group Manager Infrastructure

Laura Barnett

| From: | Kathryn van Beek ^{s 9(2)(a)} |
|----------|--|
| Sent: | Thursday, 3 December 2020 9:34 PM |
| То: | Plastics Consultation |
| Subject: | Reducing the impact of plastic consultation submission |

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

I support the Government's proposed plan but I think we should go further. I am really concerned about tackling plastic waste and I think we need to address this issue by not only banning unnecessary plastic waste but also implementing reuse systems and creating a circular economy. Aotearoa's precious coastlines, marine wildlife and land environment and our streets and communities depend upon this Government taking bold action on plastic waste.

This is important to me because I live near the sea and I am always picking up plastic waste left by other people. I wish we would move immediately to biodegradable packaging.

I support moving away from single-use items including;

- Plastic cotton buds
- Plastic drink stirrers
- Single-use plastic tableware and cutlery
- Single-use plastic produce bags

- Single-use plastic cups and lids and non-compostable produce stickers - especially the produce stickers! Not everyone remembers to remove these before composting and sometimes they are hard to remove.

I strongly support the proposal to include single-use plastic items made of degradable, oxo-degradable, biodegradable and compostable plastics in the proposed phase-out.

I believe that producers should be held accountable to take responsibility for their packaging. Currently this is all being passed on to consumers to deal with. Stop it at the source!

I would like the ban to go further and include single-use plastic bottles and lids, which are one of the worst offenders found on New Zealand coastlines. Nga mihi

Kathryn van Beek



20 August 2020

Ministry for the Environment Plastics.Consultation@mfe.govt.nz

Dear Plastics Consultation Team

Submission on MfE consultation document 'Reducing the impact of plastic on our environment'

Thank you for the opportunity to submit on the proposals to reduce plastic waste on the environment. In making this submission we recognise that, while this set of proposals is necessarily limited in its scope, a range of policy measures will be required to comprehensively address the environmental impacts of plastics and move us towards a circular economy.

Below, we respond to each of the questions in the consultation document.

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes. We note that the consultation document primarily defines materials as hard to recycle for technical reasons, like PVC or PS (pp. 14-15). However, many other plastic types (even ones that are technically easier to recycle, like PET) may still be hard-to-recycle in practice due to:

- suboptimal collection systems (e.g., recycling systems that allow for high levels of commingling or contamination)
- over-reliance on off-shore markets, including markets where we cannot be certain materials will be safely received and processed
- inherent product design flaws (e.g., pigmented/coloured plastics or use of non-recyclable labels, tear off tamper wraps, multi-pack packaging, composite products and soft plastic pouches).

2. Have we identified the correct objectives? If not, why?

The consultation document expresses the main policy objective as follows: "[to] reduce the impact on our resource recovery system and environment from hard-to-recycle plastic packaging and singleuse items through significantly reducing the amount in use."

We believe that this is a sound objective, and also a necessary condition for transitioning from a linear to a circular economy. However, supporting measures must also be put in place to prevent a shift from one banned single-use material to another single-use material. Measures must support re-use of existing materials, the foundation of a circular economy. Furthermore, we also believe that producers need to be supported to shift away from a reliance on virgin resin towards recycled resin so that we can close the loop in our plastics economy and reduce the amount of new plastics entering New Zealand.

3. Do you agree that the options listed on p. 26 are the correct options to consider? If not, why? The options list is thorough and considers a range of important measures.

We believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. For example, an approach that combines the proposed bans with levies/fees, ecolabelling, measurable targets, deposit-return, take-back schemes, and community engagement. We also support the use of additional regulations such as mandatory minimum levels of recycled content to ensure that we do in fact recycle all the 'easier-to-recycle' plastics still permitted after the proposed bans. The EU Directive on Single-Use Plastics and the recently released Irish National Waste Policy provide useful examples of blended approaches.

In addition to the options listed, we would support including additional measures to support the uptake and scale of reuse, for example:

- mandatory targets for reuse/refill on specified items

- levies on targeted single-use items and using the levy revenue to enable transition infrastructure and operations

- guidelines for the durability, repairability or modularity of products.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items?

Yes.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Mandatory phase-outs are a clear, simple way of eliminating harmful plastics. We support mandatory phase-outs of all the items listed. However a ban *only* approach can sometimes lead to the swapping of one single-use material for another. Furthermore, it will not address the problem of our reliance on virgin plastic resin. Even if we shift to only using 'easier to recycle' plastics, measures need to be put in place ensure that those products are actually recycled. Therefore, we would like to see measures (both regulatory and otherwise) to support increased recycled content in products and reusable alternatives to plastics. This blended approach would result in less waste, a lasting shift in social norms and behaviour change, and stronger markets for recycled resin.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

We agree with the proposed phase-out of PVC and polystyrene packaging, for the reasons given in the consultation document. The two-stage approach makes sense as some items are easier to phase-out than others. However, we suggest that the phase-out of PVC trays could be brought forward to December 2021. PVC trays are especially problematic for the recycling industry as they are the main contaminants of onshore clear PET recycling, and are easily substituted by clear PET trays.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Yes.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

PVC and PS are used in consumer packaging in non-food and beverage contexts. Any PVC or hard polystyrene packaging can become a contaminant in the 'easy-to-recycle' plastic streams, so a consistent approach to phasing out all hard PVC and PS packaging is preferable.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

In our view the benefits of phasing out these materials far outweigh the benefits.

There are only limited options to recycle PVC and it often becomes a contaminant in the recycling stream. Phasing it out will assist in the ongoing drive to provide high quality recycling materials for reprocessing.

Hard polystyrene packaging cannot be recycled as there is no market for the recycled product.

Expanded polystyrene (EPS) is damaging to the environment as it readily disintegrates into thousands of tiny balls that are impossible to recover and can be mistaken for food by marine and terrestrial wildlife. This creates lasting damage to our soil, water-ways and marine environment - damage which is compounded by the free-ranging and harmful chemicals that adhere to these microplastics, many of which are bioaccumulating.

A small quantity of higher quality EPS is being collected for recycling - and is reprocessed either overseas or onshore into insulation. However due to the harmful properties of plastic in the environment, we would support it being replaced with a less harmful packaging material (e.g. corrugated cardboard).

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

We agree with the list of examples of practical alternatives set out in Table 5.

We fully support the vision of "more reusable or refilling alternatives to single-use plastics. There is an opportunity for New Zealand to rethink the use of some plastic packaging altogether, and to design innovative reuse models" (p. 40).

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

We support the phase-out of oxo-degradable plastics, for the reasons that are outlined in the consultation document, i.e., that oxo-degradable plastics:

• degrade into smaller plastic pieces (such as microplastics) but does not completely go away

• create confusion for the public and businesses, who believe it causes less environmental harm than traditional plastic packaging, and

• may have toxic effects on the environment due to the additives they contain.

We note that overseas jurisdictions, such as the EU, are planning to phase-out oxo-degradable plastics by 2021.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

Not applicable.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

The consultation document sets out a comprehensive list of the costs and benefits to various sector groups of the mandatory phase-out of the targeted plastics.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

One benefit currently missing is the opportunity for businesses and community enterprises to develop reuse schemes and reusable packaging systems to replace the targeted plastics. This would have a positive job creation impact, as well as reducing waste. Preliminary studies indicate that reuse systems produce more jobs than systems based on disposal or recycling. This is also expected to be the case for reusable packaging. Furthermore, these additional jobs are more likely to be localised and geographically dispersed, which meets provincial development goals.

The growth of reuse schemes and shifting social norms will also lead to a reduction in other singleuse packaging (not just targeted plastic), which will further reduce costs for local authorities and ratepayers.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

More transparency, more onshore reprocessing facilities and better designed collection and sorting systems for recycling would help ensure that higher value plastics collected for recycling in New Zealand actually get reprocessed. This would increase public confidence and engagement in the recycling system, creating a positive flow-on of reduced contamination. It would also allow for better packaging choices by designers, who can integrate end-of-life options (e.g. closed loop recycling) into design choices of materials. Mandatory recycled content is a key regulatory lever to assist with pull-through of recycled plastics in the economy and better design. Standardised collection of materials and investment in recycling education and community engagement would help more people to use the recycling system correctly, reducing contamination, which can result in recyclable materials going to landfill.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

We support the mandatory phase-out of all of the listed single-use plastic items, (including their oxodegradable, degradable, biodegradable and compostable plastic counterparts).

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

We support the proposal to include items made of degradable, oxo-degradable, biodegradable and compostable plastics in the proposed phase-out.

Kind regards

2empler K

Dr Richard Templer Chief Executive, Manawatu District Council

 From:
 s 9(2)(a)

 To:
 Plastics Consultation

 Subject:
 Submission on Plastics Consultation

 Date:
 Wednesday, 2 December 2020 11:19:50 pm



Apologies for sending an incomplete submission. s 9(2)(a)

I would like the government to do everything can to reduce our use and abuse of plastic, so I would be in favour of all measure in general.

Here is a transcript of my online submission as far as I have got in case I can't complete and send it on Friday.

Questions and answers in the waste submission

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes

2. Have we identified the correct objectives? If not, why?

Yes in part

This is sound overall, but surely reducing environmental damage is not a secondary objective! Moreover we should be aiming to deal to plastic not just to project a good image but because it is vital to all ecosystems especially in the oceans.

With respect to reducing recycling confusion, having common rules on plastic type is not enough. There are further problems requiring conformity. Firstly plastics are often poorly identified with small, low contrast recycling symbols and numbers poorly placed as well, or indeed absent as in much packaging and on many lids, which we are asked to separate from the containers. Labelling rules are needed to ensure that the plastic's type can be identified instantly and for all parts of an item. Policy on coloured plastic of types 1, 2 and 5 needs to be included in addition to policy on plastic type. If colour is easy for sorters to pick out and isolate if necessary we should know that it is acceptable to recycle coloured plastic. Currently, policy on colour is either absent or variable, affecting in particular whether different councils accept caps and lids. We are not advised whether some plastic is coloured to make discoloured already recycled plastic look better and cleaner, or to provide identity, as seems the case with milk caps, or to characterise a brand. Colour needs to be kept to an absolute minimum and gratuitous colour banned, to be replaced by removable paper labelling if necessary.

3. Do you agree that these are the correct options to consider? If not, why?

Yes

Yes, but thinking of them as options with a winner leads to letting go of the best aspects of other options. I agree that a ban is needed for full compliance, but this should not prevent discussion with companies to identify alternative products, to time the ban appropriately, and to allow for voluntary measures in advance of the ban so that alternatives can be tested and fine tuned.

The labelling option should be included, not treated as an alternative. The consumer needs this information and the respect of receiving it. For items with a lid, the recyclability of the lid should also be specified. Cellophane is likely to make a come-back as a transparent alternative to plastic packaging, but would have to be labelled as fully recyclable (i.e. just cellulose) or a composite with a plastic component. A directive to send to landfill should also specify whether the item is compostable in landfill and whether it is suited to composting at home (i.e. lower temperature composting).

Re recycled content, some regulation might be needed if new plastic is cheaper, but may not be able to be universal for items in which strength and longevity are important I have found that some goods become brittle all too soon, suggesting that they may contain recycled plastic containing impurities. When it comes to paper and cardboard, the use of previously discarded virgin product, such as forest prunings (which we have seen can cause much mess during flooding) should be encouraged by allowing it to replace the required recycled component and so have value - if the cost and CO2 production associated with transport does not outweigh the waste-saving benefit.

The reduction of waste going to land fill or to littering should not be neglected. Levies have worked in shops, e.g. the plastic bag charge in The Warehouse, and the "discount" given by supermarkets for the use of shoppers own bags, so levies should be able to be included as well without too much legislative hassle. They could also apply to disposable coffee cups and the like, where the customer would have the choice of paying for a single use cup or supplying a keep cup. After some research a plastic free single use cup should be possible, which would then fit with a ban on composite plastic-containing paper products. It seems that plastic straws are needed only for some disabled, so could be banned for other users. Creative non-plastic straw design for the disabled could reduce the need for plastic straws even further.

Fruit stickers should not be of plastic. Where labelling with a laser or with non-toxic ink is not desirable or possible a plastic free-label should be developed what will last from harvest to point of sale but be compostable.

Cotton bud sticks could be made from plant material.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No (please comment below)

The criteria seem sound but the effectiveness and achievability seem almost the same thing to me so should get equal weighting or be reduced to a single criterion with a triple

weighting. It seems odd to give the whole reason for doing all this (strategic direction) a single weighting by comparison, but I guess if we take the why as read and vitally important but not a means of getting there the weighting is OK.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes in part

I agree that mandatory phase-out is the way to go, but I think that aspects of teh other options could and should easily be included. You mention small items such as fruit stickers

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Laura Barnett

| From: |
|----------|
| Sent: |
| To: |
| Subject: |

Maria Cash ^s 9(2)(a) Friday, 4 December 2020 4:49 PM Plastics Consultation Reducing plastic waste

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Hi,

Just a few further thoughts regarding the reduction fo the use of plastic.

1. I believe there are people out there (like me) who would be keen to separate their own rubbish further in order to increase recyclability. Can opportunities for these be created? If not possible for the collection from our homes, perhaps via some central collecting stations?

2. Small bits like lids, rings below lids, medicine bottles like for eye drops etc. Could these be collected separately and can machinery for these small items be developed? And the plastic type be only 1 and 2?

3. Imported food (e.g.: French Camembert, Brie) Can they be banned if they do not meet our recycling requirements? Can labelling be mandatory?

4. All soft plastic and hard plastic needs to be labelled for recyclability.

5. Large paper labels on plastic packaging for food should be banned to make it easier to get greater purity for plastic recycling.

6. Plastic coated cardboard should be banned (e.g. for frozen foods. Sealord manages well without plastic coating..)

7. A solution needs to be found for the foils in which our medications (capsules) now come.

8. Aluminium trays for re-heatable food: if these can't be recycled they should be banned and another material be used.

9. Hospitals produce huge amounts of plastic rubbish. What happens to that?? Can some items be replaced with re-usable materials? Staff can be trained (again?) in how to properly clean and sterilise items.

10. Workmen use and produce huge amounts of plastic. Can this be made recyclable? What about the huge sheets of plastic that cover houses to protect builders from the weather, e.g.?

11. Can we have buckets and other household items made from a well recyclable type of plastic?

12. Any alternatives to fishing lines?? (e.g., a material that will degrade *well* after a while if it gets swept away in the water)

13. Lids for screw type jars (jam, yoghurt in glass containers and the like) Can we find an alternative to the plastic coated metal lids that are not recyclable?

14. Rubbish bags. Do they have to be plastic? I remember thick paper bags from the 1980s.

15. windows in envelopes they can be made from transparent paper

16. ban bubble wrap

17. Courier bags: many don't need to be plastic.

18. If people are encouraged to get letter boxes that properly protect from the rain, and posties can be taught not to leave mail look out of the letterbox (so it won't get wet), then we again need less plastic wrappings

19. Plastic number 5 should be discouraged as much as possible and alternatives should be requested to be developed for frozen food and take-away food.

I am absolutely delighted that you are beginning to tackle this problem.

Kind regards Maria Cash Karori

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Hi there,

If this submission is able to be included after the consultation has closed, I would like to submit in support of the proposals in your document.

I consider that Government has to lead in this space.

There is an inherent information asymmetry where consumers don't know whether the plastics their goods are packaged in are difficult to recycle or not. Because of this, changes can't be expected to be consumer driven.

This market failure is further complicated by the rise in online grocery shopping where, even if a consumer was aware of the types of plastics that are difficult to recycle, they can't physically inspect the packaging to ascertain this prior to making a purchase.

As our household buys all groceries online, the single biggest intervention that wold help us reduce reliance on difficult to recycle plastics is government intervention to prohibit those plastics.

I am confident that the market will respond with alternatives if the government regulates in this area.

Regards,

Mark Heffernan

Sent from my iPhone



Ministry for the Environment

Reducing the impact of plastic on our environment

4 December 2020

For more information please contact: Jane Murray NMDHB Public Health Service Email: jane.murray@nmdhb.govt.nz Phone: (03) 543 7805

Submitter details

- Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Ministry for the Environment's *Reducing waste: a more effective landfill levy*.
- NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
- 3. This submission sets out particular matters of interest and concern to NMH.

Specific Comments

Question 1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

NMH agrees with this description of the problems in relation to hard-to-recycle plastic packaging and single-use plastics items. Plastic is omnipresent in our daily lives, in particular plastic packaging is very difficult to avoid and difficult to recycle which causes a significant amount of plastic going into landfill. Recycling options are limited. The long term environmental and health effects of plastic pollution are only just being discovered now.¹

Question 2. Have we identified the correct objectives? If not, why?

NMH agrees that the objectives are sound from a resource recovery perspective. While health related impacts may not be relevant in this perspective, they are still significant if end-of-life plastic is not managed appropriately.

Question 3. Do you agree that these are the correct options to consider? If not, why?

NMH agrees with the options but the mandatory phase out option could be more explicit (see Question 5).

Question 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

¹ <u>https://www.who.int/news/item/22-08-2019-who-calls-for-more-research-into-microplastics-and-a-</u> crackdown-on-plastic-pollution

NMH agree with the criteria. NMH notes that there seem to be a calculation error on Table 3 where the *mandatory phase-out calculation* column does not seem to be correctly tallied (page 33).

Question 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

NMH strongly support the mandatory phase out option, however this option could be more explicit.

A sector-by-sector approach is recommended to fully understand the level of imported plastic and its use in New Zealand. For example, the healthcare sector relies heavily on imported equipment, clinical supplies, and pharmaceuticals. As this is already a competitive market, limiting access to products due to their plastic content and packaging could have serious implications on the ability to provide certain health services. It is important that sectors such as ours are supported as we transition away from hard to recycle materials. Product stewardship embedding localised solutions for packaging could be an interim solution.

These phase-out options should also be coupled with product stewardship schemes for some medical supplies. For example, expanded polystyrene boxes are used to transport medical supplies that must be kept refrigerated. Alternative reusable packaging may be significantly more expensive therefore a product stewardship scheme may be a more appropriate option. NMH notes that this scheme should be argued as an exception until a better cost effective alternative becomes available.

In addition, incentives could be given to enable people to reduce consumption and reuse materials wherever possible.

Question 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

NMH agrees with having a staged approach. NMH recommends that a very clear communications package is created so that all manufacturers clearly understand how to identify the plastic types and the alternatives available.

Question 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

NMH agrees.

Question 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Environmental degradation caused by plastic waste is not solely due to food and beverage packaging. All forms of consumer product packaging containing hardto-recycle plastics should be included in this ban (e.g. as clamshell product packaging, plastic shrink wrapping, etc., made of PVC or polystyrene). To not include all product packaging seems to unfairly target the food and beverage industry, while leaving other consumer good industries free to continue to use products that may cause detrimental impacts. This may require a longer lead time, particularly on imported goods.

Question 10. Do you believe there are practical alternatives to replace hard-torecycle packaging (PVC, polystyrene and EPS)? If not, why?

NMH agree that there are practical alternatives available to replace hard-torecycle packaging, however it must be acknowledged that New Zealand does not currently have the required infrastructure to recycle 4 and 5 plastics in the volume that they are created. Investment in additional recycling infrastructure is necessary to really see any benefits otherwise these plastic types could also be considered "hard-to-recycle".

Question 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

NMH strongly support the mandatory phase out of oxo-degradable plastics. As identified by the Parliamentary Commission for the Environment² further research is needed on the effects of oxo-degradable plastics in the terrestrial ecosystem, and particularly high value soils used for the production of food. Oxo-degradable plastics may be a human health concern.

Improved messaging needs to be encouraged to ensure that there is clarity around what plastic materials (if any) are actually biodegradable or compostable. Any such claims need to be substantiated by reliable scientific evidence and meet

² <u>https://www.pce.parliament.nz/media/196536/oxo-and-biodegradable-plastics-report-northcott-and-pantos.pdf</u>

specified standards to prevent misleading consumers about the environmental impacts of degradable plastic products.³

Question 13. Have we identified the right costs and benefits of a mandatory phaseout of the targeted plastics? If not, why not? Please provide evidence to support your answer.

NMH agree with this section. Consideration could also be given to including the benefits to human health that would occur if all plastic waste generated in New Zealand is collected and recycled.

In addition, the costs and benefits of providing more recycling infrastructure in New Zealand and in our local communities in relation to water/air pollution, job creation are not covered in detail here.

Question 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

NMH supports reusable and refillable alternatives where they are available and appropriate. At times, NMH uses single-use materials such as cutlery and drinking vessels. Currently in New Zealand, there are cost barriers to using compostable solutions (i.e. cardboard, wood, bamboo) at scale as these are currently twice the price of plastic options. There is a lack of decentralised commercial composting infrastructure so NMH is unable to divert compostable items from landfill at this time.

NMH would like to see more investment in decentralised commercial composting infrastructure as this would reduce carbon and environmental footprint, alongside providing additional nutrients to local soil.

Question 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

NMH would like to see single use coffee cups, wet wipes, and toys in fast food added to this list.

Single-use coffee cups and lids can cause contamination in hospital recycling bins. Reusable coffee cup systems are already available in New Zealand. Further,

³ http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0551-0600/sb_567_bill_20111008_chaptered.pdf

unless there is significant investment in commercial composting systems, having commercially compostable only single use products (such as PLA lined coffee cups) the only products available on the market does not alter landfill volumes.

Wet wipes can easily be replaced with cloth alternatives. NMH does use wipes in the healthcare environment, these should be potentially be treated similarly to straws where they are only available for medical use.

NMH recommends that New Zealand take the same approach as France and ban plastic toys in fast food. There are environmental and health benefits by doing so. The first being less plastic in the environment, the second is reducing the appeal of fast food. Offering toys with food products drives children's food preferences. Free movie character toys are powerful tools used by fast food chains to attract children. Children are particularly susceptible to this type of influence which leads them to request energy dense, nutrient poor food.⁴ In 2019, Burger King announced that it would stop giving away plastic toys with children's meals in Britain.⁵ NMH recommends that that plastic toys in fast foods is included.

Question 17. Do the proposed definitions in table 7 make sense? If not, what would you change?

The proposed definitions seem appropriate, however plastic tableware may require further clarity to ensure that single-use tableware is not relabelled as reusable.

Question 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other?

If you think some items may need different timeframes, please specify.

While a short time frame would be preferable from a zero waste perspective, a two - three year phase out should allow organisations enough time to organise procurement of replacement options, and allow the market to introduce more suppliers of sustainable options reducing the financial cost.

NMH recommends that all items have the same timeframe for ease of phase out and communication.

⁴ https://www.opc.org.au/media/media-releases/free-toys-powerful-influence-on-what-kids-eat.html

⁵ https://www.nny360.com/news/the-era-of-fast-food-toys-begins-to-melt-away/article_6044d845-9b4a-5bd2-99d9-fe48ed0f9adc.html

Question 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

NMH strongly recommends that single use coffee cups, wet wipes, and toys in fast food are included. As discussed in the consultation documentation, innovations already exist for coffee cups and plastic based wet wipes. Enforcing a ban on a two - three year timeline will encourage more innovation and behaviour change. For example, if there is already a supplier providing a 100% paper coffee cup alternative, setting a ban timeline will allow other innovators to join the movement to reduce the significant landfill footprint single-use coffee cups create.

Further, wet wipes are a significant disruption to waste water systems, including in a hospital environment.

Question 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

Access to reliable plastic-free products and access to decentralised commercial composting infrastructure would enable the health care system to better transition away from plastic based materials.

Question 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

NMH recommends that all items have the same two-three year timeframe for ease of phase out and communication.

Question 22. Have we identified the right costs and benefits of a mandatory phaseout of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Expansion of the benefits to human health could have been added to the document.

NMH notes that the consultation document does not look at the effects of potential changes on those on low-incomes. Those on lower incomes may not be able to afford higher upfront costs of reusable options. Therefore further consideration needs to be given to the proposal which will alleviate any burden on those with low-incomes.

Question 23. How should the proposals in this document be monitored for compliance?

NMH recommends that the Ministry for the Environment work with local government to create compliance monitoring schedule and allocate appropriate funding.

Conclusion

4. NMH thanks the Ministry for the Environment for the opportunity to comment on *Reducing the impact of plastic on our environment*.

Yours sincerely

Peter Bramley Chief Executive peter.bramley@nmhs.govt.nz

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Email: plastics.consultation@mfe.govt.nz

Dear Sir/Madam

Masterton, Carterton and South Wairarapa District Councils Submission on Reducing the Impact of Plastic on our Environment

Thank you for the opportunity to submit on the proposed . Please find attached the Masterton, Carterton and South Wairarapa Councils (the council's) staff submission regarding these documents. Should you have any queries regarding the content of this document please contact Jo Dean, , directly on (027)5836504 or by email jo@cdc.govt.nz or David Hopman, Assets and Operations Manager at Masterton District Council, directly on 0274861866 or by email davidhopman@mstn.govt.nz

We at Masterton, Carterton and South Wairarapa Councils have a joint contract for our Waste and recycling, so therefore are submitting a combined Wairarapa Councils submission.

The Council fully supports the submission from the TA Forum. Of interest to Council is that we support Proposal One: Phase out hard to recycle plastics. We are supportive of these actions rather than a straight ban.

Regards,

Jo Dean Regional Zero Waste Advisor Masterton, Carterton and South Wairarapa District Councils

David Hopman Manager of Assets and Operations Masterton District Council



3 December 2020

Submission to:The Ministry for the EnvironmentFrom:McDonald's Restaurants (New Zealand) Limited

Reducing the impact of plastic on our environment

Introduction

Proposal 1: The Government is looking to move away from hard-to-recycle plastics, starting with a phase-out of:

- some polyvinyl chloride (PVC) and polystyrene packaging
- all oxo-degradable plastic products.

This is part of a long-term shift toward a more circular economy for plastics where packaging materials are made of higher value materials that are easier to recycle.

Proposal 2: The Government also seeks feedback on a phase-out of some single-use plastic items.

Moving away from single-use items in the future will help to encourage reuse, reduce waste to landfill, and minimise harm to the environment from plastic litter.

This submission is in response to the Government consultation document dated August 2020 "Reducing the impact of plastic on our environment".

McDonald's supports consultation with the aim of improving New Zealand's waste management system and we believe it is vital that New Zealand has a strategic plan to reduce waste. Reducing waste is a complex topic.

Packaging helps us serve fresh food quickly and safely to our customers and reduces food waste by keeping food fresher for longer. But we know that packaging and plastic waste can have a negative impact on our planet and McDonald's want to help tackle this challenge.

McDonald's global sustainability initiatives

In New Zealand and globally McDonald's recognises the scale at which we operate, and that with that scale comes responsibility. As we look to the future, we believe we can have an even greater impact by focusing on four areas that matter to our communities: food quality and sourcing; our planet; community connection; and, jobs, empowerment and inclusion.

The areas of focus under 'our planet' are most relevant to this consultation. Specifically, our approach to climate action and packaging and waste.

1. Climate Action

We are driving climate action and accelerating circular solutions to keep waste out of nature, because we're committed to protecting our planet for communities today, and in the future. In 2018, McDonald's became the first global restaurant company to set a science- based target to significantly reduce greenhouse gas (GHG) emissions.

The company will partner with franchisees to reduce GHG emissions related to our restaurants and offices by 36% by 2030 from a 2015 base year. Through collaboration with our suppliers and producers, we are also committed to a 31% reduction in emissions intensity (per metric ton of food and packaging) across our supply chain.

In a New Zealand context our priority is sustainable beef farming. New Zealand is one of the top 10 beef exporters to the McDonald's world, and beef farming is one of the single biggest contributors to our global carbon footprint. For the last decade we have been part of a multisector group, working to define and verify more sustainable beef farming practices. This led to the formation of the New Zealand Sustainable Beef Roundtable in 2019, and we continue to work with the private and public sector. The use of plastics in farming and food production is considered within this work, and our suppliers have their own commitments in this space.

2. Packaging and Waste

Designing out waste, improving the sustainability of our packaging and ultimately moving toward a circular economy are top priorities for our business. These strategies support our long-term business resilience, help us to keep the communities where we live and work clean, and minimize our environmental footprint to help protect the planet for future generations.

One of our biggest opportunity areas is our packaging. It plays an important role in reducing food waste and helping us serve hot and fresh food quickly and safely to customers. But we know that when packaging and plastic waste aren't recovered or recycled correctly, it can have a negative impact on our planet, creating litter and pollution.

There are systemic challenges that stand in the way of achieving a circular economy, but we want to invest and engage in strategic partnerships that advance circularity in the communities we serve around the world. As the world's largest restaurant company, we believe not only that McDonald's has a role to play in addressing this issue but that we can use our scale to transform packaging and waste systems across our industry.

We've set goals to source 100% of our guest packaging from renewable, recycled or certified sources, and to recycle guest packaging in 100% of McDonald's restaurants, by 2025.

We understand that recycling infrastructure, regulations and consumer behaviours vary from city to city and country to country, but we plan to be part of the solution and help influence powerful change.

Our Priorities:

- Eliminate packaging through design innovation, introducing reusable solutions and encouraging behaviour change to reduce usage.
- Shift materials to 100% renewable, recycled or certified sources, and streamline the variety of materials used to enable easier recovery without compromising on quality and performance.
- Recover and recycle by finding ways to scale up systems to allow for greater acceptance of recycling, and making it easier for our guests to recycle too.
- Close the loop by using more recycled materials, including recycled plastic content, in our packaging, restaurants and facilities, and helping to drive global demand for recycled content.

More detail can be found about McDonald's global strategy, approach and progress here:

https://corporate.mcdonalds.com/corpmcd/our-purpose-and-impact/our-planet/packagingand-waste.html

3. Tackling Plastic Pollution

While our goals focus on all packaging, our plastics strategy specifically addresses how we are working to prevent plastic waste from ending up in nature.

We believe that some plastic packaging is necessary in the food industry to maintain quality and safety. Plastic has many benefits compared with other materials. For example, it's lighter than glass and fibre, and therefore causes fewer CO2 emissions when transported. However, we know that when plastic is not recycled or recovered correctly, it creates plastic pollution, which is harmful to the environment, and we want to play our part in addressing this issue.

As of 2020, 78% of our global guest packaging weight comes from fibre materials, with the remaining 22% made up of plastics, mainly for functional property needs and food safety. In New Zealand around 90% of our packaging weight comes from fibre. The remaining 10% is plastics, of which about 40% is currently defined as problematic plastic. To improve capture rates and reduce the leakage of plastic waste into the environment, we are working to:

- Reduce plastic in guest packaging that is hard to recycle, is not needed for safety or functionality and is likely to leak into the environment, such as straws, plastic bags and cutlery.
- Prioritize innovation of new materials and redesign of plastic packaging to be more recyclable. We understand the importance of streamlining plastics in order to improve
recycling rates. Our goal is to streamline material types and design packaging so that it's easier for customers to recycle.

- Increase the amount of recycled plastic content used in all parts of our restaurants, where possible, to help drive demand for plastic recycling. For example, using recycled plastics in trays, Happy Meal toys and interior design elements of our restaurants.
- Partner with companies and nonprofit organizations to support the development and expansion of recycling programs for plastics.
- Partner with Franchisees to support community-level anti-litter initiatives such as consumer communication campaigns and cleanup days.

McDonald's New Zealand initiatives on waste reduction

Proposal 1 – phase our hard-to-recycle plastics

The most common of the hard-to-recycle plastics in McDonald's packaging and waste streams is rigid polystyrene, primarily used in hot and cold cup lids. As at 2018 figures, this type of plastic made up about 5% of total packaging by weight.

As part of McDonald's packaging and recycling commitments alternative options for plastic lids are being investigated. Suppliers are working on a fibre lid replacement, but this requires significant capital investment, primarily to build manufacturing capability at the scale required to supply McDonald's. In addition, testing is required to ensure new packaging meets customer and operational needs.

We would ask that consideration is given to the time required to work with suppliers to develop and produce suitable alternatives. We believe an extended transition period would be required to phase out rigid polystyrene packaging.

Proposal 2 – take action on single-use plastic items

As per our global packaging commitment, McDonald's is shifting materials to be 100% renewable, recycled or certified sources. We are also phasing out single-use plastic packaging and redesigning plastic packaging to be more recyclable. In New Zealand we have already made a number of packaging changes, or have changes and trials planned in the near future.

Here is a summary of our status compared with the seven single-use products identified in the consultation document as problems in the waste or litter streams:

- Single-use produce bags: not applicable as we use paper takeout bags and boxes.
- Tableware (e.g. plastic plates, bowls, cutlery): in December 2020 our restaurants will start transitioning to wooden cutlery in place of single use plastic cutlery.
- Non-compostable produce stickers: not applicable.
- Drink stirrers: as part of our phasing out of single use plastics, we will move to wooden stirrers.
- Some single-use cups and lids. Includes plastic-lined paper cups, but not disposable coffee cups: in 2018/19 we trialled the recycling of our hot and cold cups, partnering with Simply Cups trial. The trial was paused due to Covid-19 but we are investigating restarting the trial and other recycling options for 2021. In 2021 we will trial a fibre lid

for hot and cold cups. <u>Note: we would ask for clarity on definitions in this category.</u> <u>Specifically, why coffee cups are excluded, but not cups of similar composition, but</u> <u>used for cold drinks?</u> Also, as seen in other markets and through our trial, fibre cups with a thin layer of plastic can be recycled with the right infrastructure. With the right collection and recycling systems in place cups of this type can be a commodity with value.

- Plastic cotton buds: not applicable.
- Plastic straws: in 2017 we trialled offering straws on request. This was rolled out in 2018, but had limited success with customer adoption. In 2019 we became the first major brand to move to paper straws. Note: fibre used for straws needs to be sourced sustainably. Also, in other markets there has been push back as paper straws go to waste, while in some places plastic can be recycled.

Final comments on the consultation

One of the challenges we continue to face in New Zealand is recycling infrastructure. For example, many of our franchisees want to participate in cup recycling but due to a lack of facilities that offer it, it was only really feasible in Auckland. We've met with central and local government, waste and recycling providers and other groups to understand what is available, and where there are gaps. We are keen to continue this work, but we all agree progress is needed.

The other important lens is that of consumer behaviour and psychology. With our 'straws on request' trial we have seen first-hand the adverse response staff can have to deal with when looking to implement change. We have also seen the confusion caused by the different types of recycling offered around the country. Also, McDonald's packaging is one of the most common types of litter found in public places. Litter is obviously a societal issue, and requires behaviour change, but it is an issue we want to play a part in addressing. While not specifically covered in this consultation, we believe effective ways to encourage the responsible disposal of packaging should be considered.

It is essential to ensure that substituting plastic packaging with other packaging materials results in a net environmental improvement, by considering the full lifecycle of the individual product and packaging along the supply chain – covering design, consumption and post-consumption stages.

Finally, it is important to ensure the functionality of packaging and the critical role it plays in delivering high standards of food hygiene, food safety, public health and consumer protection. As we witnessed when operating under Covid-19 alert levels 3 and 2, the ability to provide food in a safe, portable and convenient way was critical in meeting government requirements, and providing confidence and surety to the general public.

Contact: Simon Kenny Head of Communications 0274 827692 simon.kenny@nz.mcd.com

About McDonald's New Zealand

McDonald's is a fully owned subsidiary of the international quick service restaurant ("QSR") company, McDonald's Corporation. In New Zealand, QSRs make up around 20% of the country's informal eating-out-occasions market. McDonald's is New Zealand's most recognised family restaurant brand with 170 restaurants nationwide. We serve more than 1.6 million people each week.

McDonald's has been part of the New Zealand community for more than 40 years. Our first restaurant opened in Porirua in 1976. More than 90 percent of our restaurants are franchised – owned and operated by local business people.

We are a large consumer purchaser, buying more than \$180 million of local produce annually to meet our customers' needs. In 2019, more than \$180 million of goods were exported to other McDonald's markets.

Between our head office and franchisee owned restaurants, McDonald's employs more than 10,000 people. We are one of New Zealand's largest employers of youth and "first time" employers. Over 60% of our restaurants are open 24 hours a day and seven days of the week.



Response to government on reducing the impact of plastic on our environment



11 December 2020

By email: Plastics.Consultation@mfe.govt.nz

Tēnā koe

REDUCING THE IMPACT OF PLASTIC ON OUR ENVIRONMENT – moving away from hard-to-recycle and single-use items

Introduction

- 1. Thank you for the opportunity to respond and comment on the Ministry for the Environment's consultation paper: Reducing the Impact of plastic on our Environment.
- 2. We welcome the opportunity to provide this submission for consideration.

Moana New Zealand

- 3. Moana New Zealand is the largest Māori-owned seafood company and the second largest seafood company in terms of quota volume and value in New Zealand.
- 4. We are unique in that we are the only organisation that is owned by all Māori (58 iwi across New Zealand).
- 5. Established in 2004 as Aotearoa Fisheries Limited through the Māori Fisheries Act, Moana New Zealand is an important part of the inter-generational Māori Fisheries Settlement with the Crown. The nature of the settlement means that Māori will always be involved in fisheries. Activities and investments therefore take a long-term perspective that is respectful of the fisheries and the ecosystems we are part of. Our settlement assets will never be sold.
- 6. We are dedicated to contributing to the well-being of future generations and we take our role as kaitiaki seriously as it is essential to our Iwi shareholders, who we are as a company, and how we do business.
- Profits are returned to lwi in the form of dividends with the balance retained to fund our longterm, sustainable growth initiatives in line with our values of Whakatipuranga, Manaakitanga, Kaitiakitanga and Whakapapa.
- 8. Moana has significant quota in wild harvest finfish, pāua and lobster fisheries nationally. We operate processing facilities, aquaculture farms for oysters and blue abalone, and have contract harvesters for finfish supply. Our products are sold domestically and exported mainly to the US, China, Japan, Hong Kong, Singapore and Australia.

Sustainability Journey

- 9. Moana has had an explicit sustainability programme since 2013 and which is now embedded as business as usual throughout our business.
- 10. We recognise that sustainability starts at home. We must walk the talk and lead by example. We are, with our 300 people across our operations. We also recognise that as a small, isolated island nation and to develop a circular economy requires innovation and collaboration. We also note how the retail sector are collaborating to address soft plastics and think that the seafood sector must significantly increase our pre-competitive collaboration similarly to make Hard to Recycle alternatives viable.

Addressing Plastics

- 11. The seafood sector significantly relies upon plastic throughout its operations as a durable, lightweight, and affordable material. As the consultation document notes there are many types of plastic.
- 12. We note the relationship between plastics and climate change given their fossil fuel origin. We are developing a climate change strategy, analysing our carbon footprint, and will set reduction targets.
- 13. The seafood sector takes the issue of plastics in the marine environment extremely seriously. We recognise the risk to our brand and operations that it poses from public perception through to the emerging science about microplastics in seafood. We are also extremely concerned about the impacts of plastic on marine life through entanglement and bioaccumulation.
- 14. Moana recently collaborated with the Aotearoa Plastic Pollution Alliance (APPA) to host an Association of Commonwealth Universities Intern who reviewed the use of plastics in the contract harvester finfish operations.
- 15. We are analysing our plastic product use across our operations to understand what products we use, what plastic they are made of and what changes we may need to make depending on the final Government requirements for phasing out Hard to Recycle plastics.
- 16. We have formalised a Responsible Procurement Policy we have written to our plastic product suppliers to request that they document how they will enable us to support the Government's phase-out proposals.
- 17. We are developing a Plastics Reduction Commitment.
- 18. We are contributing to the Aquaculture New Zealand Sustainable Business Network work programme to tackle plastic waste.
- 19. We are members of the Aotearoa Circle.

The Seafood Sector Needs Government Support to Change

Moana would welcome an opportunity to discuss with Government how the proposed National Plastics Action Plan could support a seafood sector plastics taskforce to:

- Facilitate collaboration to make wholesale change through collaborative research and development and procurement to:
 - \circ $\;$ address the Hard to Recycle plastics e.g. polybins.
 - enable packaging evolution.
- Engage our export markets to ensure a determined yet smooth transition.
- Support the research agenda in the MfE Response (pg 8), especially as these are focussed on the marine environment and for oysters and finfish.
- We entirely support the need for consumer safety to be paramount and highlight a caution about the risk to reputation both of seafood producers and NZ Inc. if the results of these studies emerge in the absence of coordinated communication with the seafood sector, which is aiming to have meaningful response strategies in place.
- Support data sharing so that the seafood sector can inform the government of innovations and receive government updates about recycling options.

Responses to questions outlined under the proposal

Q1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Moana New Zealand are committed to reducing our reliance on Hard to Recycle plastics and agree with rethinking plastics towards creating a circular economy.

However due consideration must be given to the use of expanded polystyrene bins and related cost barriers to change. Moana New Zealand have moved to chilltainers (cardboard boxes with insulation properties) for the domestic market, however these are unsuitable for export given the length of transport time and the insulation and vibration properties required for live seafood product and leakage mitigation imposed by airlines.

Moana New Zealand support an exemption for packaging (expanded polystyrene) to meet export requirements until a practical alternative can be found.

Moana New Zealand recommends an industry-wide collaborative approach to finding this solution, enabled and supported by government.

Q2. Have we identified the correct objectives? If not, why?

We agree with the intent, however we support weighting the importance of food safety requirements of packaging for perishable products such as seafood. Until viable alternatives are found, the roll out of the phase out of specific plastics should be controlled and phased.

Q3. Do you agree that these are the correct options to consider? If not, why?

As previously stated, we are supportive on an exemption for expanded polystyrene and/or until a viable alternative can be established.

Option 4: Levy or tax - Moana New Zealand oppose this option. Moving to more responsible packaging will undoubtably mean businesses will incur greater costs. A levy or tax system doesn't promote positive behavioural changes and will only make it harder for businesses operating within an already highly levied industry. We would welcome a conversation about transitional funding support from government.

Option 8: No change – continue voluntary action. Moana are not supportive of no change. We are supportive of a move towards a more circular economy over time.

Q4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No. Greater weighting should be applied to food safety, particularly for perishable products to ensure no waste and also to the cost for transitioning to more responsible alternatives.

Q5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Please consider the comments made above regarding weightings and also the exemption for expanded polystyrene.

Consideration could also be given to Option 3: Labelling Requirements. Clear messaging for consumers will increase the viability of recycled products and enable consumers to make well informed purchase decisions.

Q6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and 2025)? If not, why?

Generally we are supportive but with exemptions already outlined in this submission.

Q7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

It has been difficult to determine exactly what is in scope and what is not. More clarity is required.

Q8. Do you think we should include all PVC and hard polystyrene packaging, in stage 2?

A cost benefit analysis would need to be undertaken for a clear decision to be made.

Q9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging?

No cost benefit analysis has been provided.

Q10. Do you believe there are practical alternatives to replace hard to recycle packaging (PVC, polystyrene and EPS)?

Moana New Zealand have investigated this and are yet to find a viable alternative for live and chilled seafood product for export. Consideration must be given to:

- Ability to maintain temperature levels over a long period of time eg. up to 18-20 hours
- Lightweight for transportation via air
- Absorption of vibrations for live product (vibration impacts mortality rates)
- The potential for a sector wide pre-competitive collaboration with Government.
- Q11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023?

Moana New Zealand would be little impacted by a phase-out of oxo-degradable plastics.

Q12. If you manufacture, import or sell oxo-degradable plastics which items would a phase-out affect?

N/A

Q13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Refer to question 14.

Q14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed? Please provide details to explain your answer.

There has been no cost analysis outlined in the proposal.

However, there will undoubtably be greater costs incurred by businesses. Moana New Zealand have undertaken an assessment on the viability of replacing polybins with cardboard boxes lined with wool. The outcome of this assessment was double the cost. Moana New Zealand would welcome exploring this further through a sector wide plus government pre-competitive collaboration.

We support government leading and supporting a collaborative research and development project to find a suitable alternative to address not only polybins but other hard to recycle plastics.

Proposal 2

Moana New Zealand would be little impacted under Proposal 2.

Conclusion

Moana New Zealand is strongly committed to this kauapapa. We intend to continue this work internally. We welcome government support to enable the seafood sector to lead significant initiatives to underpin our strong product provenance and NZ Inc. brand of our primary produce sector.

APPENDIX 1

Moana New Zealand Zero Waste Hierarchy Status November 2020

Moana is developing a plastics strategy which will follow the Zero Waste Hierarchy and include plastics policy, use and reduction targets. Examples of our work are below:

Rethink:

- All finfish consumer format is now packaged in plantic (plant-based) plastic.
- Where possible oyster trays are clear PET which is recyclable.
- Study completed by Freya Croft through ACU fellowship to understand plastics used in our Ika (fin fish) division.
- Analysing polybin use and workflow to rationalise and minimise where possible.
- Moana is of the view that this is a risk to the business, particularly for our farmed shellfish operations but also potentially for finfish. We believe at this point that the risks are mostly related to consumer perception however we recognise that the science is only going to improve as research continues.
- Moana has signed up to the Sustainable Business Network/AQNZ Agenda under "Tackling Plastic Waste in New Zealand Aquaculture. 2020."
- Establishing a relationship with Ghost Gear to work with contract fishers to identify where lost gear can be retrieved.
- Bringing our suppliers on our journey through responsible procurement.

Refuse:

• We have developed a responsible procurement policy that is beginning to be implemented.

Reduce:

- Moana has stopped using poly bins in oyster spat transferal and now uses reusable hard plastic bins.
- Moana has changed domestic food service delivery from polybins to chilltainers.
- Replaced plastic pegs on our oyster farms with wooden pegs.
- Moved to Chilltainers for domestic market.

Reuse:

• Wash and reuse disposable nitrile gloves at our Mt Wellington facilities.

Recycle:

• Gumboots are recycled into playground mats.

Repair:

• Moana invests in and has regular maintenance schedules.



2 December 2020

Plastics Consultation Ministry for the Environment PO Box 10362 Wellington 6143

Email: plastics.consultation@mfe.govt.nz

Dear Sir/Madam,

Attached you will find comments from Mondelez New Zealand on the Government's consultation document on the proposals related to plastic design, use and disposal. We have provided context and information from our perspective as well as answers to the questions presented in the online submission tool.

We welcome your feedback and an opportunity to discuss this further.

Yours sincerely,

Cara Liebrock Managing Director, Mondelēz New Zealand





Reducing the impact of plastic on our environment – moving away from hard to recycle and single-use items

Submission by Mondelez New Zealand

2 December 2020





Mondelez New Zealand: Leading the future of snacking by making the right snacks, for the right moment, made the right way.

Mondelēz International, maker of Cadbury Dairy Milk, The Natural Confectionery Company, Pascall and Philadelphia Cream Cheese, is one of the largest snack food companies in New Zealand with over 230 employees.

Sustainability is at the heart of our growth agenda both in New Zealand, and around the world. We're making significant efforts to minimise our impact on the environment – at our manufacturing sites that make our products for the New Zealand market and for the Kiwi consumers that enjoy our products every year. Sustainability is also a key focus for local transport and distribution. We are on track to achieve our 2025 goal for 100% of all packaging designed to be recycled; currently over 90% of all our packaging is already designed to be recycled.

As part of our commitment to sustainable packaging, we are constantly innovating and testing new materials to understand the environmental impact and ensure the quality and integrity of the product inside is not compromised. Earlier this year we conducted a paper packaging trial in New Zealand featuring our Cadbury Energy block. This was a world-first for Cadbury and featured packaging made from 100% sustainably sourced paper that was 100% recyclable and didn't include laminates, foils or plastics.

While we continue to investigate new packaging options, we also conduct full lifecycle assessments (LCAs) to better understand the carbon impacts across various packaging material options. Initial (LCA)s conducted in other regions indicate that plastic materials have the lowest carbon impact compared with paper (second) and carton (third) options. Low carbon impacts of plastic options are driven by lower material weight and/or lower carbon impact of the material itself.

Food safety and minimising food waste are also key considerations in determining the best material to ensure a product reaches consumers with the lowest possible risk of contamination and spoilage. Packaging plays a critical role in minimising food waste and food safety, and the material that is used to seal products is critical in meeting the expectations of regulators and consumers.

Some current alternatives that are considered better for the environment – such as biodegradable or compostable materials – can have a significant environmental footprint. They are often made from plants or crops that require the use of water, fertilizers, pesticides and farming land. They're also designed to be intentionally single use, and often require disposal via industrial facilities and processes to make them genuinely biodegradable or compostable. If disposed of incorrectly, they contaminate recycling streams, creating additional waste.

Emerging chemical recycling technologies are working to make single use plastics a thing of the past by recycling soft plastics in much the same way as glass or PET. This technology essentially makes soft plastics a circular material.





Future Post and 2nd Life Plastics are also finding new ways to reuse plastics. While these are key elements of the Soft Plastics Recycling Scheme, of which Mondelēz New Zealand is a contributing member, we seek greater industry and Government alignment to ensure that:

- 1) Collection of these plastic materials is accessible for all New Zealanders;
- 2) Consumers are educated on which plastics can be recycled, where and how;
- 3) There is dedicated investment in recycling infrastructure and research for additional materials that can be developed from these recycled plastics.

New Zealand has an opportunity to support businesses and individuals looking to innovate with the latest recycling technology which can make a lot more plastics recyclable (ie. chemical recycling), in particular, by investing in ways to scale this technology. Such an investment could be supported by leveraging existing collection infrastructure to establish a segregated waste stream for soft plastics.

In summary, there needs to be careful consideration given to the environmental impact of one packaging material versus another and a comprehensive public information campaign that provides consumers with practical information on their role in supporting an efficient recycling regime. While many manufacturers, including ourselves, are on a journey to develop sustainable packaging, we need to work closely with Government to ensure that our efforts aren't undermined by there being no infrastructure in which to recycle them.

Furthermore, while this current proposal focuses heavily on plastic waste specifically, there is a nod to potential regulations around packaging design. It is worth noting that if there are new NZ regulations put in place, it would add unnecessary complexity for businesses that operate across ANZ. To mitigate this, it would be beneficial to ensure alignment with the Australian Packaging Covenant Organisation who currently have workstreams underway in this area.

We welcome the opportunity to discuss our ongoing sustainability efforts and initiatives with you.

Mondelēz New Zealand responses to consultation questions: Understanding the problems of plastics, Q1-Q15

Q1. Do you agree with the description in the consultation document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

No. While we largely agree with the description in the consultation, it's important that consideration of the value and impact of a packaging material is considered on a full lifecycle basis through lifecycle assessments. There's no point introducing measures that encourage the use of alternative materials if those materials are worse for the planet across their full lifecycle. While waste is an important phase of a packaging materials lifecycle, there are a range of other considerations that inform material decisions from a sustainability perspective.





Q2. Have we identified the correct objectives? If not, why?

No. Should also include an objective to modernise New Zealand's recycling infrastructure to make more materials recyclable and circular, including plastics that are currently not easily recyclable in New Zealand.

Q3. Do you agree that these are the correct options to consider [phase out of PVC and polystyrene packaging, oxo-degradable plastics and certain single-use items]? If not, why? Yes

Q4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why? Largely agree, however need to ensure 'effectiveness' includes reference to the need to switch to alternative materials which - when considered with a full lifecycle assessment - are no worse for the planet (and ideally better).

Q5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Agree with mandatory phase-out as long as there are alternatives available that are better for the planet. There's no point switching to alternative materials that are worse for the environment when considered through a full lifecycle assessment. Further to this, we want to see stewardship programs be supported and think the cost benefit analysis should be reconsidered to take into account the costs to industry.

Q6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why? Yes

Q7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? Yes. [It aligns with MDLZ public commitment]

Q8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phaseout (eg, not just food and beverage and EPS packaging)? Please explain your answer. No. Don't know enough about all the uses of the material to make an informed judgment. While we can meet this commitment because we have very few products using these materials, there may be some uses for which the alternatives are unable to meet the requirements or they're in fact worse for the planet across their full lifecycle. Government would need to understand this in detail.

Q9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

We have a budgeted, public commitment to phase out these materials by 2025.





Q10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

There are alternatives, but there are performance limitations. We only use EPS on one product because it's easy to break into separate serving sizes. Alternatives exist; however they don't work as well as EPS.

Q11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes

Q12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details. NA

Q13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer. Yes.

Q14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer. NA

Q15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

We're confident we will meet our commitment to use 100% recyclable packaging by 2025. Investment in modern recycling infrastructure that makes more plastic packaging recyclable will be important for New Zealand in achieving a circular economy.

Submission contact: Jennifer Evans Corporate and Government Affairs Mondelēz New Zealand Jennifer.evans@mdlz.com







If calling ask for Angela Atkins

File Ref: SW-29-2-20-8

4 December 2020

Plastic Consultation Ministry for the Environment PO Box 10362, Wellington 6143

plastics.consultation@mfe.govt.nz

Submission Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items consultation from Hastings District and Napier **City Councils**

| | Hastings District Council (HDC) | Napier City Council (NCC) | |
|-----------------|--|-------------------------------|--|
| Contact Person: | Angela Atkins | Rhett van Veldhuizen | |
| Role: | Waste Planning Manager | Waste Minimisation Lead | |
| Address: | Private Bay 9001, Hastings 4156 | Private Bag 6010, Napier 4142 | |
| Region: | Hawke's Bay/Te Matau-a-Māui, New Zealand | | |
| Phone: | 06 871 5000 | 06 835 7579 | |
| Email: | reducewaste@hdc.govt.nz | wasteteam@napier.govt.nz | |
| Submitter type: | Local Government | | |

This submission has been written by HDC and NCC solid waste team members and endorsed by the Joint Waste Futures Project Steering Committee on Friday 4th December 2020. The Joint Waste Futures Project Steering Committee provides governance to a range of programmes and interventions to achieve effective and efficient waste management and minimisation within the Omarunui Landfill catchment. The committee comprises of three HDC Councillors and three Napier City Councillors.

The submission is based on staff knowledge, feedback received during the Waste Management and Minimisation Plan review in 2018, a community survey and the Waste Management Institute of NZ (MINZ) Territorial Authority Officers (TAO) Forum submission. All references to the TAO Forum submission are documented in *italics* and smaller font for ease of reading.

HDC Waste minimisation staff undertook a community survey to assist with the formation of this submission. The survey was shared with the community via the HDC Facebook page and was open for two weeks in early October 2020. All of the responses received are attached in Attachment 1. 198 people responded to the survey with a high majority

HASTINGS DISTRICT COUNCIL

207 Lyndon Road East Hastings 4122 Private Bag 9002 Hastings 4156

> Phone 06 871 5000 Fax 06 871 5100

Hastingsdc.govt.nz customerservice@hdc.govt.nz

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of support for the proposals. Where appropriate, the information from the survey has been included in this submission including numbers of support and comments.

This submission aligns with Action 6B of the Joint Waste Management and Minimisation Plan 2018-2024 – Continue to lobby central government for problematic materials.

Consultation Feedback

1. Do you agree with the description in this document of the problems with hardto-recycle plastic packaging and single-use plastic items? If not, why?

Both Councils agree with the description but think a broader consideration of the problem would allow for wider issues to be considered and tackled, which will likely require more than a simple ban. There is a culture of dependence (economic and social) on the convenience of single-use plastics in New Zealand. As documented by the Waste MINZ TAO Forum submission, the following issues could be a barrier to the objectives:

- The price of virgin plastic can create an economic barrier to utilising recycled resin
- Product design, such as the use of coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches, can still limit a product's recyclability

The present proposal must be part of a comprehensive Government policy targeting reliance on both single-use products in general and on virgin plastic resin. This could include specific regulations and investment to disincentivise single-use and create a reuse culture.

The significant reliance on offshore markets increases New Zealand's carbon footprint through importing fossilfuelled plastic resin or manufactured plastic products. There is a need to develop zero or low-carbon alternatives where single-use is necessary and foster onshore manufacture as much as possible through financial support.

2. Have we identified the correct objectives? If not, why?

Yes, and both Councils are supportive of the three main objectives suggested by the Waste MINZ TAO Forum;

- 1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to material management and reflect the waste hierarchy.
- 2. Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams.
- 3. Reduce the current level of contamination in kerbside recycling

3. Do you agree that these are the correct options to consider? If not, why?

Yes, and both Councils are supportive of the additional measures suggested by the Waste MINZ TAO Forum.

These options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. We recommend an approach that combines the proposed bans with levies/fees, labelling, measurable targets, deposit-return, take back schemes, and community engagement. The EU Directive on Single-Use Plastics, and the plastics and packaging and single-use plastics chapters of the recently released Irish National Waste Policy, provide useful examples of blended approaches.

In addition to the options listed, we would support the consideration of additional measures to support the uptake and scale of reuse, e.g.

• mandatory targets for reuse/refill on specified items

- deposit return systems for takeaway service ware to ensure that they are in a recyclable condition (i.e., clean) and put in the correct recycling bins
 - mandating reusables in dine-in settings (as done through phase 3 of the Berkley Single Use Food ware and Litter Reduction Ordinance)
- levies on targeted single-use items
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but which are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No, and both Councils are supportive of the comments made by the Waste MINZ TAO Forum.

The TAO Forum thinks that separate tables, weighting and criteria should be used to evaluate pvc and polystyrene; oxo-degradable plastics and single-use items as these product categories are distinct from each other and there are different issues with each of them.

There should be a criterion around technical feasibility. Currently, there isn't rpvc or rpolystyrene on the market so mandatory recycled content is technically not feasible. Conversely, there are labelling schemes such as the Australasian Recycling Label, so the option of mandatory labelling requirements is technically feasible.

The TAO Forum also thinks that there should be criteria around willingness of the public to embrace the change and readiness of business – what shifts have businesses already made in this space?

Note with regards to the criteria, the alignment of strategic direction should also include legislation such as the Zero Carbon Act.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes and this is supported by the Hawkes Bay community based on a recent survey.

Proposal 1: Phase out hard-to-recycle plastics

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Both Councils are very supportive of moves to ban unrecyclable packaging, however careful consideration needs to be given to what the viable packaging alternatives are. A ban on PVC/PS/EPS packaging could result in their replacement with packaging materials as bad, or worse, in terms of environmental effects.

Firstly, both food safety and shelf life need to be considered. We need to balance the desire to reduce use of hardto-recycle plastics with the potential for inferior packaging choices leading to increased food loss and waste, given that approximately one-third of all food produced for human consumption globally is already lost across the supply chain.

Secondly, we need to consider recyclability and how to ensure that measures to reduce PVC/PS/EPS packaging don't lead to an increase in packaging coded as plastic #7 or compostable packaging where there is no infrastructure in place to process it.

Finally, it is also important to have a carbon footprint lens to ensure, where possible, that alternatives use less resources in production, transport etc.

Therefore, both Councils are supportive of a ban for products where known recyclable alternatives are available e.g. products which can be made out of plastics #1, #2 and #5. However, the TAO Forum notes that there is a risk that products could move from plastics #3 and #6 and switch instead to equally unrecyclable plastics.

Both Councils are supportive of a ban in two stages. Stage 1 should only include those products where there are known recyclable alternatives available. In particular, banning pvc and polystyrene trays would ensure that valuable PET trays, which are currently being landfilled, can be sent to processors such as Flight Plastics for recycling and could prevent some councils from needing to purchase costly optical sorters. EPS containers (eg, clamshell takeaway containers) and EPS and polystyrene cups cause contamination in kerbside recycling and once again there are suitable alternatives on the market.

Both Councils are supportive of the TAO Forum statement that more research needs to be undertaken to ensure that the proposed 2025 timeframe for Stage 2 is sufficient to ensure recyclable alternatives to PVC and polystyrene.

7. Have we identified the right packaging items that would be covered by a phaseout of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Both Councils agree with the comments made by the TAO forum; A blanket ban may not necessarily be the most appropriate measure at this stage for PVC and PS rigid packaging. It may be better to focus on specific items within these packaging types where appropriate alternatives are readily available, particularly around supermarket food packaging and takeaway items that can easily be swapped out e.g. meat trays, sushi containers, and PS takeaway containers. This would place the focus on specific items that prevent the effective recycling of other recyclables e.g. pvc trays.

The TAO Forum notes that EPS packaging for homeware and whiteware can't be collected at kerbside due to its size, but can be collected through store takeback schemes. Plastic NZ has already begun work on voluntary product stewardship for pre-consumer eps packaging and several large retailers offer takeback schemes, but these aren't widely promoted. ¹ Designating packaging for homeware and whiteware as a priority product and setting up a product stewardship scheme for this type of packaging to encourage industry-led innovation such as a redesign of packaging materials may also be a suitable option.

EPS is difficult to manage in an operational context at both Refuse Transfer Stations and Landfill, as every time it is moved, the material crumbles and easily becomes windblown litter on exposed sites.

The community survey respondents strongly support mandatory phase out, with 190 responding "Yes" and five responding "No".

¹ E.g. Harvey Norman

When the community was asked about specific polystyrene products and possible options, the following options were preferred.

| | For EPS polystyrene | For rigid clear polystyrene | For chilled goods packaging polystyrene |
|---------------------------|---------------------|--------------------------------|---|
| Mandatory phase out | 169 | 181 | 168 |
| Labelling requirements | 2 | 1 | 2 |
| Product stewardship | 3 | 1 | 1 |
| Reduction targets | 12 | 4 | 15 |

Community survey comments included;

- It's frustrating checking every product in the supermarket for the recycling code. This should be more obvious on all products to help everyone compare their options when browsing, rather than when it's time to waste the container. Local education on recycling choices (let's prevent our waste landfill) is needed too.
- Polystyrene packaging should be phased out some places use cool cardboard options already (I've had furniture and electronic equipment arrive packed with pressed and corrugated cardboard and think it's far better, less mess and recyclable). If Government makes no polystyrene packaging the standard it would save lots of unrecyclable waste.
- There are good alternatives that do not damage the planet, companies must be encouraged and monitored to do the right thing. . Businesses will always choose the cheapest alternative
- If we can't recycle it in NZ, it should be banned! If it's single use, it should be banned!
- Get rid of them at the source. Stop producing the toxic items. A mandatory phase out will give companies plenty of time to integrate new sustainable alternatives for packaging.
- People will adapt just like they did with plastic shopping bags, go hard, go fast and get rid of them.
- Critical to find/ create a market for affordable alternatives especially for small business.
- Polystyrene should not be used for food packaging as it leaches. Also cardboard/paper fibre alternatives for TV packaging is a great alternative option.
- Chilled goods do present a problem but we could get our Crown Research Institutes to look at this
 problem. We could adapt an overseas solution, if one is available, to the NZ environment or we
 could develop our own solution.
- I believe unless there can be a dedicated way to collect and recycle these products into circular economy then they should not be produced.

The Councils are supportive, but do not have extensive knowledge in this field to comment further.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

Both Councils are supportive of the comments made by the TAO forum; PVC and PS/EPS are used for packaging for medications and to ensure food products are kept at suitable temperatures for transportation. It is possible that exemptions might be needed for medical use if suitable alternatives are not available. PVC is also

used in the construction industry for a variety of materials. The TAO Forum recommends that more research is undertaken to determine whether there are suitable replacements for these materials and to investigate where reusable or refillable options may be possible. The TAO Forum recommends that the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Both Councils agree with the TAO Forum stated benefits:

Environmental

- There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- It will encourage the transition away from non-renewable oil-based products

Social

- There will be amenity improvements due to less litter in the environment.
- Reducing plastic waste in our environment contributes to improving the mauri of our environment.

Economic

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs.
- Cleaner, higher value recycling streams, assuming materials are swapped out for domestically recyclable plastics #1, #2 & #5.
- Increasing the viability of domestic recycling opportunities for #1, #2 & #5s due to higher volumes and increased quality.
- Businesses that produce products for export may gain a competitive advantage by using more recyclable packaging
- It would create a level playing field for all businesses which would provide certainty and fairness.
- With many of the alternatives being fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

The TAO Forum believes that there would be the following costs:

- Industry will need to develop new processes and alter production lines to accommodate different packaging materials.
- Higher cost of alternative material types for packaging, especially for takeaway containers. While a significant % increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ² and Colmar Brunton³ has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by a long lead-in time and liaison with recyclers as clean EPS is recyclable.
- Inferior-quality packaging could result in increased food loss and waste.
- Potential for higher environmental costs depending on new packaging choices.

The TAO Forum believes that the last point noted above is the greatest risk. A ban on PVC/PS/EPS could end up with these materials being replaced with something as bad or worse from an environmental/waste perspective e.g. a composite material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home compostable and also unlikely to reach a commercial composting facility which is able to process it. There is a risk of creating yet another contaminant in kerbside recycling or in commercial composting processes, or at best the use of additional materials whose only option is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but also ensure a simultaneous transition to PET/ HDPE/ PP.

² WasteMINZ Plastic Bag Charges and Beverage Container Deposits Study 2016

³ https://static.colmarbrunton.co.nz/wp-content/uploads/2019/05/Colmar-Brunton_Better-Futures-2020-Presentation.pdf

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Both Councils support the comments made by the TAO Forum.

Given the complexities involved in determining which plastics are used in food packaging, ranging from ensuring plastics are food safe, to offering physical protection and providing adequate oxygen and moisture barriers where required, this is a very technical and specialised area and so is not a question that Territorial Authorities are necessarily best placed to answer.

Alternatives are already available for some food and beverage packaging items e.g. PET meat or biscuit trays where PET is proven to be effective as a packaging material, acceptable in kerbside recycling and with a domestic market for reprocessing (Flight Plastics).

There may not be practical replacements readily available for all PVC/PS/EPS food and drink packaging items, for example flexible PVC which is often used to package fresh pasta or ham, and PVC-related plastics which are used for barrier coatings.

Therefore, at this stage the TAO Forum believes that for the purposes of this consultation, in the short term, the scope must stay focused on single-use packaging where there are known viable alternatives and that further research and innovation may be needed for other packaging types

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

The recent community survey respondents strongly support mandatory phase out, with 183 responding "Yes", 3 responding "No" and 9 "not sure".

Community survey comments included;

- Micro beads etc are killing our oceans, waterways and the life dependant on them.
- I think these are the most important to phase out.
- Heavy metals being dispersed around the environment doesn't sound like a great solution
- I prefer education and incentives rather than regulation.
- Micro plastics are a huge issue not only for the environment but humans. These type of plastics become so small that they b3come part of the air we breathe and are likely to cause a deteriorating health long-term.
- these are terrible products that spread the harmful effects of plastics into waterways and soil ecosystems, similar to micro plastics in beauty products
- This type of packaging is arguably even more harmful than conventional plastic packaging due to
 it breaking down into micro plastics which are toxic to our wildlife (and to us).
- It is still harmful to our environment and there are better alternatives available.
- I think so but please give examples so we know what types you mean.
- This is simply not acceptable in any way and it's also not sustainable.
- Should've happened 20 years ago!
- · When you can't see it, it's even more dangerous eg fish and bird life
- Everything can be made from compostable material. The time for change is now!
- · This is no better and probably worse than non oxy single use
- The point is preventing micro plastics from harming the environment and poisoning the water and soils
- "Compostable only"
- Definitely!
- I did not know that, it is awful, yes they should be banned
- These should be banned next week. They are a terrible product that has been misleading public for years.
- Just because you can't see it doesn't mean it has disappeared and is no longer a problem. We
 have strict controls on toxic gases that we can't always see. Degradable plastic should also be
 controlled or banned.

Yes, degradable plastics of all types should be phased out. This includes both oxo-degradable and photodegradable plastics. The TAO Forum notes that it is important when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break down more quickly into microplastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and also the deceptive nature of the advertising for many of these products. Many of these products imply that they are greener and more environmentally friendly than conventional plastic, see image below.

Due to the issues caused by these types of plastic and the deceptive nature of how some of these products are advertised, the TAO Forum believes they should be phased out over a shorter time period by January 2022.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes, both Councils agree that correct costs and benefits have been identified

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Both Councils support the comments made the TAO Forum.

As mentioned previously, the greatest risk is if a ban on PVC/PS/EPS ends up with these materials being replaced with something as bad or worse from an environmental perspective. This would increase the costs but also reduce the benefits of the ban. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging, but ensure the simultaneous transition to PET/HDPE/PP. Other measures which could assist would be standardising kerbside recycling and introducing compulsory labelling for recyclability and compostability. In terms of compostable packaging, the Ministry for the Environment needs to assist industry to develop the appropriate processing and collection infrastructure, whether that be through funding or designating compostable packaging a priority product. Alternatively, it could be clearly signalled that compostable packaging is not an appropriate alternative to PVC and EPS. The TAO Forum prefers this option.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

N/A

Proposal 2: Take action on single-use plastic items

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

The recent community survey which had 198 participants, with respondents supportive of mandatory phase-out of the following items.

| Plastic Straws | Plastic Cotton Buds | Plastic Drink Stirrers | Single-use plastic tableware | Single-use plastic produce | Single- use cups and lids | Non- compostable produce |
|-------------------|---------------------------|------------------------------|------------------------------------|----------------------------------|---------------------------------|--------------------------------|
| | | | and cutlery | bags | | Stickers |
| 184 | 182 | 186 | 188 | 188 | 187 | 187 |

This survey also gathered suggestions on other items to include;

| Suggested items | Wrap (e.g. Clingfilm and shrink wrap) | Pill/medication sheets & containers | Bread Tags | 6 pack can rings |
|---------------------------|---|---|----------------|------------------------|
| Number of times suggested | 7 | 5 | 5 | 3 |
| | | | | |
| Suggested items | Milk and water Bottles | Food packaging | Coffee Cups | Excessive packaging |
| Number of times suggested | 13 | 17 | 5 | 5 |

Community survey comments supporting the phase out of more items were also received;

- I think non recyclable Pill Containers should be banned.
- They all have a life span of about 2 minutes and then Take hundreds of years to break down"
- My biggest one is the fruit stickers. I would love to see them disappear!
- It would be good to go back to cardboard for ice cream, some brands still do this
- Hard and soft plastic packaging for food products- too start off with. Plastic wrapping for flowers, both supermarkets and florists. Explain why- obviously because it's plastic.
- Plastic packaging of retail items. The tonnes of plastic packaging used to wrap plastic toys and goods from the bulk stores is excessive. Cardboard alternatives should be cheaper to buy (rather, plastic packaged items should be taxed further).
- "Supermarket plastic meat trays, supermarket use of gladwrap. There are eco friendly
 alternatives available, and I think it is time for supermarkets to step up and do their bit for the
 environment."
- Polystyrene packaging needs to be banned as we import more per capita than any other country.
- The plastic thing some pizza companies put in their boxes to stop the lid sticking to the pizza toppings.
- Single use water and soft drink bottles. Or at least make sure they're easily recyclable including the lids, and the little plastic cap over the sucker bottle top, and the sucker bottle
 top itself, and any plastic wrap with their branding.
- Pallet wrapping shrink wrap
- Anything which cannot be reused, recycled or composted. This recycling must be costeffective and sustainable. There is no good reason why we should tolerate and accept such things.
- Any Plastic packaging that can't be recycled including tetra packs. We live in Hastings and only numbers 1 and 2 can be recycled.. So much food comes in packaging that has to go to land fill.. I'm happy to pay a little more for items if the company supplying them can take more responsibility for the packaging. It_gwould be good for the council to do a composting service too.

Community survey comments supporting the phase out of more items were also received;

- Everything not absolutely essential (eg some medical items), because the problem keeps growing due to the persistent nature of the products, and they're made from global-heatingpetrochemicals.
- Why are disposable coffee cups not included in this list? Given how many people drink coffee an throw these cups away, it should be at the top of the list. Have cups available to purchase, have a bond paid if you borrow and then return a cup, bring their own cup. There are options other than disposable cups. These should be added too.
- Non bio degradable animal feed sacks
- · Plant pots need to be looked at
- All producers should have to pay a levy to subsidise the cost of Recycling their plastic items, Milk bottles because we should return to glass.
- Balloons and glitter. Harmful commodities made of plastic people dont often think about however there are environmentally friendly alternatives
- All plastic, including toothpaste tubes.
- All single use...apart from consideration to medical supplies
- Balloons, water balloons.
- the plastic shrink wrap on promotional grocery items eg: x3 pack of Watties spaghetti cans. Just advertise with a sign. Also when a shampoo and conditioner are on special, these don't need to be wrapped together with plastic."
- "Plastic beads in soft toys (Beanie babies)
- Bean bags filled with polystyrene "
- Is there an alternative to fishing nylon? "
- "Tetrapak cartons these are plastic coated cardboard which can not be recycled and does not compost.
- Industrial tank liners for shipping containers"
- Those coffee pod things, just awful!
- Personally we need to reduce the types of material that exist and make the material types of one kind. this allows easy recycling. Government then needs to create a single point mega recycling centre. This should be near a port, allowing waste from South Island to be transported to this facility to be processed. This facility should be east coast north island and should be away from Auckland allowing ease of transport of this material in a non congested manner.
- Any plastics that are not practically recyclable should be phased out
- Any plastic that is not recyclable in NZ should be banned (hummus containers, yoghurt containers, icecream containers etc)
- Plastic food trays for meat and plastic toothbrushes

Another suggestion received was - The green plastic sleeves put on newly planted apple trees. They degrade and get blown all over the place and thousands of them are used.

Officers have contacted a local orchard company to enquire about alternatives. Many orchardist are searching for alternatives. The spray guards were more traditionally used for literally protecting the tree from herbicides but nowadays more and more they are there for rabbit protection due to the devastating effect it can have on young and old trees. For rabbit protection there is an alternative, to paint the trunks with paint and Thiram or pruning paste (as a deterrent) but it's not always the best solution due to the toxicity.

Ideally orchards would have a biodegradable option for the spray guards with holes in them so that the tree can breathe but also prevent any spray residue or rabbit chewing from occurring.

Community survey comments against phase-out received;

- I prefer education and incentives rather than regulation.
- Straws of some kind need to be available for people with disabilities who need them to drink. Home compostable plastics are ok (if they are composted).
- Earbuds only because there are not alternatives available in supermarkets just yet.
- Anything for which there is not an immediately available sustainable alternative that is essential to the safety, health or wellbeing of people.
- I have found a paper straw just doesn't last in a smoothie type drink that's the only problem otherwise support reducing plastic straws in drinks that aren't needed.
- Straws we need to ensure any folk with special needs that rely on these can still have them available.
- If the plastic is compostable i don't think it needs to be banned
- Non plastic cotton buds need to be more readily available in supermarkets before the plastic ones are banned
- Straws and plastic plates as they are incredibly important to those with a disability
- My plastic produce bags are never single use. I have alternative bags when I want them, however I like to have the choice to have plastic bags if I need them.
- Produce requires some preservation. There are single use options that can be recycled easily if the facilities are available. Not preserving produce will lead to unintended side effect of waste. We don't want that
- Although I don't like using single use cups/ cutlery etc... I wonder if this should be a phase
 out rather than a ban as these items could have a huge financial cost on catering and other
 company's that use them. I think many are trying to move towards more sustainable
 products, but currently it is very difficult to find products that are eco friendly and which don't
 bear a huge cost to companies. I think more investment and research into advancing the
 technologies and ensuring there are appropriate products to replace those plastic items are
 required. The rest in that list I don't see as so difficult to replace and which there are already
 alternatives and a social move away from those products already.
- "Do spoons made from compostable plastic count as plastic stirrers?
- I think a clear distinction needs to be made between oil based plastic and plant based plastic. The latter can be composted. Depending on the standard they conform to, PLA plastic can be composted in a commercial compost process or a normal domestic compost process.
- At present I am in favour of compostable plastic being used even if it is single use. It just needs to be composted to be reused.

On a personal note, officers recommend MfE undertake further investigation regarding teabags, tissues and kitchen towels regarding the use of plastic polymers to increase the strength of these products. These products may also be contributing to micro plastic creation.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Both Councils are supportive of the TAO forum comments.

Whether a piece of cutlery or a drink cup is single-use or reusable isn't always clear cut. Microns were used as the differentiating measure for the plastic bag ban to distinguish between reusable or single-use bags. Single-use can be subjective, so further clarity is needed for the definitions of single-use plastic tableware and cutlery and single-use plastic cups and lids.

For clarity, we would encourage all the definitions to include plastic including both degradable and biodegradable plastics.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Supported by community survey – 120 responded "Yes" and 75 responded "No" of a total of respondents 198.

| | in the second se | be a sum a sufficient of a factor of the same state |
|------------------------------|--|---|
| Comments received in the con | munity survey were deneral | V SUDDORIVE OF A TASTER DDASE-OUT. |
| | indrity survey were general | |

- 34 comments 1 year phase-out
- 18 comments ASAP phase-out
 - 5 comments 6 months phase-out
- 1 comment 10 years phase-out
 - it depends on what alternatives are already available now (eg compostable plates, cutlery e.t.c) paper or metal or bamboo straws etc. some items may need more time to source eco friendly alternatives...
 - Businesses need time to find alternative replacement products and the installation of new equipment if required. Perhaps stage it over 3 years but progress has to be proven after 2?
 - i have a query about disposable medical items, how can we minimise the horrendous waste that is our current state?

Both Councils are mindful of the impact that a phase-out would have on the manufacturing sector and support the comments made by the TAO Forum.

Plastics New Zealand has noted that many businesses import these products in bulk and often have inventory sufficient for a number of years. However, the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling. Wellington City Council estimates the costs of dealing with contamination in recycling at c\$300,000 per annum. Therefore, the TAO Forum is supportive of a ban being implemented as early as possible to reduce the impact on the environment and the financial burden of councils whilst ensuring that the financial impact on businesses is mitigated. The TAO Forum is supportive of a well signalled phase out within two years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

These items were included in our community survey with 156 respondents support phasing out the use of single-use disposable coffee cups and 176 respondents support phasing out wet wipes containing plastic.

Wet wipes are an issue for HDC with regards to blockages of the waste water system, whilst we don't experience a significant number, there has been an increase over the past 10 years. The graph below covers blockages that had "wipes" recorded by the contractor. The trend follows the overall trend on the number of blockages annually, between 250 and 550 events cleared each year.



Waste Water Blockages reported as containing wet wipes

20. If you are a business involved with the manufacture, supply, or use of singleuse plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/A

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Based on the on results of the community survey, both Councils recommend that the government consider the phase-out of disposable coffee cups and wet wipes with a plastic content with urgency.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Both Councils support comments made by the TAO Forum.

The TAO Forum agreed with all the benefits listed, but there are also additional benefits. The benefits are environmental, social and economic.

Environmental

- 1. It will encourage the use of reusable options.
- 2. There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains. It will also reduce the amount of plastic in compost and therefore in soil.
- 3. It will encourage the transition away from non-renewable oil-based products which are responsible for carbon emissions from manufacture, freight and disposal.

Social

- 1. It will support the strengthening of social norms for reuse and foster a culture of reuse and recycling, rather than disposing of single-use items.
- 2. There will be amenity improvements due to less litter in the environment.
- 3. There could be the opportunity for new job creation or migration to circular jobs.

Economic

- 1. There will be less contamination in recycling services resulting in lower sorting and disposal costs.
- There will be significantly less contamination in organic waste collections, particularly if single-use produce bags and non-compostable fruit stickers were banned resulting in lower sorting costs and the ability to make a higher grade of compost.
- 3. There will be lower collection and disposal costs for litter collection.
- 4. Businesses that manufacture, import and supply reusable items would benefit.
- 5. Some businesses would save money by no longer supplying these items to their customers e.g. singleuse produce bags
- 6. It would create a level playing field for all businesses providing certainty and fairness.
- 7. There would be economies of scale for alternatives which would help to lower costs and drive innovation.
- 8. With many of the alternatives fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.
- 9. Reuse options may eventually result in cost savings for consumers.

The TAO Forum agrees with the costs listed, but notes that most of these single-use items are currently imported from overseas rather than made in New Zealand so the cost of complying with this ban is likely to be less significant than the ban on pvc and polystyrene packaging.

23. How should the proposals in this document be monitored for compliance?

Neither Council have any specific comments regarding the monitoring and compliance, however are supportive of the TAO Forum recommendations.

The TAO Forum recommends that the proposals be monitored for compliance, but also evaluated to see whether the aims of the legislation will be achieved.

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors. At its simplest form, this could be a hotline where members of the public can email if they see a business selling a non-compliant product. This was used when the plastic bag ban was introduced with 375 alleged breaches of the ban reported in the first six months.⁴ Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging e.g. sushi stores; \$2 shops for example.

Many councils and businesses undertake waste audits so asking these organisations to keep aside any branded examples of banned packaging so that businesses could be followed up is also an option.

It is also important to see if the legislation has achieved its desired aim. The TAO Forum identified three main aims and includes suggestions below as to how these could be evaluated.

1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy. Both supermarket chains have completed inventories of the types of plastic packaging in their brands. Funding a repeat of these audits after the ban has been implemented would determine to what extent the amount of hard-to-recycle plastics had been reduced.

2. Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams. Monitoring the amount and type of litter in the environment to see whether the rate at which these products have been littered has decreased.

3. Reduce the current level of contamination in kerbside recycling

If Flight Plastic is able to accept PET trays from a larger number of councils, that would also be a clear indication that the legislation had achieved its aim to reducing contamination in recycling. Council waste audits would also provide evidence that contamination had decreased. The Rethinking Rubbish and Recycling Project has benchmarked contamination and use of plastics and this audit could be repeated once the ban is in place.

⁴ <u>https://www.newshub.co.nz/home/politics/2019/12/almost-400-alleged-breaches-of-plastic-bag-ban-but-no-prosecutions.html</u>

Any evaluation could also include changes in public attitudes towards plastic products, packaging, litter and the general acceptance of these policies.

Closing comments

Territorial Authorities are continuing to face ever increasing costs and expectation creep, the continual 'dumping' of these costs on local government is completely untenable. Contamination of recycling with these items is a regular occurrence and a phase-out will increase the quality of recycling streams and reprocessing possibilities. The Councils firmly believe action is required to ensure that such costs are mitigated.

Both Councils recognise there are both challenges and benefits likely to arise from the introduction of phase-out schemes. It is also felt that the voluntary individual responsibility has not achieved the desired levels of participation or enabled economies of scale for a change in consumer and manufacturing behaviour and that Government intervention is now a necessity.

Hastings District Council and Napier City Council do not object to the release of any information contained in this submission.

Yours sincerely

Ann Redstone Waste Planning Manager Joint Waste Futures Steering Committee Hastings District Council and Napier City Council

Attachment 1 - Community Survey Responses - Excel spreadsheet



SUBMISSIONS FROM THE NATIONAL RETAIL ASSOCIATION

In response to Consultation Paper:

'Reducing the impact of plastic on our environment'

Submitted to: New Zealand Government Ministry for the Environment Manatū Mō Te Taiao

December 2020



The National Retail Association (NRA) welcomes the opportunity to make brief comments in response to the New Zealand Government regarding the '*Reducing the impact of plastic on our environment*' consultation paper.

ABOUT THE NATIONAL RETAIL ASSOCIATION

The National Retail Association is Australia's most representative retail industry organisation. We are a not-for-profit organisation which represents over 28,000 outlets from every category of retail including fashion, groceries, department stores, household goods, hardware, fast food, cafes and services.

Though we are an Australian industry association, a significant number of our members operate in both Australia and New Zealand. Australia and New Zealand are also key trading partners therefore legislation in one jurisdiction impacts many retail supply chains. The NRA strongly supports inter-jurisdictional harmonization of legislation to minimize unnecessary complexity for business and consumers.

We work proactively at international, federal, state and local government levels to ensure the interests and needs of retail and services sectors are protected and promoted. Rather than running from inevitable regulatory change, we provide a bridge between retailers and government – facilitating the exchange of ideas and information, which ultimately leads to more informed, commercially-aware outcomes for all parties.

In terms of our recent sustainability experience, the NRA was directly engaged by the Queensland, Western Australian and Victorian state governments to manage the engagement and education of over 70,000 retailers in regard to each state's bag ban legislation. We were also engaged by both Queensland and Western Australian governments to develop and deploy state-wide customer education and awareness campaigns supporting the introduction of each state's bag ban. These two campaigns reached over five million Australians and contributed to significant consumer behaviour change. In addition, the National Retail Association has recently been engaged by the NZ Ministry for the Environment as an expert consultant, assisting with the Ministry's bag ban complaint and auditing program. Currently, the NRA represent the retail industry across more than 20 sustainability taskforces, committees and working groups.

KEY CONSIDERATIONS

The NRA provides the following comments to offer preliminary insight to Government on key retailer impacts and considerations. We base our recommendations on extensive experience with legislation and initiatives impacting the retail industry in Australia and New Zealand. We have provided minimal comment on technical details of manufacture as this is better suited to organisations representing packaging suppliers and manufacturers. We also note that this submission contributes to Government's preliminary consultation process and we hope that more detailed collaboration and consultation between government and industry will be undertaken in the near future.

The NRA recognises the impact of plastic on the environment, particularly when disposed of incorrectly as litter, and supports the aim of reducing the impact of litter on our natural environment. The NRA is convinced by research which indicates that plastic litter affects marine life through ingestion and entanglement, and contaminates waste treatment facilities.

While we support the need to address the impact of plastic on our environment, we submit that initiatives must be carefully-considered, trialed and assessed in order to create effective, viable and long-lasting improvements. We urge the New Zealand Government to collaborate with retailers, manufacturers and state and federal governments to ensure that solutions are practical, researched and consistent, and that actions take into account the following considerations.

a. Consistency and clarity

Retailers and consumers need clear definitions and consistent information to be able to take action. While we respect the intentions of multiple jurisdictions in their efforts to improve environmental outcomes through legislation, it is critical that these efforts are consistent – or at least harmonised - to reduce complexity and increase positive outcomes.

We encourage the NZ Government to ensure legislation aligns with recognised criteria and significant programs underway. For example, the Australian Packaging Covenant Organisation (APCO) has been tasked by the Australian



Government to achieve the National Packaging Targets with the overarching objective of ensuring all packaging is reusable, recyclable or compostable by 2025. Many Australian retailers and manufacturers which operate in New Zealand are actively working (and investing) to redesign their packaging and other plastic items in line with this criterion.

Many positive initiatives are underway involving collaboration across Australia and New Zealand, such as the ANZPAC Plastics Pact and the Australasian Recycling Label, and these need time, support and harmonization across jurisdictions to deliver outcomes. We also note that there are multiple trials and projects underway which will potentially provide innovative solutions to some 'hard to recycle' plastics. As research and technologies in this space are fast evolving, it will be critical that industry, government and community collaborate and share information.

b. Industry impact

Industry supports sustainable initiatives, however it should be noted that any change to an item in a retailer's product range entails significant cost, resources and time, and retailers need to have confidence that they are making the right change and for the long-term. It is almost impossible for large retailers, in particular, to change a product in one jurisdiction and make different changes in another jurisdiction a short time later.

To comply with just the proposed ban on single-use plastic foodware, thousands of stores will need to:

- · redesign and test products for safety and compliance;
- · renegotiate volume-based contracts which can be 3 to 5 year contracts;
- · source new supply partners if current partners do not supply compliant items;
- · explain specifications to international manufacturers;
- reassess order volumes and predictions of consumption levels;
- · reassess supply chains and logistics (eg. wood and bamboo entail more weight);
- · reformulate pricing and deploy changes across menu boards, website and multiple delivery apps;
- · train their teams and convince franchisees and shareholders;
- · inform customers before and during the change; and
- exhaust old stock sitting in the distribution chain and in stores.

The processes implied in any change are significant and businesses need clarity and confidence to ensure their substantial investment is supported for the long-term. Businesses will also need extensive engagement and support throughout the transition.

c. Ensuring real benefit

While we support the need to address the impact of plastic on our environment, we strongly support that robust information on the environmental and economic impacts of alternative products must inform actions.

It is important to note that plastic is used by consumers and businesses for many valid reasons, including:

- meeting critical requirements and standards designed to prevent contamination and risk to human health;
- · meeting consumer demand for convenience and mobility;
- · meeting demand for products to be affordable and equitable to the majority of the population;
- · meeting demand for products to be fit for purpose and intact upon purchasing; and
- meeting increasing demand to reduce food waste by reducing spoilage and extending shelf life.

Though much research has been done on the impact of plastic litter, unfortunately there is little consensus on desired outcomes and alternatives which deliver optimal environmental outcomes, that is:

- which alternatives should replace functional plastics;
- which solutions produce the best long-term environmental impact;
- · which are practical and possible with current materials, technology and infrastructure;
- which are available and affordable in the NZ marketplace; and
- which ensure greater net public benefit.



There are multiple stakeholders such as local councils, governments, suppliers and environment groups providing contradictory advice on sustainable alternatives, resulting in confusion for consumers and business.

- For example, the Rethinking Plastics waste hierarchy model suggests that Reusability is preferable to Recyclability, however a plastic food container is more reusable than a paper container which is recyclable, or if it is contaminated it is disposed of in landfill.
- For example, some stakeholders recommend cotton produce bags, while others argue cotton has much higher greenhouse impact and that this is unlikely to be offset through reuse.
- For example, food waste represents the third largest greenhouse gas emitter and contemporary research suggests that increased plastic packaging such as portioned packets, resealability, protection, and optimal product design can reduce food waste.
- Another example is the increased use of virgin paper bags and thicker virgin plastic bags in response to the NZ lightweight plastic bag ban. By failing to provide clear direction to retailers and suppliers on optimal alternatives, such as how to verify sustainable or recycled content, there is risk of increasing environmental damage in other areas.

Given conflicting advice to simultaneously reduce and increase packaging, businesses are understandably confused and more consensus on the optimum balance needs to be achieved. Initiatives must be carefully-considered, trialed and assessed in order to create effective, viable and long-lasting improvements.

d. Health and safety

Policies designed to address sustainability objectives must align with health and safety policies and should be consistent and applied across all levels of government. Businesses, particularly those that sell food or produce, are often faced with choices between hygienic plastic packaging and non-food grade, but more sustainable, materials.

Food and safety regulations often contradict with retailers attempts to be more sustainable. For example, serious concerns have been raised regarding the increased risk of contamination using consumers' reusable containers as businesses are not able to control cleanliness and food grade standards. Current laws allow retailers to potentially be held accountable for any adverse health impacts of contaminated food, even if it was due to the customers' container.

e. Shopping behaviour

Modern consumers are now somewhat more spontaneous than they were in the past, doing their shopping in conjunction with social activities or on their way to or home from school runs, university or the gym. This means that they are not always prepared and do not always come with their own reusable items. This calls for more discussion around how retailers can provide inexpensive, environmentally sustainable alternatives, supported by infrastructure that allows customers to conveniently feed their disposed items back into the circular economy.

f. Customer intentions vs behaviour

While consumers publicly express high support for environmental legislation, a significant gap remains between customer intentions and actual behaviour.

Though a small proportion of customers have started to use reusable water bottles and coffee cups, there remains high customer demand for inexpensive and convenient options at point of sale. We believe that, at this time, the majority of consumers are not prepared to bring their own reusable utensils, straws, food containers and cups on every outing. Our members report that currently a very small proportion of customers bring their own reusable coffee cups (less than 3 per cent) or bring their own food containers (less than 1 per cent).

Retailers also report that when it comes to paying for more sustainable options, many consumers still fail to perceive value in more sustainable products. For example, recycled copy paper and recycled toilet paper continue to suffer poor sales and perception regardless of extensive retailer promotions.

We submit that government must do more to change consumer behaviour, and have evidence of this change, before introducing indiscriminate legislation. If customers have not changed their behaviour or expectations, businesses and their staff will unfairly experience the full brunt of complaints and backlash.

g. Consumer understanding



The NRA believes that the modern consumer has a basic understanding of the environmental impact of plastic litter, however consumer understanding is still quite limited and often misinformed on many issues.

For example, the NRA has found that many consumers and businesses still believe that "degradable" plastic is an environmentally-friendly alternative. Many also do not know the difference between biodegradable and compostable plastic, the difference between home and commercial compostability, and how to properly dispose of these items.

The NRA submits that there is a high level of confusion and lack of consensus regarding sustainable alternatives, and that understanding of waste stream impacts is low. We submit that collaboration and extensive education should be primary objectives before any regulatory action is considered.

h. Impact on household budgets

Alternatives to single-use plastics such as paper or bamboo options are more expensive, and though some items can be avoided such as straws, many cannot, such as spoons to consume soups or forks to consumer noodles. The paper notes that wooden forks are at least double the price of plastic. It is unacceptable to expect retail businesses to carry this increased cost burden and they will ultimately need to pass these costs onto consumers. Government should carefully assess the impact of cost increases on NZ household budgets as the paper assumes the impact is "low cost" but does not provide any substantiated analysis.

The NRA seeks to highlight that the paper provides a very basic cost analysis by grouping all single-use plastic items together, however the cost impacts of these items vary significantly. For example the cost increase to paper straws is very different to crockery plates. It is fair to expect that a more detailed analysis should be undertaken based on each item and its likely replacements, before any legislation is considered.

i. Anti-competitive considerations

The supply of sustainable packaging options in New Zealand (and Australia) is quite limited and therefore lacks market factors to ensure competition, fair pricing and ethical practices. If only a few manufacturers produce approved alternatives they can control and inflate market prices. The NRA submits that government needs to carefully examine and potentially invest in, the NZ sustainable packaging industry as well as strengthening the waste and recycling sector to produce viable circular economy outcomes.

j. Investing in a circular economy

Local governments play an important role in ameliorating the impacts of disposable plastic, but the expense is ultimately borne by our communities. The NRA believes that government needs to consider substantial investment in improving New Zealand's circular economy innovation and infrastructure before further regulatory change.

Currently, waste management and recycling systems vary in each local government area, with many residents, particularly those in remote areas, lacking access to sophisticated recycling facilities.

Examples are provided in the paper of European countries enacting single-use plastic bans and other regulatory approaches. However, it very important to note that, over the past 10 to 20 years, these countries revolutionised their recycling and waste management systems, combined with extensive consumer education programs, <u>before</u> implementing bans. This ensures a greater level of adoption and acceptance by consumers and greater commercial viability for businesses involved.

The NRA submits that the NZ system and market for recycled and recyclable goods is limited and immature compared to overseas counterparts, and government investment into innovation and infrastructure in the waste and recycling sectors is urgently needed.

OUR RECOMMENDATIONS

While the NRA strongly agrees that plastic poses serious threats to our environment when improperly disposed, we submit that each type of item needs to be carefully considered as there is no single umbrella solution. The NRA urges decision makers to ensure that any action taken is practical, consistent, well researched and carefully considered in order to create real, long-lasting change. In some cases, we must also allow time for innovation, understanding and practicality to catch up to our good intentions.


The NRA recommends a staged and multi-layered approach as follows.

1. Immediate action - Bans within 12 to 18 months

- NRA <u>supports</u> a ban on all **single-use expanded polystyrene takeaway food containers** including cups, within 12 months.
 - a. Extensive engagement should be undertaken prior to the ban to ensure businesses especially small businesses are aware and prepared.
 - b. Most national and ANZ retailers ceased used EPS foodware over a decade ago.
- NRA supports a ban on all oxo-degradable plastic products within 12 months.
 - a. Most Australian jurisdictions are in the process of phasing these out and retailer use is limited.
 - b. We also support this ban to reduce 'greenwashing' by suppliers which has resulted in some retailers believing oxo-degradable products are biodegradable or environmentally-friendly.
- NRA <u>supports</u> a ban on **single-use plastic foodware including single-use plastic straws, drink stirrers, cutlery, bowls and plates** within 12 to 18 months of the legislation passing.
 - a. We emphasize the need for a clear definition of 'single-use' consistent with international definitions.
 - b. We also recommend longer phase-out timing for items attached or included in pre-packaged goods, such as spoons in yoghurt tubs and straws on juice boxes.
 - c. Effort should also be taken to ensure a wide and competitive range of alternatives are available in New Zealand to prevent potential monopolies and price impacts on supply.
 - d. Extensive engagement with retailers should be undertaken to ensure businesses have adequate time and information to transition.
 - e. A comprehensive consumer education and behaviour change campaign will be critical. Our members report that currently a very small proportion of customers bring their own reusable coffee cups (less than 3 per cent) or bring their own food containers (less than 1 per cent).
 - f. Consideration should be given to the ongoing impacts of the coronavirus pandemic on supply chains, stockpiles and business economic pressures.

2. Short-term action - NZ Container Deposit Scheme

Though details about the proposed container deposit scheme (CDS) are notably absent from this paper, the NRA strongly <u>supports</u> the introduction of a **NZ CDS**.

Multiple Australian states and territories have introduced container deposit schemes (CDS) and are yielding highly positive results. A well-structured NZ CDS would divert millions of plastic beverage containers from co-mingled recycling infrastructure reducing cost and opening up capacity for other innovations, as well as diversifying income from recycling and collection, including benefits for the charity sector.

We believe it is important to consider the positive steps forward to develop a CDS as part of this consultation on single-use plastics as it represents a significant undertaking to organize and implement in the next few years, impacting business, government and the public. The NRA have been involved in multiple CDS in Australian jurisdictions and therefore understand the challenges and benefits, as well as the complexity and time to implement.

3. Medium-term action - other plastics

While some items can be addressed in practical and realistic ways via mandatory bans, there are multiple items that require more detailed analysis and consultation in order to provide practical recommendations and timings.

- a) PVC and polystyrene packaging
 - Any packaging which is in contact with foodstuffs must be carefully assessed for potential safety
 and health impacts, as well as impacts on food waste. These high risk items require a more
 carefully-considered, methodical approach to trial and assess food grade, heat tolerant and
 sustainable substitutes, not just testing their end use but throughout the supply, waste and



recycling chain to assess net public and environmental benefit. These factors also need to be carefully considered for other high-risk goods such as medicines and personal care products.

- We understand many manufacturers are in the process of replacing rigid PVC with PET, HDPE and PP, however finding fit-for-purpose alternatives to flexible PVC has proven more challenging. Further analysis is needed for products where a fit-for-purpose alternative is not readily available, such as yoghurt pots and cling film.
- Polystyrene is often used for its ability to contain hot, wet food products while many alternatives warp, scold or create pressure that pops lids, causing serious safety risks for consumers and staff. We are aware of multiple retailers, including national quick service restaurant brands, which are trialing and experimenting with alternatives though challenges persist.
- The NRA recommends further consultation and collaboration between government and industry to discuss challenges, develop technologies and identify solutions.
- b) EPS protection packaging (eg. packaging used to surround electrical goods)
 - Some retailers are in the process of transitioning from EPS packaging for electrical and household goods, however significant challenges remain particularly with bulky goods, fragile items, or those with unusual shapes.
 - Retailers and manufacturers are held to high standards and expectations regarding product safety, damage protection, long shelf life and requirements for transportation and shipping.
 - Businesses are trialing and experimenting with various alternatives however these will take 3-5
 years for thorough testing which is warranted given significant costs will be entailed with
 upgrading packaging equipment.
 - The NRA recommends further consultation and collaboration between government and industry to discuss challenges, develop technologies and identify solutions.
- c) Single-use produce bags
 - Any barrier or produce bag or packaging that contains food is designed to avoid contamination and improve shelf life of some of our most nutritious food groups. Importantly, produce bags are used for raw meats and seafood, not just fruit and vegetables.
 - The paper suggests alternatives as 'no bag' or fibre-based bags, all of which are unsuitable for high-risk foodstuffs such as meats and seafood.
 - In addition, contamination risk is not only due to meats but non-bagged fruit and vegetables could be contaminated by other products available in most grocery stores such as cleaning chemicals, pet products and allergens.
 - To our knowledge, no viable alternative to plastic produce bags that meets both health and sustainability needs is available. Some retailers are trialing bioplastic compostable produce bags but many remain concerned that bioplastics are not an ideal solution given New Zealand's (and Australia's) lack of commercial composting infrastructure.
 - The NRA recommends further consultation and collaboration between government and industry to discuss challenges, develop technologies and identify solutions.
- d) Single-use plastic cups and lids
 - Many retailers and manufacturers are seeking an alternative to plastic-lined or bioplastic-lined cups, but to our knowledge very limited alternatives exist.
 - Retailers are highly supportive of moving away from plastic lined cups which are hard to recycle, but need further assistance and time to find alternatives that meet consumers demand for disposable, waterproof options which have lids to prevent spills while driving or walking.
 - Bioplastic alternatives have been introduced in some outlets however the industry remains concerned about investing in options that have limited collection and recycling in New Zealand.



- We note that the paper suggests plastic alternatives "which are more likely to be recyclable" such as PET, HDPE or PP. This would be dependent on improving public recycling behaviour but may have merit for further exploration.
- Disposable coffee cups pose particular issues as they need to be heatproof, waterproof and secured with a tight lid to prevent dangerous spills. The paper mentions a recent innovation – of which we would be interested in more detail and test data - but to our knowledge completely recyclable alternatives are limited.
- The NRA recommends further consultation and collaboration between government and industry to discuss challenges, develop technologies and identify solutions.

We will refrain from commenting on cotton buds, wet wipes and fruit stickers as other organisations would be better placed to provide detailed manufacturing information.

CONCLUSION

Moving towards a circular economy requires a change in perception, a shift from thinking of consumed items as 'waste' towards seeing them as valuable 'resources'. This requires incremental steps and a whole of supply chain approach, not just avoidance, with the right infrastructure and investment in innovation to create long-term change.

Retailers are keen to collaborate and be part of the solution. Many retailers are taking a proactive approach to environmental initiatives and strongly support current regulations and initiatives. At the same time businesses are faced with a myriad of regulations, economic pressures, consumer demands, health and safety requirements, cost limitations, misinformation about alternatives, and lack of recycling infrastructure.

Therefore we urge decision makers to:

- · Support current positive initiatives without regulatory intervention;
- · Take immediate action on items which have practical, fit-for-purpose alternatives;
- Collaborate with industry in investigating, trialing and assessing alternatives to plastic items deemed high risk particularly those which touch or contain foodstuffs;
- Assist with research into sustainable alternatives to provide businesses with nationally-consistent, practical, best practice advice;
- Continue to invest in community education campaigns particularly regarding recycling, food waste and the realities facing NZ businesses as they move towards more sustainable options; and
- Invest time and resources into improving innovation and infrastructure to help build a circular economy in New Zealand.

Thank you for this opportunity to provide our submissions on behalf of the retail industry and our members. Should you have any queries, I can be contacted on 0409 926 066 or <u>d.stout@nra.net.au</u>.

Yours faithfully,

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David Stout Director, Policy National Retail Association

Reducing the impact of plastic on our environment

Organisation name: Vetere Mariagiovanna – Global Public Affairs Director, NatureWorks LLC Postal address: 15305 Minnetonka Boulevard, Minnetonka, MN 55345, USA Telephone number: +39 (335) 7578856 Email address: mariagiovanna_vetere@natureworkspla.com

Questions in this document

- 1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?
- 2. Have we identified the correct objectives? If not, why?
- 3. Do you agree that these are the correct options to consider? If not, why?
- 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?
- 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?
- 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?
- 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?
- 8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.
- 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?
- 10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?
- 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?
- 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.
- 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.
- 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.
- 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?
- 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

- For the single-use plastic tableware listed on table 7, compostable tableware should be considered as substitutes. Because it can help to reduce the food waste, not just packaging waste through organics recycling. According to the U.N. Food and Agriculture Organization, 30% of food is wasted globally across the supply chain, contributing 8 percent of total global greenhouse gas emissions. If food waste were a country, it would come in third after the United States and China in terms of impact on global warming.
- 2) Regarding the concerns about quality of the compost, government can set up requirements to qualify compostable tableware by using the Australian Standard AS 4736–2006 to verify the claims of conformance to Biodegradable Plastics suitable for industrial composting. It specifies requirements and procedures to determine the compostability, or anaerobic biodegradation, of plastics by addressing biodegradability and disintegration during biological treatment, and effect on the quality of the resulting compost to make sure there is no heavy metals or ecotoxicity. The end result of composting is carbon dioxide, water and humus, a soil nutrient. https://bioplastics.org.au/composting/industry-composting/
- 3) Compostable food serviceware are getting popular in the US and Europe and there are evidences to show the benefits of diverting the food waste from landfill and circularity of the economy. However, a proper infrastructure needs to be set up to take the compostable food serviceware (tableware or cups) to the environment that are designed for them to biodegrade fully and responsibly. The Italian infrastructure and CIC (<u>https://www.compost.it/en/</u> may be a good reference.
- 4) A new study from Wageningen Food & Biobased Research show how compostable products made with PLA disintegrated faster than orange peels or paper <u>https://www.wur.nl/en/news-wur/Show/Compostable-plasticsdisintegrate-fast-enough-in-the-current-Dutch-Biowaste-disposalsystem.htm</u>.
- 5) For take-away food, it will be difficult to use reusable items. And paper, cardboard or bamboo alternatives alone cannot perform as well as the conventional plastic tableware. Usually coating or lining is required as a barrier for oil, grease and water. Compostable plastic coating or lining should be exemption.
- 6) Plastic cups made from PET, HDPE or polypropylene cannot be recycled continuously and will end-up as waste in a landfill.

- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. a) 12 months?
 - b) 18 months?
 - c) 2 years?
 - d) 3 years?
 - e) Other?

If you think some items may need different timeframes, please specify.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Paper cups with biobased/compostable plastic lining should be considered as substitutes taking into account their plant-based origin. Food soiled paper cups can be composted for organics recovery. While the clean ones can be recycled for fiber recovery. We also need to consider the performance required to replace the conventional single-use coffee cups. In US or Europe, it is common to find paper cups with PLA coating as the option to decouple from fossil-based material for circularity.

- 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?
- 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?
- 22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.
- 23. How should the proposals in this document be monitored for compliance?



4 December 2020

Plastics Consultation Ministry for the Environment PO Box 10362 WELLINGTON 6143

Email: plastics.consultation@mfe.govt.nz

Dear Sir/Madam

Attached are the comments that the New Zealand Association of Bakers Inc. wishes to present on *Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items.*

Yours sincerely

Bhatro

Tania Watson Secretary



Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items

Submission by the New Zealand Association of Bakers Inc.

4 December 2020

NEW ZEALAND ASSOCIATION OF BAKERS INC.

- 1. The New Zealand Association of Bakers Inc. ("NZAB") welcomes the opportunity to comment on *Reducing the impact of plastic on our environment moving away from hard-to-recycle and single-use items* (the Consultation Document).
- NZAB represents large plant bread bakers, who manufacture the majority of packaged bread in New Zealand.
 Member companies are:

Member companies are:

- ARYZTA
- Breadcraft (Wai) Ltd
- Couplands Bakeries Ltd
- George Weston Foods (NZ) Limited
- Goodman Fielder NZ Ltd
- Walter Findlay Ltd
- Yarrows (The Bakers) Ltd

EXECUTIVE SUMMARY

- 3. The most significant issue for NZAB relates to the criteria for assessing the proposed options, the weightings allocated to the criteria and the cost and benefit information. With amended criteria and weightings. Two options emerge for taking forward: Mandatory phase out and Mandatory Stewardship. Working together these measures could lead to significant reduction of the target products or elimination as appropriate and be best suited to New Zealand overall.
- 4. We strongly recommend two criteria be applied, both equally weighted:
 - Effectiveness will the option make progress to goals of circular economy and advance elimination or significant reduction in the use of PVC and polystyrene packaging, oxo-degradable plastics and single-use items
 - Cost can it be implemented without placing undue costs on New Zealand, business or Government?
- 5. We disagree with the allocation of the qualitative judgements as to effectiveness and cost in the assessment of options. With the unnecessary criteria removed and the weightings equal, the options are more proportionate and better suited to New Zealand.
- 6. As noted above, NZAB strongly disagrees with taking forward only one Option, Mandatory Phase-out. We consider other options, working in concert over time, will be successful and better suited to New Zealand overall. A proportionate response to get the best results, as undertaken in the EU, may require a mix of options to apply. There are aspects of the Options we do not agree with and these are set out in the detailed comments. However, we are very concerned that products that appear in 2020 to be 'hard-to-recycle', may not mean they are 'hard-to-recycle' in the near future. New technologies are already emerging which now process previously 'hard-to-recycle' materials. These warrant serious consideration.
- 7. NZAB notes that all non-beverage plastic packaging (including PVC and polystyrene packaging) is captured by the NZ Government's recent priority products declaration. As such these materials are already subject to mandatory product stewardship requirements. The policy options described do not adequately address items of PVC and/or polystyrene packaging participating in an existing (or future) approved product stewardship scheme

- 8. In relation to costs, we consider the lack of evidence, the summary statements, the cost attributions and qualitative judgements to be very poor. There has been no assessment of the set-up cost in any area of replacement or substitution. COVID-19 presents a major barrier to implementation for business. Businesses already 'bleeding' have no reserves or resources in the current environment and the extreme limitations on accessing overseas expertise presents another barrier to implementation. The economic cost of COVID-19 has not been referred to in any detail in the Consultation Document and its economic impact is yet to be estimated.
- 9. NZAB is concerned that if this is a Starting Point, what else is planned. Substituting the use of a target product now may otherwise require further substitution over time leading to years of on-going cost. Consideration needs to be given to appropriate alternatives.
- 10. We are most concerned at the suggestion that New Zealand should lead the world in this area. We acknowledge agility in many areas but in this, New Zealand does not have either the infrastructure, technology or the resources to lead on the bulk of the packaging and materials because we have few foundation industry facilities to generate, process, or recycle the packaging in the products we produce or import.
- 11. Our main trading partner in the food and grocery sector is Australia and our members strongly believe that packaging and recycling systems should be aligned in both markets. Both countries have limited on-shore recycling capability and capacity and limitations of scale. We share packaging, management structures and supply chains. Alignment can reduce governance costs, deliver joint economies of scale, reduce community confusion and lower costs for consumers.
- 12. In other areas, NZAB:
 - agrees in principle with the phase out of PVC and polystyrene packaging but is strongly opposed to the timing of the proposed two stage process to 2025. The lack of evidence around the proposal is compounded in the time frame set for a mandatory phase out since the Ministry appears not to have researched or verified how many businesses (general or food and beverage) are using PVC and polystyrene packaging. Further, in Australia where data has been captured by the Australian Packaging Covenant Organisation (APCO), plastic packaging put onto the market fell by 6% over the year to 2018-19 with a 26% reduction in EPS and a 25% reduction in PVC. Industry is moving to more recyclable plastic where feasible and functional on a voluntary basis.
 - considers the likely costs or benefits of phasing out all PVC and polystyrene packaging needs a full and separate economic analysis. In our view, the Ministry must work with industry to understand the economic costs particularly in light of the economic impact of COVID-19 which will make investment in the capital equipment and personnel capability required to manufacture products from new plastic resins very difficult. We recommend this work be contracted out as soon as possible to ensure decisions are taken with the best available information
 - recommends that High Impact Polystyrene Sheet (HIPS) used in food packaging such as yoghurt pots should be excluded
 - recommends exempting bulk/export meat and fish polystyrene packaging (as has South Korea)
 - notes there are currently no practical alternatives to replace a number of 'hard-to-recycle' packaging products and until there are, a longer timeframe, such as to 2025, is necessary

- agrees with the proposed phase-out of oxo-degradable plastics but is concerned that the timeframe of January 2023 is more rapid than any other country has achieved and could present as a barrier to trade for selected imports. It needs to be longer
- recommends that single use bags under 70 microns thick without handles for carrying fruit or vegetables be excluded
- recommends single use plastic straws which are attached to drinks cartons for the 'on-the-go' are specifically exempted as has been the case in other jurisdictions including Australia

DETAILED COMMENTS

- 13. The comments below follow the headings in the Consultation Document and providing comments, in some cases, where no questions have been asked.
- 14. It is important to appreciate at the outset that New Zealand's main trading partner in the food and grocery sector is Australia. We strongly believe that the New Zealand and Australian packaging and recycling systems should be aligned in both markets. Additionally
 - both countries have limited on-shore recycling capability and capacity
 - Both countries have limitations of scale
 - we share packaging, management structures and supply chains.
- 15. Alignment between Australia and New Zealand can reduce governance costs, deliver joint economies of scale, reduce community confusion and lower costs for consumers.

Summary of the current problem

Q1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

- 16. NZAB agrees in part. Our strong reservation is that products that appear in 2020 to be 'hard-to-recycle', may not mean they are 'hard-to-recycle' in the near future. The New Zealand Government is investing \$124 million in recycling infrastructure, including improved sortation systems and new technology for processing. These will necessarily have an impact on the degree of difficulty of recycling. As, well, new technologies are already emerging which now process previously 'hard-to-recycle' materials. This warrants serious consideration. For example, developments in the UK in 2019 in relation to an advanced Plastics Recycling Facility has been studied in depth by the Ellen MacArthur Foundation's New Plastic Economy group from both environmental and economic viewpoints. The intent is to handle all types of plastic from all sources at one facility, locally, increasing recycling rates from current levels below 40 percent to close to 90 percent. The machine being assessed converts plastic waste back into oil. https://www.waste360.com/plastics/developing-england-s-first-advanced-plastics-recycling-facility.
- 17. In New Zealand, industry has been working with Plastoil NZ which is part of a European initiative that has developed a container based, decentralised plant which will process plastic waste or production residues into oils and waxes. Other New Zealand technology developers are working on innovative projects.

- 18. In Australia, there are already trials in New South Wales for kerbside collection of soft plastics via an industry led project with Nestlé and Australian Recycler iQ Renew (<u>https://www.curbythebilby.com.au/</u>). iQ Renew is also pioneering a new chemical recycling technology for End-of-Life Plastics.
- 19. NZAB agrees with the description of single-use plastic items.

Policy objectives

Q2. Have we identified the correct objectives? If not, why?

- 20. NZAB agrees in principle with the main and secondary objectives but is concerned the main objective does not differentiate between 'hard-to-recycle' plastics and 'single-use' plastics in relation to the aim of 'significantly reducing' the amount in use. This in turn does not differentiate the factors that might unevenly impact on use.
- 21. We are also concerned to understand that if, as the Ministry says, this is a Starting Point, what else is planned. Substituting the use of a target product with another to reduce use of the target product carries multiple costs over years if subsequently the substitute product is targeted. There are also many factors and aspects to be considered that will influence the outcome sought and this is not a linear, single track process. For example, if polymers currently used were subsequently banned, companies may transition away from plastic packaging altogether to avoid the additional costs which will come for plastics as a priority product. This may result in the perverse outcome of more paper packaging (which is an emerging problem for New Zealand); aluminium foil containers (which will not be collected for recycling at kerbside according to the WASTEminz report) or glass packaging which has a greater environmental footprint with a higher carbon footprint than plastic packaging

International analysis

- 22. NZAB is concerned at the statement in the Consultation Document (p21) that New Zealand also has "an opportunity to lead and to demonstrate our approach to best practice." New Zealand does not have either the infrastructure or the resources to lead on the bulk of the packaging and materials because we have few foundation industry facilities to generate, process, or recycle the packaging in the products we produce or import.
- 23. New Zealand is often very agile in change and is very good at imitating with pride but, as in the example in response to Question 1 above, if the UK has the resources for only two of the latest technology waste processing facilities, we must be realistic and practical in what is possible in the short to medium term for New Zealand. Leading may also mean losing products, packaging, businesses, export opportunities, employment, GDP etc. by removing New Zealand businesses or placing barriers on imports that the global trade will pass up on.
- 24. We appreciate that not all details of international developments can be included but consider a more comprehensive and even approach could have been taken that would demonstrate the extended time in development, and the vital role of industry in many jurisdictions. The "proportionate and tailored" approach taken in the EU "to get the best results" (EC Press release 21 May 2019) is also significant.
- 25. In relation to PVC bans internationally, many examples were preceded by voluntary arrangements over extended periods with many global companies taking a leading

stance against PVC before legislation was mandated e.g. IKEA, Sony-Europe, Bayer, AEG Siemens and BMW (Johnson 1996). We also note exemptions are a feature of bans including, as noted in the Consultation Document, by South Korea in 2019. This is commented on further below.

Options for shifting away from hard-to-recycle and single-use plastics

Q3. Do you agree that these are the correct options to consider? If not, why?

- 26. NZAB agrees the options are appropriate to consider but should not be considered mutually exclusive since a proportionate response to get the best results may require a mix of options be applied that work in concert.
- 27. There are aspects of the Options we do not agree with. For example, Option 6 Mandatory Phase-out, states that "A mandatory phase-out would bring new costs for public education, monitoring and enforcement. If introduced by Government, taxpayers would bear the cost." Presumably, this refers to the costs of education, monitoring and enforcement. It entirely ignores the costs to industry. There are always costs to Government of legislation which is one of the reasons (besides efficiency) that options pursued under regulatory auidelines non-regulatory are best (https://www.treasury.govt.nz/publications/quide/government-expectations-goodregulatory-practice). The statement that 'taxpayers would bear costs' is a very poorly placed comment and the omission of industry costs skews the description.

Assessing the options

Q4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

28. NZAB does not agree with the criteria or the weightings.

Criteria

- 29. In relation to effectiveness, this is a subset of alignment with strategic direction and therefore presents as 'double counting' criteria. Advancing the elimination or significant reduction of the use of PVC and polystyrene packaging, oxo-degradable plastics and single-use items <u>necessarily</u> progresses the goals of a more circular economy for plastics. The criteria on alignment should be deleted.
- 30. In relation to cost, there needs to be provision for 'New Zealand' for assessing the overall economic and well-being of the country. The term 'community', as commonly used, is too narrow geographically, socially and economically. Without reference to 'New Zealand' a vast and significant impact on the socio-economic wellbeing and health of the country is ignored.
- 31. Reference to 'public funding' is a singular element in terms of impact usually presented in cost-benefit analyses as 'Government'. At best, a focus on public funding could bias the outcome and at worst, exclude the broad range of other Government interests.
- 32. There has been no cost benefit analysis undertaken to understand the financial cost to businesses of a ban on the target products within a 2 and 4 year timeframe. NZAB companies are members of the Food and Grocery Council (FGC) which is undertaking

work to better understand how much plastic by resin type is used by its members. To date, their estimates are that almost a quarter of FGC members who use plastic packaging use some PVC and around 16% use some polystyrene. Both products already have the lowest use in the food and grocery industry with PET and HDPE comprising over half of all plastics used across the industry.

- 33. In relation to 'Achievability', we do not believe on a matter of such significance that a criterion on legislative practicality is either reasonable or relevant as a criteria. It is a Government process and a Government cost so is counted twice (public funding). If the Government can develop new legislation for organic labelling then new legislation for environmental measures might well be necessary and appropriate. This criterion is a procedure and does not go to the core of the issues.
- 34. We strongly recommend two criteria:
 - Effectiveness will the option make progress to goals of circular economy and advance elimination or significant reduction in the use of PVC and polystyrene packaging, oxo-degradable plastics and single-use items
 - Cost can it be implemented without placing undue costs on New Zealand, business or Government?

Weightings

- 35. The weightings are gross and simplistic. In our view, Effectiveness and Costs must be equally weighted in order to effectively, and without bias, consider impacts and outcomes. Allocating minus values also indicates a scaling that is ineffective or poorly constructed since zero should always be the lowest score.
- 36. We do not agree with the allocation of the qualitative values in Table 3. By way of example the effectiveness of voluntary agreements or pacts is operating effectively in many other areas such as advertising (through the Advertising Standards Authority) and Health Star Rating labelling on food. At worst, Option 1 Voluntary agreements or pacts should be assessed as 'somewhat' effective. Similarly, the effectiveness of mandatory product stewardship (Option 5) would have to be effective in making progress to goals of a circular economy and advancing the elimination or significant reduction in the use of PVC and polystyrene packaging, oxo-degradable plastics and single-use items.
- 37. In any case, the calculations in Table 3 have to be inferred and, even then, are incorrect or inconsistent. For example, 'Somewhat' seems to be allocated a value of 1 and 'Yes' a value of 2 which holds for Options 1 to 3 but these values do not hold for any of the other Options. There is no explanation of why 'No' in Option 3 has been accorded 'minus 1' but nowhere else (three other occurrences). This level of inconsistency is very disappointing.
- 38. A Table with Revised criteria, assessment and equal weighting would be somewhat different:

| Assessment criterion | 1. Voluntary agreement | 2. Reduction targets | 3. Labelling | 4. Levy/tax | 5. Mandatory product stewardship | 6.Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc action) |
|----------------------|------------------------|----------------------|--------------|-------------|--|--------------------------|-------------------------------------|------------------------------------|
| Effectiveness | Somewhat | Unknown | Unknown | Somewhat | Yes | Yes | Yes | Somewhat |
| Cost | Somewhat | Somewhat | No | No | Somewhat | Somewhat | Somewhat | Unknown |
| Total Score | 2 | 1 | 0 | 1 | 3 | 3 | 2 | 1 |
| Ranking | =2 | =3 | 4 | =3 | =1 | =1 | =2 | =3 |

Revised Table 3 (Values: Unknown - 0; No - 0, Somewhat - 1, Yes - 2)

39. As can be seen, 2 options rank equal first: Option 5. Mandatory Product Stewardship and Option 6. Mandatory phase-out. NZAB strongly recommends both be pursued for the target products.

Q5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

- 40. NZAB strongly disagrees with the assessment of the options as we have described above. We consider the criteria are incorrect and the weightings wrong.
- 41. NZAB strongly disagrees with taking forward only one option, Mandatory phase out. We consider other options, particularly Mandatory Stewardship, working in concert over time, could lead to significant reduction or elimination as appropriate and be best suited to New Zealand overall. Given that Plastic Packaging including PVC and Polystyrene has been declared a Priority Product, Mandatory Stewardship must be available as an option to industry.

Proposal 1: Phase out hard-to-recycle plastics

Reducing the impact of PVC and polystyrene

Q6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

- 42. As previously stated, NZAB notes that all non-beverage plastic packaging (including PVC and polystyrene packaging) is captured by the NZ Government's recent priority products declaration. As such these materials are already subject to mandatory product stewardship requirements. The policy options described do not adequately address items of PVC and/or polystyrene packaging participating in an existing (or future) approved product stewardship scheme
- 43. NZAB agrees in principle with the phase out of PVC and polystyrene packaging but is strongly opposed to the timing of the proposed two stage process to 2025. New Zealand and multi-national companies signed up to the Plastic Packaging Declaration in 2018 with commitments for all packaging to be reusable, recyclable or compostable by 2025. The industry is working towards these timelines globally and it is therefore unreasonable to move the goalposts. This is particularly true as there is no practical compostable solution in place for New Zealand by 2025. There is no evidence provided for stating that "the food and beverage industry is mostly ready to embrace change (many companies are already moving to high-value materials)." There is not even supporting anecdotal evidence.
- 44. The lack of evidence around the proposal is compounded in the time frame set for a mandatory phase out since the Ministry appears not to have researched or verified how many businesses (general or food and beverage) are using PVC and polystyrene packaging.
- 45. The proposed ban also needs to be seen in conjunction with the policy work being conducted by MFE on kerbside collections. The recommendations in the WASTEminz *Standardising Kerbside Collections Report*, released in September 2020, propose a ban on the collection of items smaller than 50mm in diameter. This would include small yoghurt pottles. It would make no sense for industry to move from polystyrene to polyethylene terephthalate (PET, plastic type 1) or polypropylene (PP, plastic type 5) with

a huge capital expenditure cost only for the materials not to be collected at kerbside because they are too small.

- 46. Further, by way of example, for confectionery, FGC members have advised that it is not possible to transition from polystyrene protective casing for confectionery by the end of December 2022. We recommend that this be set at 2025.
- 47. In Australia, APCO reports that PVC consumption reduced by 25% in 2019 compared to 2018 and EPS reduced by 26% over the same period. This demonstrates that industry is phasing out these plastic resins on a voluntary basis. This voluntary action is also happening in New Zealand.

| Material type | 2017-18 | % | 2018-19 | % | % change |
|--------------------------------------|-----------|-----|-----------|-----|-------------|
| Plastic – PET (1) | 132 000 | 12 | 154 000 | 15 | 17 |
| Plastic – HDPE (2) | 351000 | 33 | 316 000 | 32 | - 10 |
| Plastic – PVC (3) | 20 000 | 2 | 15 000 | 2 | - 25 |
| Plastic – LDPE (4) | 254 000 | 24 | 233 000 | 23 | - 8 |
| Plastic – PP (5) | 164 000 | 15 | 155 000 | 16 | - 6 |
| Plastic – PS (6) | 11 000 | 1 | 11 000 | 1 | - 5 |
| Plastic – EPS (6) | 22 000 | 2 | 16 000 | 2 | - 26 |
| Plastic – Bioplastic | 1 000 | 0 | 6 000 | 1 | 600 |
| Plastic – Other plastic packaging | 111 000 | 10 | 16 000 | 2 | |
| Plastic - unidentified | | | 78 000 | 8 | |
| Total | 1 066 000 | 100 | 1 000 000 | 100 | - 6 |

Plastics packaging put on market (POM) in Australia (Source: APCO)

Q7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

- 48. In terms of packaging items, based on feedback from FGC members, NZAB recommends that High Impact Polystyrene Sheet (HIPS) used in food packaging such as yoghurt pots should be excluded. Most yoghurt/dairy pots are made from HIPS because it is malleable, clear and snappable. As one of our members says: "it is a round peg in a round hole". Its functionality is particularly significant for shelf life and impact resistance.
- 49. We would also point out that technology introduced in Australia is now recycling these products collected at kerbside. This is a classic case of a product that is or has been 'hard-to-recycle' now but is not expected to be 'hard-to-recycle' in the future.
- 50. We are also concerned that businesses will move from PVC or polystyrene trays and containers to coloured PET as they cannot use clear PET for their products. Coloured PET is also a challenge and is currently baled as mixed plastic and exported.
- 51. In some cases, it is not clear what is or is not included. For example, are sales of PVC cling film to households banned or is it only the PVC cling film used in production around food products?

- 52. We believe that at this time there is no cost-effective alternative for bulk/export meat and fish polystyrene packaging which has also been recognised by South Korea in its actions in this area.
- 53. NZAB does not represent fast food businesses or retail businesses such as supermarkets and therefore we make no comment on takeaway containers or packaging.

Q8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer

54. See above

Q9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

- 55. The likely costs or benefits of phasing out all PVC and polystyrene packaging needs a full and separate economic analysis. In our view, the Ministry must work with industry to understand the economic costs particularly in light of the economic impact of COVID 19 which will make investment in the capital equipment required to manufacture products from new plastic resins very difficult.
- 56. We note that the 'Limitations of Analysis' (p46) state that "This is only a preliminary assessment of the potential impacts of a mandatory phase-out for certain hard-to-recycle plastics. The significance of ensuring the most current and accurate costing data and the urgency of this would suggest the Ministry should seek external expertise for further analysis so that it can contribute in a timely manner to the consideration. Industry would be pleased to contribute to such a study.

Q10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

57. NZAB believes that there are not currently, practical alternatives to replace a number of 'hard-to-recycle' packaging because we are not seeing these globally. However, the industry would embrace practical alternatives if they emerged commercially.

Proposal 1: Phase out hard-to-recycle plastics

Preventing harm from oxo-degradable plastics

Q11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

58. NZAB agrees with the proposed phase-out of oxo-degradable plastics but is concerned that the timeframe January 2023 may be more rapid than many other jurisdictions. The impact as a non-tariff barrier to trade for selected imports needs to be assessed.

Q12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details

^{59.} Not applicable

Proposal 1: Phase out hard-to-recycle plastics

Impacts of implementation

Q13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer

- 60. The Consultation Document contains no actual assessment of cost to business which we contend far outstrips any costs to Government. Table 6 *Estimated costs and benefits of a mandatory phase out of PVC polystyrene packaging and oxo-degradable plastics,* is a quite crude assessment and wrong in many areas. There has been no assessment of the cost of new plant, machinery or capability in any area. COVID-19 would present a major barrier to implementation for businesses.
- 61. Businesses already 'bleeding' have no reserves or resources in the current environment, to apply to known technologies or innovations overseas that have not yet made it New Zealand. Even if that was not the case, the extreme limitations on accessing overseas expertise to install and operationalise facilities for business in the area presents another significant barrier to implementation. The economic cost of COVID-19 has not been referred to in the Consultation Document other than in relation to off-shore processing (p15 and p16), delays in proposals in other countries (p17) and the financial affect for small businesses (p45). This is a significant omission.
- 62. The Government is reporting weekly on the economic impact of COVID-19. It is more than just small business being financially affected (as suggested in Table 6). The Treasury and BNZ warn that "demand indicators remain firm but there are challenges on the supply side" (https://www.treasury.govt.nz/publications/weu/weekly-economic-update-20-november-2020-html). It is this supply side 'challenge' relating to the introduction of new plant and equipment and on expertise for installation and operationalisation over the next two years that will be hampered by COVID shipping and border restrictions.

Q14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer

63. NZAB considers it <u>certain</u> that the Proposal to phase out the targeted plastics will have significantly greater costs than those touched on (and those not discussed) in the Consultation Document. We cannot be clearer that the costs to businesses need to be examined and assessed in more detail so that greater specificity than 'some businesses' and 'some impacts' can be presented. Our members however have indicated that the capital costs to businesses will be millions of dollars and that the higher costs of packaging will be significant and will need to be passed onto consumers.

Q15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

64. See above.

Proposal 2: Take action on single-use plastic items

Single-use items for phase-out

Q16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

- 65. .NZAB recommends that single use bags under 70 microns thick without handles for carrying fruit or vegetables be excluded. As with single use carrier bags, this may result in higher gauge plastic being used. These bags can be recycled through the soft plastic recycling scheme and have a reuse in the home. We are strongly supportive of encouragement to use reusable alternatives.
- 66. It is not clear that single use plastic straws which are attached to drinks cartons for the 'on-the-go' are included. These have been specifically exempted in other jurisdictions including Australia because of the absence of alternatives at this time.

Q17. Do the proposed definitions in table 7 make sense? If not, what would you change?

67. See above in relation to plastic straws and single use plastic produce bags.

Q18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

- a) 12 months?
- b) 18 months?
- c) 2 years?
- d) 3 years?
- e) Other?

If you think some items may need different timeframes, please specify.

- 68. NZAB considers 2 years in a Covid-19 environment to be reasonable to take account of the supply-side challenges of alternative products.
- 69. Single use plastic straws which are attached to drinks cartons for the 'on-the-go' need to be set aside and a phase out period at some future time set when a viable alternative is developed and commercially available.

Proposal 2: Take action on single-use plastic items

Other problematic single-use items

Q19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

70. NZAB does not represent relevant companies so has not commented on single-use coffee cups or wet wipes.

Q20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

71. Not applicable

Q21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

72. Not applicable

Proposal 2: Take action on single-use plastic items

Impacts of implementation

Q22. Have we identified the right costs and benefits of a mandatory phase-out of singleuse plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items

- 73. We see no evidence of the costs associated with single-use plastic items. While we are not opposed to many of the proposals, we do not see alternatives such as 'relocate to other markets' or 'offering no alternative' as feasible, practical or helpful. Viable alternatives must be presented. We do not agree that if a supplier's livelihood (such as suppliers of single use items) has no alternative, then the cost must be high. There is also the prospect that small to medium sized New Zealand businesses operating in a niche segment of the single-use product market might be disproportionately affected. Without this intelligence, it is difficult/impossible to assess impacts.
- 74. We agree that it is possible that the number of manufacturers of alternatives could continue to grow but the cost of setting up and maintaining competitive advantage over imports which can take advantage of economies of scale (New Zealand is a very small market) must be assessed as high and certainly higher than Government costs.

Compliance, monitoring and enforcement

Q23. How should the proposals in this document be monitored for compliance?

75. NZAB considers that there are so many unknowns associated with the proposals in the Consultation Document that no view can be appropriately formed on compliance monitoring. We would caution at this time against approaches that add costs to industry in a very fragile economic environment.





30th October 2020

Consultation: Reducing the impact of plastic on our environment <u>Plastics.Consultation@mfe.govt.nz</u> Ministry for the Environment PO Box 10362 Wellington 6143

By email

To whom it may concern.

Re: Reducing the impact of plastic on our environment.

Thank you for the opportunity to make the following submission towards the consultation document titled '*Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items*' on behalf of the Wildlife Society of the New Zealand Veterinary Association.

Plastic waste that ends up in the environment is well known to have devastating impacts on our wildlife. As wildlife veterinarians, we are acutely aware of this impact and regularly see wildlife that have been negatively affected by plastic waste, often resulting in the death of the affected individual.

the new Zealand Veterinary Association and its Wildlife Society of the NZVA are both in support of any measures that reduce the quantity of plastic waste that ends up in the environment, predominantly in order to reduce the impact this plastic waste has on our wildlife.

Therefore, we are in support of the following proposed options:

- Phasing out the unrecyclable plastics as discussed in the consultation document
- Phasing out the seven single use plastics as outlined in the consultation document

We believe these measures are a vital first step in reducing the impact plastic waste has on our wildlife populations and support their rapid implementation.

Yours sincerely,

Harry Taylor Treasurer, Wildlife Society New Zealand Veterinary Association Dr. B. Helen Beattie, BVSc. NZVA Chief Veterinary Officer New Zealand Veterinary Association



Submission

| То: | Ministry for the Environment | | | | |
|-----|---|--|--|--|--|
| | Plastics.Consultation@mfe.govt.nz | | | | |
| Ву: | James Palmer, Regional Chief Executive Officers | | | | |
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1. Introduction

- 1.1 The Regional Sector has developed a strong network of Special Interest Groups, to facilitate the sharing of expertise and experience between different regional councils and unitary authorities.
- 1.2 The Coastal Special Interest Group (Coastal SIG) is one sub-group of the Regional Sector's Special Interest Group network. The Coastal SIG constitutes coastal scientists and planners from around the country. The purpose of the Coastal SIG is to improve liaison, information sharing and collaboration between regional and unitary council staff in order to enhance coastal planning, water quality, ecology and resource management in New Zealand.
- 1.3 The Coastal SIG's members have significant experience and expertise in coastal science and coastal planning. Collectively the group, have a wide-ranging knowledge of issues impacting on coastal ecological processes and an equally comprehensive understanding of coastal planning and policy.
- 1.4 Collectively the Coastal SIG manage 15,000km of coastline and approximately 168,000 square kilometres of territorial seas, from mean high water springs out to 12 nautical miles.
- 1.5 The following representatives Coastal SIG representatives have helped to draft this submission:
 - Stacey Faire, Senior Planner at Bay of Plenty Regional Council, Co-convener of the Coastal SIG. B.Soc.Sci. and MA (Hons). Twenty years' experience in natural resources policy development;
 - Oliver Wade, Environmental Scientist Coastal at Marlborough District Council, Coconvener of the Coastal SIG. MScRes Fisheries Ecology. Twenty years' experience in environmental science;
 - Michael Payne, Policy Specialist at Northland Regional Council. Bachelor of Social Sciences. 11 Years' experience in natural resources policy development;
 - Richard Griffiths, Coastal Scientist at Northland Regional Council. MSc Marine Environmental Protection. Fifteen years' experience as a coastal researcher and scientist;
 - Vikki Ambrose, Coastal Scientist at Nelson City Council. MSc cell and molecular biosciences. 14 years' experience as an environmental scientist and researcher; and

- Becky Shanahan, Marine Scientist at Hawkes Bay Regional Council. PhD in Marine Biology. Eleven years' experience as a coastal researcher and scientist.
- 1.6 The submission was subsequently circulated to the wider coastal SIG for comments and endorsement.
- 1.7 We are grateful for the opportunity to comment on the Ministry's proposal to reduce the impact of plastic on our environment. Our submission is made in the interest of promoting the sustainable management of New Zealand's natural and physical resources and the social, economic, and cultural wellbeing of its people and communities. We welcome the intent of the Ministry for the Environment (MfE) Consultation Document and considers it will be an improvement over the status quo.
- 1.8 We generally support the proposed amendments and consider that the issue warrants intervention. In making this submission we recognise that the proposals currently being consulted are only one component of the government's wider programme to reduce the impact of plastic on our environment.
- 1.9 Whilst we generally support the proposal, there are areas where we believe the proposal does not go far enough or the stated goal could be achieved in a shorter timeframe. We recognise plastic as a contaminant of concern for the coastal environment and are concerned that the environmental impact of plastic has been understated. We are also concerned that the cost of monitoring this contaminant, its environmental impact and any future remediation is likely to fall on Regional Councils, Unitary Authorities and Territorial Authorities.
- 2. Response to the 'Reducing the impact of plastic on our environment' consultation document questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes, the consultation document clearly defines the problems associated with hard-to-recycle plastics. However, the introductory section on the problems associated with single-use plastics (page 19 of the consultation document) was limited. A reference to Appendix 2 would have provided more details on the problems associated with this group of plastics and the types of single-use plastic items that government was considering phasing out.

More emphasis could have been placed on the environmental impact of plastic that finds its way into the environment. Instead a lot of focus has been placed on the problems associated with recycling certain types of plastic. Even if all items are made of easy to recycle plastic, a large amount of plastic will still find its way into the environment via either accidental or deliberate actions. There is also no mention of the complexity or cost of removing plastic from our rivers and coasts. The proliferation of litter and gross pollutants reaching the coastal environment is a growing problem both in New Zealand and internationally (Bridson *et al.* 2020; Derraik 2002; Gall & Thompson 2015).

Plastics are now one of the most common pollutants of our oceans and, as they biodegrade extremely slowly, they have the potential to cause problems indefinitely. Plastic can have lethal and sub-lethal effects on animals that ingest plastic or get entangled in it (Boren *et al.* 2006; Gall & Thompson 2015). We are concerned that the cost of managing this contaminant and rehabilitating the environment has not been acknowledged in the discussion.

2. Have we identified the correct objectives? If not, why?

We support the stated main objective. We also support the list of secondary objectives. We do, however, suggest adding the following secondary benefits, or similar wording, to better address the full range of issues arising from plastic pollution:

- reduce the amount of plastic waste going to landfill
- reduce reliance on offshore processing of plastic waste
- reduce the amount of plastic entering the environment
- promote the use of environmentally friendly alternatives to plastic through education, incentives and levies.

We also note that the main objective does not tackle the issue of plastic that has already been manufactured that will need to be recycled, particularly in light of phasing in restrictions as late as 2025. Even with the proposals in the document a large amount of plastic is still likely to find its way into the environment either through accidental or deliberate littering. An additional objective to deal with this issue would be helpful.

We are concerned that a reduction in hard-to-recycle items will not necessarily reduce the impact on the environment caused by littering if these items are simply replaced with other types of plastic.

3. Do you agree that these are the correct options to consider? If not, why?

The consultation document has provided a comprehensive range of options for shifting away from hard-to-recycle and single-use plastics to consider. Increasing onshore waste sorting and recycling capabilities is another option that should be considered. In our view, it would also be beneficial to include discussion on the use of economic incentives to:

- a) support the development and manufacture of environmentally friendly alternative products to the targeted plastics; and
- b) facilitate uptake of these alternatives by industry, businesses and the general public.

We think that it would be prudent to consider several options concurrently.

We also encourage the government to explore options to remove Rayon, PVC and other microfibers from waste water. We would like to see the government encouraging and promoting the design of washing machines or retrofitted devices to remove these fibres at the washing stage to reduce their transportation into the marine environment

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

The weighting criteria would have benefitted from the addition of the availability, costs and functionality of alternatives to the target plastics.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Of the options considered in the consultation document, the mandatory phase-out option will deliver the best outcome in removing these plastics from our environment and in the shortest timeframe.

As noted in our response to Question 3, we think it would be prudent to consider introducing several options concurrently. We would like to see options 4 (levy or tax) and 5 (product stewardship) considered for plastics still in use after these proposals have been implemented.

If a levy or tax is introduced, consideration should be given to using this new revenue to:

- fund the clean-up of plastic already in the environment;
- make improvements to stormwater treatment to reduce the amount of plastic litter reaching waterways; and
- provide for education and improving recycling/waste management systems.

We recognise that the proposed mandatory phase-out of the targeted plastics in this consultation document is part of a wider package of projects the Government has underway to reduce the impacts of plastics on our environment (Table 1 in the consultation project). These projects will provide additional support to the implementation of the mandatory phase-out of these targeted plastics, should this option go ahead. However, there are additional options that could support the mandatory phase-out of these targeted plastics, including:

- information platforms that provide easy-to-access information to businesses, manufacturers and the public on the range of alternatives available, where they can be sourced and their cost;
- as mentioned under Question 3, the use of economic incentives to:
 - a) support the development and manufacture of environmentally friendly alternatives to the targeted plastics; and
 - b) facilitate uptake of these alternatives by industry, businesses and the general public.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Whether these timeframes are reasonable or not will depend on the availability and cost effectiveness of the acceptable alternatives. Timeframes need to be sufficient to allow the phase-out of the target plastics and to spread the impact of any associated financial costs, particularly given the financial stress that many businesses are currently under with COVID-19.

The current proposal provides four years for businesses to prepare for the phase-out, which is a significant amount of time. If alternatives already exist for items identified in stage 2 of the proposals, then it is reasonable that businesses can adopt alternative materials in a shorter period. We would certainly support an earlier phase-out. Consideration needs to be given to how much plastic material will enter the environment, via littering over these four years, the cost of removing this plastic from the environment and who will pay for this. Additionally, without improving onshore recycling, we are concerned that these items will continue to go into landfill, for at least four years.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

We support the inclusion of food and beverage packaging composed of PVC or polystyrene in the mandatory phase-out option. These items have a short life cycle and primarily single-use design. Their phase-out would be beneficial in reducing litter, the amount of material in waste collection systems and subsequent environmental impacts.

However, the risk remains that these items (particularly takeaway packaging) will still end up as litter or disposed as general rubbish, regardless of what they are made of. If these items

are simply replaced with other types of plastic, we are concerned that there won't be the anticipated benefits to the environment.

An industry-based programme will be needed to promote the necessary changes in behaviour to realise the full benefit of this phase-out option.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

In principal we would support the inclusion of all PVC and hard polystyrene packaging, as they also have the potential to cause issues in the environment. We would like more information on the quantity of PVC and polystyrene packaging that is not food and beverage packaging. If alternatives (e.g. cardboard, mushroom based products) could be used in its place, we would support extending the phase-out to all packaging (not just food and beverage containers).

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

No comment.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

The examples in Table 5 (Page 41) indicate that there are numerous alternatives for hard to recycle plastics. We also acknowledge that plastic is a relatively recent invention and many of the items in Table 5 (meat, biscuits, yoghurt) predated its invention. Glass and aluminum may be other alternatives.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes, particularly given the environmental problems associated with oxo-degradable plastics and public confusion regarding their environmental impact. As they are a recent introduction in New Zealand and their use is currently limited, there is the potential to introduce an earlier timeframe for phasing out these products. It would eliminate the risk of suppliers using these products to replace the other hard-to-recycle plastic products that would be phased out under this proposal.

We are, however, concerned that the phase-out of oxo-degradable plastics will simply lead to their replacement with other single use plastics. If this is the case, then there will be limited environmental benefits. These items will still find their way into the environment via littering. We will have simply replaced a type of plastic that takes a short time to break down with a type of plastic that takes a longer time to break down.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

Not applicable.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

We are concerned that the environmental benefit (high benefit) may be overstated. If these items are simply replaced with other types of plastic, then the impacts that they cause in the environment, from littering will not be realised.

Based on Table 6 in the consultation document, there appears to be a gap in hard data on the costs of a mandatory phase-out of the PVC, polystyrene packaging and oxo-degradable plastics. The cost information is descriptive and indicative only.

The discussion document notes that the Government plans to undertake a consultation process with businesses and the public (page 47 of the consultation document), and this may provide the opportunity to capture more robust data on the cost implications of this phase-out proposal.

We have identified the following gaps in Table 6:

- New Zealand Cardboard and paper packaging manufacturers. These manufacturers stand to benefit from the proposals. There may be some benefits to other New Zealand packaging manufacturers e.g. glass, aluminum, eco alternatives. There may also be some benefit to forestry owners.
- Importers and suppliers of cardboard and paper packaging (and other alternatives e.g. glass, aluminum, eco alternatives) will also benefit from the proposals.
- Under local authorities, we think it should be highlighted that local governments are responsible for stormwater and it should be recognised that there are currently (and will be in the future) significant costs associated with the treatment of stormwater. A reduction in plastic waste should reduce costs associated with maintenance of stormwater treatment. This should be included as a benefit.
- Under government, these proposals will support the implementation and desired outcomes of other government regulations and policies such as:
 - a) several Objectives and Policies in the New Zealand Coastal Policy Statement 2010 (Department of Conservation 2010), including Objective 1 and Policy 23 and Policy 21;
 - b) the objectives of the Government's Essential Freshwater: Action for Healthy Waterways programme to stop further degradation and improving the state of our freshwater;
 - c) Te Mana o te Taiao, The Aotearoa New Zealand Biodiversity Strategy 2020 (Department of Conservation 2020), Objective 12.7.1 Nature resources are protected and restored, "The most ecologically damaging pollutants (e.g. excess nutrients, sediment, biocides, plastics, light and sound) and pollutant sources have been identified, and an integrated plan for their management is in place"; and
 - d) The National Climate Change Risk Assessment for Aotearoa New Zealand (Ministry for the Environment 2020) - impacts of pollutants reduce the resilience of native species to increasing pressure of climate change (N9), increase storm events increase the risk of site failure of landfills near the coast which will increase the mobilisation of plastic into the marine environment (5.6.2 B3) and the increase in storm events will also reduce the level of service from stormwater, increasing the pollutants into the marine environment (B4).
- At a national level, these proposals should have some benefits for New Zealand's balance of trade. New Zealand currently imports almost all the plastic raw material used in New Zealand. A reduction in the amount of plastic imported should improve New Zealand's balance of trade.
- 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

No comment.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Financial incentives or levies would assist the organisations that the Coastal SIG represents to move away from hard-to-recycle packaging and use other higher value materials. A strong industry and public education and awareness programme, with best practice guidance on sustainable packaging, as well as clear labeling of plastic packaging would also assist. The best outcome is to design regenerative materials that can be reused; this may mean designing as much plastic out of the system as possible. As a long term goal, this would assist with providing the easiest system for the general public to understand.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

Many single-use plastic items are difficult or impossible to recycle. As a general comment we support phasing out all single use plastics, where there are viable environmentally friendly alternatives. We support the proposed mandatory phase-out of the single-use plastic items listed in Table 7.

For many of these plastic items, more eco-friendly alternatives are available, and some businesses are already phasing out these items on a voluntary basis. A mandatory phase-out of these single-use plastic items would provide a level playing field for every-one.

While Table 7 identifies compostable alternatives for non-compostable produce stickers, please note that many of these stickers are only commercially compostable and would not decompose in a domestic situation.

We believe that 'no stickers' should be added to the alternatives in Table 7. It is not clear to us why these labels are needed on these items. The company/brand or the origin of these items could be displayed on a sign at the retail outlet rather than on the individual items.

Additional single-use plastic items that could be added to the list include:

- Lollipop sticks they are a common litter item and could be replaced with alternatives such as wooden sticks
- The plastic seal in milk and drinks containers
- The plastic seal in the lid of glass beer and drink bottles
- Soft plastic packaging for bread and cheese
- Confectionary and chip wrappers
- Parking tickets
- ATM receipts
- Retail receipts
- Cigarette butts
- Plastic tea bags and packaging for individual tea bags
- Plastic bread bag clips
- Cellophane (polyethylene) self-adhesive tapes
- Polyurethane (carpet underlay, insulation, boat parts).

Cigarette butts are a high percentage of litter found at marine monitoring sites around the coast (data sourced from https://litterintelligence.org). We suggest that the cigarette tax revenue be used to fund stormwater devices to trap these pollutants as a direct way of removing their transportation to the marine environment.

17. Do the proposed definitions in Table 7 make sense? If not, what would you change?

We support the definitions in Table 7.

- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.
 - a) 12 months?
 - b) 18 months?
 - c) 2 years?
 - d) 3 years?
 - e) Other?

If you think some items may need different timeframes, please specify.

In general, we support the earliest practical phase-out period, as the speed at which these measures are introduced will have a huge influence on the amount of plastic that reaches the environment through either accidental or deliberate littering. It needs to be acknowledged that the cost to recover these items from the environment is significant.

There are some items in Table 7 that could be phased out earlier than others, because alternatives are readily available on the market. For most of these items, alternatives already exist and are being widely used. For example, the major supermarkets stock cotton buds with non-plastic sticks so these single-use items could be phased out well before 2025.

Similarly, plastic straws, stirrers, tableware, cutlery and single-use plastic produce bags. Alternatives are already widely used. For items such as these we would support a 12-month timeframe.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

The Government is currently not including single-use plastic coffee cups in its list of single-use items to be phased out, mainly on the grounds that plastic-free, single-use alternatives are not widely available. Given the litter problems and difficulties in re-cycling these products, we would recommend that plastic-lined disposable coffee cups are included in the mandatory list in Table 7, but with the later timeframe of 2025 for implementation. This would allow time to further improve the performance and availability of plastic-free alternatives and to encourage the use of re-usable cups.

This is one area where the Government could provide financial incentives and support in the development and production of suitable alternative products. Leaving single-use plastic coffee cups off the mandatory list will reduce the imperative to develop alternate products.

A significant tax or levy on wet wipes should be considered. These items cause a significant problem in waste water pipes and treatment plants. For example, in 2015 Hamilton City Council estimated that maintenance, disposal costs and staff time for debris disposal and response to blockages is costing over \$500,000 per year (Source:

https://www.consumer.org.nz/articles/flushable-wipes). The money recovered for any tax/levy could be distributed to Territorial Authorities to compensate them from costs associated with these items or help fund research into alternative materials. A tax/levy could also fund education initiatives.

Consideration should also be given to mandatory labeling of both items, so that consumers are fully aware that they contain plastic and must be diverted to landfill.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

No comment.

21. What do you consider an appropriate timeframe for working toward a future phase-out of plastic lined disposable coffee cups and wet wipes containing plastic?

We support the phase-out of plastic lined disposable coffee cups by 2025. See our discussion on plastic-lined single-use coffee cups in Question 19 for further information.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

We have identified the following benefits:

- Under local authorities, we think it should be highlighted that local government are responsible for stormwater and it should be recognised that there are currently (and will be in the future) significant costs associated with the treatment of stormwater. A reduction in plastic waste is expected to reduce costs associated with maintenance of stormwater treatment. This should be included as a benefit.
- Under Government, benefits include several Objectives Policies in the New Zealand Coastal Policy Statement 2010 (Department of Conservation 2020) including Objective 1 and Policy 23 and Policy 21.
- The three main objectives of the National Policy Statement for Freshwater Management 2020 (NZ Government 2020), i.e. health and well-being of freshwater ecosystems, human health and the ability of communities to provide for their social, economic and cultural well-being together with the Policy 1 (Te Mana o te Wai), Policy 3 (integrated freshwater management), Policy 9 (habitats of indigenous freshwater species), and Policy 15 (enabling communities to provide for freshwater improvement) will benefit from the phase-out of single-use plastic items. The phase-out of single use plastic will contribute towards the fundamental concept of Te Mana o te Wai, which is about all aspects of freshwater management, wider environment and community).

At a national level, the proposal should have some benefits for New Zealand's balance of trade. New Zealand currently imports almost all of the plastic raw material used in New Zealand. A reduction in the amount of plastic imported should improve New Zealand's balance of trade.

23. How should the proposals in this document be monitored for compliance?

Ensuring compliance is critical if the Government wants to ensure that the proposals in this document have been implemented. As many of these organisations, especially food producers, will already have relationships with MPI, these new requirements could be incorporated into existing routine compliance checks related to food standards. We also anticipate that most of these proposals would be self-policing, and via complaints from members of the public.

While not asked in this question, equally important is the monitoring of waste streams in New Zealand to determine the impact of these proposals on reducing waste loads and their effectiveness in achieving the objectives outlined in the consultation document.

We believe that an initial targeted programme to ensure compliance would be beneficial in the long-term. However, we would see the compliance programme complementing a highly visible educational campaign, information platforms on available alternatives, and financial incentives to develop alternatives to the targeted plastics and to facilitate their uptake and use.

3. Conclusion

We thank the Ministry for the opportunity to comment on the *Reducing the impact of plastic on our environment Consultation Document*. As noted above, we support the intent and proposals in the consultation document (subject to the comments above). We welcome the opportunity to discuss this matter further and invite the Ministry to contact members of the Coastal SIG that have contributed to this submission.

Signed for the Coastal Special Interest Group

James Palmer, Regional Chief Executive Officers

Dated: 4 December 2020

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https://litterintelligence.org



Submission

To: Ministry for the Environment Plastics.Consultation@mfe.govt.nz By: Northland Regional Council On: Reducing the impact of plastic on our environment

1. Introduction

- 1.1 Northland Regional Council (NRC) is grateful for the opportunity to comment on the ministry's proposal to reduce the impact of plastic on our environment. NRC's submission is made in the interests of promoting the sustainable management of Northland's natural and physical resources and the social, economic, and cultural wellbeing of its people and communities.
- 1.2 NRC generally supports the proposed amendments and considers the issue warrants intervention. In making this submission we recognise that the proposals currently being consulted are only one component of the government's wider programme to reduce the impact of plastic on our environment.
- 1.3 Whilst Council generally supports the proposal, there are areas where we believe the proposal does not go far enough or where the stated goal could be achieved in a shorter timeframe. We recognise plastic as a contaminant of concern for the Northland region and are concerned that the environmental impact of plastic has been understated. We are also concerned that the cost of monitoring this contaminant, its environmental impact and any future remediation is likely to fall on local authorities.
- 1.4 This submission has been structured to provide information that gives context to the issue of plastic pollution in Northland in the first instance and then follows on to respond to the questions set out in the Ministry's consultation document.

2. Plastic pollution in Northland

Litter Survey results and discussion

- 2.1 Since February 2019, NRC has adopted <u>Litter Intelligence¹</u> to monitor litter in the coastal marine area. The 1,000m² <u>NRC Litter Monitoring²</u> site is on the eastern shoreline of the Hātea River in the upper Whangārei Harbour. The site is intertidal and is 5km (as the crow flies) upstream of the Waikaraka Marine Reserve. Our litter monitoring site is adjacent to a popular walking track, surrounded by urban land cover and multiple stormwater outfalls upstream. Surveys are conducted seasonally (February, May August and November).
- 2.2 The global average for plastic litter in beach surveys is 75% (*Galgani et al., 2013*). The average plastic percentage from our seven litter surveys was 63% in 2019 (four seasonal surveys) and

¹ https://litterintelligence.org/

² https://www.nrc.govt.nz/environment/coast/coastal-litter-monitoring-in-northland/

85.3% (three seasonal surveys) in 2020. Plastic and foamed plastic results from our Litter Intelligence Surveys (see Appendix 1) support the proposed PVC and oxo-degradable plastic product phase-out. Furthermore, our results show large numbers of food wrappers, plastic straws, plastic parking receipts and plastic lollipop sticks litter at the monitoring site. NRC supports moves to phase-out plastic food wrappers, plastic straws, plastic parking receipts and plastic lollipop sticks.

Northland's contribution to global microplastics study in the freshwater environment

- 2.3 A vast quantity of discarded plastic waste is accumulating in aquatic ecosystems (globally), where it breaks down to form microscopic fragments, called "microplastics". These microplastics can be ingested by organisms, accumulated in animal tissues and be transported along the food chain. Moreover, they may act as a medium to transfer chemicals and toxic substances to organisms. Therefore, microplastics are amongst the contaminants of emerging concern for aquatic systems. As these polymers are highly resistant to degradation, microplastics in aquatic environments will most likely continue to increase over time and will represent a long-lasting problem.
- 2.4 While there has been a strong emphasis on the impacts of plastic litter on the marine environment, there is a growing body of research on plastics as an emerging contaminant in the freshwater ecosystems and the role that river systems play in transporting plastic litter from terrestrial to marine environments (*Wagner & Lambert, 2018*). NRC has recently participated in two global studies on microplastics to establish baseline information in freshwater environments. These two projects are known as 100 Plastic Rivers and Global Lakes Microplastics (GALACTIC). As part of the 100 Plastic Rivers project the Hātea River, in Whangārei Harbour, was one of six rivers in New Zealand which were sampled for microplastics. In September 2020 two of our outstanding and high value dune lakes Lake Taharoa and Lake Ngātu were also sampled for microplastics as part of the GALACTIC project. The results from these two global studies will be available by the middle of 2021.

3. Response to the 'Reducing the impact of plastic on our environment' consultation document questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

- 3.1.1 Yes, the consultation document clearly defines the problems associated with hard-torecycle plastics. However, the introductory section on the problems associated with single-use plastics (page 19 of the consultation document) was limited. A reference to Appendix 2 would have provided more details on the problems associated with this group of plastics and the types of single-use plastic items that government was considering phasing out.
- 3.1.2 More emphasis could have been placed on the environmental impact of plastic that finds its way into the environment. Instead a lot of focus has been placed on the problems associated with recycling certain types of plastic. Even if all items are made of easy to recycle plastic, a large amount of plastic will still find its way into the environment via either accidental or deliberate actions. There is also no mention of the complexity or cost of removing plastic from our rivers and coasts.
- 3.1.3 Plastics are now one of the most common pollutants of our oceans and, as they biodegrade extremely slowly, they have the potential to cause problems indefinitely. Plastic can have lethal and sub-lethal effects on animals that ingest plastic or get

entangled in it. We are concerned that the cost of managing this contaminant and rehabilitating the environment has not been acknowledged in the discussion.

2. Have we identified the correct objectives? If not, why?

- 3.2.1 Northland Regional Council supports the stated main objective. We also support the list of secondary objectives. We do, however, suggest adding the following secondary benefits, or similar wording, to better address the full range of issues arising from plastic pollution:
 - Reduce the amount of plastic waste going to landfill
 - Reduce reliance on offshore processing of plastic waste
 - Reduce the amount of plastic entering the environment
 - Promote the use of biodegradable alternatives to plastic that do not persist in the environment.
- 3.2.2 We also note that the main objective does not tackle the issue of plastic that has already been manufactured and will need to be recycled, particularly in light of phasing in restrictions as late as 2025. Even with the proposals in the document, a large amount of plastic is still likely to find its way into the environment either through accidental or deliberate littering. An additional objective to deal with this issue would be helpful.
- 3.2.3 We are concerned that a reduction in hard-to-recycle items will not necessarily reduce the impact on the environment caused by littering if these items are simply replaced with other types of plastic.

3. Do you agree that these are the correct options to consider? If not, why?

- 3.3.1 The consultation document has provided a comprehensive range of options for shifting away from hard-to-recycle and single-use plastics to consider. Increasing onshore waste sorting and recycling capabilities is another option that should be considered. In our view, it would also be beneficial to include discussion on the use of economic incentives to:
 - a) support the development and manufacture of environmentally friendly alternative products to the targeted plastics; and
 - b) facilitate uptake of these alternatives by industry, businesses and the general public.

We think it would be prudent to consider several options concurrently.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

3.4.1 The weighting criteria would have benefitted from the addition of the availability, costs and functionality of alternatives to the target plastics.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

3.5.1 Of the options considered in the consultation document, the mandatory phase-out option will deliver the best outcome in removing these plastics from our environment and in the shortest time frame.

- 3.5.2 As noted in our response to Question 3, we think it would be prudent to consider introducing several options con-currently. We would like to see options 4 (levy or tax) and 5 (product stewardship) considered for plastics still in use after these proposals have been implemented.
- 3.5.3 If a levy or tax is introduced, consideration should be given to using this new revenue to fund the clean-up of plastic already in the environment, improvements to stormwater treatment to reduce the amount of plastic litter reaching waterways, education and improving recycling/waste management systems.
- 3.5.4 We recognise that the proposed mandatory phase-out of the targeted plastics in this consultation document is part of a wider package of projects the Government has underway to reduce the impacts of plastics on our environment (Table 1 in the consultation project). These projects will provide additional support to the implementation of the mandatory phase-out of these targeted plastics, should this option go ahead. However, there are additional options that could support the mandatory phase-out of these targeted plastics plastics provide easy-to-access information to businesses, manufacturers and the public on the range of alternatives available, where they can be sourced and their cost.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

- 3.6.1 Whether these timeframes are reasonable or not will depend on the availability and cost effectiveness of the acceptable alternatives. Timeframes need to be sufficient to allow the phase-out of the target plastics and to spread the impact of any associated financial costs, particularly given the financial stress that many businesses are currently under with COVID-19.
- 3.6.2 The current proposal provides four years for businesses to prepare for the phase-out, which is a significant amount of time. If alternatives already exist for items identified in stage 2 of the proposals, then it is reasonable that businesses can adopt alternative materials in a shorter period. Council would certainly support an earlier phase-out. Consideration needs to be given to how much plastic material will enter the environment, via littering over these four years, the cost of removing this plastic from the environment and who will pay for this. Additionally, without improving onshore recycling, we are concerned that these items will continue to go into landfill, for at least four years.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

- 3.7.1 We support the inclusion of food and beverage packaging composed of PVC or polystyrene in the mandatory phase-out option. These items have a short life cycle and primarily single-use design. Their phase-out would be beneficial in reducing litter, the amount of material in waste collection systems and subsequent environmental impacts.
- 3.7.2 However, the risk remains that these items (particularly takeaway packaging) will still end up as litter or disposed as general rubbish, regardless of what they are made of. If these items are simply replaced with other types of plastic, we are concerned that there won't be the anticipated benefits to the environment.
- 3.7.3 A strong supporting educational programme will be needed to promote the necessary changes in behaviour to realise the full benefit of this phase-out option.
8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

3.8.1 In principle we would support the inclusion of all PVC and hard polystyrene packaging, as they also have the potential to cause issues in the environment. If alternatives (e.g. cardboard) could be used in its place, we would support extending the phase-out to all packaging (not just food and beverage containers).

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

3.9.1 No comment.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

3.10.1 The examples in Table 5 (Page 41) indicate that there are numerous alternatives for hard to recycle plastics such as glass and aluminum packaging.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

- 3.11.1 Yes, particularly given the environmental problems associated with oxo-degradable plastics and public confusion regarding their environmental impact. As they are a recent introduction in New Zealand and their use is currently limited, there is the potential to introduce an earlier time frame for phasing out these products. It would eliminate the risk of suppliers using these products to replace the other hard-to-recycle plastic products that would be phased out under this proposal.
- 3.11.2 We are, however, concerned that the phase-out of oxo-degradable plastics will simply lead to their replacement with other single use plastics. If this is the case, then there will be limited environmental benefits. These items will still find their way into the environment via littering. We will have simply replaced a type of plastic that takes a short time to break down with a plastic that takes a longer time to break down.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

3.12.1 Not applicable.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

- 3.13.1 We are concerned that the environmental benefit (high benefit) may be overstated. If these items are simply replaced with other types of plastic, then the impacts that they cause in the environment, from littering will not be realised.
- 3.13.2 Based on Table 6 in the consultation document, there appears to be a gap in hard data on the costs of a mandatory phase-out of the of the PVC, polystyrene packaging and oxo-degradable plastics. The cost information is descriptive and indicative only.
- 3.13.3 The discussion document notes that the Government plans to undertake a consultation process with businesses and the public (page 47 of the consultation document), and this may provide the opportunity to capture more robust data on the cost implications of this phase-out proposal.
- 3.13.4 We have identified the following gaps in Table 6:

- NZ Cardboard and paper packaging manufacturers. These manufacturers stand to benefit from the proposals. There may be some benefits to other NZ packaging manufacturers e.g. glass, aluminum, eco alternatives. There may also be some benefit to forestry owners.
- Importers and suppliers of cardboard and paper packaging (and other alternatives e.g. glass, aluminum, eco alternatives) will also benefit from the proposals.
- Under "local authorities", we think it should be highlighted that local governments are responsible for stormwater and it should be recognised that there are currently (and will be in the future) significant costs associated with the treatment of stormwater. A reduction in plastic waste should reduce costs associated with maintenance of stormwater treatment. This should be included as a benefit.
- Under "government", these proposals will support the implementation and desired outcomes of other government regulations and policies such as:
 - a) several objectives policies in the New Zealand Coastal Policy Statement (NZCPS), including Objective 1 and Policy 23 and Policy 21; and
 - b) the objectives of the Governments Essential Freshwater: Action for Healthy Waterways to stop further degradation and improving the state of our freshwater.
- 3.13.5 At a national level, these proposals should have some benefits for New Zealand's balance of trade. New Zealand currently imports almost all of the plastic raw material used in New Zealand. A reduction in the amount of plastic imported should improve New Zealand's balance of trade.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

3.14.1 No comment.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

- 3.15.1 Financial incentives or levies would assist our organisation to move away from hardto-recycle packaging and use other higher value materials. A strong education and awareness programme, with best practice guidance on sustainable packaging, as well as clear labeling of plastic packaging would also assist.
- 3.15.2 As mentioned above under 3.7.3, a strong education programme is needed that covers:
 - how a circular economy actually works;
 - the composability (commercial versus home compost) of the plastic product;
 - the true recyclability of the plastic product; and
 - the alternatives available to replace them.
- 3.15.3 Increasing the size of the plastic rating code would be beneficial as these symbols are often small and the same colour as the container, making them difficult to read and increasing that risk that the plastic items end up in the general landfill.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

- 3.16.1 Many single-use plastic items are difficult or impossible to recycle. As a general comment Northland Regional Council supports phasing out all single use plastics, where there are viable environmentally friendly alternatives. Single use plastics are a pervasive problem in our environment and comprised a large proportion (by number) of our litter surveys (reference Appendix 1 for our attached results). We support the proposed mandatory phase-out of the single-use plastic items listed in Table 7.
- 3.16.2 For many of these plastic items, more eco-friendly alternatives are available, and some businesses are already phasing out these items on a voluntary basis. A mandatory phase-out of these single-use plastic items would provide a level playing field for every-one.
- 3.16.3 While Table 7 identifies compostable alternatives for non-compostable produce stickers, please note that many of these stickers are only commercially compostable and would not decompose in a domestic composting system.
- 3.16.4 We note the absences of 'no stickers' as an alternative in Table 7. The company/brand or the origin of these items could be displayed on a sign at the retail outlet rather than on the individual items.
- 3.16.5 Additional single-use plastic items that could be added to the list include:
 - Lollipop sticks they are a common litter item and could be replaced with alternatives such as wooden sticks
 - The plastic seal in milk and drinks containers
 - The plastic seal in the lid of glass beer and drink bottles
 - Soft plastic packaging for bread and cheese
 - Confectionary and chip wrappers
 - Parking tickets
 - ATM receipts
 - Retail receipts
 - Cigarette butts
 - Plastic tea bags

17. Do the proposed definitions in Table 7 make sense? If not, what would you change?

3.17.1 Council supports the definitions in Table 7.

- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.
 - a) 12 months?
 - b) 18 months?
 - c) 2 years?
 - d) 3 years?
 - e) Other?

If you think some items may need different timeframes, please specify.

- 3.18.1 In general, we support the earliest practical phase-out period, as the speed at which these measures are introduced will have a huge influence on the amount of plastic that reaches the environment through either accidental or deliberate littering. It needs to be acknowledged that the cost to recover these items from the environment is significant.
- 3.18.2 There are some items in Table 7 that could be phased out earlier than others, because alternatives are readily available on the market. For most of these items, alternatives already exist and are being widely used. For example, the major supermarkets stock cotton buds with non-plastic sticks. For items where there is already an alternative, we would support a 12-month timeframe for phasing out.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

3.19.1 The Government is currently not including single-use plastic coffee cups in its list of single-use items to be phased out, mainly on the grounds that plastic-free, single-use alternatives are not widely available. Our research indicates that there are a wide range of plastic-free single-use coffee cups and lids currently available on the market and at comparable prices to standard plastic coffee cups. However, we do acknowledge that the plant-based plastic alternative (PLA – polylactic acid) used in these cups is only compostable in a suitable commercial composting facility.

Given the litter problems and difficulties re-cycling these products, we would recommend that plastic-lined disposable coffee cups are included in the mandatory list in Table 7, but with the later time frame of 2025 for implementation.

- 3.19.2 This is one area where the Government could provide financial incentives and support in the development and production of suitable alternative products. Leaving singleuse plastic coffee cups off the mandatory list will reduce the imperative to develop alternate products.
- 3.19.3 We would like the Government to consider phasing out wet wipes that contain plastics. These items cause a significant problem in waste water pipes and treatment plants. There are alternatives on the market, such as the bamboo fibre wipes that have a lower environmental footprint although the plastic packaging remains an issue. Until wet wipes containing plastic are banned, a tax or levy on wet wipes should be considered. The money recovered for any tax/levy could be distributed to territorial authorities to compensate them from costs associated with these items or help fund research into alternative materials. A tax/levy could also fund education initiatives.

- 3.19.4 Consideration should also be given to mandatory labeling of both items, so that consumers are aware that they contain plastic and must be diverted to landfill.
- 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

3.20.1 No comment.

- 21. What do you consider an appropriate timeframe for working toward a future phase-out of plastic lined disposable coffee cups and wet wipes containing plastic?
 - 3.21.1 Council supports the phase-out of plastic lined disposable coffee cups by 2025. See our discussion on plastic-lined single-use coffee cups in Question 19 for further information.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

3.22.1 We have identified the following benefits:

- Under local authorities, we think it should be highlighted that local governments are responsible for stormwater and it should be recognised that there are currently (and will be in the future) significant costs associated with the treatment of stormwater. A reduction in plastic waste is expected to reduce costs associated with maintenance of stormwater treatment. This should be included as a benefit.
- Under Government, benefits include several Objectives Policies in the NZCPS including Objective 1 and Policy 23 and Policy 21.
- Under Government, benefits include contributing to the requirements of the National Policy Statement-Freshwater Management. This includes giving effect to Te Mana o te Wai (which refers to the integrated and holistic well-being of the water), the hierarchy of obligations which puts the health and well-being of water bodies and freshwater ecosystems first, together with Policy 3 (integrated freshwater management), Policy 9 (habitats of indigenous freshwater species), and Policy 15 (enabling communities to provide for freshwater improvement). (NZ Government 2020).
- 3.22.2 At a national level, the proposal should have some benefits for New Zealand's balance of trade. New Zealand currently imports almost all of the plastic raw material used in New Zealand.

23. How should the proposals in this document be monitored for compliance?

- 3.23.1 Ensuring compliance is critical if the Government wants to ensure that the proposals in this document have been implemented. As many of these organisations, especially food producers, will already have relationships with MPI, these new requirements could be incorporated into existing routine compliance checks. We also anticipate that most of these proposals would be self-policing, and via complaints from members of the public.
- 3.23.2 While not asked in this question, equally important is the monitoring of waste streams in New Zealand to determine the impact of these proposals on reducing waste loads and their effectiveness in achieving the objectives outlined in the consultation document.

3.23.3 We believe that an initial targeted programme to ensure compliance would be beneficial in the long-term. However, we would see the compliance programme complementing a highly visible educational campaign, information platforms on available alternatives, and financial incentives to develop alternatives to the targeted plastics and to facilitate their uptake and use.

4. Conclusion

4.1 We thank the Ministry for opportunity to comment of the Proposed Reducing the impact of plastic on our environment Consultation Document. As noted above, we support the intent and proposals in the consultation document (subject to the comments above). We welcome the opportunity to discuss this matter further and invite the Ministry to contact NRC staff.

Signed on behalf of Northland Regional Council Signed on behalf of Northland Regional Council

Ame P

Per 5

Penny Smart (Chair) Dated: 26 November 2020

Malcolm Nicolson (Chief Executive Officer) Dated: 26 November 2020

Appendix 1

Litter Intelligence Plastic and Foamed Plastic Results from our Hātea River site Seasonal item results from surveys (2019 and 2020) are combined except for spring.

| | | Summer (<i>n=2</i>) | Autumn (<i>n=2</i>) | Winter (<i>n=2</i>) | Spring (<i>n=1</i>) |
|---------|--|--------------------------|--------------------------|--------------------------|--------------------------|
| | | Combined Count | Combined Count | Combined Count | Count |
| Plastic | Bottle caps & lids | 56 | 41 | 12 | 12 |
| Plastic | Bottle neck rings | 4 | 8 | 0 | 0 |
| Plastic | Bottle seals & tabs | 3 | 4 | 0 | 0 |
| Plastic | Bottles <= 2L | 6 | 0 | 6 | 0 |
| Plastic | Bottles, drums, jerrycans & buckets > 2L | 0 | 0 | 24 | 0 |
| Plastic | Plastic utensils | 3 | 2 | 0 | 1 |
| Plastic | Straws | 59 | 31 | 8 | 7 |
| Plastic | Drink package rings | 1 | 2 | 18 | 0 |
| Plastic | Food containers | 2 | 3 | 320 | 4 |
| Plastic | Plastic bags | 75 | 9 | 3 | 4 |
| Plastic | Food wrappers | 452 | 373 | 0 | 157 |
| Plastic | Toys, sport, & recreation | 9 | 7 | 1 | 2 |
| Plastic | Gloves | 0 | 0 | 8 | 0 |
| Plastic | Cigarette lighters | 3 | 5 | 0 | 1 |
| Plastic | Cigarettes, butts & filters | 65 | 43 | 1 | 18 |
| Plastic | Syringes | 0 | 0 | 0 | 0 |
| Plastic | Medical waste | 4 | 0 | 0 | 0 |
| Plastic | Baskets, crates & trays | 0 | 0 | 0 | 0 |
| Plastic | Plastic buoys | 0 | 0 | 4 | 0 |
| Plastic | Mesh bags | 0 | 0 | 0 | 0 |
| Plastic | Plastic sheeting | 3 | 0 | 2 | 2 |
| Plastic | Fishing gear | 1 | 0 | 1 | 0 |
| Plastic | Fishing line | 1 | 1 | 0 | 1 |
| Plastic | Rope | 64 | 21 | 3 | 4 |
| Plastic | Fishing nets | 0 | 0 | 0 | 0 |
| Plastic | Strapping bands & tape | 21 | 11 | 0 | 1 |
| Plastic | Fibreglass fragments | 0 | 0 | 0 | 0 |
| Plastic | Resin pellets | N/A | N/A | N/A | N/A |

| | | Summer (<i>n=2</i>) | Autumn (<i>n=2</i>) | Winter (<i>n=2</i>) | Spring (<i>n=1</i>) |
|----------------|---|--------------------------|--------------------------|--------------------------|--------------------------|
| | | Combined Count | Combined Count | Combined Count | Count |
| Plastic | Other Plastic | 1 | 12 | 2 | 1 |
| Plastic | Unidentifiable hard plastic fragments | 347 | 173 | 8 | 111 |
| Plastic | Pens | 3 | 1 | 46 | 1 |
| Plastic | Clothes pegs | 14 | 8 | 0 | 1 |
| Plastic | Lollipop sticks | 60 | 40 | 0 | 23 |
| Plastic | Shotgun wadding & shells | 0 | 0 | 0 | 0 |
| Plastic | Cable ties & zip ties | 0 | 0 | 0 | 0 |
| Plastic | Gardening & farming related | 1 | 0 | 1 | 0 |
| Plastic | Safety & construction related | 0 | 0 | 9 | 0 |
| Plastic | Plastic vehicle parts | 0 | 0 | 94 | 0 |
| Plastic | Parking tickets & receipts | 20 | 8 | 0 | 5 |
| Plastic | Unidentifiable soft plastic fragments | 0 | 0 | 11 | 0 |
| Foamed Plastic | Foam sponge | 0 | 1 | 0 | 0 |
| Foamed Plastic | Polystyrene cups or food packs | 0 | 1 | 187 | 0 |
| Foamed Plastic | Foam buoys | 0 | 0 | 472 | 0 |
| Foamed Plastic | Polystyrene insulation or packaging | 268 | 201 | 26 | 0 |
| Foamed Plastic | Other Foamed Plastic | 0 | 1 | 4 | 0 |
| Foamed Plastic | Unidentifiable foamed plastic fragments | 154 | 71 | 1 | 85 |
| Foamed Plastic | Ear plugs | 2 | 1 | 0 | 0 |

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Submission to the Ministry for the Environment

Reducing the impact of plastic on our environment – discussion document

Submitter: Alan Pollard, Chief Executive, New Zealand Apples & Pears Incorporated

Address: 507 Eastbourne Street West, Hastings

Contact: Email <u>alan@applesandpears.nz</u> Phone 021 576 109

Date: 4 December 2020

Introduction

- 1. New Zealand Apples & Pears Incorporated is the industry association representing all apple, pear and nashi growers in New Zealand. Our 257 grower members produce approximately 600,000 metric tonnes of fruit annually, with about 400,000 metric tonnes for export, 70,000 metric tonnes for domestic consumption, and the balance for processing. Fruit is currently grown on 10,500 hectares from Gisborne in the north to Central Otago in the south. For the past 8 years, the industry has been growing at approximately 4% compound annual growth rate (CAGR) in planted area but 12% CAGR in value.
- 2. The New Zealand apple industry is consistently recognised as the most competitive apple industry in the world (independently assessed by Belrose Group, USA a comparison of 33 apple producing countries). Our fruit is recognised globally as some of the highest quality, freshest and safest available.
- New Zealand apple brands command premium prices over most other brands. This reflects our unique New Zealand developed and globally protected varieties, perfect growing conditions, sustainable growing practices, superior post-harvest technologies, and sophisticated globally branding and marketing.
- 4. The New Zealand apple industry has led the world in the development of sustainable growing practices. Our growers fully understand and are committed to economic, environmental, social and cultural sustainability. For example, we were the first to completely remove organo-phosphates from our pest and disease management tool kit, moving instead to the use of biological controls or targeted soft pesticides.

This submission

5. This submission solely addresses the use of produce labels on our fruit.

Some points of clarification

- 6. It is important that the Ministry has at its disposal as accurate information as is possible to reach a conclusion on the way forward. To that end, there are some statements in the discussion document that require clarification.
- 7. On page 69 of the document it states "In Britain, all major supermarkets have agreed to stop using the stickers by the end of 2020 (without government intervention)". There is no referenced footnote for this statement and we cannot find evidence of any universal policy position from UK supermarkets on this. It is interesting that in the table on page 25 of the document, no country has indicated that they will move to ban fruit labels.
- On the same page, it states that "Checkout operators have been trained to recognise different kinds of fruit, with cue cards at some tills". This is highly unlikely. There are 7,500 varieties of apples alone globally – different varieties and different strains of varieties, from different countries. It would be



impossible for a checkout operator to distinguish with any accuracy one from the next, even with cue cards.

9. And again on page 69, it states" Compostable stickers are yet to be widely adopted, and may be slightly more expensive than non-compostable", and "the extra costs of moving to compostable stickers has been estimated at a few cents per unit". We understand from our suppliers that the cost of compostable labels is substantially higher than non-compostable labels. Given that global fruit prices are largely set by large supermarket chains, the ability to pass any additional costs on to considers is heavily constrained; it is more likely that growers will have to wear any additional costs.

The purpose of fruit labels

- 10. Price Look Up (PLU) stickers identify the variety, origin and organic status of the fruit using a barcode. They feature a four- or five-digit number that lets cashiers know what the product is and how much it costs. Fruit with a four-digit number (such as 4080) implies that the fruit has been grown in the conventional manner, while fruit with a five-digit number beginning with 9 means it was grown organically.
- 11. The stickers also provide company branding as stated above consumers around the world will choose New Zealand branded fruit over most other fruit and will pay a premium price for it. The sticker plays an important role in product differentiation.
- 12. Country of origin is also an important part of our traceability and tracking systems. Consumers buy New Zealand apples because they are reliable and safe. The labels provide important provenance information for retailers and consumers. Especially in our new COVID world, consumers are more aware and concerned than ever of where their food comes from providing this traceability is important.

Categorisation of fruit labels with other single use plastics

- 13. Whilst we accept that fruit labels are single use, the inclusion of the labels in a general category for consideration that also includes plastic straws, produce bags, plastic stemmed cotton buds, drink stirrers, tableware and cutlery does not, in our view, make sense.
- 14. Given the important brand identification and traceability role that the fruit labels have, we believe that they should be considered on their own merit in this discussion.
- 15. There is already considerable work underway to transition to a more sustainable solution.

Environmental sustainability development already underway

- 16. Jenkins Freshpac Systems (part of the Sinclair International Group) is the largest packaging and labelling supplier to the New Zealand horticulture sector. Partnering with other global manufacturers and industry leaders, they have been researching more sustainable options for some years. This research has already resulted in the introduction of the world's first certified compostable produce label.
- 17. A large New Zealand organic apple grower has introduced compostable apple labels, the first in the Southern Hemisphere to do so. These labels meet regulations set out by the US Federal Drug Administration and EU regulators for direct food contact and break down in an industrial compost facility.
- 18. This compostable option is considerably more expensive due to the cost of the material it is derived from.
- 19. The Sinclair Group is well advanced with a project to have fruit labels meet home compostable standards. This project has been a decade in the making but has progressed voluntarily through the cooperation of the manufacturer and industry.



Preferred approach to phase out

- 20. The document sets out 8 options to reduce or eliminate single use items. We acknowledge that the status quo (no change) is not an acceptable option.
- 21. The Ministry's preferred option is option 6 mandatory phase out. While we understand the reasons for reaching this conclusion, and they may be reasonable for the other sources of single use plastic highlighted in the document, we submit that they do not necessarily offer the best outcome for fruit labels.
- 22. Our preferable option is option 1 voluntary agreement/pact. We recommend this for the following reasons:
 - a. There is already considerable work underway to produce more environmentally sustainable options a label compostable to industrial levels is now available, with research on an option that is home compostable well advanced.
 - b. This work has been undertaken voluntarily, without the need for government intervention industry has recognised and accepted the challenge and is working collaboratively on a solution to address it.
 - c. If there were to be a mandatory phase out, given the time needed to complete the necessary R&D, implications for capital investment required by growers/pack house operators to retool their equipment for dispatching the new labels, and the phase out of old stock labels, a time period of no less than 5 years would be necessary.
- 23. On page 26 of the document, it is states that "there is a risk that industry would not fully implement a voluntary scheme". The New Zealand apple industry has a history of universal uptake of innovation that makes sense economically, environmentally, socially, and culturally. With a relatively small number of growers, our ability to adopt new ideas or technology universally places us in unique position to support new technology extension.

Conclusion

- 24. We support the Ministry's intention to reduce harmful single use plastics
- 25. The industry, in collaboration with our suppliers, is well advanced in the development of more environmentally sustainable solutions
- 26. We recommend option 1 as the preferred option to allow the development already underway to be completed and implemented.
- 27. We thank you for the opportunity to make this submission.

Kind regards

Alan Pollard Chief Executive NZ Apples & Pears Inc. <u>alan@applesandpears.nz</u> Mobile +64 21 576 109

New Zealand Apples & Pears Incorporated



04 December 2020

Reducing the Impact of Plastic Consultation Ministry for the Environment Manatū Mō Te Taiao PO Box 10362 WELLINGTON 6143

By email: Plastics.Consultation@mfe.govt.nz

NEW ZEALAND BEVERAGE COUNCIL SUBMISSION ON PLASTICS CONSULTATION: REDUCING PLASTICS IN OUR ENVIRONMENT

INTRODUCTION

- The New Zealand Beverage Council (NZBC) is the industry association for New Zealand's non-alcoholic beverage sector. Our members are the brand owners, manufacturers, bottlers and suppliers of New Zealand's juice, carbonated drinks, flavoured-dairy and bottled water brands. Our membership is made up of a wide range of companies operating in New Zealand – from some of the largest multinational brands in the world through to some the country's smallest boutique producers, as well as those companies that provide a wide range of goods and services to beverage manufacturers. In total, our membership represents over 75 per cent of the non-alcoholic ready-to-drink beverages sold at retail level in New Zealand.
- 2. Beverage producers sell products to an end user who is responsible for making the choice about how to dispose of this product at its end of life, a decision that is typically made based on the packaging material. Our members utilise a range of materials to supply beverages, including aluminium, glass, PET and various other materials. While most non-alcoholic beverage producers are using plastic packaging material that are highly recyclable, such as PET or recycled PET (R-PET), there are less favourable materials in the market that have not found an alternative solution to date.
- 3. Beverage producers throughout the country have been working tirelessly for the last several years to shift away from some material types in favour of those that are easily recycled, have an existing market and are also introducing recycled content into new packaging.
- 4. The NZBC supports the following:
 - Mandatory phase out of hard-to-recycle-plastics, including oxo-degradable plastics;
 - Initiatives that reduce the impacts of hard-to-recycle plastics and litter in our environment;
 - Reducing the amount of recyclable material being sent to landfill;
 - Increasing collection for high value materials;
 - Equalising the minimum recycling standards across New Zealand and reducing public confusion.

QUESTION 1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

5. The NZBC agrees with the description outlined in this document as it relates to hard-to-recycle plastics, including PVC, polystyrene and oxo-degradable. As not all plastic types are easily recyclable, or lack both domestic and internationally markets, the New Zealand recycling system has become less efficient overtime. The NZBC holds the view that a ban on oxo-degradable plastics would improve the recycling of PET and reduce the contamination in the recycling stream.

6. The NZBC and its members are committed to supporting and driving change by ensuring that plastic materials used in packaging is easily recyclable and has a high market demand, such a PET, and improving New Zealand's circular economy. Beverage producers are working hard to lead by example and hope to bring other FMGC brands along the journey as well. Finally, it is also important to reduce public confusion about what various beverage packaging is made of in order to dispose of it properly at the end of its life.

QUESTION 2. Have we identified the correct objectives? If not, why?

- 7. The NZBC is supportive of initiatives that reduce the impacts of hard-to-recycle plastics and litter in our environment. The NZBC is also supportive of reducing the amount of PET and other high value material being sent to landfill and increasing the update of recycling these high value items. We believe that this is a key component to improving the circular economy, particularly for non-alcoholic beverage producers who mostly utilise PET.
- 8. PET is a highly recyclable material and has high demand from the non-alcoholic beverage industry. Increasing the collection and recycling of PET onshore will increase the uptake of recycled PET content that can go into the manufacturing of new beverage containers. However, it is critical these high value recycling streams can limit contamination of other materials to ensure that a high quality and affordable recycled product is available domestically.
- 9. As you will be aware, the New Zealand Beverage Council has actively been engaged with the Ministry for the Environment and the Working Group tasked to design a Container Return Scheme for New Zealand. The NZBC and its members are supportive of the collection of these high value plastics and believe that a successfully designed scheme can help close the loop and improve New Zealand's circular economy. The NZBC supports a collaborative effort between Government, industry and partners to establish a not-forprofit scheme that is fit for purpose.
- 10. The NZBC supports reducing public confusion and making recycling easier for all New Zealanders. It is important that consumers can clearly understand what their packaging waste is made of and how to dispose of it properly. We are supportive of equalising the minimum recycling standards around New Zealand so that no New Zealander is disadvantaged and has little option but to send products to landfill that are in fact recyclable.

QUESTION 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

11. The NZBC agrees with the decision for a mandatory phase-out of hard-to-recycle plastics. We believe that a mandatory phase-out will drive the use and uptake of higher value plastics, such as 1, 2 and 5. A mandatory phase-out of hard-to-recycle plastics will also improve the consistency of materials collected at kerbside, reduce contamination and improve New Zealand's circular economy.

QUESTION 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

12. The NZBC holds the view that oxo-degradable plastics can be harmful to the environment and contaminate the recycling stream of other valuable plastics. We agree with a mandatory phase-out of all oxo-degradable plastics by 2023. There are other plastics to replace any oxo-degradable beverage containers, such as PET or R-PET, as well as other various materials that can be recovered and recycled to increase our circular economy.

QUESTION 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

13. The NZBC holds the view that the right cost and benefits have been addressed as it relates to nonalcoholic beverage producers, who may manufacture their own packaging materials or import packaging from overseas. We agree that the main beneficiaries of a mandatory phase-out proposal are the environment and the wider resource recovery sector including recyclers, re-processors and waste operators.

QUESTION 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

- 14. Packaging and post-consumer waste at large is an issue that several industries face and it will require a collaborative approach. Members of the NZBC have been leaning into this issue for several years and are committed to doing the work required to improve the outcomes for our environment and reduce the amount of recyclable plastic from beverage containers going to landfill.
- 15. The NZBC is concerned about the move away from some hard-to-recycle plastics to other material types that are also harmful. To ensure a successful move away from hard-to-recycle plastic packaging, clear regulation and definitions will be required, as well as further scope into what sustainable alternatives are available in the market.

QUESTION 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

16. The NZBC is supportive of the phase-out and banning of plastic straws, plastic drink stirrers and single-use plastic cups made from hard-to-recycle plastics. We hold the view that plastic cups made from plastics 1,2, and 5 should be exempt as they are higher value materials with a market demand for collection and recycling.

QUESTION 17. Do the proposed definitions in table 7 make sense? If not, what would you change?

17. The NZBC seeks clarity on the definitiveness of exempting single-use plastic cups made from plastics, 1,2 or 5.

CONCLUSION

- 18. Beverage manufacturers strive as an industry to do their part in creating a more sustainable and circular economy. The NZBC and its membership is committed to reducing waste and increasing recycling collection, banning hard-to-recycle plastics and ultimately reducing consumer confusion.
- 19. Thank you for taking the time to consider our comments. Please do not hesitate to contact me should you require further information. The NZBC looks forward to continuing to engage with the Ministry for the Environment as a trusted partner on issues around plastics, recycling and circular economy in due course.

Sincerely,

emily fuller

Emily Fuller GM Public Affairs New Zealand Beverage Council. E: <u>emily@nzbeveragecouncil.org.nz</u> M: 029 126 9014



4 December 2020

Plastics Consultation Ministry for the Environment PO Box 10362 WELLINGTON 6143

Email: plastics.consultation@mfe.govt.nz

Dear Sir/Madam

Attached are the comments that the New Zealand Food & Grocery Council wishes to present on *Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items.*

Yours sincerely

amerine Rich

Katherine Rich Chief Executive



Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items

Submission by the New Zealand Food & Grocery Council

4 December 2020

NEW ZEALAND FOOD & GROCERY COUNCIL

- 1. The New Zealand Food & Grocery Council ("NZFGC") welcomes the opportunity to comment on *Reducing the impact of plastic on our environment moving away from hard-to-recycle and single-use items* (the Consultation Document).
- 2. NZFGC represents the major manufacturers and suppliers of food, beverage and grocery products in New Zealand. This sector generates over \$40 billion in the New Zealand domestic retail food, beverage and grocery products market, and over \$34 billion in export revenue from exports to 195 countries representing 65% of total good and services exports. Food and beverage manufacturing is the largest manufacturing sector in New Zealand, representing 45% of total manufacturing income. Our members directly or indirectly employ more than 493,000 people one in five of the workforce.

EXECUTIVE SUMMARY

- 3. The most significant issue for NZFGC relates to the criteria for assessing the proposed options, the weightings allocated to the criteria and the cost and benefit information. With amended criteria and weightings two Options emerge for taking forward: Mandatory phase out and Mandatory Stewardship. Working together these measures could lead to significant reduction of the target products or elimination as appropriate and be best suited to New Zealand overall.
- 4. We strongly recommend two criteria be applied, both equally weighted:
 - Effectiveness will the option make progress to goals of circular economy and advance elimination or significant reduction in the use of PVC and polystyrene packaging, oxo-degradable plastics and single-use items
 - Cost can it be implemented without placing undue costs on New Zealand, business or Government?
- 5. We disagree with the allocation of the qualitative judgements as to effectiveness and cost in the assessment of options. With the unnecessary criteria removed and the weightings equal, the options are more proportionate and better suited to New Zealand.
- 6. As noted above, NZFGC strongly disagrees with taking forward only one Option, Mandatory Phase-out. We consider other options, working in concert over time, will be successful and better suited to New Zealand overall. A proportionate response to get the best results, as undertaken in the EU, may require a mix of options to apply. There are aspects of the Options we do not agree with and these are set out in the detailed comments. However, we are very concerned that products that appear in 2020 to be 'hard-to-recycle', may not mean they are 'hard-to-recycle' in the near future. New technologies are already emerging which now process previously 'hard-to-recycle' materials. These warrant serious consideration.
- 7. In relation to costs, we consider the lack of evidence, the summary statements, the cost attributions and qualitative judgements to be very poor. There has been no assessment of the set-up cost in any area of replacement or substitution. COVID-19 presents a major barrier to implementation for business. Businesses already 'bleeding' have no reserves or resources in the current environment and the extreme limitations on accessing overseas expertise presents another barrier to implementation. The economic cost of COVID-19 has not been referred to in any detail in the Consultation Document and its economic impact is yet to be estimated.

- 8. NZFGC is concerned that if this is a Starting Point, what else is planned. Substituting the use of a target product now may otherwise require further substitution over time leading to years of ongoing cost. Consideration needs to be given to appropriate alternatives.
- 9. We are most concerned at the suggestion that New Zealand should lead the world in this area. We acknowledge agility in many areas but in this, New Zealand does not have either the infrastructure, technology or the resources to lead on the bulk of the packaging and materials because we have few foundation industry facilities to generate, process, or recycle the packaging in the products we produce or import.
- 10. Our main trading partner in the food and grocery sector is Australia and our members strongly believe that packaging and recycling systems should be aligned in both markets. Both countries have limited on-shore recycling capability and capacity and limitations of scale. We share packaging, management structures and supply chains. Alignment can reduce governance costs, deliver joint economies of scale, reduce community confusion and lower costs for consumers.
- 11. In other areas, NZFGC:
 - recommends a two-step process for any banned products. <u>Step one</u> is to set a commencement date to ban the placing of products/materials in the market. <u>Step two</u> is a stock-in-trade period to allow sell through of existing stocked products/materials within the market
 - agrees in principle with the phase out of PVC and polystyrene packaging but is strongly opposed to the timing of the proposed two stage process to 2025. The lack of evidence around the proposal is compounded in the time frame set for a mandatory phase out since the Ministry appears not to have researched or verified how many businesses (general or food and beverage) are using PVC and polystyrene packaging. Further, in Australia where data has been captured by the Australian Packaging Covenant Organisation (APCO), plastic packaging put onto the market fell by 6% over the year to 2018-19 with a 26% reduction in EPS and a 25% reduction in PVC. Industry is moving to more recyclable plastic where feasible and functional on a voluntary basis.
 - considers the likely costs or benefits of phasing out all PVC and polystyrene packaging needs a full and separate economic analysis. In our view, the Ministry must work with industry to understand the economic costs particularly in light of the economic impact of COVID-19 which will make investment in the capital equipment and personnel capability required to manufacture products from new plastic resins very difficult. We recommend this work be contracted out as soon as possible to ensure decisions are taken with the best available information
 - recommends that High Impact Polystyrene Sheet (HIPS) used in food packaging such as yoghurt pots should be excluded
 - recommends exempting bulk/export meat and fish polystyrene packaging (as has South Korea)
 - notes there are currently no practical alternatives to replace a number of 'hard-to-recycle' packaging products and until there are, a longer timeframe, such as to 2025, is necessary
 - agrees with the proposed phase-out of oxo-degradable plastics but is concerned that the timeframe of January 2023 is more rapid than any other country has achieved and could present as a barrier to trade for selected imports. It needs to be longer
 - recommends that single use bags under 70 microns thick without handles for carrying fruit or vegetables be excluded

- recommends single use plastic straws which are attached to drinks cartons for the 'on-the-go' are specifically exempted as has been the case in other jurisdictions including Australia
- would be interested to explore options for addressing plastic in wet wipes since a large
 proportion of wet wipes sold in New Zealand are manufactured in Australia or further
 afield and we need to be aware of, and align with, developments overseas including
 phase-outs, in this product range.

DETAILED COMMENTS

- 12. The comments below follow the headings in the Consultation Document and providing comments, in some cases, where no questions have been asked.
- 13. It is important to appreciate at the outset that New Zealand's main trading partner in the food and grocery sector is Australia. Indeed, many of our members have Australian manufacturing centres and headquarters in Australia and one of the two major supermarkets (although not our members) is Australian owned. As a result, we strongly believe that the New Zealand and Australian packaging and recycling systems should be aligned in both markets. Additionally
 - both countries have limited on-shore recycling capability and capacity
 - Both countries have limitations of scale
 - we share packaging, management structures and supply chains.
- 14. Alignment between Australia and New Zealand can reduce governance costs, deliver joint economies of scale, reduce community confusion and lower costs for consumers.
- 15. To this end, NZFGC has worked closely with the Australian Food & Grocery Council, the peak Australian sister body, in identifying options and ideas that enhance the ideas presented by the Ministry for the Environment in its Consultation Document.

Summary of the current problem

Q1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

16. NZFGC agrees in part. Our strong reservation is that products that appear in 2020 to be 'hard-to-recycle', may not mean they are 'hard-to-recycle' in the near future. The New Zealand Government is investing \$124 million in recycling infrastructure, including improved sortation systems and new technology for processing. These will necessarily have an impact on the degree of difficulty of recycling. As, well, new technologies are already emerging which now process previously 'hard-to-recycle' materials. This warrants serious consideration. For example, developments in the UK in 2019 in relation to an advanced Plastics Recycling Facility has been studied in depth by the Ellen MacArthur Foundation's New Plastic Economy group from both environmental and economic viewpoints. The intent is to handle all types of plastic from all sources at one facility, locally, increasing recycling rates from current levels below 40 percent to close to 90 percent. The machine being assessed converts plastic waste back into oil. https://www.waste360.com/plastics/developing-england-s-first-advanced-plastics-

recycling-facility.

17. In New Zealand, industry has been working with Plastoil NZ which is part of a European initiative that has developed a container based, decentralised plant which will process

plastic waste or production residues into oils and waxes. Other New Zealand technology developers are working on innovative projects.

- 18. In Australia, there are already trials in New South Wales for kerbside collection of soft plastics via an industry led project with Nestlé and Australian Recycler iQ Renew (<u>https://www.curbythebilby.com.au/</u>). iQ Renew is also pioneering a new chemical recycling technology for End-of-Life Plastics.
- 19. NZFGC agrees with the description of single-use plastic items.

Policy objectives

Q2. Have we identified the correct objectives? If not, why?

- 20. NZFGC agrees in principle with the main and secondary objectives but is concerned the main objective does not differentiate between 'hard-to-recycle' plastics and 'single-use' plastics in relation to the aim of 'significantly reducing' the amount in use. This in turn does not differentiate the factors that might unevenly impact on use.
- 21. We are also concerned to understand that if, as the Ministry says, this is a Starting Point, what else is planned. Substituting the use of a target product with another to reduce use of the target product carries multiple costs over years if subsequently the substitute product is targeted. There are also many factors and aspects to be considered that will influence the outcome sought and this is not a linear, single track process. For example, if polymers currently used were subsequently banned, companies may transition away from plastic packaging altogether to avoid the additional costs which will come for plastics as a priority product. This may result in the perverse outcome of more paper packaging (which is an emerging problem for New Zealand); aluminium foil containers (which will not be collected for recycling at kerbside according to the WASTEminz *Standardising Kerbside Collections Report*, released in September 2020 the WASTEminz Report) or glass packaging which has a greater environmental footprint with a higher carbon footprint than plastic packaging.

International analysis

- 22. NZFGC is concerned at the statement in the Consultation Document (p21) that New Zealand also has "an opportunity to lead and to demonstrate our approach to best practice." New Zealand does not have either the infrastructure or the resources to lead on the bulk of the packaging and materials because we have few foundation industry facilities to generate, process, or recycle the packaging in the products we produce or import.
- 23. New Zealand is often very agile in change and is very good at imitating with pride but, as in the example in response to Question 1 above, if the UK has the resources for only two of the latest technology waste processing facilities, we must be realistic and practical in what is possible in the short to medium term for New Zealand. Leading may also mean losing products, packaging, businesses, export opportunities, employment, GDP etc by removing New Zealand businesses or placing barriers on imports that the global trade will pass up on.
- 24. We appreciate that not all details of international developments can be included but consider a more comprehensive and even approach could have been taken that would demonstrate the extended time in development, and the vital role of industry in many jurisdictions. The "proportionate and tailored" approach taken in the EU "to get the best results" (EC Press release 21 May 2019) is also significant.

25. In relation to PVC bans internationally, many examples were preceded by voluntary arrangements over extended periods with many global companies taking a leading stance against PVC before legislation was mandated eg IKEA, Sony-Europe, Bayer, AEG Siemans and BMW (Johnson 1996). We also note exemptions are a feature of bans including, as noted in the Consultation Document, by South Korea in 2019. This is commented on further below.

Options for shifting away from hard-to-recycle and single-use plastics

Q3. Do you agree that these are the correct options to consider? If not, why?

- 26. NZFGC agrees the options are appropriate to consider but should not be considered mutually exclusive since a proportionate response to get the best results may require a mix of options be applied that work in concert.
- 27. There are aspects of the Options we do not agree with. For example, Option 6 Mandatory Phase-out, states that "A mandatory phase-out would bring new costs for public education, monitoring and enforcement. If introduced by Government, taxpayers would bear the cost." Presumably, this refers to the costs of education, monitoring and enforcement. It entirely ignores the costs to industry. There are always costs to Government of legislation which is one of the reasons (besides efficiency) that non-regulatory options pursued under best regulatory guidelines are (https://www.treasury.govt.nz/publications/guide/government-expectations-goodregulatory-practice). The statement that 'taxpayers would bear costs' is a very poorly placed comment and the omission of industry costs skews the description.

Assessing the options

Q4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

28. NZFGC does not agree with the criteria or the weightings.

Criteria

- 29. In relation to effectiveness, this is a subset of alignment with strategic direction and therefore presents as 'double counting' criteria. Advancing the elimination or significant reduction of the use of PVC and polystyrene packaging, oxo-degradable plastics and single-use items <u>necessarily</u> progresses the goals of a more circular economy for plastics. The criteria on alignment should be deleted.
- 30. In relation to cost, there needs to be provision for 'New Zealand' for assessing the overall economic and well-being of the country. The term 'community', as commonly used, is too narrow geographically, socially and economically. Without reference to 'New Zealand' a vast and significant impact on the socio-economic wellbeing and health of the country is ignored.
- 31. Reference to 'public funding' is a singular element in terms of impact usually presented in cost-benefit analyses as 'Government'. At best, a focus on public funding could bias the outcome and at worst, exclude the broad range of other Government interests.

- 32. There has been no cost benefit analysis undertaken to understand the financial cost to businesses of a ban on the target products within a 2- and 4-year timeframe. NZFGC is undertaking work to better understand how much plastic by resin type is used by its members. To date, our estimates are that almost a quarter of FGC members who use plastic packaging use some PVC and around 16% use some polystyrene. Both products already have the lowest use in the food and grocery industry with PET and HDPE comprising over half of all plastics used across the industry.
- 33. In relation to 'Achievability', we do not believe on a matter of such significance that a criterion on legislative practicality is either reasonable or relevant as a criterion. It is a Government process and a Government cost so is counted twice (public funding). If the Government can develop new legislation for organic labelling, then new legislation for environmental measures might well be necessary and appropriate. This criterion is a procedure and does not go to the core of the issues.
- 34. We strongly recommend two criteria:
 - Effectiveness will the option make progress to goals of circular economy and advance elimination or significant reduction in the use of PVC and polystyrene packaging, oxodegradable plastics and single-use items
 - Cost can it be implemented without placing undue costs on New Zealand, business or Government?

Weightings

- 35. The weightings are gross and simplistic. In our view, Effectiveness and Costs must be equally weighted in order to effectively, and without bias, consider impacts and outcomes. Allocating minus values also indicates a scaling that is ineffective or poorly constructed since zero should always be the lowest score.
- 36. We do not agree with the allocation of the qualitative values in Table 3. By way of example the effectiveness of voluntary agreements or pacts is operating effectively in many other areas such as advertising (through the Advertising Standards Authority) and Health Star Rating labelling on food. At worst, Option 1 Voluntary agreements or pacts should be assessed as 'somewhat' effective. Similarly, the effectiveness of mandatory product stewardship (Option 5) would have to be effective in making progress to goals of a circular economy and advancing the elimination or significant reduction in the use of PVC and polystyrene packaging, oxo-degradable plastics and single-use items.
- 37. In any case, the calculations in Table 3 have to be inferred and, even then, are incorrect or inconsistent. For example, 'Somewhat' seems to be allocated a value of 1 and 'Yes' a value of 2 which holds for Options 1 to 3 but these values do not hold for any of the other Options. There is no explanation of why 'No' in Option 3 has been accorded 'minus 1' but nowhere else (three other occurrences). This level of inconsistency is very disappointing.
- 38. A Table with Revised criteria, assessment and equal weighting would be somewhat different:

| Revised Table 3 | | | | | | | | |
|----------------------|---------------------------|----------------------|--------------|-------------|--|--------------------------|-------------------------------------|------------------------------------|
| Assessment criterion | 1. Voluntary agreement | 2. Reduction targets | 3. Labelling | 4. Levy/tax | 5. Mandatory product stewardship | 6.Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc action) |
| Effectiveness | Somewhat | Unknown | Unknown | Somewhat | Yes | Yes | Yes | Somewhat |
| Cost | Somewhat | Somewhat | No | No | Somewhat | Somewhat | Somewhat | Unknown |

Values: Unknown - 0; No - 0, Somewhat - 1, Yes - 2

| Total Score | 2 | 1 | 0 | 1 | 3 | 3 | 2 | 1 |
|-------------|----|----|---|----|----|----|----|----|
| Ranking | =2 | =3 | 4 | =3 | =1 | =1 | =2 | =3 |

39. As can be seen, 2 options rank equal first: Option 5. Mandatory Product Stewardship and Option 6. Mandatory phase-out. NZFGC strongly recommends both be pursued for the target products.

Q5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

- 40. NZFGC strongly disagrees with the assessment of the options as we have described above. We consider the criteria are incorrect and the weightings wrong.
- 41. NZFGC strongly disagrees with taking forward only one option, Mandatory phase out. We consider other options, particularly Mandatory Stewardship, working in concert over time, could lead to significant reduction or elimination as appropriate and be best suited to New Zealand overall. Given that Plastic Packaging including PVC and Polystyrene has been declared a Priority Product, Mandatory Stewardship must be available as an option to industry.

Proposal 1: Phase out hard-to-recycle plastics

Reducing the impact of PVC and polystyrene

Q6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

- 42. NZFGC agrees in principle with the phase out of PVC rigid plastics and polystyrene packaging but is strongly opposed to the timing of the proposed two stage process to 2025. In our view, the time frames are far too tight and New Zealand should factor in the timing of actions proposed for and under implementation in Europe, Canada, Australia and the USA. Aligning phase-outs and restrictions with those trading partners in New Zealand's key markets is vital to avoid costly disruption to products and trade and loss of competitiveness.
- 43. By way of example, when bans are applied in Europe there is usually a long lead time to ensure that products can be reformulated or repackaged with alternate materials in the manufacturing process. <u>Step one</u> is to set a commencement date to ban the placing of products/materials in the market. <u>Step two</u> is a stock-in-trade period to allow sell through of existing stocked products/materials within the market. This is also the standard practice in changes for food composition and labelling applied by Food Standards Australia New Zealand.
- 44. This two-step process avoids the costly exercise of withdrawing products from retail and distribution centres on a fixed date and then disposing of those products. While disposal may see banned products sold into alternative markets, it may equally entail dumping to landfill. Neither of these options are best for the environment, whereas a provision to sell products through after a placement ban, especially if they are still able to be recycled at the kerbside, is a vastly superior approach. NZFGC recommends this two-step approach apply to each phase-out period.

- 45. New Zealand and multi-national companies signed up to the Plastic Packaging Declaration in 2018 with commitments for all packaging to be reusable, recyclable or compostable by 2025. The industry is working towards these timelines globally and it is therefore unreasonable to move the goalposts by bringing forward some aspects of phase out. This is particularly true as there may be no practical compostable solution in place for New Zealand by 2025. There is no evidence provided for stating that "the food and beverage industry [is] mostly ready to embrace change (many companies are already moving to high-value materials)." There is not even supporting anecdotal evidence.
- 46. The lack of evidence around the proposal is compounded in the time frame set for a mandatory phase out since the Ministry appears not to have researched or verified how many businesses (general or food and beverage) are using PVC, what types of PVC, and polystyrene packaging.
- 47. The description of PVC should be "PVC rigid plastics' to distinguish them from other plastics for which no alternative is currently available. Manufacturers are working towards replacements and by way of example we would point to the public statements made by Nestlé in the diagram below. This shows clearly that the more difficult PVC components cannot technologically be removed until 2024.

Diagram: Nestlé List of Materials to be Removed from Manufactured Products by 2024



- 48. The proposed ban also needs to be seen in conjunction with the policy work being conducted by MFE on kerbside collections. The recommendations in the WASTEminz Report, propose a ban on the collection of items smaller than 50mm in diameter. This would include small yoghurt pottles. It would make no sense for industry to move from polystyrene to polyethylene terephthalate (PET, plastic type 1) or polypropylene (PP, plastic type 5) with a huge capital expenditure cost only for the materials not to be collected at kerbside because they are too small.
- 49. Further, by way of example, for confectionery, we are advised by members that it is not possible to transition from polystyrene protective casing for confectionery by the end of December 2022. We recommend that this be set at 2025.
- 50. In Australia, APCO reports that PVC consumption reduced by 25% in 2019 compared to 2018 and EPS reduced by 26% over the same period. This demonstrates that industry is

phasing out these plastic resins on a voluntary basis. This voluntary action is also happening in New Zealand.

| Material type | 2017-18 | % | 2018-19 | % | % change |
|--------------------------------------|-----------|-----|-----------|-----|-------------|
| Plastic – PET (1) | 132 000 | 12 | 154 000 | 15 | 17 |
| Plastic – HDPE (2) | 351 000 | 33 | 316000 | 32 | - 10 |
| Plastic – PVC (3) | 20 000 | 2 | 15 000 | 2 | - 25 |
| Plastic – LDPE (4) | 254 000 | 24 | 233 000 | 23 | - 8 |
| Plastic – PP (5) | 164 000 | 15 | 155 000 | 16 | - 6 |
| Plastic – PS (6) | 11 000 | 1 | 11 000 | 1 | - 5 |
| Plastic – EPS (6) | 22 000 | 2 | 16 000 | 2 | - 26 |
| Plastic – Bioplastic | 1 000 | 0 | 6 000 | 1 | 600 |
| Plastic – Other plastic packaging | 111 000 | 10 | 16 000 | 2 | |
| Plastic - unidentified | | | 78 000 | 8 | |
| Total | 1 066 000 | 100 | 1 000 000 | 100 | - 6 |

Plastics packaging put on market (POM) in Australia (Source: APCO)

Q7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

- 51. In addition to the comments made above around distinguishing between PVC rigid plastics and other PVC uses in the food supply, in terms of packaging items, based on feedback from our members, NZFGC recommends that High Impact Polystyrene Sheet (HIPS) used in food packaging such as yoghurt pots should be excluded. Most yoghurt/dairy pots are made from HIPS because it is malleable, clear and snappable. As one of our members says: "it is a round peg in a round hole". Its functionality is particularly significant for shelf life and impact resistance.
- 52. We would also point out that technology introduced in Australia is now recycling these products collected at kerbside. This is a classic case of a product that is or has been 'hard-to-recycle' now but is not expected to be 'hard-to-recycle' in the future.
- 53. We are concerned that businesses will move from PVC or polystyrene trays and containers to coloured PET as they cannot use clear PET for their products. Coloured PET is also a challenge and is currently baled as mixed plastic and exported.
- 54. In some cases, it is not clear what is or is not included. For example, are sales of PVC cling film to households banned or is it only the PVC cling film used in production around food products?
- 55. We believe that at this time, there is no cost-effective alternative for bulk/export meat and fish polystyrene packaging which has also been recognised by South Korea in its actions in this area.
- 56. NZFGC does not represent fast food businesses or retail businesses such as supermarkets and therefore we make no comment on takeaway containers or packaging.

Q8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer

57. See above

Q9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

- 58. The likely costs or benefits of phasing out all PVC and polystyrene packaging needs a full and separate economic analysis. In our view, the Ministry must work with industry to understand the economic costs particularly in light of the economic impact of COVID 19 which will make the supply of alternatives difficult and longer and investment in the capital equipment required to manufacture products from new plastic resins very difficult. Estimating the PVC used in the food supply chain requires considerable effort since PVC resin imports would include a lot of industrial applications such as drainage, spouting and plumbing products.
- 59. It is important to realise that if polymers they currently in use are banned, companies may transition away from plastic packaging altogether to avoid the additional costs which will come for plastics as a priority product. This may result in the perverse outcome of more aluminium foil containers (which will not be collected for recycling at kerbside according to the WASTEminz Report); more paper packaging (which is an emerging problem for New Zealand); or glass packaging which may have a far greater environmental footprint and a higher carbon footprint than any plastic packaging.
- 60. We note that PVC is often used across the food and grocery sector for caps and pumps (eg suckies, sanitisers etc) since the material is the most viable and functional option. Any ban on these component parts would adversely affect the performance of the product. Alternatives such as metal are not commercially viable options due to the cost involved in producing such items even at high volumes and potential contamination. Consideration of excluding these specific uses is warranted at this time.
- 61. We note that the 'Limitations of Analysis' (p46) state that "[T]his is only a preliminary assessment of the potential impacts of a mandatory phase-out for certain hard-to-recycle plastics. The significance of ensuring the most current and accurate costing data and the urgency of this would suggest the Ministry should seek external expertise for further analysis so that it can contribute in a timely manner to the consideration. Industry would be pleased to contribute to such a study.

Q10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

62. NZFGC believes that there are not currently, practical alternatives to replace a number of 'hard-to-recycle' packaging because we are not seeing these globally. However, the industry would embrace practical alternatives if they emerged commercially.

Proposal 1: Phase out hard-to-recycle plastics

Preventing harm from oxo-degradable plastics

Q11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

- 63. NZFGC agrees with the proposed phase-out of oxo-degradable plastics but is concerned that the timeframe January 2023 may be more rapid than many other jurisdictions. The impact as a non-tariff barrier to trade for selected imports needs to be assessed.
- 64. British Standards has issued a standard around oxo-degradable and biodegradable plastics. These should be considered and actions aligned with international developments to ensure that similar rules are being applied. Biodegradable/recyclable alternates to plastics are available such as sugar cane packaging, however there are currently limits on the availability of these materials, material costs are higher, sufficient stability is not available for longer shelf life products and there are potential compatibility issues between packaging and the product content. Additionally, as these materials are relatively new, recycling options are yet to be widely established. These issues need to be considered in relation to the time frame and an extended timeframe needs to be considered as a result.

Q12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details

65. Not applicable

Proposal 1: Phase out hard-to-recycle plastics

Impacts of implementation

Q13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer

- 66. The Consultation Document contains no actual assessment of cost to business which we contend far outstrips any costs to Government. Table 6 *Estimated costs and benefits of a mandatory phase out of PVC polystyrene packaging and oxo-degradable plastics,* is a quite crude assessment and wrong in many areas. There has been no assessment of the cost of new plant, machinery or capability in any area. COVID-19 would present a major barrier to implementation for businesses.
- 67. Businesses already 'bleeding' have no reserves or resources in the current environment, to apply to known technologies or innovations overseas that have not yet made it New Zealand. Even if that was not the case, the extreme limitations on accessing overseas expertise to install and operationalise facilities for business in the area presents another significant barrier to implementation. The economic cost of COVID-19 has not been referred to in the Consultation Document other than in relation to off-shore processing (p15 and p16), delays in proposals in other countries (p17) and the financial affect for small businesses (p45). This is a significant omission.
- 68. The Government is reporting weekly on the economic impact of COVID-19. It is more than just small business being financially affected (as suggested in Table 6). The Treasury and BNZ warn that "demand indicators remain firm but there are challenges on the supply side"

(<u>https://www.treasury.govt.nz/publications/weu/weekly-economic-update-20-november-2020-html</u>). It is this supply side 'challenge' relating to the introduction of new plant and equipment and on expertise for installation and operationalisation over the next two years that will be hampered by COVID shipping and border restrictions.

Q14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer

69. NZFGC considers it <u>certain</u> that the Proposal to phase out the targeted plastics will have significantly greater costs than those touched on (and those not discussed) in the Consultation Document. We cannot be clearer that the costs to businesses need to be examined and assessed in more detail so that greater specificity than 'some businesses' and 'some impacts' can be presented. Our members however have indicated that the capital costs to businesses will be millions of dollars and that the higher costs of packaging will be significant and will need to be passed onto consumers.

Q15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

- 70. In addition to the above comments, it is possible suggestions might come forward for labelling. It is impractical for off-shore manufacturers of products imported by New Zealand to modify labelling for consumer products (such as cosmetics) just for New Zealand our market is just too small. Any mandatory requirement for a unique New Zealand labelling requirement is likely to be a technical barrier to trade and impact the consumer by preventing product imports for retail sale and reducing choice. E-commerce routes would likely then be pursued to circumvent non-availability of products simply on the basis of labelling.
- 71. Adopting or accepting internationally accepted recycling information on imported products is a strategic alternative NZFGC recommends be pursued.

Proposal 2: Take action on single-use plastic items

Single-use items for phase-out

Q16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

- 72. .NZFGC recommends that single use bags under 70 microns thick without handles for carrying fruit or vegetables be excluded. As with single use carrier bags, this may result in higher gauge plastic being used. These bags can be recycled through the soft plastic recycling scheme and have a reuse in the home. We are strongly supportive of encouragement to use reusable alternatives.
- 73. It is not clear that single use plastic straws which are attached to drinks cartons for the 'on-the-go' are included. These have been specifically exempted in other jurisdictions including Australia because of the absence of alternatives at this time.
- 74. Single-use cutlery manufacturers suggest a phased ban where cutlery for takeaway/ outdoor venues are targeted first with indoor controlled venues such as hospitals, prisons, aged care facilities etc are in a phase as the litter risk from controlled indoor environments

is very low and there is a genuine need for these products. This would give manufacturers the opportunity to phase replacement in the same sequence.

75. We agree with the comment in the Consultation Document that problematic products like cigarette filters, balloons and glitter would require a significant shift in consumer behavior, through awareness and education and other actions that would help to drive change.

Q17. Do the proposed definitions in table 7 make sense? If not, what would you change?

76. See above in relation to plastic straws and single use plastic produce bags.

Q18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

- a) 12 months?
- b) 18 months?
- c) 2 years?
- d) 3 years?
- e) Other?

If you think some items may need different timeframes, please specify.

- 77. NZFGC member manufacturers of single use products recommend a phased approach over 2 years to be possible in a Covid-19 environment. Such a timeframe would take account of the supply-side challenges of alternative products in the current environment.
- 78. Single use plastic straws which are attached to drinks cartons for the 'on-the-go' need to be set aside and a phase out period at some future time set when a viable alternative is developed and commercially available.

Proposal 2: Take action on single-use plastic items

Other problematic single-use items

Q19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

- 79. NZFGC does not represent food retailers and so has not commented on single-use plastic coffee cups available from retail outlets. However, manufacturers are actively seeking alternatives such as the cups being experimented with made of biodegradable material a combination of strong wool and corn starch called Keravos as a replacement for plastic.
- 80. In relation to wet wipes, NZFGC is participating in the development of an Australia/New Zealand standard on flushability that has addressed labelling. Separately, NZFGC has participated in public education campaigns on appropriate disposal of wipes in the past and would continue to do so.
- 81. In terms of plastic content, the upcoming standard, to be consulted on publicly in 2021, may drive change along the lines being pursued because of the need for flushable wipes to meet certain disintegration levels over time. Since most wet wipes sold in New Zealand are manufactured in Australia or further afield, we need to be aware of, and align with,

developments overseas in this product range. In any event, consumer education on responsible disposal is a critical part of the impact response.

Q20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

82. See above.

Q21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

83. As noted above, since most wet wipes sold in New Zealand are manufactured in Australia or further afield, we need to be aware of, and align with, developments overseas including phase-outs, in this product range.

Proposal 2: Take action on single-use plastic items

Impacts of implementation

Q22. Have we identified the right costs and benefits of a mandatory phase-out of singleuse plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items

- 84. We see no evidence of the costs associated with single-use plastic items. While we are not opposed to many of the proposals, we do not see alternatives such as 'relocate to other markets' or 'offering no alternative' as feasible, practical or helpful. Viable alternatives must be presented. We do not agree that if a supplier's livelihood (such as suppliers of single use items) has no alternative, then the cost must be high. There is also the prospect that small to medium sized New Zealand businesses operating in a niche segment of the single-use product market might be disproportionately affected. Without this intelligence, it is difficult/impossible to assess impacts.
- 85. We agree that the it is possible that the number of manufacturers of alternatives could continue to grow but the cost of setting up and maintaining competitive advantage over imports which can take advantage of economies of scale (New Zealand is a very small market) must be assessed as high and certainly higher than Government costs.
- 86. Although NZFGC does not represent retailers, we find it difficult to believe the cost to retailers is low and suggest this has been significantly underestimated. [leave out?]

Compliance, monitoring and enforcement

Q23. How should the proposals in this document be monitored for compliance?

87. NZFGC considers that there are so many unknowns associated with the proposals in the Consultation Document that no view can be appropriately formed on compliance monitoring. We would caution at this time against approaches that add costs to industry in a very fragile economic environment.



New Zealand Freshwater Sciences Society

4 December 2020

Hon. David Parker Ministry for the Environment PO Box 10362 Wellington 6143

NZFSS submission on reducing the impact of plastic on our environment

Dear Minister Parker,

The New Zealand Freshwater Sciences Society (NZFSS) was established in 1968 as the New Zealand Limnological Society. It is a constituent body of Te Apārangi, the Royal Society of New Zealand and has some 500 members. The Society's membership spans the breadth of the field of freshwater, from academics and researchers to NGOs and resource managers. We have a strong Te Wai Māori rōpū comprised of Society members who work in tangata whenua resource management and Māori freshwater science/mātauranga. The NZFSS is the key professional society for practitioners in freshwater science and management in Aotearoa New Zealand. The Society aims to *"establish effective liaison between all persons interested in any aspect of fresh or brackish water research in New Zealand, and to encourage and promote these interests"*.

As a constituent body of Te Apārangi, the Royal Society, the Society has responsibilities¹ "To take reasonable steps to prevent their activities leading to significant avoidable or unjustified degradation of the environment, and where appropriate, to contribute to improved conservation, protection and sustainability."

A large proportion of the Society's membership is directly involved in resource management as experts on behalf of local government and iwi authorities, through the Environment Court and in providing advice to central government. A number of members are accredited as independent hearings commissioners through the 'Making Good Decisions' programme. As such, the Society holds a wealth of science and resource management expertise to contribute to efforts to reduce the impact of plastics on our freshwater environment. We have collated feedback from members in support of this submission.

¹ <u>https://royalsociety.org.nz/who-we-are/our-rules-and-codes/code-of-professional-standards-and-ethics/code-of-professional-standards-and-ethics-in-science-technology-and-the-humanities/</u>

We thank you for the opportunity to review the Reducing the Impact of Plastic on our Environment discussion document and to provide feedback in our attached submission for your consideration in progressing efforts to reduce these impacts in Aotearoa New Zealand.

Sincerely,

Kate McArthur

President - On behalf of the New Zealand Freshwater Sciences Society

PO Box 8602

Riccarton

Christchurch 8440

NZFSS submission – Reducing the Impact of Plastic on Our Environment

The New Zealand Freshwater Sciences Society (NZFSS) strongly supports both proposals to reduce the impact of plastic on our environment: phase-out of hard-to-recycle plastic and some single-use plastic items. Plastics negatively impact freshwater ecosystems in many ways, from direct inputs of gross plastic litter, to microplastics created from the breakdown of larger plastic items (Dikareva and Simon 2019).

The intention of moving away from hard-to-recycle plastics and single-use plastic items to reduce waste to landfills and gross environmental litter is supported. It is also important to recognise the potential harm caused by the future breakdown of these plastics into microplastics when they end up in our waterways (Dikareva and Simon 2019). The smaller size of microplastics makes them available to organisms throughout the food web and their composition makes them prone to adhering to waterborne organic pollutants and toxins. Phasing-out these items would not only reduce landfill waste and gross litter of waterways, but would mitigate the future breakdown into microplastics, which could end up in the food chain and potentially inside our bodies.

The discussion document focusses largely on the impacts of plastic in the marine environment, supported by a global and national body of research. The NZFSS would like to highlight that freshwater ecosystems are similarly affected by plastics. Research shows that microplastics particles are common in city waterways and a large proportion could be classified as Styrofoam or single-use plastics (Edginton et al. 2019; Dikareva and Simon 2019; Zhang and Liang 2020). Litter (including plastic) has been cited in numerous studies and surveys as adversely affecting recreational and cultural values of freshwater.

Furthermore, the creation of new landfills (to receive hard-to-recycle and single use plastics) can have significant negative effects on stream habitats and ecosystems in Aotearoa New Zealand. For example, the proposed construction of an Auckland Regional Landfill will require the infilling (reclamation) of approximately 20 km of ephemeral, intermittent and permanent headwater stream habitat.²

NZFSS also wish to highlight that reducing the impact of plastic on freshwater ecosystems is wellaligned with the objective and policies of the National Policy Statement for Freshwater Management (NPS FM 2020) to prioritise the health and well-being of water bodies and freshwater ecosystems under Te mana o te Wai. The proposals will also contribute to supporting national ecosystem health, human contact, threatened species and mahinga kai values and reduce the potential risk to humans of ingestion of plastics and associated contaminants through the harvest and consumption of freshwater foods and mahinga kai.

Discussion document responses:

Understanding the problem of plastics

1. The NZFSS agree with the description in the discussion document of the problems with hardto-recycle plastic packaging and single-use plastic items.

Policy objective

² <u>https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc42-executive-summary.pdf</u>

- 2. NZFSS agree with the policy objective to: 'reduce the impact on our resource recovery system and environment from hard-to-recycle plastic packaging and single-use items through significantly reducing the amount in use' to help achieve secondary objectives, including:
 - lower risk of environmental damage including through litter and poor resource management
 - less PVC contamination in our recycling stream, so high-value materials like PET can be recycled rather than sent to landfill
 - increasing the uptake of high-value packaging materials including PET, HDPE (2) and PP (5)
 - improving the recyclability of plastic packaging
 - better reflecting the waste hierarchy and a circular approach to resource management, by ensuring that the materials we use can be reused or recycled
 - reducing public confusion and making it easier for New Zealanders to recycle correctly

Options for shifting away from hard-to-recycle and single-use plastics

- 3. The NZFSS agree that the options considered in the discussion document are correct.
- 4. The NZFSS agree that the right criteria and weightings in Table 3 of the discussion document have been applied to evaluate the available options to shift away from PVC and polystyrene packaging, oxo-degradable plastic and some single-use items. Effectiveness in achieving the objective should be the most strongly weighted criteria in the evaluation of options.
- 5. The NZFSS support the preferred option in the discussion document for 'mandatory phaseout' as the most appropriate approach. This approach has been shown to be successful in the phase-out of single use plastic shopping bags in 2018. The NZFSS do not support voluntary options or the *status quo* as these are less effective in implementing rapid and effective change and thus will slow efforts for environmental improvement that are urgently needed to address the issue of plastics in the environment.

Proposal 1: Phase out hard-to-recycle plastics

- 6. The Government is proposing a phase-out (ban) of hard-to-recycle plastics including packaging made from PVC and Polystyrene and all oxo-degradable plastic products. Whilst we support the proposed phase-out of PVC and polystyrene packaging, we urge the government to consider speeding up the two stages (2023 and 2025) to halt the current environmental issues as quickly as possible and reduce the future impact of microplastic pollution from plastic in current circulation/waste streams.
- 7. The NZFSS supports a phase-out of all hard-to-recycle and single-use packaging as soon as possible to reduce the impact of plastics on aquatic ecosystems. The only plastic types which should be excluded from the phase-out are those where: a) there is no alternative product that could be used and the product is essential to society (e.g., a clear medical or health and safety need exists), or b) there is a clear and sustainable recycling pathway supported by regulatory recycling requirements.

- 8. The NZFSS supports the inclusion of all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging) for the same reasons as stated in 7 above.
- 9. The NZFSS cannot provide information on the likely costs of the proposal. However, the ecological and environmental benefits of phasing-out these types of plastics are likely to be substantial and accrue over the long-term (e.g., through the reduction of future microplastic pollution to rivers and ultimately the ocean).
- 10. The NZFSS cannot provide information on currently available and practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS). However, mandatory phase-out is likely to instigate rapid innovation and product development and the benefits of reducing the impact of plastics on the environment should be the primary driver. This would directly align with the health of waterways being the first priority under Te Mana o Te Wai (NPS FM 2020). We support the full life-cycle approach to assessing alternative materials as outlined in the Rethinking Plastics document.
- 11. We support the mandatory phase-out of all oxo-degradable plastics by January 2023. This will reduce impacts on the environment due to these products and we consider this is a realistic timeframe for the phase-out to occur.
- 12. The NZFSS is not a manufacturer, importer, or seller of oxo-degradable plastics, so we are unable to provide information on which items a phase-out would affect and whether there are practical alternatives for these items.
- 13. We consider that the consultation documents are thorough, and to the best of our knowledge have identified the right costs and benefits of a mandatory phase-out of the targeted plastics.
- 14. The NZFSS does not foresee any greater costs or benefits from the phasing out of the targeted plastics than those already discussed in the consultation documents. The society believes that the phasing out of these targeted plastics will substantially reduce the impacts of these plastics on the environment within freshwater ecosystems and that these benefits will accrue into the future by reducing the reservoir of plastics which break down with time into micro plastic pollution.
- 15. We consider the following would help to make it easier for people, businesses and organisations to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives, moving forward with a collective understanding of and commitment to plastic reduction, rather than taking the easier (and less effective) path:
 - engagement and communication around the reasons why we are reducing plastics
 - the benefits to the environment (including future benefits)
 - more appropriate alternatives (e.g. reusable coffee cups)
 - simple and affordable alternatives
 - mandatory requirements not to use plastics
Proposal 2: Take action on single-use plastic items

- 16. The NZFSS supports the proposed mandatory phase-out of some single-use plastic items, as detailed in Table 7 of the discussion document. However, we would also like to see the inclusion of disposable coffee cups and lids, unless these can be 100% recyclable (i.e., not 'more likely to be recyclable' as stated in the document), as well as plastic wet wipes. We consider this is necessary given the volume of coffee cups and wipes disposed of every day.
- 17. We agree that the proposed definitions in Table 7 make sense and we do not suggest any changes.
- 18. The NZFSS considers that an appropriate phase-out period for single-use items is two years, or earlier where possible. This is still a considerable amount of time for continued adverse effects on the environment yet gives time for industry to comply.
- 19. We agree with the options proposed in the consultation document to reduce the use of singleuse coffee cups (with any type of plastic lining) and wet wipes that contain plastic. We understand that there are significant difficulties and costs associated with plastic wet wipes entering municipal sewage systems. Therefore, the NZFSS considers that these items should be phased out within two years. Prioritising reducing our impact on the environment should be implemented as soon as practicable. The consultation document states that once nonplastic alternatives are more widely available, government would like to work towards banning plastic altogether and this intent is supported. There are already widely available alternatives to reusable cups and cloths. Without regulatory compulsion people and industries are more likely to take the current and easier, single-use, disposable option.
- 20. We are not a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), so we are unable to advise what would enable a transition away from plastic based materials in the future.
- 21. The NZFSS considers an appropriate timeframe for working toward a future phase-out of plastic lined disposable coffee cups and wet wipes containing plastic should be two years. We consider this timeframe is still a considerable amount of time to be having effects on the environment whilst allowing sufficient time for change to occur.
- 22. We consider the consultation document has identified the right costs and benefits of a mandatory phase-out of single-use plastic items

Compliance, monitoring and enforcement of regulations

23. The NZFSS considers that the proposals in this document be monitored for compliance in a thorough and detailed manner, until the 'new norm' is bedded in. Engagement and communication are important to get buy-in from the community.

References

Dikareva, N., Simon, K.S. (2019). Microplastic pollution in streams spanning an urbanisation gradient. Environmental Pollution 250: 292-299.

Edginton, N., Palliser, A., Gonnelli, C., & Liang, Y. (2019). Plastic Problems: Investigation of Microplastic Concentrations in Invercargill City Waterways. New Zealand Coastal Society Conference 2019: "Life on the Edge - Mataora kei runga i te Tapātai", Invercargill, New Zealand.

Zhang, X.X. & Liang, C.Y. (2020). Concentration and categorisation of microplastics from inner-city waterways in Invercargill. NZHS, NZ Rivers Group & NZFSS Joint Conference 2020: "Weathering the Storm", Invercargill, New Zealand. (Abstract accepted for oral presentation Dec 2020)



Organic Materials Steering Committee Submission: Consultation on moving away from hard to recycle plastics and single use plastic items

This submission has been written to document WasteMINZ's Organic Materials Sector Group (OMSG) response to the Ministry of Environment (MfE) public consultation on "Proposed ban on single use plastic items and pvc and polystyrene food and beverage packaging"

Formed in 1989, WasteMINZ is a membership-based organisation with over 1,000 members – from small operators through to councils and large companies. WasteMINZ are the industry view on waste, resource recovery and contaminated land in New Zealand and seek to achieve ongoing and positive development of our industry through strengthening relationships, facilitating collaboration, knowledge sharing and championing the implementation of best practice standards.

The OMSG is one of seven sector groups that WasteMINZ facilities in order to focus attention on the areas and issues that are key concerns to its members. The OMSG is made up of 495 members who represent composting facilities, producers of organic waste; producers of compostable packaging; councils, waste educators and the not for profit sector. The OMSG vision "is to minimise the generation of residual organic materials, and to maximise the value of residual organic materials, ensuring their beneficial reuse."

The Organic Materials Steering Committee supports the move to a circular economy and agrees that initiatives to prioritise reuse are key. As <u>Earth Overshoot Day</u> highlights the world is consuming resources 1.6 times faster than it can produce them. Therefore, our current rate of production and consumption is unsustainable in the long term. Just as oil is a finite resource so too is fresh water, arable land and top soil.

The view of the Sector Group is that land should be prioritised for growing food, for conservation and wildlife and that packaging and biofuels should be made from organic waste streams rather than land being diverted from growing food to growing packaging materials.

How to maintain and improve the quality of New Zealand soils should be a key lense with which to view any decisions made as a part of this consultation.

This submission will only address the consultation questions which relate specifically to organics as a number of the questions have already been addressed by submissions from other WasteMINZ sector groups.

Proposed phasing out of PVC and Polystyrene Packaging

There is the risk in banning PVC and polystyrene packaging that companies could consider moving to compostable packaging as an alternative instead of moving to recyclable or reusable packaging made from plastics #1, #2 or #5.

All compostable packaging is single use. The Organic Materials sector group encourages reduction, refilling and reuse; then mechanical recycling before composting. If the government is wanting to

move to a circular economy biobased plastics which either be reused or mechanically recycled multiple times are a more effective use of scarce resources than creating compostable packaging.

However, compostable packaging has a role to play in its ability to increase diversion of food waste away from landfill.

The New Zealand composting industry wrote a position paper outlining their view of the potential uses of compostable packaging in 2018. In that paper it was advocated that compostable packaging should be used for:

- Products and packaging that assist in the diversion of food waste from landfill e.g. compostable food waste caddy liners.
- Small hard-to-remove items that cause contamination in both commercial and home composting systems e.g. fruit stickers, tea and coffee bags, asparagus ties, banana tape.
- Agricultural items that are currently made from conventional plastic, where there is a risk that they will inadvertently remain in the soil after use, such as mulch film and net vine clips.

This position has since been adopted by a number of industry bodies around the globe such as APCO¹ and WRAP.²

If the government is going to ban either pvc and/or polystyrene packaging, the government needs to

- A. signal that a general move to compostable packaging is not a desired option
- B. or if the government views compostable packaging as an appropriate alternative, the government needs to ensure that the work is funded to enable compostable packaging to be collected, sorted and processed by composting facilities. The work could be funded through the waste minimisation fund or through a product stewardship scheme.

The following pieces of work would need to be undertaken to ensure that compostable packaging is an effective part of the circular economy and not another source of waste to landfill

• The government needs to publish a clear use-case for when compostable packaging should be used as an alternative to existing materials. Currently to process compostable packaging some composters need a ratio of 4-1 green waste to compostable packaging whilst for others the ratio is 20-1.

Given the high demand for organically certified compost (that cannot contain compostable packaging) there is a limit to how much green waste is available to process packaging. Anaerobic digestion plants are unable to process compostable packaging.

Therefore, it is important that compostable packaging is used for reducing contamination in composting and to assist in diversion of food waste from landfill as a primary focus.

 Research needs to be undertaken to determine the availability of greenwaste to determine the theoretical quantity of compostable packaging the New Zealand composting industry could process.

With an estimated 295 million coffee cups in circulation in New Zealand, if they were all accepted for composting that would be equivalent to approximately 6,000 tonnes of packaging which would then require 24,000 tonnes of greenwaste.

¹ https://documents.packagingcovenant.org.au/public-

documents/Considerations%20for%20Compostable%20Packaging

² https://www.wrap.org.uk/sites/files/wrap/Considerations-for-compostable-plastic-packaging.pdf

- Testing needs to be undertaken to determine whether home compostable packaging will break down in New Zealand home composts
- Testing needs to be undertaken to determine what types of composting technologies can process compostable packaging in New Zealand.
- Industry needs to agree on which standard for compostable packaging should be used in New Zealand
- A labelling and certification scheme needs to be developed to identify compostable from non-compostable packaging
- Collection infrastructure needs to be set up to collect these materials
- Some composting facilities will require additional infrastructure to process the material
- Alternative markets will need to be developed to take compost produced with compostable packaging.
- The waste levy will need to continue to increase to ensure that the cost of composting packaging becomes more competitive with landfilling

It is worthwhile noting that composting facilities are not able to produce certified organic compost which they can sell at higher price from compostable plastics. Therefore, any compost produced would be a lower grade and have a lower market value.

Ban on single use items

Fruit stickers

The Organic Materials sector group strongly supports the proposed phase out of non-compostable fruit stickers. These stickers contaminate both home and commercial composting systems. Due to their size they are impossible to remove in the pre-screening process.

The New Zealand composting industry sells significant quantities of compost to the horticulture sector who use it on organically certified orchards. This fruit is sold for export at a premium price. By using plastic fruit stickers these growers risk inadvertently leading to plastic entering into their own soil. It is in the horticultural industries own best interests to move to certified commercially compostable or home compostable fruit stickers.

Only certified compostable fruit stickers should be allowed under the legislation to ensure that soil health is protected.

Compostable plastic produce bags

The committee supports a ban on single use produce bags as once again reuse should be prioritised over any single use items. However, the committee notes that if a complete ban on single use produce bags does not go ahead for any reason, then at a minimum there should be a ban on all single use fossil fuel based plastic, oxydegradable and other variants of degradable bags.

Only compostable plastic films certified to AS 4736 are permitted in New Zealand composting facilities so only compostable plastic produce bags which meet this certification should be permitted. As at 2015 all leading brands of compostable plastic film had already been certified to the standard.

Items that escape into the marine environment or contaminate compost

The Steering Committee is supportive of moves to ban other single use plastic items and believes the focus should be on items which are known to escape into the marine environment or which contaminate compost, so is supportive of a ban on the following items:

- Plastic straws
- Drink stirrers
- Asparagus ties
- Banana tape
- Tea bags
- Coffee pods

Compostable food service ware

Once again, the committee is supportive of a move towards reusables in the first instance. Whilst the committee is supportive of banning single use plastic items such as:

- Tableware (e.g. plastic plates, bowls, cutlery)
- Some single-use cups and lids, made from hard-to-recycle plastics (types 3, 4, 6 and 7 or plastic lined paper cups) excluding disposable coffee cups

There are concerns with the suitability of existing alternatives for plastic tableware.

Compostable plastics

Many composting facilities in New Zealand sell their compost as organically certified compost. Organically certified compost does not permit compostable plastic as an accepted input. However, it does accept plant only material such as bamboo and bagasse. This limits the number of facilities which can accept compostable plastics.

Fibre based compostable packaging

In preparing for this submission the committee has become aware that many fibre based compostable products may be introducing PFAS into compost. PFAS (per- and polyfluoroalkyl substances) is a group of chemicals with water and oil repelling properties. However, research has shown that PFAS can migrate from soil to plants and then accumulate in humans through the food chain leading to negative health outcomes.

There are several possible sources of PFAS. Many if not all compostable moulded pulp products contain PFAS as a barrier agent. It is the committee's understanding that in particular sugar cane pulp is an issue. In the US companies have pledged to a voluntary phase out over the next three years.

The second source of PFAS in compostable products comes from PFAS which comes from recycled paper and cardboard. PFAS is used in products such as pizza boxes, hot chip boxes, sandwich wrappers etc.

Given that the proposed ban on single plastic and compostable plastic serviceware leaves only fibre based compostable products as an alternative the presence of PFAS in these products is a serious risk and research needs to be urgently undertaken to determine the extent of the issue in NZ.

PFAS accumulates in soil over time. Therefore, whilst there are risks for commercial composting facilities the risk is also present for home composters and decentralized community composting where the compost is returned to the same garden and the chemical may concentrate over time. A number of community composting facilities accept and compost concentrated amounts of event waste which often use fibre based compostable food ware.

The Steering Committee recommends that the following actions should be undertaken before making a final decision on the banning of any food service ware.

- 1. Contact the relevant industry groups to determine whether there are suitable New Zealand replacements which don't contain PFAS.
- 2. Fund an investigation into compost produced at facilities which accept compostable packaging and facilities which don't to determine the current extent of PFAS contamination. This should also include community composting and smaller scale facilities.

If this research highlights a widespread use of PFAS in compostable packaging and a high risk to soils and therefore human health, then the Steering Committee urges PFAS containing products to also be banned.

The Steering Committee notes that compostable foodservice waste is an appropriate use of compostable packaging as it enables food waste from events in particular to be diverted from landfill and should there be sufficient non PFAS containing fibre alternatives on the market, then they would be supportive of a ban on compostable plastic alternatives to enable more composting facilities around New Zealand to process this waste stream. Please see Appendix A for more information on food service ware products which may contain PFAS.

Cotton buds

The Sector Group is supportive of a ban on plastic cotton buds, but this is not currently a major source of contamination in compost.

Coffee cups

The committee supports a focus on reusable coffee cups in the first instance. The committee would like to see the Waste Minimisation Act updated so that a levy could be imposed on single use coffee cups to discourage their use. The levy could fund the infrastructure to ensure that single use coffee cups can be collected and sent to composting facilities or could be used to subsidize reusable infrastructure. The committee notes that most coffee cups contain PLA, so not every composting facility would be able to collect compostable cups as most facilities in NZ sell organically certified compost where compostable plastics are not permitted. However, provided that a collection infrastructure is set up and the materials collected can be sorted to remove contamination, there are facilities in the North Island which can currently compost this waste stream. Additional investment would be required in the South Island however to ensure that there is a facility which can take these materials.

International Standards for compostability allow for 5% of material to not biodegrade in the biodegradation test. Of that 5% a single material must not make up more than 1%. Innovation in compostable packaging has seen a fibre-based product created where the polymer is dispersed

through the fibres at less than 1% rather than applied as a barrier lining. This may result in microplastics in the resulting compost soil which would not be identified through the standard certification tests. These products are being marketed as plastic-free, due to their low levels of plastics. However, we now know plastic you can't see (i.e. microplastic) is still harmful. More research is needed in this area as packaging technology races ahead of science.

The Steering Committee strongly urges regulation or standards be created for fibre products both for recycling and composting to ensure that these products can be genuinely either recycled or composted without causing environmental harm to the soil.

Degradables / Oxydegradables

The Steering Committee is strongly in favour of a ban on all oxydegradables variants of degradables as the marketing of these products often leads consumers to confuse these with compostable and well-intentioned people can end up inadvertently contaminating both composting and recycling.

Appendix A

Research from the United States shows that PFAS can be found in the following food service ware products

- Bowls
- Plates
- Clamshells
- Containers
- Food trays
- Bags such as for rotisserie chicken
- Straws
- Pizza boxes
- Wrappers and liners such as muffin papers, cookie bags

Research from the United States shows that PFAS is unlikely to be found in

- Cups hot and cold
- Cutlery
- Stirrers
- Coffee sleeves
- Napkins

This factsheet lists some of the alternatives on the market to avoid using PFAS. <u>https://www.cleanproduction.org/images/ee_images/uploads/resources/Alternatives_Food_Packag_ing_PFAS_Fact_Sheet_CPA_1-23-18_v2_FINAl_with_logos.pdf</u>



Ministry for the Environment PO Box 10362 Wellington 6143 Email: Plastics.Consultation@mfe.govt.nz Date: 04/12/2020

Submission: Reducing the impact of plastic on our environment – moving away from hard-to recycle and single-use items

General Introduction

- Our Seas Our Future ("OSOF") is a not-for-profit organisation that aims to protect New Zealand's coastal and marine ecosystems through advocacy, education, and environmental stewardship, ensuring that they are managed sustainably and protected for future generations.
- Our membership includes a diverse group of science practitioners, professionals, and specialist researchers working in ecology related fields, as well as marine conservation and sustainable development.
- 3. OSOF supports the overall proposal for a mandatory phase-out of hard-to-recycle plastic packaging and single-use plastic items, which will better align us with current international best practice to protect our natural environment and marine life from the impacts of plastic waste.
- 4. OSOF welcomes the opportunity to comment on the open consultation on reducing the impact of plastic on our environment.

Our Submission

Key Issues

Plastic waste represents a critical threat to our natural ecosystems and marine biodiversity, impacting on human and planetary health.

The presence of marine plastics in ocean waters has significantly jeopardised the survival of marine wildlife and protected species, with deaths due to ingestion, asphyxiation, and starvation due to plastic debris well-documented and commonplace.¹ Seabirds, whales, fish and other marine species suffer injuries, infections, and chronic impairments from the presence of plastic pollutants in their habitats.² In addition, plastics can severely harm the balance of natural ecosystems and traditional seafood resources by enabling the spread of toxic organisms, and bacteria.³ The literature on marine debris indicates that plastics make-up most of the marine litter worldwide.⁴

Further, virgin-plastic production generates wasteful amounts of carbon, and is projected to use up 10–15% of our entire carbon budget by 2050 at current rates of growth.⁵ This will have dire consequences for the health of our oceans and coastal ecosystems, already subject to intensifying carbon pollution. Ocean acidification occurs due to high concentrations of hydrogen ions alongside decreasing carbonate ions, a function of increased carbon dioxide levels. Various marine and fish species, such as mussels, crabs, as well as corals, depend on carbonate ions to grow their shells and skeletons for survival.⁶ With highly acidic waters and a reduction in minerals critical for the survival of a variety of marine species, the sustainability of our fisheries and marine ecosystems in the future are at risk.⁷

⁶ <u>https://www.ucsusa.org/resources/co2-and-ocean-acidification</u>

¹ Derraik, J. G. (2002). The pollution of the marine environment by plastic debris: a review. *Marine pollution bulletin*, 44(9), 842-852.

² <u>https://www.hakaimagazine.com/news/plastics-are-messing-with-fish-physiology/</u>

³ Gregory, M. R. (1999). Plastics and South Pacific Island shores: environmental implications. *Ocean & Coastal Management*, *42*(6-7), 603-615.

⁴ Derraik, J. G. (2002). The pollution of the marine environment by plastic debris: a review. *Marine pollution bulletin*, 44(9), 842-852.

⁵ https://talking-trash.com/wp-content/uploads/2020/09/TalkingTrash_FullReport.pdf

⁷ https://niwa.co.nz/research-subject/ocean-acidification

The processing and management of plastic waste is an additional risk for human and environmental health. Increasing evidence has indicated probable risks from toxic microplastics ingested by humans, animals and plants, and thus merit consideration in the context of future population health burdens for our country.

Policy objectives

Have we identified the correct objectives? If not, why?

The Government can force industry practices to adapt to reuse systems across material types, as industry-led initiatives such as soft plastics recycling have faltered. The waste hierarchy on page 20 (fig 4) of the consultation document places 'refuse' above 'reduce'; this seems to indicate that consumers and ratepayers have sufficient choice and power to refuse to buy a product because of the plastic packaging or the materials it is made of. The range of products on offer (from design, to manufacture, to packaging and also marketing) are determined by industry. Consumers therefore can only realistically have the ability to 'refuse' if more sustainable options are on offer.

Importantly, international evidence shows that many companies continue to utilise materials that cannot be recycled, or recycled at scale – placing the onus of responsibility on consumers when they have little choice afforded to them.⁸ Manufacturing incentives and/or deterrents need to drive the change, with regulatory reform aimed at providing supply consumers with genuinely sustainable alternatives.

We support a general objective to make affordable reuse alternatives accessible across Aotearoa New Zealand, as well as supporting communities to benefit from the increased employment opportunities that reuse economies offer. Government should also look internationally to legislation implemented by countries who have delivered on a plastic-free sustainability agenda, including EU member states that have incorporated tracking and including disposable plastic in hazardous waste legislation.

⁸ https://talking-trash.com/wp-content/uploads/2020/09/TalkingTrash_FullReport.pdf

Options for shifting away from hard-to-recycle and single-use plastics

Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

It has already been well established that marine species and marine ecosystems are already affected by plastic waste, including species of higher trophic levels⁹ and lower, crucial trophic species.¹⁰ This also includes evidence of trophic transfer across food-webs, potentially to

highest trophic species, such as humans.¹¹ It has additionally been recommended that plastics should be subject to higher levels of monitoring and reporting which other hazardous waste materials are subject to, due to their deleterious nature.¹² Due to the high potential to negatively impact New Zealand ecosystems and ecosystem services, which also has significant economic impacts for our country, OSOF fully endorses a mandatory phase-out of plastics.

As it stands, the present proposal presents no comprehensive option to incentivise the manufacture and use of compostable alternatives (for instance, paper packaging on food products). Incentives could include tax and GST exemptions for companies who produce green packaging that meets certain requirements as an effective way to promote industry-adoption of greener packaging.

The government could also incentivise and support emerging businesses, as well as research initiatives in developing other forms of sustainable packaging, for example from seaweed.¹³

⁹ Farrell, P., Nelson, K., 2013. Trophic level transfer of microplastic: Mytilus edulis (L.) to Carcinus maenas (L.). *Environmental Pollution*. 177, 1-3.

Merick, A. (2018). Doctoral Thesis, University of Auckland.

¹⁰ Reisser, J., Shaw, J., Hallegraeff, G., Proietti, M., Barnes, D.K.A., Thums, M., Wilcox, C., Hardesty, B.D., Pattiaratchi, C. (2014). Millimeter-sized marine plastics: a new Pelagic habitat for Microorganisms and invertebrates. *PLoS One.* 9 (6), e100289.

¹¹ Farrell, P., Nelson, K., 2013. Trophic level transfer of microplastic: Mytilus edulis (L.) to Carcinus maenas (L.). *Environmental Pollution*. 177, 1-3.

¹² Steensgaard, M., a , Syberg, K., Rist, S., Hartmann, N. B., Boldrin, A., Hansen, S. F. (2016). From macro- to microplastics - Analysis of EU regulation along the life cycle of plastic bags. *Environmental Pollution*. 224, 289-299.

¹³ <u>https://cordis.europa.eu/article/id/170424-seaweed-a-sustainable-source-of-bioplastics</u>

This potentially has added benefits that are showing to arise from seaweed farming, such as carbon sequestration and the production of sustainable seafood.¹⁴ There are opportunities to move from issue-specific policy towards more holistic policies that aim to tackle multiple interrelated issues to do with the marine environment, pollution, food security and climate change.

Addressing plastic waste cannot stop at banning select single use items and needs to be part of a whole-of-system approach (similar to the EU Directive on single use plastics which addresses market restriction, product design, labelling, public awareness raising and product stewardship).¹⁵

Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

We advocate a consistent approach across the sectors in moving towards a zero plastic economy, particularly as we believe a full transition will make it easier and more viable for manufacturers and for our recycling systems in the long-term. Furthermore, we should take advantage of this opportunity and momentum to make substantial changes as these plastics will continue to have a detrimental effect on our environment. Examples such as the Fox River landfill disaster earlier this year and the Cobden Beach landfill breach in 2018 demonstrate that our current waste model of landfills is inadequate and dangerous. These failures have impacts that will be felt for generations, and we cannot afford to continue relying on this outdated and unsustainable system.¹⁶

Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Yes, there are a range of feasible alternatives available, such as compostable polystyrene substitutes used overseas. The building industry should not be exempt from rulings to reduce plastic waste – particularly as construction and demolition waste makes up 40–50

¹⁴ <u>https://www.greenwave.org/our-model</u>

¹⁵ Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment [2019] OJ L115/1.

¹⁶ <u>https://www.sciencemediacentre.co.nz/2019/04/09/west-coast-landfill-erosion-expert-reaction/</u>

percent of New Zealand's total waste going to landfill, industries should be supported to innovate for sustainable and long-term alternatives. In particular, we would like to see targeted measures aimed at the industrial and commercial use of plastics in fishing nets, plastic wrap and strapping used in freight, and plastic building wrap used in construction. These materials have been directly linked to excess deaths and debilitation of wildlife through entanglement and ingestion.

We agree with the list of examples of practical alternatives set out in Table 5.

What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

We would like to see more concerted education and awareness campaigns (targeted at industry actors in particular) outlining the serious adverse impacts of plastic pollutants on human and planetary health, as well as the significant economic risks posed by overreliance on such materials. We recognise that the Government can and should influence consumers to adopt more environmentally conscious practices, and improve collective attitudes amongst people in achieving sustainability goals.

We would support more consistency in kerbside recycling schemes and plastic waste management for communities, particularly residential hubs, and more accessible alternative options for people that are low-cost and locally available.



The Packaging Forum

Submission to the Ministry for the Environment RE: Reducing the impact of plastic on our environment – Moving away from hard-to-recycle and single-use items

Introduction

The Packaging Forum is New Zealand's leading member-based organisation representing the depth and breadth of the packaging industry, with more than 200 member brands.

We have the vision that by 2025, all packaging in New Zealand will be reusable, recyclable or compostable.

We work together as an industry to ensure the best commercial and sustainable solutions are found. The Packaging Forum operates three government-accredited voluntary product stewardship schemes:

- Glass Packaging Forum
- Soft Plastic Recycling Scheme
- Public Place Recycling Scheme (operating under our Litter and Recycling Advisory Group)

It also has three additional Technical Advisory Groups with workstreams underway;

- Fibre-based packaging
- Compostable packaging
- Recyclability labelling

We would welcome the opportunity to speak in support of our submission before the Environment Committee.

Position on reducing the impact of plastic

The Packaging Forum is dedicated to helping its members achieve the vision stated above and as such welcomes the proposed phase-out in principle.

Holistic approach

However, we support a holistic approach to all single-use packaging in order to avoid any unintended negative impacts from switching to alternatives that may also have post-consumer challenges.

We acknowledge that this proposal is one of a number of pieces of work MfE is undertaking on waste that will impact each other. We hope to see a cohesive approach that brings them all together and engagement with The Packaging Forum and other stakeholders that will deliver improved environmental outcomes for all single-use packaging.



Recycling infrastructure development

We believe any phase-out must go hand in hand with the development of recycling and end of life infrastructure for alternative materials. This could be through a mix of direct government funding, public/private partnerships and a business environment that incentivises research and investment.

Risk of negative unintended consequences

When identifying materials and/or items for phase-outs we believe it is important to include full life cycle analysis of all packaging items (and possible alternatives) as well as food safety aspects.

Care must be taken to avoid unintended consequences through a largescale move to alternative packaging materials without standards, labelling and end-of-life solutions being in place. Impacts such as reduced export opportunities, reduced shelf life (leading to food waste), food safety issues, or the possibility that alternatives may have high carbon emissions and/or low recyclability due to lack of infrastructure or overseas markets must be taken into account.

For example, while the public and those without the technical knowledge may see compostable packaging as something of a 'silver bullet' is also has challenges:

- There is no defined use-case for compostable packaging for industry to base its packaging decisions on
- No New Zealand standard for different types of compostable packaging (material type and standards for compostability in NZ context),
- An unknown level of risk for composters from inks/new material types/barrier-enhancing additives, microplastics and general contamination
- Compostable packaging is not approved as an input for organic certified composters
- There are varying requirements for home compostability based on region (temperature) and type of composting unit used, not enough is known about how much packaging a home composter can process
- Compostable packaging itself adds little nutritional value to compost and is therefore still single-use packaging
- Compostable packaging requires future innovation to resolve existing issues around barrier properties and shelf-life in some applications (such as chilled foods)

Fibre board packaging also presents challenges in terms of its recyclability following China and other countries closing their doors to our recyclables, and limitations on capacity to process and purchase recycled fibre onshore. Onshore investment would be required to fill the void and prevent recyclable fibre from going to landfill

The Forum has established compostable packaging and fibre-based packaging technical advisory groups which are investigating solutions for these challenges to remove the barriers across the supply chain.

We have some particular concerns regarding this consultation:

 While the descriptions of costs and benefits to stakeholders have been correctly identified, the impact assessment appears to be based on very little evidence.
 We believe a full cost benefit analysis that follows Treasury guidelines is required in order to assess the impact on business of re-tooling, redesigning and testing new packaging, and any



possible impact on food safety, shelf life and cool-chain, particularly for export items.

2. This proposal overlaps work that is being done by industry in response to the declaration of single use plastic packaging as a priority product, which requires a product stewardship solution.

The development of in-depth cost benefit analysis of scenarios may sit more suitably with the work of developing comprehensive product stewardship solutions.

- Apparent lack of alignment with other pieces of work.
 E.g. Requiring producers to make a costly move to a more easily recyclable material when their packaging falls under the size threshold for collection in the Recommendations for the Standardisation of Kerbside Collections in Aotearoa.
 More certainty is required in this area, as there is no environmental value in incurring cost to change resin types on items that will not in practice be collected and recycled.
- 4. While there is acknowledgement that there will need to be exceptions, more detail needs to be developed around criteria and decision making. This is particularly the case for packaging which maintains the integrity of the contents, e.g. many export items that are required to be kept cool for longer periods, e.g. high impact polystyrene yoghurt pots.
- 5. More certainty is required on any plans for further phase outs (we note the consultation calls this phase out a starting point). Business must be certain that the level of investment required will be justified by the life of the investment.

Ministry for the Environment consultation: Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items

1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

PF position: Yes

2. Have we identified the correct objectives? If not, why?

PF position: Yes, in principle. However we note the document says that these phase outs are a starting point. Industry needs more certainty about what future phase outs might be being considered before investing in costly alternatives which will require a long-term return on investment.

3. Do you agree that these are the correct options to consider? If not, why?

Options for shifting away from hard-to-recycle and single-use plastics

- Option 1: voluntary agreement or pact with industry and business
- Option 2: plastic reduction targets
- Option 3: labelling requirements
- Option 4: levy or tax
- Option 5: product stewardship

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- Option 6: mandatory phase-out
- Option 7: mandatory recycled content for hard-to-recycle packaging
- Option 8: continue as usual and rely on voluntary action.

PF position: Yes

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

PF position: Yes in principle. We agree with the criteria identified, however more clarity is required around weightings, taking into account risks of alternatives, particularly around quality, consumer safety and cost.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

PF position: Yes

Comment: We agree that Option 8 – "continue as usual and rely on voluntary action" and option 7 – "mandatory recycled content" are unlikely to be effective for the plastic types targeted by this phase out.

However, some of these options such as labelling and setting targets for post-consumer recycled content may have their place in implementing solutions for other plastic or non plastic packaging types. Investing in recycling infrastructure and sorting technologies should also be considered as complimentary to these options. Increasing the cost of landfill levies and implementing well designed, evidence-based product stewardship schemes on an extended producer responsibility model are levers that should be considered as a way to reduce the environmental impact of other single-use packaging.

Cost is an effective way of expediting change. Business will be forced to change as not changing will make them less competitive. E.g.: full use of end-of-life recycling or disposal costs need to be built into all materials, whether the mechanism is a tax or product stewardship, however product stewardship is a better mechanism to address the entire life cycle of a product.

Proposal 1: Phase out hard-to-recycle plastics

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

PF position: Yes, in part. We do have some concerns that the 2023 timeframe in particular may not be achievable for companies that require substantial R&D and heavy investment in multiple packaging lines.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

PF position: Yes, in principle.



While the correct packaging items have been identified, the phase-out needs to include solutions for alternative packaging which will be fit for purpose and avoid unintended consequences.

For food that needs to be kept chilled and for long distances there is currently no proven replacement to polystyrene, therefore we could threaten our food export market if alternatives that are as reliable/safe are not found by phase out.

For some plastics overall use case is as important as resin type. For example, as noted in the consultation document, LDPE has viable alternatives in rigid plastics, but is difficult to replace in soft plastic.

For this reason, we are pleased to note that there is allowance for potential exemptions. We believe to be objectively fair the parameters for exemption status must be clear from the outset and the process for deciding exemptions must be transparent and timely.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

PF position: Largely yes

Notes: The Packaging Forum prefers a materials based approach, where a solution applies to all uses of a particular material. However we believe there will be use cases that warrant exemption. As per our answer to question 7, we believe the parameters and process for deciding these must be clear, transparent and timely.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

PF position: The major benefits would be the reduced environmental impact and greater social licence for businesses to operate.

Costs would likely come in the form of trialling and retooling as part of a move to alternative packaging materials. The extent of these costs is not easily predictable and requires more investigation.

Without a detailed cost benefit analysis that complies with Treasury guidelines, it is not possible to quantify the costs or how they could be mitigated. We strongly endorse such a cost benefit analysis being undertaken.

As noted in our introduction, there is a strong risk of unintended environmental consequences without parallel investment in developing recycling/composting infrastructure for alternative materials. This investment must form part of the overall strategy.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

PF position: For the most part we believe there are. However there are specific use cases where functionality in terms of quality, safety and shelf life cannot be replicated by alternatives. This is where the correct criteria and a robust process for exemptions is vital.

Exempted products could be managed through regulated product stewardship.



11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes. We believe these are a poor alternative to recyclable plastic or other packaging materials which have the potential (if not as yet the existing infrastructure), for circular end of life solutions.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

The Packaging Forum has no position on this question.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

PF position: Yes

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

As stated previously The Packaging Forum broadly supports the proposed phase-out.

However members have expressed concerns that there may be unforeseen costs and/or impacts, in terms of economic, environmental and social outcomes if adequate alternative solutions are not available or able to achieve the desired outcome.

We note that the ministry acknowledges the limitation of the analysis done to date and The Forum would welcome the opportunity to engage in further dialogue and analysis following this phase of the consultation.

We believe a robust cost benefit analysis carried out in accordance with Treasury guidelines forms an essential part of this process.

There is no mention in the costs for waste processors of the unintended consequence of having more unregulated fibre and compostable packaging in the marketplace. This will either cost the processors, recyclers and/or composters who will receive more product to process, if brands switch to compostable or problematic fibre (with additives) packaging because their plastic packaging is banned.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Government regulation, such as priority product status and clarity around any mandatory phaseouts is vital as it levels the playing field and sends a clear signal to industry and consumers, as well as to those in a position to invest in recycling infrastructure or the manufacture/import of alternatives.

It is imperative these be accompanied by an environment that encourages investment in onshore infrastructure to create circular solutions in New Zealand.

Funding or financial/tax incentives for companies making costly transitions should also be considered.



Regardless of how recyclable an item is, consumers still need to understand and be motivated to ensure it ends up in the correct recycling stream and not as litter or contamination in an inappropriate material stream. Consumer education and behaviour change will also be key to an effective transition. Consideration needs to be given to the mechanisms and channels to achieve this.

Proposal 2: Take action on single-use plastic items

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

The Packaging Forum agrees with the proposed phase-out of single-use items

Plastic bread tags and non-recyclable coffee cups were suggested by members as potential targets for future phase-outs, with more investigation required.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Largely yes.

For non-compostable produce stickers we believe the wording should be adjusted from "partly or wholly of <u>plastic</u> that is not compostable" to "partly or wholly from <u>material</u> that is not compostable."

Some members expressed concern produce bags would be heavy-weighted to avoid the phase out. However our two largest grocery retail members, Countdown and Foodstuffs are both supportive of phase out, with Foodstuffs noting that they support the phase out with an exemption for prepackaged produce and barrier bags which prevent cross contamination or leakage between grocery types (e.g. cleaning products and fresh food).

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

- 12 months
- 18 months
- 2 years
- 3 years
- Depends on the item
- Other

2 years. On the whole our members believe that two years strikes a balance between urgency and the need for well thought through responses.

While the intention of Government to reduce hard-to-recycle and single-use plastic items has been clear for some time, this proposal gives certainty to the parameters and timeframe we are working towards.

The single-use shopping bag ban is an example of industry taking action before the phase-out began, and we may well see the same momentum with this proposed phase-out for at least some of the items.

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19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other

A combination of supporting work to develop alternative cups and wet wipes (as well as the systems and infrastructure which must go with them). Alongside this there could be an expansion of returnable/reusable cup schemes/organisations and education on alternatives to wet wipes e.g. reusable cloths.

This is an example of where a well-designed product stewardship scheme for redesigned items could achieve the desired outcome.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

National infrastructure for on-the-go and kerbside recycling. Clear signals from the government on any regulatory intentions.

Compostability of cups seems the most likely solution to pursue as items would be too contaminated for fibre recycling. Alternatives to wet wipes that don't contain plastic will require another end of life solution, due to possible faecal and chemical contamination.

This must of course be accompanied by the necessary systems and infrastructure as well as a recognised and robust compostability standard. Work and investment across the supply chain – from manufacture to end of life processor e.g. composter or other diversion system – would be necessary.

The Packaging Forum is already engaged in this work through our Compostable Packaging Technical Advisory Group.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

3+ years, with milestones along the way, would be required to establish a robust solution. Clear signals on intent from government would assist in ensuring stakeholder engagement in arriving at a solution.

Given that compostability seems the most viable end of life solution, there are currently a number of barriers to address:

- The lack of current commercial-scale solutions
- No New Zealand standard or requirements for compostable products to meet around additives/ingredients
- Insufficient collections infrastructure
- Few commercial composters which accept this material or alternative end of life processing opportunities
- Varying requirement for home compostability

We believe to address them successfully any timeframe must include:

- Engagement with stakeholders across the supply chain

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- Work to identify an appropriate compostable packaging standard
- A pathway to fund the development of nationwide infrastructure, through product Stewardship or other mechanisms
- Development of the infrastructure

We note that there are several organisations doing work in this space, including The Packaging Forum's Compostable Packaging Technical Advisory Group, however more cross-organisation co-ordination is required.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items

Yes, although once again, we urge that a full cost benefit analysis following Treasury guidelines should be undertaken.

Compliance, monitoring and enforcement of regulations

23. How should the proposals in this document be monitored for compliance?

In reality this will be a multi-pronged approach. We believe that as with the plastic bag ban, consumers will be the best advocates for reporting non-compliant retailers to the regulatory body. The regulatory body will need to be resourced appropriately to enable robust, transparent and timely processes. ConsumerNZ would be vigilant regarding false marketing claims.

Submission by

The Packaging Forum's Soft Plastic Recycling Scheme (SPRS)



to the

Ministry for the Environment

on the

Reducing the impact of plastic on our environment: moving away from hard to recycle and single use items

4 December 2020



Executive Summary

The Soft Plastic Recycling Scheme (SPRS) currently has 92 members which fund the collection, baling, transportation and processing of post-consumer soft plastic materials. The scheme has grown its membership by 46% since 1 January 2020.

The SPRS **SUPPORTS IN PRINCIPLE** the intent of the Ministry for Environment's proposal to address "hard to recycle" packaging.

However, technological advances in recycling plant and collection systems mean that packaging that is currently "hard to recycle" may not be so in the future. The scheme's focus is on soft plastic materials which are not currently collected at kerbside in New Zealand however there are already trials in New South Wales for kerbside collection of soft plastics via an industry led project with Nestle and Australian Recycler iQ. We are also working with companies that are involved in New Zealand Research and Development and part of global trials to convert plastic into oil and to use plastic as a feedstock for new generation finished projects.

COVID-19 has reinforced the need for packaging to protect and preserve products. In stores, consumers are choosing single use plastic bags for their produce and bakery and we therefore question the inclusion of these products in the proposed "phase out" when there is an effective recycling scheme in place. The SPRS **DOES NOT SUPPORT** the phase out of single use bags under 70 microns thick without handles for carrying fruit or vegetables. This packaging can and is being recycled and banning it may create more waste if there was a shift to bags over 70 microns which we have seen with the single use plastic carrier bag ban or if other materials such as paper are introduced which may increase the amount of paper waste.

We note that the consultation paper acknowledges that LDPE (4) is mainly used for making soft plastic and is difficult to replace with other materials. We also accept secondary materials which are encompassed within resin 7. The SPRS **does not agree** that any packaging which meets its recyclability criteria should be "phased out" or banned. The definition of "other" resin #7 is broad and includes materials which we are able to recycle in a blended mix. Manufacturers choose these multiple layer products for specific functionality.

The SPRS does not cover either Polystyrene or PVC as these products are not accepted by our processors.

The SPRS supports the NZ Food & Grocery Council's research to quantify how much plastic is consumed annually by resin type. The consultation document refers to having assessed "costs" however without understanding current consumption patterns and how many manufacturers are using resins which will be "banned", it is impossible for the Ministry to say it has assessed the costs.

However, in Australia, the Australian Packaging Covenant Organisation (APCO) reports that PVC consumption reduced by 25% in 2019 compared to 2018 and EPS reduced by 26% over

the same period. This demonstrates that industry is phasing out these plastic resins on a voluntary basis. This voluntary action is also happening in New Zealand.

The Consultation Paper was released in August, six months into the COVID-19 pandemic and yet makes no mention of seeking to understand how the economic constraints on industry will be intensified through this legislation. The SPRS considers that a full economic assessment is required before product bans are introduced. We **DO NOT AGREE** with the proposal to only take forward one Option, Mandatory Phase Out. We consider that other options, working together over time will reduce and where necessary eliminate "hard to recycle" plastics without placing undue costs on New Zealand businesses. Plastic Packaging has been declared a Priority Product requiring mandatory product stewardship and as such we believe should be an alternative option for consideration.

Detailed Comments on Questions asked by the Ministry

The SPRS is by definition focussed on soft plastic packaging materials. However, our members also use rigid plastic packaging, and we incorporate their feedback in our commentary below.

1 Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items?

The SPRS **agrees in principle**. However, "hard to recycle now" may not be hard to recycle in the future. Technological advances in recycling plant and collection systems mean that packaging that is currently "hard to recycle" may not be so in the future.

The scheme's focus is on soft plastic materials which are not currently collected at kerbside in New Zealand however there are already trials in New South Wales for kerbside collection of soft plastics via an industry led project with Nestle and Australian Recycler iQ (<u>https://www.curbythebilby.com.au/</u>) and iQ Renew is pioneering a new chemical recycling technology for End-of-Life Plastics.

In New Zealand we are also working with companies that are involved in Research and Development and part of global trials to convert plastic into oil and to use plastic as a feedstock for new generation projects.

2. Have we identified the correct objectives? Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items?

The SPRS **agrees in principle**. However, we are concerned with the reference to this being a Starting Point. Industry needs to understand what is under further consideration before it invests in substitution, then find things change after the "start".

3 Do you agree that these are the correct options to consider?

Agree.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items?

The SPRS **agrees in principle**. However, the criteria and weighting need clarity before they can be supported as described.

Effectiveness and Alignment have similar intent and are therefore "double counted". Cost should have an equal weighting with effectiveness (including "social and environmental cost).

Weighting should be based on a clearly defined criteria, considering the practical aspects of material substitution and economic risk and other aspects as quality and consumer safety.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)?

The SPRS **does not agree** with the decision to take forward only one option – Mandatory Phase Out. Option 5 is already regulated for Plastic Packaging and should be considered as an alternative. PVC and Polystyrene are already covered within the declaration of Plastic Packaging as a Priority Product and therefore consideration should be given to Product Stewardship to deliver the objectives.

The SPRS does not agree that the Ministry's recommendations are based on an understanding of the cost. Without knowing the consumption by resin type the cost to business of change is not understood.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)?

Members have signed up to the Plastic Packaging Declaration which sets targets for 2025. They therefore question why products should be banned before that agreed deadline.

Further, without an understanding of how many companies are using PVC and PS packaging, it is difficult to understand whether the time frame is feasible.

The likely costs or benefits of phasing out all PVC and polystyrene packaging needs a full and separate economic analysis.

For companies that do use these products, multiple packaging lines will need replacing and often an R&D component will be needed.

By the time economic insights are drawn, alternative materials and infrastructure are available, and trials are concluded the end of 2022 is impossible and even the end of 2024 is probably not achievable in totality.

7/8. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)?

The SPRS is concerned about the range of packaging included and the timeframes. Any phase-out needs to include solutions for alternative packaging which will be fit for purpose and avoid unintended consequences e.g. less plastic but more food waste, reduced hygiene, or safety impacts.

For example, Polystyrene keeps food cool and protects handlers from heat. For food that needs to be kept chilled and for long distances there is no replacement to PS therefore we could threaten our food export market if alternatives that are as reliable/safe are not found by phase out.

High Impact Polystyrene Sheet (HIPS) used in food packaging such as yoghurt pots should be excluded and covered with the Mandatory Product Stewardship of Plastic Packaging.

In general, we recommend greater alignment with Australia in terms of packaging design and what is collected at kerbside so that we have the opportunity to share processing technology to the benefit of both countries.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Capital costs to businesses will be millions of dollars to replace current filling lines and the higher costs of packaging will be **significant** and will need to be passed onto consumers.

Further, the size of a packaging component should be taken into consideration when identifying 'problematic' materials. A small pack size (eg: portion packs) will not be recyclable in the current recycling infrastructure *(reference: Standardising Kerbside Collections)* no matter what material it is made from. It therefore makes no sense to change a portion pack from HIPS to PET at a significant capital cost and packaging on-cost for no benefit to the circular economy - they will both go to the waste stream.

If, for example a product was moved from white HIPS to White PET, we would need to be certain that the new product would be collected for recycling and recycled.

10 Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)?

The SPRS **does not agree** that there are currently practical alternatives to replace some "hard to recycle" packaging for example HIPS yoghurt pots.

Plastic resins are selected for their functionality. Some products require protection from light to preserve the quality, safety and shelf life of the product. There are other functional hurdles to overcome which HIPs currently provide such as "snappability" and formability.

We recommend that HIPS used in food packaging such as yoghurt pots should be excluded and covered with the Mandatory Product Stewardship of Plastic Packaging. In Australia there is a HIPS recycle programme based on the Terracycle partnership.

11 Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023?

Agree.

12 If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

No position

13 Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics?

For those companies impacted by the ban the costs are in the millions of dollars at a time when many businesses are already hit by Covid 19.

There has been no assessment of the cost to industry of introducing new plant, machinery or capability. Further the consultation paper which was released in August makes no mention of the economic impact of Covid 19.

We consider that a full economic assessment is required before product bans are introduced.

14 How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here?

Highly Likely. We are certain that the Proposal to phase out targeted plastics will have greater costs than those referred to in the document (and those not discussed within the document). Vague references to "some businesses" and "some impacts" do not provide business with confidence that the Ministry understands the costs of the proposal.

Our members however have indicated that the capital costs to businesses will be millions of dollars and that the higher costs of packaging will be significant and will need to be passed onto consumers.

15 What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Members impacted by the ban ask whether the sort of funding support which is being received by recyclers and processors to change and improve their systems will also be available to them.

The SPRS supports consumer education programmes to improve the consumer's understanding of what can be recycled and where. The Scheme has been accepted by the Australian Packaging Covenant Organisation as an "alternative destination" within its Australasian Recycling Label as it now meets the threshold for "recycle at store" labelling. This is a huge achievement for the scheme and will provide a consistent labelling experience for consumers.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

The SPRS **does not agree** with the phase out of single use bags under 70 microns thick without handles for carrying fruit or vegetables. This packaging **can and is** being recycled and banning it may create more waste if there was a shift to bags over 70 microns which we have seen with the single use plastic carrier bag ban or if other materials such as paper are introduced which may increase the amount of paper waste and exceed NZ fibre recycling capacity.

COVID-19 has reinforced the need for packaging to protect and preserve products.

We agree with encouragement to use reusable alternatives and we have scheme members who produce these reusable bags.

APPENDIX: ABOUT THE SOFT PLASTICS RECYCLING SCHEME

Background

The Soft Plastics Recycling Scheme (the SPRS) initially started collecting post-consumer soft plastic packaging in November 2015 as an industry led trial with funding from the Waste Minimisation Fund

The SPRS was accredited as a Voluntary Product Stewardship Scheme under the Waste Minimisation Act (2008) on the 22 March 2018.

The SPRS is stewarded by a Steering Committee which reports to the Packaging Forum's Governing Board. The Steering Committee comprises nine member companies from across the supply chain including plastic packaging manufacturers, brand owners and retailers.

The SPRS represents an estimated 74% of the post-consumer soft plastic packaging market as identified in 4.4 below.

Membership of the SPRS

The scheme has **92** members and has increased membership by 46% during 2020.

Members pay a levy based on their company turnover and an understanding of the volume of soft plastic materials which they place on the New Zealand market.

The SPRS has defined its membership by the resin codes which are acceptable to processors. The Scheme also notes that it has measured consumption using available industry market data however targets will be improved through access to data on imported/distributed materials. **Chart 1: Membership**



Soft Plastics Consumption in New Zealand

On 1 July 2019, single use plastic carrier bags were banned in New Zealand. This removed around 6424 tonnes of soft plastic materials from the waste stream. Brand owners and

retailers have also increased their efforts to reduce plastic consumption by encouraging an increase in reusable options for fresh produce etc.

The SPRS uses volume consumption data from IRI MAT data to August 2020. The average weight per item in grams is calculated from Waste Not Consulting's independent audit of soft plastic packaging conducted for the scheme in March 2020.

An estimated 789 million bags were consumed in the 12 months to 16.8.20. This reflects an increase of 10% over 2019 but includes the COVID-19 lockdown period and "panic buying" of products within our categories including toilet rolls, confectionery, snack foods, frozen foods etc.

Based on the average weight per category type, around 4976 Tonnes of plastic packaging was consumed. This equates to around 1kg of soft plastic packaging consumed per annum per New Zealander. The average weight of bags has reduced by 5% which reflects light-weighting initiatives by industry.

| | | Average | | | |
|----------------------|-------------|----------|---------------|-----------|-------|
| | | weight | | | Total |
| | Unit Sales | grams | Total grams | Total Kgs | Tonne |
| | | | | | |
| | | | | | |
| Bread Bags | 139,146,980 | 8.1 | 1,127,090,538 | 1,127,091 | 1,127 |
| Potato chips | 152,667,672 | 4 | 610,670,688 | 610,671 | 611 |
| Biscuits | 101,429,896 | 3.9 | 395,576,594 | 395,577 | 396 |
| Frozen Food Bags | 61,502,329 | 8.7 | 535,070,262 | 535,070 | 535 |
| Confectionery | 73,700,398 | 2.2 | 162,140,876 | 162,141 | 162 |
| Pasta,rice & noodles | 82,109,493 | 6.5 | 533,711,705 | 533,712 | 534 |
| Breakfast cereal | 63,679,008 | 10.7 | 681,365,386 | 681,365 | 681 |
| Toilet Tissue | 37,853,593 | 9.6 | 363,394,493 | 363,394 | 363 |
| Sanitary Hygiene | 13,826,437 | 9.6 | 132,733,795 | 132,734 | 133 |
| Kitchen towel | 13,997,530 | 9.6 | 134,376,288 | 134,376 | 134 |
| Miscellaneous | 50,000,000 | 6 | 300,000,000 | 300,000 | 300 |
| | 789,913,336 | 6.299591 | 4,976,130,625 | 4,976,131 | 4,976 |

Chart 3: Unit sales and estimated tonnes

Participation Levels in Scheme.

Based on IRI date provided in Chart 3 and the brands identified in the Waste Not Consulting Branded Audit, the scheme represents approximately **74%** of the soft plastic packaging market as defined by the categories listed in Chart 3. The Scheme is working hard to encourage the non-participant brands to join.

Chart 4: Scheme Member's Market Share

584.5 million bags consumed are supplied by scheme members – an increase of 17% over 2019

| | | % share of total by | Unit sales by |
|----------------------|-------------|---------------------------|---------------|
| | | members | members |
| | | | |
| Bread Bags | 139,146,980 | 95% | 132,189,631 |
| Potato chips | 152,667,672 | 85% | 129,767,521 |
| Biscuits | 101,429,896 | 35% | 35,500,464 |
| Frozen Food Bags | 61,502,329 | 90% | 55,352,096 |
| Confectionery | 73,700,398 | 90% | 66,330,358 |
| Pasta,rice & noodles | 82,109,493 | 50% | 41,054,747 |
| Breakfast cereal | 63,679,008 | 84% | 53,490,367 |
| Toilet Tissue | 37,853,593 | 85% | 32,175,554 |
| Sanitary Hygiene | 13,826,437 | 85% | 11,752,471 |
| Kitchen towel | 13,997,530 | 85% | 11,897,901 |
| Miscellaneous | 50,000,000 | 30% | 15,000,000 |
| | 789,913,336 | 74% | 584,511,109 |

Scheme Performance

Tonnes collected

In the year to end November 2020, the SPRS has collected and processed 165 Tonnes of soft plastics despite the cessation of collection services during COVID lockdown and restrictions. The scheme's principal processing partner Future Post has increased its production capacity which allows the scheme to expand geographically. We anticipate that New Zealand will have the capacity to recycle over 700 Tonnes of soft plastic packaging in 21/22 year.

Geographic Reach

60% of New Zealanders now have access to a drop off location and more regions will be added. The Scheme has been accepted by the Australian Packaging Covenant Organisation as an "alternative destination" within its Australasian Recycling Label as it now meets the threshold for "recycle at store" labelling. This is a huge achievement for the scheme.

Packaging Design & Labelling

The SPRS accepts flexible materials which are plastics resin code 2, 4 and 5. Secondary materials (resin code 7) are accepted as part of the packaging, but their total weight must be less than 30%. The following chart shows the materials thresholds.

Secondary materials must be less than 30% in total across all secondary material types and primary materials (HDPE/LDPE/PP) must be a minimum of 70% by weight.



Chart 4: Materials Thresholds for Recyclability

Ideally packaging should be single resin materials however in practice the need for barrier, moisture and damage protection for some Food & Beverage products to ensure products do not spoil and achieve shelf life means that more than one layer is currently necessary.

The SPRS actively promotes members that are introducing reusable packaging or selecting alternative and more easily recycled materials.

The SPRS **does not agree** that any packaging which meets its recyclability criteria should be "phased out" or banned. The definition of "other" resin #7 is broad and includes materials which we are able to recycle in a blended mix.



P O Box 58899 Botany Auckland 2163

17E <u>Greenmount</u> Drive East Tamaki Auckland 2013

Phone: 09 271 4044 pac.nz@packaging.org.nz www.packaging.org.nz

3rd December 2020

By email: plastics.consultation@mfe.govt.nz

Submission: Reducing the impact of plastic on our environment

Introduction

Packaging New Zealand's role is to represent the interests of industry in public policy on packaging issues. Our members have a primary responsibility and commercial imperative to manufacture 'fit for purpose' packaging. This includes reducing the environmental impact of packaging through cost effective innovation including extended product stewardship where that is appropriate.

Packaging New Zealand represents the whole packaging supply chain, from raw material suppliers, packaging manufacturers and brand owners through to retailers and recycling operators.

The New Zealand packaging industry contributes \$4,338m to New Zealand's GDP supporting circa 5900 businesses and employing over 50,000 people, it also underpins a further \$32b of New Zealand's annual export revenue.

Consultation questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

In part only. The document is unbalanced addressing only the 'bad'.

Whilst it is clear that plastic pollution is a very real, significant global issue we contend that the consultation has used flawed thinking to justify a set of outcomes which are potentially either unfit or unrealistic in the context of NZ Inc. For example "overuse and reliance on single-use plastic is <u>causing</u> (emphasis added) pollution" which is simply incorrect. The legitimate need for efficacious packaging and products together with a lack of systems to manage end-of-life is the <u>cause</u> of pollution.

We believe the narrow focus of this consultation will achieve only limited success in reducing the impact of plastic on our environment. The missed opportunity is taking a broader, holistic approach for greater societal outcomes for NZ Inc. For example, plastic material operates in a complex eco-system. Simply removing the material does not address the need for the packaging or product. Instigating a ban on one material or product will simply lead to these being swapped out for another. This potentially introduces unintended consequences, such as introduction of



another waste stream, with all the consequent issues. It will also have little to no impact at all on the 'single-use' issue. This has been evident with the plastic bag ban which may have indeed eliminated the thin supermarket-type bags but there has been a consequent increase in bags with much greater plastic content (i.e. outside of the banned micron range) and proliferation of 're-useable' bags which ultimately are all destined for landfill.

A more sophisticated, systemic, 'whole-of-economy' perspective is required.

2. Have we identified the correct objectives? If not, why?

We suggest that you have listed a limited set of 'outcomes' not 'objectives'.

Packaging New Zealand suggests that the objective should be "enduring consumer behavioural change leading to a cultural shift in consumption practices".

Put simply, removing material from the system will indeed see a reduction in the amount in circulation. However, a simple ban will not nurture enduring consumer behaviour change, it will just encourage one material to be swapped for another.

3. Do you agree that these are the correct options to consider? If not, why?

In part only.

In and of themselves each option we would regard as simplistic in the context of the predetermined set out outcomes. A well-considered combination is more likely to succeed in driving holistic NZ Inc. meaningful change. Further, we suggest that any options considered need to include mechanisms for engagement at a broad level to avoid competing interests where these might occur.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No in the context of our answer to **Question 2**.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

No.

See answer to Question 3.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

In part.

We agree that it is necessary to provide a timeline to give certainty to business. However, we would contend that a targeted approach is more likely to be successful. This would accommodate the specific impact on affected local products and businesses. It would also accommodate wider trade implications, in particular where exporters have to meet global requirements, which may or may not align with NZ policy direction. Given the importance of NZ's exports this factor cannot be understated in terms of impact. This approach could also include more ambitious timeframes where appropriate and recognise realistic timeframes for items where NZ has little to no control.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

See answer to **Question 6**.


8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

See answer to **Question 6**.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

See answer to **Question 6** in the context of the potential impact on the wider Covid-constrained economy.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

In the context of our answer to **Questions 2, 6 & 9** any issues would be clearly identified and a targeted solution could be developed appropriately.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

N/A

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Segregating the impact on 'affected parties', as opposed to taking a more integrated, holistic view of benefits, perpetuates a fragmented regime rather than encouraging the design of solutions which provide an overall societal benefit – a process which inherently recognises, and deals with, trade-offs for all stakeholders.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

The costs and benefits are far more nuanced than this document suggests. We see the ultimate aim being a cultural shift in consumer behaviour – this list of costs and benefits does not capture this.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

An integrated, systemic plan needs to be established to deliver on goals and targets. This needs to be bigger than the small sub-set of 'hard-to-recycle'-plastics. The current system of ad-hoc pieces of work does not give business the confidence to invest. Nor does it provide consumers with a clear understanding how their behaviours contribute towards a circular future, including the impact on their households in terms of products, services and costs.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

See our answer to **Question 15**.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?



We reiterate that this consultation is missing the opportunity to take an integrated, holistic approach to material challenges in the broad context of NZ Inc. – not just hard-to-recycle-plastics. See also our answer to **Question 15**.

- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.
 - a. 12 months?
 - b. 18 months?
 - c. 2 years?
 - d. 3 years?
 - e. Other?

If you think some items may need different timeframes, please specify.

See our answer to **Question 6**.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

See our answers to Questions 3, 13 & 15.

We would also note that any policy should take care not to create an operating environment which stifles genuine innovation.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/A

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

See our answer to **Question 6**.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

See our answer to **Question 15**.

23. How should the proposals in this document be monitored for compliance?

In the context of our answer to **Question 15** a fully integrated plan would include goals and targets – these measure progress and success.

Sottup weys.

Sharon Humphreys Executive Director



Ministry for the Environment PO Box 10362 WELLINGTON 6143

pncc.govt.nz info@pncc.govt.nz

Te Marae o Hine The Square Private Bag 11034 Palmerston North 4442 New Zealand

4/12/2020

Dear Sir/Madam

Palmerston North City Council Submission on: Reducing the Impact of Plastic on our Environment

Background and context

Council's vision, Small city benefits, big city ambition, for Palmerston North is for every resident to be able to enjoy the benefits of living in a small city, with the advantages of a big city. This vision is supported by five strategies, each relating to one of our five goals for the City.

Each strategy is underpinned by a number of plans, made up of actions funded through the 10 Year Plan.

Action in the waste space is supported through Goal 4: An eco-city, which is underpinned by Council's Eco Strategy and subsequent Waste Plan, and our City's Waste Management and Minimisation Plan 2019.

Our context in supporting waste minimisation and diversion is driven through services provided and operated by Council.

Palmerston North City Council provides the following services in the Waste and Resource Recovery Sector:

- User-pays kerbside rubbish bags service
- Weekly kerbside collections of recycling (2 stream collections) to approximately 29,000 properties within our Territorial boundary. Mixed recycling (excluding glass is collected in a 240L wheelie bin), with glass collected in a 45L crate (colour sorted at the kerbside)
- We have three recycling drop off points (RDOPs) receiving the same materials as accepted in our kerbside recycling service
- We collect and process our kerbside recycling from the wheelie bins at our Materials Recovery Facility (MRF)
- PNCC's MRF processes recycling collected from kerbside, RDOPS and from commercial arrangements
- We collect, store and consolidate our kerbside glass before transporting glass through to OI in Auckland
- We recycle e-waste, batteries, CFC lightbulbs, car seats, engine oil, oil filters and cooking oil at our Ferguson Street Recycling Centre with some items attracting a charge to partially cover the costs of recycling these items

• We accept greenwaste at our Awapuni site where we produce compost

Council is currently seeking feedback from the community on a proposal to reduce the range of plastics containers collected in the recycling service – both kerbside and at the RDOP's. We are proposing to discontinue accepting plastics 3,4,6 and 7, and focus on those plastics (1,2 and 5) for which we have reliable domestic markets. Feedback on our proposal to reduce the range of plastics closes on the 8th January 2021.

Council has reviewed the submission from the WasteMinz TAO Forum, which forms the basis of our submission.

1. Do you agree with the description in this document of the problems with hardto-recycle plastic packaging and single-use plastic items? If not, why?

Council agrees with the description but think a broader framing of the problem would allow for wider issues to be addressed. There is a culture of dependence (economic and social) on the convenience of single-use plastics. In addition, we note the following issues which could be a barrier to the objectives outlined below:

- The price of virgin plastic can create an economic barrier to utilising recycled resin
- Product design such as the use of coloured plastics, multi coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches can limit a products recyclability

The present proposal should be part of a comprehensive Government policy targeting reliance on both single-use products in general and on virgin plastic resin. This could include specific regulations and investment to disincentivise single-use and create a reuse culture.

Furthermore, government intervention to mandate a minimum recycled content to be incorporated into the production of single-use plastics containers needs to be considered to ensure there is a market for the recycled and diverted materials streams, thus promoting and incentivising the move towards a more circular economy.

Finally, overreliance on offshore markets increases our carbon footprint through importing fossil-fuelled plastic resin or manufactured plastic products. There is a need to develop zero or low carbon alternatives where single-use is necessary and encourage onshore manufacture where possible.

2. Have we identified the correct objectives? If not, why?

Yes, however, we think there should be three main objectives

Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy.

Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams.

Reduce the current level of contamination in kerbside recycling

The following list expands on the three main objectives rather than being secondary objectives.

- lower risk of environmental damage including through litter and poor resource management
- decreasing the risk of wildlife consuming plastic and plastic entering into our food chain
- less PVC contamination in our recycling stream, so high-value materials like PET can be recycled rather than sent to landfill
- fewer unrecyclable plastics in our recycling stream such as plastic cutlery plates etc leading to lower contamination
- less contamination of plastic in both home and commercial composting
- increasing the uptake of high-value packaging materials including PET (1), HDPE (2) and PP (5)
- improving the recyclability of plastic packaging
- reducing public confusion and making it easier for New Zealanders to recycle right
- reducing carbon emissions associated with the manufacture, distribution and disposal of single-use plastic items.

3. Do you agree that these are the correct options to consider? If not, why?

Yes.

However, Government may wish to consider other options that could be blended to avoid unintended outcomes of a direct ban. This would include support and incentives to move away from reliance on single-use items where feasible, e.g. deposit returns, take back schemes and increased reuse

In addition to the options listed, we would support the consideration of additional measures to support the uptake and scale of reuse, e.g.

- mandatory targets for reuse/refill on specified items
- deposit return systems for takeaway serviceware to ensure that they are in a recyclable condition (i.e., clean) and put in the correct recycling bins
- incentivises to support reusables in dine-in settings
- levies on targeted single-use items

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No. Council believes that separate tables, weighting and criteria should be used to evaluate pvc and polystyrene; oxo-degradable plastic and single-use plastics as these product categories are distinct from each other and there are a different set of issues with each of these materials groups.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes.

Council agrees that a mandatory phase-out is the best option to take forward. The other options considered are less likely to achieve the desired outcomes – e.g. less plastic waste to landfill, less confusion about what items are recycleable on shore in NZ, leading to better outcomes and quality of materials presented to our MRF for processing.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Council is supportive of moves to ban unrecyclable packaging, however there is a need to carefully consider what the viable packaging alternatives are. A ban on PVC/PS/EPS packaging could result in their replacement with packaging materials as bad, or worse, in terms of environmental effects.

Firstly, both food safety and shelf life need to be considered. We need to balance the desire to reduce use of hard-to-recycle plastics with the potential for inferior packaging choices leading to increased food loss and waste, given that approximately one-third of all food produced for human consumption globally is already lost across the supply chain.

Secondly, we need to consider recyclability and how to ensure that measures to reduce PVC/PS/EPS packaging don't lead to an increase in packaging coded as plastic #7 or compostable packaging where there is no and/or limited infrastructure in place collect and process it.

Finally, it is also important to have a carbon footprint lens, to ensure, where possible that alternatives use less resources in production, transport etc.

Council is therefore supportive of a ban for products where known alternatives are available that are recyclable e.g. products which can be made out of plastics #1, #2 and #5. However, we note that there is a risk that products could move from plastics #3 and #6 and switch instead to equally unrecyclable plastics.

Council is supportive of a ban in two stages. Stage 1 should only include those products where there are known alternatives available. In particular, banning pvc and polystyrene trays would ensure that valuable PET trays (which are currently indistinguishable from other clear trays (e.g. 3 and 6)) would be able to be recycled using onshore options. Preventing Council from needing to invest in optical sort technology at its MRF.

EPS containers (eg, clamshell takeaway containers) and EPS and polystyrene cups, while currently accepted into Councils kerbside service are currently stockpiled as we have been unable to secure a market for these grades of plastics. As outlined at the start of our submission Council are proposing to remove these grades from our recycling service. If Councils proposal is adopted these items will be considered as contamination in kerbside recycling.

There are suitable alternatives on the market.

Council encourages further research to ensure that the proposed 2025 timeframe for Stage 2 is sufficient to ensure recyclable alternatives to pvc and polystyrene.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

A blanket ban may not necessarily be the most appropriate measure at this stage for PVC and PS rigid packaging. As discussed above it may be better to focus on specific items within these packaging types where appropriate alternatives are readily available, particularly around supermarket food packaging and takeaway items that can easily be swapped out e.g. meat trays, sushi containers, and PS takeaway containers. This would place the focus on specific items that prevent the effective recycling of other recyclables e.g. pvc trays.

Council notes that EPS packaging for homeware and whiteware can't be collected at kerbside due to its size but can be collected through store takeback schemes in some Cities. Plastic NZ has already begun work on voluntary product stewardship for preconsumer eps packaging and several large retailers offer takeback schemes, but these aren't widely promoted. However, there needs to support and incentives to promote and encourage the use of the products manufactured from recycled EPS (i.e. there needs to be demand for the products manufactured from these materials)

Designating packaging for homeware and whiteware as a priority product and setting up a product stewardship scheme for this type of packaging to encourage industry-led innovation such as a redesign of packaging materials may also be a suitable option.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

No.

PVC and PS/EPS are used for packaging for medications and to ensure products are kept at suitable temperatures for transportation. It is possible that exemptions might be needed for medical use if suitable alternatives are not available.

PVC is also used in the construction industry for a variety of materials. Council suggests that more research is undertaken to determine whether there are suitable replacements for these materials. To support this, we ask that the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Council considers the following benefits may be likely:

Environmental

- There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- It will encourage the transition away from non-renewable oil-based products

Social

- There will be amenity improvements due to less litter in the environment.
- Reducing plastic waste in our environment contributes to improving the mauri of our environment.

Economic

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs for our community.
- Cleaner, higher value recycling streams assuming materials are swapped out for domestically recyclable plastics #1, #2 & #5.
- Increasing the viability of domestic recycling opportunities for #1, #2 & #5s due to higher volumes and increased quality.
- Businesses that produce products for export may gain a competitive advantage by using more recyclable packaging.
- It would create a level playing field for all businesses which would provide certainty and fairness.
- With many of the alternatives being fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

Council considers the following costs may be likely:

• Industry will need to develop new processes and alter production lines to accommodate different packaging materials.

- Higher cost of alternative material types for packaging, especially for takeaway containers. While a significant % increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ¹ and Colmar Brunton² has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by the long lead-in time.
- Inferior-quality packaging could result in increased food loss and waste.
- Potential for higher environmental costs depending on new packaging choices.

Council believes that the last point noted above is the greatest risk. A ban on PVC/PS/EPS could end up with these materials being replaced with something as bad or worse from an environmental/waste perspective e.g. a composite material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home compostable and also unlikely to reach a commercial composting facility which is able to process it. There is a risk of creating yet another contaminant in kerbside recycling or in commercial composting processes, or at best the use of additional materials whose only option is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but ensure the effective transition to PET/ HDPE/ PP.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Given the complexities involved in determining which plastics are used in food packaging, ranging from ensuring plastics are food safe, to offering physical protection and providing adequate oxygen and moisture barriers where required, this is a very technical and specialised area and so not a question that Council is necessarily best placed to answer.

Alternatives are already available for some food and beverage packaging items e.g. PET meat or biscuit trays where PET is proven to be effective as a packaging material, acceptable in kerbside recycling and with a domestic market for reprocessing (Flight Plastics).

There may not be practical replacements readily available for all PVC/PS/EPS food and drink packaging items, for example flexible PVC which is often used to package fresh pasta or ham, and PVC-related plastics which are used for barrier coatings.

Therefore, Council believes that for the purposes of this consultation, in the short term, the scope must stay focused on single-use packaging where there are known viable alternatives and that further research and innovation may be needed for other packaging types.

¹ WasteMINZ Plastic Bag Charges and Beverage Container Deposits Study 2016

² https://static.colmarbrunton.co.nz/wp-content/uploads/2019/05/Colmar-Brunton_Better-Futures-2020-Presentation.pdf

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Partially

Yes, degradable plastics of all types should be phased out. This includes both oxo-degradable and photo-degradable plastics. Council notes that it is important when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both materials' diversion streams for Council. As they are designed to break down more quickly into microplastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and also the deceptive nature of the advertising for many of these products.

Many of these products imply that they are greener and more environmentally friendly than conventional plastic.

Due to the issues caused by these types of plastic and the deceptive nature of how some of these products are advertised we believe they should be phased out as quickly as possible.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

As previously discussed, the greatest risk is if a ban on PVC/PS/EPS ends up with these materials being replaced with something as bad or worse from an environmental perspective. This would increase the costs but also reduce the benefits of the ban. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging, but ensure the transition to PET/ HDPE/ PP.

Other measures which could assist would be standardising kerbside recycling and introducing compulsory labelling for recyclability and compostability. In terms of compostable packaging the Ministry for the Environment needs to assist to develop the appropriate processing and collection infrastructure whether that be through funding or designating compostable packaging a priority product. Alternatively, it could be clearly signalled that compostable packaging is not an appropriate alternative to PVC and EPS. Council prefers the later option as there is likely to result in less confusion when a consumer is faced with the decision of what diversion stream to place their item.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

N/A

16. What do you think about the proposed mandatory phase-out of some singleuse plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

Council is supportive of a ban of all the items proposed in Table 7. In addition to causing issues when littered, none of these items are accepted for kerbside recycling but they contribute to contamination in recycling.

These items also cause contamination for those councils who offer food and green waste collection services and there is strong support for the proposed ban on plastic fruit stickers.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Whether a piece of cutlery or a drink cup is single-use or reusable isn't always clear cut. Microns were used as the differentiating measure for the plastic bag ban to distinguish between reusable or single-use bags. Single-use can be subjective, so further clarity is needed for the definitions of single-use plastic tableware and cutlery and single-use plastic cups and lids.

For clarity, we would encourage all the definitions to include the following description:

• plastic including both degradable and biodegradable plastics.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Plastics New Zealand has noted that many businesses import these products in bulk and often have inventory sufficient for a number of years. However, the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling.

These items can end up our recycling service as contamination, which results in increased costs in providing the kerbside and RDOP recycling services to our community.

Therefore, we are supportive of a ban being implemented as early as possible to reduce the impact on the environment and the financial burden to council whilst ensuring that the financial impact on businesses is mitigated.

We are supportive of a well signalled phase out within two years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

The waste caused by New Zealand's coffee drinking culture and the associated costs are significant. The Rethinking Rubbish and Recycling research found that 1,288 tonnes of single-use cups are disposed of via councils' household kerbside rubbish collections with a further 851 tonnes contaminating household recycling bins. In addition, there would be a significant number that are disposed of via public place and commercial collection systems. Therefore, the aim should be to move up the waste hierarchy, supporting systems that reduce the number of single-use cups used. This requires systematic change and incentives that establish a dominant culture of avoidance or reuse.

Reusable cups

If more people use reusable cups, there will be savings for businesses and less waste and therefore less burden on territorial authorities who bear the cost of a linear system. In alignment with the waste hierarchy, the focus should be on reuse rather than recycling or disposal for both waste and carbon reduction. In its simplest form, the best option to address coffee cups is through incentivising reusables.

We support investment into reuse systems such as cup-lending schemes but recognise that this type of scheme acts primarily as a backup for the personal choice consumers make to bring their own cups. Therefore, supporting the creation of a 'bring your own cup' norm should be the main focus area. There are also community-led approaches such as cup libraries which could be supported, for example by providing 'how-tos' and health and safety guidelines as an educational package to guide the hospitality sector. Behaviour change programmes using tools such as prompts, and commitments should be built into the support for wider use of reusable cups.

Single-use cups

In New Zealand coffee cups contaminate kerbside recycling and in the case of compostable cups, New Zealand lacks both the collection infrastructure and sufficient composting facilities with the resource consent to accept them. We note that single-use cups are not considered in the upcoming mandatory product stewardship scheme for beverage containers, although they do meet the criteria in the potential scope. We suggest that inclusion in this scheme should also be investigated when identifying the most effective method to reduce/eliminate use of these items.

Council consider that a suite of actions are needed to tackle the prevalence of singe use coffee cups:

- promoting reusable cups and cup loan schemes in the first instance
- investment to scale up re-use systems like Again and Again
- standardisation of any single use cups available on the market (addressing compostability and contamination issues)
- improved labelling requirements to make it clear whether a cup is compostable or not
- encouraging the development of well-publicised disposable cup-free zones (e.g. university campuses & government buildings, museums and galleries, coasts and national parks)
- a ban on coffee cups with plastic linings of any type; or in place of a ban, a levy on disposable coffee cups and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.

Wet wipes

Council is supportive of a ban of wet wipes.

Wet wipes are a significant issue for Council, and indeed all TAs, who spend thousands of dollars undoing blockages in wastewater systems.

Councils Wastewater Treatment Plant screens out substantial volumes of single use plastics and wet wipes on a daily basis, which is then transferred to landfill for disposal at increasing costs to Council.

Wet wipes are another case of local government and thus rate payers footing the bill for industry's poor product design choices.

Reusable wipes

In alignment with the waste hierarchy, we see the best option being to promote reusable wipes as a simple return to squares of cloth. It is noted that building acceptance of reusable wipes as an alternative to wet wipes connects closely to the promotion of reusable nappies – trialling alternative approaches in the early childhood sector is the type of activity which could be considered.

Developing a culture of reusable wipes may also provide a potential use for unwanted textiles, contributing to a circular solution.

It is important to recognise that time, and access to the washing facilities required for reusable wipes, may present a barrier for some. Considering the reasons why consumers choose to flush these products should also be part of any programme, for example disposable wipes may be flushed even when consumers are aware of the problem because they are reluctant to place smelly used wipes in the rubbish.

Single-use regulation and action

In conjunction with promoting a reusable option, we support requirements and action which will help consumers make an informed choice. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. We call for a requirement to state the content in wipes so that the consumer is aware they contain plastic.

Ideally, industry would be required to transition away from plastic based wipes through a mandatory phase out. This should also include products that are currently touted as biodegradable as they do not break down in a timely enough manner. This would avoid blockages and contribute to minimising plastic pollution of waterways and marine environment. We support mandatory prominent labelling 'do not flush' messaging for all wipes regardless of plastic content.

It is also worth noting that research has identified that placing a 'please don't flush wipes' message close to public toilets has proved effective, and campaigns such as this to create new social norms should be considered. In conjunction with educating around reusable options, Ministry should continue to support behaviour change around flushing wipes.

Finally, there are other non-biodegradable products entering the wastewater system which are also responsible for introducing plastic and causing blockages. These include sanitary products (the average pad can contain up to 90% plastic, and there is a significant amount in most tampon products as well). Facial tissues and kitchen paper often contain bonding agents – this can slow their breakdown and add to the blockage problem as well as introducing more chemicals to the wastewater system. We therefore call for funded behaviour change campaigns that can raise awareness of these issues and promote alternatives and subsidies for reusable products for low-income communities.

20. If you are a business involved with the manufacture, supply, or use of singleuse plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/A

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We support the goal of transitioning to reusable products as part of a circular economy, including a phase out of problematic single-use items. We are cognisant of pressures on the sector, however, we note that there are even greater pressures on our environment that cannot be ignored. We advise working with industry on these issues over the timeframes noted below.

Coffee cups

Much of the work around coffee cups should centre on education and behaviour so that single-use phase out can be effective. We support a gradual phase out of single-use cups which contain plastic linings or additives over the course of five years.

Wet wipes

Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from single-use items to reusable resources. We support a transition time of three years for a wet wipe ban due to the issues these pose in particular the blocking of wastewater pipes and the urgency with which we should address them. Our aim is to encourage industry to take an innovative approach to better solutions for this product by suggesting a shorter transition time.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Council agrees with all the benefits listed but there are also additional benefits, such as environmental, social and economic.

Environmental

- 1. It will encourage the use of reusable options
- 2. There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains. It will also reduce the amount of plastic in compost and therefore in soil.
- 3. It will encourage the transition away from non-renewable oil-based products which are responsible for carbon emissions from manufacture, freight and disposal

Social

- 1. It will support the strengthening of social norms for reuse and foster a culture of reuse and recycling, rather than disposing of single-use items.
- 2. There will be amenity improvements due to less litter in the environment.
- 3. There could be the opportunity for new job creation or migration to circular jobs.

Economic

- 1. There will be less contamination in recycling services resulting in reduced sorting and disposal costs, and increased commodity value
- There will be significantly less contamination in organic waste collections (where available) particularly if single-use produce bags and noncompostable fruit stickers were banned resulting in lower sorting costs and the ability to make a higher grade of compost.
- 3. There will be lower collection and disposal costs for litter collection.
- 4. Businesses that manufacture, import and supply reusable items would benefit.

- 5. Some businesses would save money by no longer supplying these items to their customers e.g. single-use produce bags
- 6. It would create a level playing field for all businesses providing certainty and fairness.
- 7. There would be economies of scale for alternatives which would help to lower costs and drive innovation.
- 8. With many of the alternatives fibre or wood based there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.
- 9. Reuse options may eventually result in cost savings for consumers.

Council notes that most of these single-use items are currently imported from overseas rather than made in New Zealand so the cost of complying with this ban is likely to be less significant than the ban on pvc and polystyrene packaging.

23. How should the proposals in this document be monitored for compliance?

Council strongly recommends that the proposals be monitored for compliance but also evaluated to see whether the aims of the legislation will be achieved.

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors. At its simplest form this could be a hotline where members of the public can email if they see a business selling a non-compliant product. This was used when the plastic bag ban was introduced with 375 alleged breaches of the ban reported in the first six months.³ Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging e.g. sushi stores; \$2 shops for example.

Many councils and businesses undertake waste audits so asking these organisations to keep aside any branded examples of banned packaging so that businesses could be followed up is also an option.

Yours sincerely

Heather Shotter Chief Executive Palmerston North City Council

³ <u>https://www.newshub.co.nz/home/politics/2019/12/almost-400-alleged-breaches-of-plastic-bag-ban-but-no-prosecutions.html</u>



Palmy's Plastic Pollution Challenge submission on the Government proposal:

Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items

To be submitted by 4 December 2020 on behalf of Environment Network Manawatu.



Palmy's Plastic Pollution Challenge is aimed at understanding litter in urban streams and stormwater systems. The 2019 sampling exercise in 41 randomly selected 100m² sites (= 3% of sampled stream network) resulted in 11,631 retrieved litter items. 73% of the litter items were single-use plastics including miscellaneous soft plastics (27%), food wrappers (24%), plastic bags (9%) and shrink wrap (9%). Foamed plastics added another 8%, so in total more than 80% of what we found was plastics. Only 7% of the plastic we found can be recycled in Palmerston North.

During regular clean-ups, following our sampling exercise and the national ban on single-use plastic bags, we have noticed a steady decrease of plastic bags in our collections. This indicates that banning single-use items can be very effective. We hope to be able to quantify the decrease further when we repeat our sampling during summer 2021.

Using plastic sampling as a form of citizen science has allowed us to engage with a wide range of concerned citizens. We are using our findings to identify and promote solutions and behaviour changes that every individual can easily make in their day-to-day lives.

We believe that banning single-use plastic over time and promoting a reuse culture is the only way to eliminate the problem. Recycling can only help to reduce the problem as ultimately every recycled item will break down into microplastic which penetrates our soils, waters and food chains. In our stream surveys we can see layers of litter growing into the banks. We also see bands of microplastic at the flood lines of streams after heavy rain events.

In the short term we need to:

- Provide very specific information of what can and can't be recycled in New Zealand so people can make educated shopping choices. This information needs to distinguish between materials that:
 - Can be recycled and are being collected in separate waste streams.
 - Can be recycled but are not being captured in adequate waste streams, and therefore, end up in landfill regardless.
- Potentially offer soft plastics collection services outside Auckland, Hamilton and Wellington.
- We also need to educate on the difference between biodegradable and compostable and compostable in commercial units versus home compost heaps. Once more, people need to understand whether or not there is a collection stream to capture the compostable material.
- Encourage more alignment/collaboration between ministries, and possibly Government Procurement, to focus on reducing waste going to landfill. We are currently trying to understand the unintended consequences of providing free lunches to some schools in our city (Ministry of Education) and the impact on local waste creation (compostable/recyclable) and associated cost (schools and local councils).

In the medium term we need to:

- Promote existing (reuse) alternatives The Rubbish Trip¹ has developed excellent resources that need to be further disseminated.
- Create new alternatives. Return schemes for plastic bottles, etc. will only reduce but not eliminate the long-term effects of plastic. In a way, they will give people a false sense of doing the right thing. We believe there needs to be some education around how often single-use plastic bottles and other containers can actually be recycled. We have not been able to get a clear answer to this question.
- Stop consents to increase single-use plastic bottle production in New Zealand, even if the product is destined for export. We are referring here to a recent Environment Court decision: Decision No [2019] NZEnvC and Commissioner Kernohan's brave dissent². We believe that environmental concerns have to come first going forward.

Based on our experience in Palmerston North we believe that there is an opportunity to enable community to better collaborate with councils in achieving better outcomes. Our recent small MfE WMF grant has helped with increasing awareness and further public engagement.

We recommend that more funding goes to community groups to enable communities to take more ownership and drive change.

In all other questions we support the Joint Submission from the Zero Waste Community³ prepared by The Rubbish Trip et al. as it stands.

¹ <u>https://therubbishtrip.co.nz/</u>

- ² <u>https://environmentcourt.govt.nz/assets/Documents/Publications/2019-NZEnvC-196-Te-Runanga-O-Ngati-Awa-v-Bay-of-Plenty-Regional-Council.pdf</u>
- ³ <u>http://therubbishtrip.co.nz/wp-content/uploads/2020/08/Joint-Submission-of-Zero-Waste-Community-on-Govt-Plastic-Ban-Proposal-v2.pdf</u>



To the:

Ministry for the Environment

On:

Reducing the Impact of Plastics on Our Environment Moving Away from Hard-to-Recycle and Single-Use Items

4 December 2020



Industry Sector Group Contact: CEO of Plastics NZ, Rachel Barker PO Box 76378, Manukau, Auckland 2241 M: 022 0812 936 E: rachel@plastics.org.nz www.plastics.org.nz

This submission is on behalf of the New Zealand plastics industry and its customers. It is also specifically endorsed by the following companies:



Hope Moulded Polystyrene EPS packaging manufacturer General Manager: Paul Lightowlers 41 Aniseed Valley road, Hope, Richmond www.hmp.co.nz







EPS packaging manufacturer General Manager: Mark Mischefski 105 Captain Springs Road, Onehunga www.expol.co.nz

Plastics New Zealand: Reducing the Impact of Plastics on Our Environment - EPS



1. Introduction:

Plastics New Zealand is the trade organisation representing the New Zealand plastics industry. Our Membership comprises over 185 businesses including manufacturers, suppliers, recyclers (reprocessors), brand-owners and consultants to the industry. The industry has a broad range of company sizes from very large corporates to small enterprises.

New Zealand's Expanded Polystyrene Sector Group sits under the umbrella of Plastics NZ. This group is made up of the EPS manufacturers and suppliers of polystyrene raw materials.

The proposed ban of all EPS packaging by 2025 has considerable impact on the NZ EPS packaging manufacturers, their customers, and those importing product utilising EPS packaging. While this submission is on behalf of all of those within this system, we have encouraged all impacted parties to make their own submissions so they can share specifics of the commercial and economic impacts, the impacts on NZ jobs, real-world case studies showing the testing of alternatives to EPS, and other information showing the impacts of the proposed ban.

Plastics NZ and our EPS Sector Group welcome the opportunity to discuss our submission with MfE in more detail and will also engage directly with the relevant Ministers regarding the proposal to ban all EPS packaging by 2025.

Please see the Plastics NZ general submission for a broader discussion of all proposals in the consultation.

2. Summary:

This submission is focused only on the EPS phase-out/ban. The Sector Group does not manufacture any of the single-use EPS takeaway containers, beverage containers and tableware proposed to be phased out. As these materials commonly become litter and are problematic within the NZ kerbside recycling system, the Sector Group does not oppose the phase-out of these items. There are viable alternatives for all these single-use products already being used within New Zealand.

The Sector Group strongly opposes a blanket ban of all EPS packaging by 2025. EPS is an exceptional material across several key packaging performance functions:

- Thermal and insulative properties required for cold-chain supply lines (e.g seafood, pharmaceuticals, medical)
- Impact properties required for product protection (e.g. shellfish, lab samples, whiteware, large electronics goods)
- Vibration damping properties (e.g. live seafood, biologics)
- Low resource use (2% plastic, 98% air) so lower carbon footprint to manufacture than alternatives¹
- Extremely light weight providing fuel efficiency in transport and reduced emissions over alternatives

Under the Waste Minimisation Act 2008 Section 23 (2)(b) the Minister for the Environment must not recommend the control or prohibition of the manufacture or sale of products containing specified materials (Section 23 (1)(b)) unless a reasonably practicable alternative to the specified material is available. Real-world testing of the alleged alternatives to EPS has shown that they do not meet the high-level requirements of cold-chain supply lines and shipment of heavy products. A blanket ban must therefore not be announced by the Minister as practicable alternatives do not exist.

¹ Reginald B.H. Tan, Hsien H. Khoo, Life cycle assessment of EPS and CPB inserts: design considerations and end of life scenarios, Journal of Environmental Management, Volume 74, Issue 3, 2005, Pages 195-205, ISSN 0301-4797, <u>https://doi.org/10.1016/j.jenvman.2004.09.003</u>



While New Zealand needs to change its relationship with plastics this needs to be carried out in an evidence-based manner that avoids unintended consequences and provides overall reduction in environmental harm. The current pathway is very much led by voter-opinion and social media science. This limited perspective will ensure unintended impacts across the NZ environment and our economy.

Re-assessment of the options, as provided in this submission, indicates that product stewardship would provide a far more effective method of handling the EPS packaging used in cold-chain supply lines and for protective packaging. The EPS manufacturers are already recycling EPS and are ready to do more. Formalised product stewardship would enable the key stakeholders across the wider system, including those importing protective packaging in the retail and medical sectors, to become part of the solution.

Based off all of the information gathered, and the lack of viable alternatives for these specific EPS packaging applications we have a single set of recommendations.

Recommendations:

Stop pursuing mandatory phase-out of all EPS Packaging. There are no viable alternatives to the EPS used in cold-chain supply lines and for protective packaging of heavier products.

Investigate formalised product stewardship for this EPS packaging. The packaging is already included under the scope of the 'plastic packaging' priority product category.

Support businesses to investigate reuse systems for local cold chain

3. Problem Description

Q1: Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

For specific types of EPS packaging critical to the NZ economy - no we do not agree.

3.1. Designation of all EPS as 'difficult to recycle'

The consultation document presents an oversimplified, and narrow view of the problem. This is leading to incorrect analysis in relation to the EPS packaging used in cold-chain supply lines and as protective packaging.

Rigid polystyrene forms a very low percentage of kerbside recycling in New Zealand. This low percentage makes it uneconomical to collect and recycle via kerbside. The shortcomings of the NZ waste system also mean that most EPS containers and takeaway packaging end up in landfill or as litter. These two things, in our opinion, are the primary reasons polystyrene has been labelled as 'difficult to recycle' under the Rethinking Plastics² report. There is no problem with finding offshore markets for polystyrene if the material is separated and in enough quantity. It is a valuable material with many uses. Koolfoam Industries, one of our members, sent two 40-foot containers of compacted EPS (17 tonnes), to offshore recycling in the last 6 months. Collection and transport are also referenced as the biggest challenges. It is quite easy, and relatively low cost, to compact EPS and then transport it.

² Rethinking Plastics in Aotearoa New Zealand, 2019, Office of the Prime Minister's Chief Science Advisor, <u>https://www.pmcsa.ac.nz/topics/rethinking-plastics/</u>



EPS passing through the hands of industry and remaining in New Zealand is often recycled. The industry has actively been recycling EPS since the 1980s. For example, in 2019 the Sector Group diverted over 150,000 cubic metres of EPS from landfill, recycling over 1,200 tonnes. A large portion of this went back into NZ made EPS products rather than offshore. This does not include the amount collected, compacted, and sent offshore for recycling overseas by the waste management companies, and organisations like Abilities Group. NZ EPS manufacturers are also taking back construction products at end of life for recycling.

There is plenty of scope for Extended Producer Responsibility (EPR) or product stewardship for these packaging materials. The local EPS Manufacturers have been looking into this for several years. All companies within the Sector Group run take-back schemes for their construction products and most take post-consumer EPS if asked. Some are actively pursuing relationships with retailers to increase the take-back and recycling of post-consumer packaging (see Case Study 1).

The main reason that the activities of the industry are not broadly known are due largely to Government action. The Sector Group had active plans in place to launch an EPS recycling media campaign on the 12th of December 2019. This was entirely focused on post-consumer packaging EPS and would have provided information to the public as to where they could take the EPS packaging collected from Christmas presents to recycle it. Expectations were that this would have had great media pickup as it showed the public what to do with something viewed as 'problematic' by many. This campaign was aligned with <u>www.airpop.co.nz</u> which also provides information for businesses and the public on EPS recycling in NZ. The number of collection sites for EPS has increased by 105% over the last 12 months.

On the 8th of December 2019, the Government announced a planned phase-out of polystyrene. This announcement was made with no industry consultation, no understanding of the EPS recycling situation in New Zealand, and indeed no understanding of the scope of what had been proposed. It became quickly apparent that key decision-makers within Government did not understand the scope of 'polystyrene packaging' or the specific reasons it is used as a packaging material. The reputational damage to the EPS manufacturers by this ill-advised announcement led the Sector Group to withdraw from its recycling media campaign.

Case Study 1: Expol Recycling Cubes

Expol has made a commitment to the environment and take responsible manufacturing seriously. They are focused on a true closed-loop recycling process – 75% of the products made use recycled content and they have plans and concepts in place to do even better.

Expol operates seven recycling plants nationwide that recycle 350 tonnes of polystyrene a year. That's 2,800 cubic metres a month and Expol expects to steadily increase this volume. They actively collect EPS waste from their customers and have been known to proactively clean up fly-tipped EPS waste³.

Expol has also created an ever-expanding network of collection points for EPS with 25 Expol Residential Polystyrene Recycling Cubes installed at retailers throughout New Zealand from Auckland to Dunedin⁴. These cubes are specifically for the collection of consumer residential polystyrene waste (i.e. packaging). Expol then converts the collected materials into new and useful products.

³ https://www.expol.co.nz/blog/expol-extra-mile-environment/

⁴ <u>www.expol.co.nz/enviro</u>



3.2. EPS as a 'major source of pollution'

EPS used in cold-chain supply lines and as protective packaging is not accepted in kerbside recycling, and rightly so. In the absence of a nation-wide stewardship scheme, this means that a lot of the packaging passing through the hands of the public ends up in landfill or as litter. NZ also has a problem with fly-tipping of EPS waste within the construction sector. This problem is something that the EPS Sector Group has been addressing with its customers for years through education and takeback schemes. Companies also clean up this waste when notified of it, even though it is often not from their own products. Formalised products stewardship would further help resolve this issue.

Page 17 of the consultation references that *foamed plastic containers, such as EPS, make up around* 6.2% of litter on NZ beaches. This data, extracted from the Litter Intelligence Project⁵, combines all foamed plastics together including EPS takeaway containers, construction EPS, packaging, foam sponge, ear plugs, buoys, 'other' foamed plastic and unidentifiable foamed fragments. It cannot therefore be used as a measure of how much litter might be removed by banning EPS packaging.

Review of the most recent data from 1st November 2019 to 1st November 2020 shows that EPS cups and food packaging made up 0.52% of total litter by count and 0.02% by weight. Construction & packaging EPS are aggregated and together make up 4.74% of total litter by count and 0.16% by weight. Given the fly-tipping issue it is likely that at least half of this latter category is illegally dumped construction waste. A ban on EPS packaging is therefore likely to remove less than 3% of litter by count and 0.1% of weight. Increased education around recycling options, combined with product stewardship that would eliminate, or greatly reduce, fly-tipping would be far more effective.

A ban on any material is extremely unlikely to change poor public behaviours and reduce the amount of litter. This EPS packaging would be replaced with other packaging just as likely to be littered or leaked to the environment. Further to this is a lack of official enforcement by councils and government to tackle these issues. Where is the work-programme to prevent leakage from waste management systems, to enforce littering bylaws, and to clean-up existing leakage from substandard landfill sites? The root causes of the leakage and littering are not being addressed. We are blaming the material rather than our management of it and poor behaviours. Blaming the material is akin to blaming a chainsaw for cutting down a protected tree, rather than prosecuting the person running it.

3.3. EPS and Climate Change

The consultation document draws some erroneous conclusions regarding plastics and climate change, particularly in regard to EPS.

The statement *The plastics industry's consumption of oil is projected to increase to 20 per cent of total annual oil production by 2025* is based off a report from the World Economic Forum⁶ which in turn references the IEA, World Energy Outlook 2014⁷ report. As the worlds understanding of issues around climate change and plastics have increased, there have been significant changes over the last five years. Review of more recent reports indicates that plastics are approximately 44% of petrochemicals market with the rest being nitrogen fertilisers and other chemical products⁸. Chemical feedstocks are projected to increase from 12% of total oil demand in 2017 to 16% in 2050⁹.

⁵ Litter Intelligence Citizen Science Program led by Sustainable Coastlines: <u>https://insights.litterintelligence.org/</u>

⁶ World Economic Forum 2016 *The New Plastics Economy: Rethinking the future of plastics, Geneva* <u>http://www3.weforum.org/docs/WEF The New Plastics Economy.pdf</u>

 ⁷ IEA (2014), World Energy Outlook 2014, IEA, Paris <u>https://www.iea.org/reports/world-energy-outlook-2014</u>
 ⁸ IEA (2018), The Future of Petrochemicals, IEA, Paris <u>https://www.iea.org/reports/the-future-of-petrochemicals</u>, Figure 2.3

⁹ IEA (2018), The Future of Petrochemicals, IEA, Paris, Figure 4.6



With 44% contribution the plastics industry's consumption of oil is therefore approximately 7% of total oil demand in 2050, not 20%.

The claim that *plastics will be responsible for up to 15 per cent of the total 'carbon budget' by 2050* references Geyer, Jambeck and Law (2017)¹⁰. This report does not discuss this matter. The author perhaps meant to reference the 2019 *Plastic and Climate¹¹* report from CIEL which claims that plastics could reach 10-13% of the carbon budget remaining to ensure temperatures stay at or below a 1.5°C rise. This report obfuscates plastics with petrochemicals calling into question the veracity of the basic data. It also ignores the impact of moving from plastic to alternative materials. Plastic is strong and lightweight. Alternative materials are nearly always thicker and heavier. A report by Franklin Associates in 2018¹² showed that global warming potential would increase two to three times if plastic packaging was switched out for alternative materials.

The situation for EPS Packaging shows even less impact as EPS is 2% plastic and 98% air. This means that it is extremely light weight for the high level of insulation and impact protection it provides. Alternative options, as well as failing to match the performance of EPS, are significantly heavier and have far greater climate impacts. They require more energy during their production, result in higher fuel consumption due to increased weight, and contribute far more to global emissions than EPS.

3.4. Carcinogenic Chemicals in EPS

There is no evidence that EPS is unsafe for human contact, that it causes cancer or other health issues. Polystyrene for food contact applications is highly regulated by the FDA and other regulatory bodies around the world. Testing by the FDA has shown clearly that the amount of styrene remaining in expanded polystyrene (EPS) is extremely low; 47.8 mg/kg vs 10,000 mg/kg safe limit¹³.

Page 18 of the consultation document mentions 'concerns about the potential health impacts from the toxins in polystyrene, and the carcinogenic chemicals in EPS and other foamed containers'. The reference links to the Ellen MacArthur Foundations' 2017 report *The New Plastics Economy:* Catalysing Action. There is zero mention in this report about 'toxins in polystyrene' and 'carcinogenic chemicals in EPS'. The report mentions additives of concern for PVC (vinyl chloride and phthalates) but nothing for EPS¹⁴.

There is often confusion between styrene monomer and polystyrene. They are quite different and have different properties. Styrene is a small molecule, generally in liquid form. Polystyrene is a very large molecule forming solid plastics. While naturally occurring in a number of foods, including cinnamon, beer and strawberries¹⁵, styrene is *reasonably anticipated to be a human carcinogen*

¹⁰ Geyer, Roland & Jambeck, Jenna & Law, Kara. (2017). Production, use, and fate of all plastics ever made. Science Advances. 3. e1700782. 10.1126/sciadv.1700782.

https://www.researchgate.net/publication/318567844 Production use and fate of all plastics ever made ¹¹ Plastics & Climate, The hidden costs of a plastic planet, CIEL <u>https://www.ciel.org/wp-</u> content/uploads/2019/05/Plastic-and-Climate-FINAL-2019.pdf

¹² Life Cycle Impacts of Plastic Packaging Compared to Substitutes in the United States and Canada, Franklin Associates for ACC, 2018, <u>https://plastics.americanchemistry.com/Reports-and-Publications/LCA-of-Plastic-Packaging-Compared-to-Substitutes.pdf</u>

¹³ Updated evaluation of the migration of styrene monomer and oligomers from polystyrene food contact materials to foods and food simulants:

file:///C:/Users/Rachel/Downloads/StyrenemigrationPSFCMandfoodsimulantsFoodAddContam2014.pdf ¹⁴ Ellen MacArthur Foundation *The New Plastics Economy: Catalysing Action*, Isle of Wight, 2017,

https://www.ellenmacarthurfoundation.org/assets/downloads/New-Plastics-Economy_Catalysing-Action_13-1-17.pdf

¹⁵ The Safety of Styrene in selected foods, <u>https://www.plasticfoodservicefacts.com/wp-content/uploads/2017/10/Safety-of-Styrene.pdf</u>



based on limited evidence of carcinogenicity from studies in humans¹⁶ by the US Department of Health and Human Services. Polystyrene is not considered a carcinogen and as discussed above, is safe for use in food contact packaging. To put this in context wood dust and solar radiation (sunlight) are known to be carcinogenic and UV is *reasonably anticipated to be* a human carcinogen along with a large number of other compounds utilised in everyday products¹⁷.

While we realise this mistake is unintentional it is disappointing to see such a claim in a government consultation document that is being distributed widely throughout New Zealand. This information is false and creates reputational damage for those using EPS packaging. We live in times where misinformation is rife and spreads at dramatic rates. The harm caused by errors such as this should not be underestimated. Real companies, with real employees are impacted.

4. Objectives

Q2: Have we identified the correct objectives? If not, why?

No – the focus is too narrow.

4.1. Main Objective

While the main objective is laudable in intent, the focus is too narrow. The emphasis should be on reducing the environmental and economic impacts of unnecessary waste within the NZ system.

Restricting the objective to 'reducing the amount in use' biases the analysis. While there is a definite need to consider the higher levels of the waste hierarchy, remove unnecessary packaging, and to redesign both our packaging and our system to ensure circularity, the importance and function of good packaging should not be forgotten. Such a narrow focus on only the end-of-life portion of environmental footprint, is likely to lead to increases in food waste or product damage. The loss of the contents of the packaging has a far more significant environmental impact than the packaging itself.

By focusing narrowly on plastics, the proposals almost guarantee increased emissions, particularly in the case of EPS which is significantly lighter than any alleged alternatives.

The assumption that all polystyrene is 'hard-to-recycle' as discussed in Section 2 is also problematic given that EPS is readily recyclable in NZ. Improvement of the collection system is required, something that could be achieved through formalised EPR or product stewardship.

4.2. Secondary Objectives

There is an assumption that changing materials will lower the amount of litter and improve resource management. However, there is nothing in the proposals indicating planned action around litter prevention and behaviour change (e.g. education and enforcement). As plastic pollution is a result of poor waste management systems and/or human behaviour, there will be no reduction from simply changing materials. It will simply morph into a different format.

The 'lower risk of environmental damage' is highly debatable, particularly when considering the EPS packaging used in cold-chain supply lines and protective packaging. Not only do the alternatives use more resources (EPS is 2% plastic and 98% air), but they are more carbon intensive. As the performance of the alternatives is also inferior to EPS, there is a greater risk of increased food

¹⁶ US Department of Health and Human Services 14th *Report on Carcinogens*, 2016, Styrene RoC Profile: <u>https://ntp.niehs.nih.gov/ntp/roc/content/profiles/styrene.pdf</u>

¹⁷ S Department of Health and Human Services 14th *Report on Carcinogens,* 2016, <u>https://ntp.niehs.nih.gov/whatwestudy/assessments/cancer/roc/index.html#C</u>



wastage or product loss through damage. When considering all environmental impacts, rather than narrowly focusing on the end of life, EPS is the preferable option for these particular applications.

5. Options for Consideration & Criteria

Q3: Do you agree that these are the correct options to consider? If not, why?

Yes – although an additional option should be added.

The options as presented appear to be the correct ones to consider. However, a ninth option should be added:

Option 9: mandatory agreement with industry and business

An agreement which producers must engage with would ensure a level playing field and participation by all. Specific targets could then be developed collectively with industry and government, ensuring ongoing progress. This has already been proven effective within New Zealand's EPS industry as shown through the Voluntary Accord with the Ministry for the Environment to move away from hexabromocyclododecane (HBCD) flame retardants. The Accord led to an accelerated phase-out of HBCD in NZ polystyrene as soon as was reasonably possible with developments of non-HBCD flame retardants.

Q4: Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and Polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

In part – as overall objective is too narrow in focus, so are the criteria.

As the focus of the main objective is too narrow the 'Effectiveness' criterion is also too narrow. This focuses only on elimination, or significant reduction. The focus of this criterion should be the elimination or reduction in waste ending up in landfill or as litter. The narrow focus of this criterion immediately biases the analysis.

The rest of the criteria are reasonable when considered in the context of the scope. However, in the context of what we feel the objectives should be (see Section 4.1), then the criteria are too narrow.

6. Assessment of the Options - EPS

Q5: Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

No – the assessment has not been carried out correctly for EPS

There are several issues with the way the assessment has been carried out. The first relates to the criteria used to make the assessment. While the criteria, and the weighting used, are suitable, the decisions have been made without adequate information. The consultation asks questions about the costs and impacts of the proposals. However, significant and inaccurate assumptions on both of these have been made in order to assess the various options.

The second problem with the assessment is the way that phase-outs of entire material categories have been conflated with bans on specific single-use items. Each material phaseout has different effectiveness and costs. The same is likely for each single-use plastic item. This analysis should



therefore have been carried out for each item in the consultation separately as different results are likely for each.

It is also misleading to have an '? Unknown or no evidence' score for certain options when the largest unknown factor relates to the costs of the various options; a criterion that has had specific costs applied for all options.

Table 6.1 shows a modified assessment specifically for EPS cold chain and protective packaging. This clearly shows that product stewardship is an effective option for this type of packaging. A mandatory agreement including set targets would be the next option. A mandatory phase-out moves down to 5th equal.

The following changes have been applied. Additional notes on the assessment can be found in Appendix A.

- '? Unknown' score has been changed to 'Minimal'
- Effectiveness is redefined to ask *Will the option advance the elimination or reduction of the packaging material ending up in landfill or littered?* This realigns the analysis to the unbiased objective of eliminating unnecessary waste as outlined in Section 4.1.
- When assessing the options as to whether they are achievable without new legislation, or amending legislation, it is strange to see an assessment of 'somewhat' achievable for voluntary agreements and reduction targets. These are achievable under current legislation. These are therefore changed to 'yes'. New option 9 (mandatory agreement) set as 'no' as we're unsure about this.



| Assessment criterion | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|------------------------------------|-------------------------------------|-------------------------|------------------------------|-----------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Effectiveness | Somewhat | Somewhat | No | Somewhat | Yes | Yes | Somewhat | Minimal | Yes |
| (triple weighting) | (1 x 3 = 3) | (1 x 3 = 3) | (-1 x 3 = -3) | (1 x 3 = 3) | (2 x 3 = 6) | (2 x 3 = 6) | (1 x 3 = 6) | 0 | (2 x 3 = 6) |
| Cost | Somewhat | Somewhat | No | Somewhat | Somewhat | No | Minimal | Somewhat | Somewhat |
| (double weighting) | (1 x 2 = 2) | (1 x 2 = 2) | (-1 x 2 = -2) | (1 x 2 = 2) | (1 x 2 = 2) | (-1 x 2 = -2) | 0 | (1 x 2 = 2) | (1 x 2 = 2) |
| Alignment with strategic direction | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Yes | Minimal | Yes |
| | 1 | 1 | 0 | 1 | 1 | 2 | 2 | 0 | 2 |
| Achievable under | Yes | Yes | Yes | No | Yes | Somewhat | No | Yes | No |
| current legislation | 2 | 2 | 2 | -1 | 2 | 1 | -1 | 2 | -1 |
| Weighted total score | 8 | 8 | -3 | 5 | 11 | 7 | 7 | 4 | 9 |
| Ranking | 3 rd = | 3 rd = | 9 th | 7 th | 1 st | 5 th = | 5 th = | 8 th | 2 nd |

Table 6.1: Modified Analysis – EPS Cold Chain & Protective Packaging Only

Scoring: Yes = 2, Somewhat = 1, Minimal = 0, No = -1



7. Phase Out Hard-To-Recycle Plastics – EPS

Q6: Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and 2025)? If not, why?

No – we do not agree with the phaseout of EPS cold chain & protective packaging

Q7: Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out and why?

No – the assessment has not been carried out correctly for EPS. See earlier sections and additional detail below.

Following discussions with MfE staff we feel it is important to highlight the critical applications of EPS in the cold-chain and protective packaging supply chains. There are very good reasons that EPS packaging is used. Due to public pressures many companies have tried alternative options with less than satisfactory results (see Section 9). The alternatives often have good marketing 'spin' but when tested in real-world environments fail to meet the stringent requirements.

We also reiterate the incorrect labelling of cold-chain and protective packaging EPS as 'difficult to recycle' as referenced in Section 3.1. We note that the consultation acknowledges on page 38 that there are recyclers in New Zealand who take EPS for recycling. However, we also note that this has been designated 'a solution for recycling EPS used in other sectors, eg, construction'. This is not correct. Many of the NZ EPS manufacturers take post-consumer EPS packaging for recycling. Expol for example are working with a number of retailers to create a national collection network¹⁸ for post-consumer EPS (See Case Study 1).

7.1. Seafood Transportation

New Zealand exported over \$1.68 billion of seafood (fish, crustaceans, shellfish etc) in the year to June 2020. Around \$0.16 billion was imported in the same timeframe. EPS Packaging is utilised for a large portion of this market for the following reasons:

- EPS has exceptional thermal insulation properties and can maintain safe temperatures over the shipping timeframes. Thermal management and food safety are primary considerations for seafood packaging.
- EPS is waterproof and retains its structural integrity on contact with water, ice or condensation. This is important for palletisation and shipping.
- EPS can be manufactured with or without drain holes depending on the needs of the customers. This ensures leakage is controllable throughout logistics chain.
- EPS dampens vibrations and shock very well. This is critical when shipping live animals such as crustaceans. The animals are also unable to work their claws through the wall of the EPS packaging ensuring injury is prevented (important from animal welfare point of view).
- EPS is extremely lightweight meaning it can be shipped cost-effectively around the world without incurring higher freight costs and emissions than necessary.

The food safety requirements for seafood are strict to minimise and prevent foodborne illness. The most common illness relating to failures in thermal control in seafood is histamine poisoning. This occurs when fish are not handled or chilled appropriately and bacteria convert amino acids into

¹⁸ <u>https://www.expol.co.nz/enviro</u>



biogenic amines¹⁹. When eaten, these cause allergic symptoms such as rashes and skin inflammation. An example of this occurred in November with Hello Fresh Trevally fillets²⁰.

The Ministry for Primary Industries (MPI) states that fish should not be exposed to temperatures more than 4.4°C for more than 4 hours after the initial chilling¹⁶. The *Processing of Seafood Products Operational Guide* also indicates the temperatures in the table below as mandatory requirements²¹. Note the requirement to keep chilled fish products below 4°C and chilled whole fish below 1°C.

| Product type | Chilling / Freezing temperature |
|---|---------------------------------|
| Shucked paua intended for canning in New Zealand | 6°C |
| Chilled whole fish | -1°C to 1°C |
| Chilled fish product | -1°C to 4°C |
| Frozen fish or fish product (including shellfish) | -18°C |
| Brine frozen fish | -9°C |

HC Spec Table 7: Maximum Critical Preservation (Loadout) Temperatures

Another applicable requirement under the Commercial Slaughter Code of Welfare is that live crabs, rock lobsters (crayfish) and freshwater crayfish (kōura) must be insensible at the time they are killed²². This is typically done through chilling the animals to 4°C or less.

7.2. Pharmaceuticals, Veterinary, Science & Medical Sectors

EPS is used extensively for the shipment of pharmaceuticals, biologics, scientific samples, and vaccines. EPS meets the following critical criteria:

- Thermal control to ensure efficacy of medications and vaccines is maintained throughout shipment. Vaccine potency, for example, is reduced every time a vaccine is exposed to an improper condition²³.
- Thermal, vibration and impact control to maintain integrity of biologics.
- EPS is mouldable into the specific shapes required to fully protect and hold breakable items such as glass vials.
- Contact with dry ice does not impact the performance of the EPS (ultra-cold supply chains).
- Under the Ministry of Health's National Standards for Vaccine Storage and Transportation for Immunisation Providers²⁴ EPS is one of only two options for temporary storage of

²¹ Ministry for Primary Industries, Operational Code – Processing of Seafood Products, Section 23.2, page 135, <u>https://www.mpi.govt.nz/dmsdocument/19853-Processing-of-Seafood-Products-Operational-Code</u>

¹⁹ Ministry for Primary Industries, Food Control Plan Template, Specialist Retail – Fishmonger Safe, <u>https://www.mpi.govt.nz/dmsdocument/11797/direct</u>

²⁰ <u>https://www.nzherald.co.nz/nz/hello-fresh-food-poisoning-20-more-people-report-symptoms-after-eating-spoiled-fish/MJUJVDPF6FWXI5ZBUV7EZN2B7A/?ref=readmore</u>

²² Commercial Slaughter Code of Welfare 2018, Section 6.2. Issued under the Animal Welfare Act 1999. <u>https://www.mpi.govt.nz/dmsdocument/1409/direct</u>

²³ U.S. Department of Health and Human Services Centers for Disease Control and Prevention, *Vaccine Storage* and Handling Toolkit, Pg 49, <u>https://www.cdc.gov/vaccines/hcp/admin/storage/toolkit/storage-handling-toolkit.pdf</u>

²⁴ Ministry of Health, National Standards for Vaccine Storage and Transportation for Immunisation Providers, 2nd Edition 2019, <u>https://www.health.govt.nz/system/files/documents/publications/national-standards-for-</u>vaccine-storage-and-transportation-for-immunisation-providers-sep19.pdf



vaccines during refrigerator maintenance or for transport to another provider. This is consistent with the *Vaccine Storage and Handling Toolkit*²⁵ put out by the CDC in the USA (updated Nov 2020 for Covid-19)

Given the global pandemic, it is worth noting that much of the Covid-19 vaccine will be shipped around the world in packaging systems utilising EPS. Pfizer has already indicated their decision to use EPS as part of their system to ensure adequate protection of the very thermally sensitive vaccine²⁶.

While exemptions would allow critical pharmaceuticals to still be shipped, this does not eliminate the fact that EPS would be coming into the NZ system. A blanket ban would leave NZ with no method of dealing with this substantial amount of packaging material. Following a product stewardship route, and building up the recycling capability of the industry, is a far better approach.

7.3. Electronic Products & Machinery

New Zealand imports more than \$15.8 billion in machinery and other electrical goods²⁷. It is likely that a significant part of this imported product utilises EPS as protective packaging. EPS is not a popular material with consumers, but whiteware and electronics companies continue to use it for very good reason. The alternatives have failed to adequately protect the product during transit. Many of these large companies are also working with their local EPS Associations to ensure the packaging material can be collected and reused or recycled.

Electronic goods of all types are required to pass stringent transportation testing before they are able to be sold (e.g. ISTA 3A²⁸, ASTM D5276-98²⁹. This is to prove that they are able to withstand the rigours of the distribution system. Fully packaged products must pass a series of tests (below), followed by inspection and functional testing to ensure they are safe for use by the customer. EPS is very difficult to beat in this application due to its high impact properties and mouldability. Many heavier weight products such as whiteware, air-conditioning units and other electronics goods cannot pass this testing without EPS protective packaging.

A typical test process involves:

- Preconditioning of packaged product followed by exposure to variable temperature and humidity. This provides thermal stress on packaging and product materials and creates condensation on the packaging which can impact the physical performance during transit.
- Drop Testing: Each item is dropped 10-17 times from a height (related to weight). The image below identifies the carton features for the testing. The item is dropped onto each face (1 6), the bottom corner of the manufacturers joint (2-3-5) and then the three edges leading away from this corner. In some cases, this testing is carried out to simulate real-world situations. For example, a refrigerator being shipped in a truck across the USA in winter might be chilled to -20°C prior to the drop test and dropped from a height equivalent to the truck bed³⁰.

²⁵ U.S. Department of Health and Human Services Centers for Disease Control and Prevention, Vaccine Storage and Handling Toolkit <u>https://www.cdc.gov/vaccines/hcp/admin/storage/toolkit/storage-handling-toolkit.pdf</u>
²⁶ Information provided by USA contacts at EPS-IA

²⁷ NZ Trade Dashboard: <u>https://statisticsnz.shinyapps.io/trade_dashboard/</u>

²⁸ ISTA-2A Overview, <u>https://ista.org/docs/3Aoverview.pdf</u>

²⁹ ASTM D5276-98, <u>https://www.astm.org/DATABASE.CART/HISTORICAL/D5276-98.htm</u>

³⁰ Based off transport testing experience gained while an engineer for a NZ whiteware manufacturer





- Vibration testing is carried out which provides randomised variation similar to that experienced during transport. This is often done on multiple faces of the carton (e.g. 1, 3 and 2 above) unless the product has a specified shipping orientation.
- Compression testing is carried out which applies a weight (based on the amount of product that can be loaded onto pallets in a container) for a set length of time.
- Following the transport testing products are typically inspected visually for damage and breakages, and then tested for electrical safety and general functional performance.

8. Costs & Benefits of a Mandatory Phaseout of EPS

Q9: What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Q13: Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why? Please provide evidence to support your answer.

Q14: How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Costs have not been correctly identified and will be much greater than discussed in the consultation.

Costs would be high for manufacturers of EPS packaging, importers and exporters of seafood, pharmaceuticals, and heavier electronic equipment used across most sectors of the economy (e.g. medical, laboratory, manufacturing, consumer retail, telecommunications, construction and infrastructure). There are also potential significant impacts on the community through reduced food safety, increased product damage, or reduced product availability. Additional waste management and recycling costs would also be incurred as the alleged alternatives typically use multiple materials across multiple waste streams.

A mandatory phase-out cannot be achieved without undue costs to the businesses within multiple critical supply chains.

The costs to industry have been significantly underestimated for EPS packaging used for cold-chain and protection. This applies to all parts of the system from the EPS manufacturers, to their direct customers in NZ, to manufacturers of product imported into NZ.

Page 45 claims that New Zealand's active plastics manufacturing sector will be affected by a phaseout of some hard-to-recycle plastics. However, the targeted plastics may be one of a number of products they manufacture. This policy will not affect other products like EPS insulation and construction items, and PVC piping.



New Zealand has several EPS manufacturers specialising in cold-chain and protective packaging. A blanket ban on EPS would result in the closure of these businesses, and the loss of multiple jobs and contribution to the NZ economy. A company under threat from this proposal is one of the NZ plastics companies furthest ahead in the journey to a low-emissions circular economy. Hope Moulded Polystyrene³¹ is a signatory to the NZ Plastics Packaging Declaration, operates under a zero-waste policy, are running on up to 85% solar energy, are certified members of Operation Clean Sweep³² and work with the Nelson Community to recover and recycle post-consumer polystyrene. Government action that irreparably damaged the operations of such a forward-thinking company would send a very poor message to the rest of New Zealand's plastics manufacturers, and indeed the entire manufacturing sector. The loss of jobs also goes against the Governments commitment to support regional economic development as it would have a significant negative impact on the Richmond community.

The claim that the policy will not affect other products like EPS insulation and PVC piping is simplistic and somewhat naïve. Any policy banning an entire category of material from one application is going to raise questions for the public as to why those materials are still being used elsewhere. Labelling PVC, EPS and polystyrene as 'bad' in the packaging space will absolutely lead to reputational damage for products made from these materials and used in other sectors. There will be a variety of costs incurred from this including direct loss of sales for the companies involved, and potential job losses. There is also a potentially significant impact on New Zealand's plans to create greener buildings. EPS is an essential material providing insultation for low cost and resource use in comparison to alternatives. It is also used extensively used in flooring systems to reduce the amount of steel and concrete used (lower carbon footprint).

For those in the Seafood sector there are multiple impacts which could be extremely costly in the scenario where a blanket ban is carried out. The impacts relate both to the local supply chains and exports of seafood. New Zealand has very few dry-pack lines. The majority of alternatives proposed for EPS packaging are cardboard based. The known issues arising from banning EPS are:

- Damp/wet cartons lose their structural integrity. Those at the bottom of a pallet load of product collapse and result in significant loss.
- Damp/wet cartons have reduced thermal performance. Given these alternatives are already not matching EPS in performance, this further reduces their capability.
- Poor thermal performance of packaging threatens the organisations ability to meet MPI requirements for food safety. It also threatens their ability to successfully export product.
- Poor thermal performance increases the risk of foodborne illness and reputational damage.
- It is not a simple proposition to change from a wet-pack line to a dry-pack line. Generally, this is only done in a green-fields situation where the company is setting up a completely new operation. Many years of planning and capex raising are required before this can be done. Those companies I have spoken to have indicated either no plans to move to dry-pack lines, or that any plans are long term (5-10 years) and they are not in a position to change prior to that. Particularly with the ongoing challenges Covid-19 is presenting, and long consenting processes (new builds generally required).

Importers and exporters of electronics goods and machinery utilising EPS for protection will face the following challenges (retailers and brands included for exports):

• Continued costs of investigating alternatives to EPS (note this is already occurring, unsuccessfully in a large number of cases).

³¹ <u>https://www.hmp.co.nz/sustainability</u>

³² https://www.plastics.org.nz/environment/marine-litter/operation-clean-sweep



- Increased product damage is likely resulting in higher costs to repair or replace products. Reputational damage will also be incurred.
- For those who chose to still ship product to NZ: Increases in packaging costs and packed product size. The alternatives to EPS are more expensive. As they are also less impact resistant more material is required to match EPS. This increase then pushes the box size up. Increased box size means fewer products are able to be shipped in the same space. Not only does this increase the freight cost per unit but it also increases the carbon footprint of the product as more trips are required to ship the same amount of product.
- As the margins are often extremely tight on consumer products the issues discussed above, particularly in relation to less efficient supply chains, will mean that some companies chose not to ship their products to NZ. Ours is a very tiny market in the global system. It is very likely that NZ would be presented with the option of 'take the packaging or lose access to the product' by some companies. They are not going to spend large amounts of capex and R&D to change packaging formats and production lines to suit a very small portion of their market.

The potential costs/risks to the community from a blanket ban of EPS that removes it from coldchain and protective packaging:

- Increased food-borne illness due to failures to maintain safe temperatures during shipping (e.g. Hello Fresh food poisoning³³).
- Increased product damage of larger, and more expensive, consumer electronics such as whiteware. Inconvenience of needing to return to store and get replacement.
- Reduced options for purchasing of larger consumer electronics. Some brands would be unable to replace EPS cost-effectively and would chose-not to ship product to NZ.

9. A Discussion on the Alternatives to EPS

Q10: Do you believe there are practical alternatives to replace hard-to-recycle packaging (EPS)? If not, why?

No – while many alternatives have very clever marketing 'spin' and claim equivalence with EPS, realworld testing has shown that the alternatives are not viable. The alternatives also generally cost significantly more in terms of unit price, labour, and freight (weight).

The information below has been gathered from our Members and their customers. For commercial reasons this is aggregated and not linked to a specific company unless it was provided directly to Plastics NZ. For company specific details and evidence please reference submissions from the EPS packaging manufacturers, seafood producers, pharmaceutical companies and those dealing with electronic goods such as Fisher & Paykel Appliances and the Japanese Electrical Manufacturers Association.

9.1. Cardboard with Wool Insulation

Table 5 of the Consultation suggests a cardboard carton with wool insulation as a replacement for EPS in cold chain supply lines. There are a number of issues with this which mean this packaging is not viable for all cold-chain supply lines. These are discussed below. We note that this is currently the best alternative on the market in terms of thermal performance, so we cover this option in

³³ <u>https://www.nzherald.co.nz/nz/hello-fresh-food-poisoning-20-more-people-report-symptoms-after-eating-spoiled-fish/MJUJVDPF6FWXI5ZBUV7EZN2B7A/</u>



detail. Less information is provided on other cold-chain alternatives as they do not match the performance of this wool-based option.

- The packaging is based around a cardboard carton.
 - Cardboard absorbs moisture from exposure to wet areas of factory, ice-melt from within, saltwater release from live animals, and condensation on exposure to humid environments (experienced during transit).
 - Cardboard loses its structural integrity when damp. As the majority of shipments involve stacking of packed product onto pallets, multiple layers high, this results in collapse of cartons on the bottom layer and loss of product. One seafood producer³⁴ noted that a cardboard option could withstand the loading with *careful* stacking. However as soon as the product was restacked by freight workers at airports and distribution centres (up to 5 times in transit to Shanghai) problems occurred. The risk of box deformation, and therefore product damage and loss, was too high for them to risk. Added to this is potential liquid spillage in aircraft which is extremely undesirable.
 - The product that NZ is shipping in EPS tends to be high quality, premium produce, vaccines and pharmaceuticals, biologics, and scientific samples. These all have considerable value and packaging failure would cause significant loss. In some cases, such as with vaccines, pharmaceuticals, biologics and scientific samples, the community would also be impacted.
 - Seafood product shipped to Japan goes through a process where a hole is punched in the bottom of the packaging to let any liquid or ice melt out. The product is then re-iced. Cardboard is not accepted for this process as the liquid would destabilise the cardboard and the structural integrity would be lost, rendering it useless as a carrier.
- The insulative properties of the wool insulation do not match EPS
 - While the wool insulation is a good option for some products, particularly where the product is always in a chilled environment, it does not work for all applications. Realworld testing shows rapid temperature rise of product when exposed to higher ambient temperatures. It also does not work very well when used in non-chilled delivery channels.
 - Many seafood companies in NZ, particularly those in the regions, use overnight courier to get their product to customers as quickly as possible to maintain quality and freshness. For overnight couriers non-chilled service is the only option available. Any chilled freight services, particularly between the lower South Island and the North Island, offer at best a two-day delivery service. Costs of this are also prohibitive. EPS is the only packaging option offering the level of insulation required to maintain product temperatures within safe limits through the non-chilled distribution.
 - Products moving through airports and multiple distribution centres, particularly for exports, tend to have periods where they are exposed to higher ambient temperatures. Most airports domestically and internationally do not have chillers. It is critical for product safety across all cold chain supply lines (seafood, pharmaceuticals and other products) that the product temperature is maintained during these transition points. One exporter of premium seafood described

³⁴ Contact details for Seafood Producer provided on request.



personally witnessing their products sitting on the tarmac in the hot sun for 3-4 hours. Without EPS the product would have been well above temperature.

- A biotechnology company, who is conscious of the environmental impacts of the materials they chose, has trialled multiple packaging options. They have very strict validation requirements to ensure their biologics, vaccines and pharmaceutical products reach customers safely and unspoilt. They have found that EPS provides superior thermal and physical protection to alternatives as well as being reliable and cost-effective.
- The graph below shows testing results for bivalve molluscan shellfish in a cardboard carton with wool insulation. The trialling company was not satisfied with the rapid temperature increase of the seafood to more than their 4°C limit during the testing. Overall, the product spent more than 7 hours above the limit in the first 30 hours of testing. This is the maximum temperature for their products during shipping for food safety reasons.
 - The first test of the insultation occurs when the ambient temperature is increased to 30°C for a short period. The product temperature increased rapidly to 5°C over 2 hours. It then took over 5 hours for the product to drop back to 2°C.
 - The second test occurred with a lift of ambient temperature to between 19°C and 26°C over a 4 hour period. The product temperature exceeded the 4°C limit within 2 hours and reached higher than 6°C within 4 hours.
- Recyclability and cost:
 - The wool insulated cardboard packaging utilises multiple packaging materials; heavy gauge cardboard carton, wool pad, plastic bag wrapping wool, and often an additional bag separating the product and the wrapped insulation.
 - Additional labour and time is required to assemble and line the packaging.
 - Additional gel pads are required to maintain product temperature (note this does not work for all situations).
 - Costs for the packaging is higher than EPS both in terms of packaging unit price, the additional labour required, and additional freight costs due to higher weight.
 - While clean cardboard is readily recyclable, damp cardboard would likely be rejected

 particularly if contaminated with liquid from seafood product. While theoretically compostable, as is the wool, the infrastructure and collection systems for composting are lacking on a global basis. Soft-plastics, such as the wool wrapping and liner, are also problematic globally. The most likely end-destination for this packaging is landfill or incineration in the majority of markets around the world. As with plastics the focus needs to be on actual recyclability or compostability in practice and at scale³⁵

³⁵ Ellen MacArthur Foundation *New Plastics Economy Global Commitment*

https://www.ellenmacarthurfoundation.org/assets/downloads/Global-Commitment-Document-to-downloadon-website-2.pdf




Note: identifying information has been redacted due to commercial sensitivity. Details may be provided to government officials on request. Packaging format tested – 72cm x 29.5cm x 23cm (49L). 800gsm wool liner. 3x900g frozen gel bricks on top of payload. Sensors on top and side of payload.



9.2. Expanded PLA (EPLA)

One alternative proposed for EPS is Expanded Polylactic Acid (EPLA or Zealafoam). At present this is not commercialised, but trials have been carried out in New Zealand for this packaging. It shows good promise in terms of thermal properties and strength. However, there are some issues with viewing EPLA as an alternative to EPS. In general, it offers minimal advantage and additional challenges:

- EPLA is a drop-in solution for EPS in that it has a very similar structure of small beads joined together to form the shape. At present this is not commercially viable for packaging applications as the cycle times to manufacture are extremely long (impractical). The material is also very expensive.
- EPLA is commercially compostable. If it is leaked from waste management systems or littered it will behave very similar to EPS in that it will fragment into small particles. As the conditions required to biodegrade the material are not present in the natural environment the material will not break down and will pose the same risks to the ecosystem as EPS.
- Commercial composting infrastructure that will handle PLA is minimal within NZ and globally. Plastics composting infrastructure is generally several steps behind plastics recycling. To successfully implement this packaging product stewardship would be required to create a collection system and facilitate actual composting of the recovered materials.
- To the public EPLA looks very similar to EPS. A change of material does not change the root causes of leakage and litter, therefore to the public the problem will not go away.
- PLA has a glass transition temperature of ~60°C³⁶. This is the point where it starts to soften. Non-refrigerated containers are typically used for shipment of electronic goods. In areas of the world where ambient temperatures are higher, particularly if sun is also a factor, these steel containers will frequently reach temperatures above 60°C. This presents a threat to the product if the impact properties of the packaging are lost due to softening.
- Trials by an exporter of live rock lobsters found that the material provided good thermal insulation and strength but that it leaked water making it unsuitable for transport by air. The company considered lining the bins with an additional layer of plastic but given the unknown (and presumed high) cost of the bins they have not pursued this labour-intensive workaround.

9.3. Other Cold-Chain Alternatives

Chilltainer:

- The Chilltainer is a heavy-weight cardboard carton with a metallised polyester layer added to increase thermal properties³⁷. Investigations by Plastics NZ and trails by producers have highlighted the following:
 - The material is not recyclable in NZ despite claims that it is 95-97% recyclable. The polyester layer prevents onshore recycling. There are some markets offshore if the material can be collected in bulk. Recyclers will not take contaminated material however so only post-industrial waste is accepted.

³⁶ Hitachi High-Tech Science Corporation, *Thermal Analysis of Polylactic Acid – Crystallinity and heat resistance*, <u>https://www.hitachi-</u>

hightech.com/file/global/pdf/products/science/appli/ana/thermal/application TA 081e.pdf

³⁷ <u>https://chilltainers.com/nz/</u>



- Thermal properties of the Chilltainer are not much better than a similar weight cardboard carton (trial feedback) and do not meet requirements of cold chain.
- Issues with cardboard discussed in Section 9.1 are applicable.

Cool Pouch:

- The Cool Pouch is made from recycled PET and appears to be a plastic pouch filled with PET fibre. While the company claims this is fully recyclable it is not currently recyclable in NZ.
- There is no data on the thermal performance of this packaging option but recent histamine poisoning issues with Hello Fresh fish, who use Cool Pouch, indicates there may be some issues.

Coolseal:

• Coolseal is a polypropylene (PP, #5) packaging option. There is not a lot of data available on this packaging. It is likely recyclable in NZ as it is polypropylene. However, Fish Industry Services, the NZ supplier, states on their website³⁸ that it can't be used in every application as shown below. EPS is required any time extra insulation is needed.

Can Coolseal boxes replace EPS for every job?

The simple answer is no. At any time when the extra insulation of EPS is needed it should be used. Individual boxes of product being sent by courier is one example of conditions requiring EPS.

9.4. Moulded Cardboard

Table 5 of the Consultation suggests moulded cardboard as a replacement for EPS in protective packaging applications. While this has been successfully used on small-scale products and electronic goods it is not robust enough to withstand the high impact requirements of packaging for heavy electronic goods such as whiteware and refrigerators.

Due to consumer pressures manufacturers of heavy electronic goods, such as Whiteware, large consumer electronics and machinery, have trialled numerous alternatives including moulded cardboard. The alternatives have failed during the transport testing. Because of this both local and international manufacturers of these goods, and their distributors, are very concerned about the proposal to ban all EPS packaging. They do not see viable alternatives available. For more information please see the submission being sent in by Fisher & Paykel Appliances, and those from the representatives of various manufacturers and distributors. We understand submissions will be received from at least the following representative bodies:

- Consumer Electronics Association of New Zealand
- Japan Machinery Center for Trade and Investment (JMCTI)
- Japan Electrical Manufacturers' Association (JEMA)

9.5. Other Alternatives for Protective Packaging

Other foams (PE, PP, Cellulose etc), mushroom packaging,

Other Foams:

• Other foams are available on the market made from PE and PP. The manufacturing method for these produces wire-cut layers that are then adhered together to provide the structure required. While the impact properties of these foams can be acceptable, they are not recyclable in NZ due to the unknown nature of the adhesives used to join the layers. They are also expensive according to the brands who have tested the materials.

³⁸ <u>https://www.fishindserv.co.nz/coolseal-vs-eps.htm</u>



• Cellulose foams exist on the market. To date these do not perform well in impact tests as the fibres do not have the elasticity of plastic. Once compressed or dented they do not withstand secondary impacts well. While these may be compostable the same issues exist as for other compostable packaging – there is no collection or composting infrastructure readily available to allow composting at scale.

Mycelium (Mushroom) Packaging

- A recently developed packaging alternative being discussed in NZ is mycelium (mushroom) packaging which is grown rather than manufactured. Mycelium is a network of fungal threads. They are grown on a substrate (normally a waste biomass such as corn stalks, wood chips etc.) forming a tightly knit structure. A typical growing time is 7 days³⁹.
- While still quite new and unproven in terms of consistent material properties this material generates a lot of excitement in the media. It is made from natural materials and is fully compostable. While it has good potential for certain applications there are a number of concerns:
 - The long growing time makes this packaging unattractive for those manufacturing and shipping large quantities of products. Particularly along-side an unknown, but presumed expensive, price-point.
 - \circ The thermal properties need to improve ~30% to match EPS⁴⁰.
 - The compressive and impact strength of the material is inconsistent and not high enough to meet transit requirements for heavy products.
 - Producers have questions around biosecurity regulations for imports/exports.
 - Mycelium packaging is apparently attractive to rodents.

Honeycomb Board

- Fully recyclable honeycomb paper composite panel is an option being trialled. This works very successfully on smaller electronics.
- Testing on larger electronics has found that once the honeycomb structure has yielded, the structural integrity is lost leading to product damage throughout the rest of the transit period.

9.6. Impacts of Alternatives on Producers

- Increased packaging costs both unit prices and additional labour
- Increased transport costs as alternatives are heavier leading to higher freight charges.
- Increased transport costs due to having to utilise refrigerated shipping or specialised scientific shipping equipment (pharmaceuticals, biologics and samples).
- Increased animal welfare concerns for live animal shipments (e.g. rock lobsters and shellfish)
- Loss of access to Japanese market resulting in significant revenue loss
- Reduced reliability of packaging structural integrity leading to product damage or loss.
- Failure of packaging to maintain required temperatures through complex delivery chains, leading to product loss and/or safety issues.
- Reputational damage from increased product loss.

³⁹ <u>https://www.paradisepackaging.co/</u>

⁴⁰ Girometta, C.; Picco, A.M.; Baiguera, R.M.; Dondi, D.; Babbini, S.; Cartabia, M.; Pellegrini, M.; Savino, E. Physico-Mechanical and Thermodynamic Properties of Mycelium-Based Biocomposites: A Review. *Sustainability* **2019**, *11*, 281.file:///C:/Users/Rachel/Downloads/sustainability-11-00281.pdf



• Requirement to potentially change entire product handling and processing system to drypack line resulting in hundreds of thousands of dollars in capital expenditure (per company) that companies cannot afford.

10. A Discussion on Reuse

Q15: What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Government support for investigation into reuse systems for the local market.

Within the local supply chain there is potential to create systems where reusable packaging can be utilised. EPS packaging is already reusable, and in some cases is already being utilised in this manner (particularly pharmaceutical, catering, logistics). Government support to investigate and trial the implementation of reuse systems within the cold-chain supply lines would be useful to accelerate the adoption of reuse systems.

International shipping (exports and imports) is a completely different proposition. When considering seafood exports for example, New Zealand exports ten times more seafood (by value) than we import. There is only a remote possibility of collecting reusable packaging from the many countries we ship to and pulling it back to New Zealand. The reciprocal supply chain does not exist meaning that cost efficiencies gained from back-filling are not possible.



11. Appendix 1: Assessment of Options

The following notes apply to the assessment for Table 6.1.

Effectiveness:

- Redefined to ask *Will the option advance the elimination or reduction of EPS ending up in landfill or littered?*
- The Packaging Accord was a voluntary agreement. All targets set out in the Accord were met within the target timeframes. This shows that a voluntary agreement can be at least 'somewhat' effective.
- Reduction targets, backed up with strong government leadership and associated education and action, would be at least 'somewhat' effective as it would provide industry with clear information as to the direction of the NZ system.
- A mandatory agreement with set targets (Option 9 as proposed in Section 5.0) would therefore be a 'yes' effective as the combination would be highly effective.
- Labelling would not be effective for EPS cold chain and protective packaging so this is analysed as 'no' effectiveness. Labelling provides information but does not drive behaviour change.
- Formalised product stewardship, which required the retailers and producers to be involved in ensuring takeback and recycling of necessary EPS packaging, would be effective.
- Option 'No Change' would have 'minimal' to 'somewhat' effectiveness for EPS packaging. As discussed in Section 3.1 there was already work underway to increase collection and recycling rates and the industry has actively been investigating product stewardship options. However, to be successful the big-box retailers (primary source of packaging EPS) would need to engage.

Costs:

- Options 1, 2, 5 and 9 (mandatory agreement) are viewed by industry to have similar cost increases for the community, business and public funds. Overall, these are all analysed as 'somewhat' in regard to implementation without undue costs, given that costs will be incurred by both business and the end-user.
- Mandatory phase-out of EPS in the cold-chain supply line and for protective packaging has significant impacts on business (See Section 8.0). This is assessed as 'No' it cannot be implemented without undue costs.
- Recycled content cost is viewed as having 'minimal' costs for this type of EPS packaging as this is already being carried out by manufacturers. Compacting of materials is not difficult and does not require a large amount of capital investment. Introducing recyclate into other products requires more capital and R&D but not an undue amount.
- For 'No change' option there are no undue costs. Businesses can change as their capex and budgets allow. Increases in product costs due to changes can be built in over time, and gradually meaning no undue costs on the consumer or business. While this means an assessment of 'yes' could be made a 'somewhat' is applied due to uncertainty of engagement of retailers.



Alignment with strategic direction

• The relationships across the plastics, packaging, resource recovery and government sectors in New Zealand are very collaborative and have a common goal of achieving circularity for plastics. Any agreement, reduction targets or other scheme would be instigated with this goal in mind. At minimum therefore any agreement, reduction target set, or other scheme would align 'somewhat' with the strategic direction.

Achievable without new legislation or amending legislation?

- The designation of 'somewhat' achievable for voluntary agreement, reduction targets seems strange. These are achievable under current legislation. These are therefore changed to 'yes'. New option 9 (mandatory agreement) set as 'no' as unsure about this.
- The implementation of a mandatory phase-out is dropped to 'somewhat'. A phase-out would require modification to the *National Standards for Vaccine Storage and Transportation for Immunisation Providers 2017 (2nd edition)* as published by the Ministry of Health⁴¹.

⁴¹ <u>https://www.health.govt.nz/system/files/documents/publications/national-standards-for-vaccine-storage-and-transportation-for-immunisation-providers-sep19.pdf</u>



To the:

Ministry for the Environment

On:

Reducing the Impact of Plastics on Our Environment Moving Away from Hard-to-Recycle and Single-Use Items

4 December 2020

Submission by:



Industry Association

Chief Executive Officer: Rachel Barker PO Box 76378, Manukau, Auckland 2241 M: 022 0812 936 E: rachel@plastics.org.nz www.plastics.org.nz

This submission is on behalf of the New Zealand plastics industry and its customers. It is also specifically endorsed by the following companies.

WADDING SOLUTIONS Packaging manufacturer

Director: Abbie Watson 21B Hannigan Dr, Panmure, Auckland www.waddingsolutions.co.nz



Packaging manufacturer General Manager: Scott Laurence 18 De Leeuw Pl, Hamilton www.tekplas.co.nz



Nicholson Packaging

Packaging manufacturer Managing Director: Michael van Boheeman 33 Fitzherbert St, Petone www.pnp.co.nz



Packaging manufacturer Director: Heather Allen 7 McKee St, Pukete, Hamilton www.esplastics.co.nz



Resin Supplier (incl. Packaging) Executive Director: Geoff Van Deursen 137 Great North Rd, Grey Lynn, Auckland www.chemiplas.co.nz



Packaging Manufacturer General Manager: Glenn Wilson 4 Zelanian Dr, East Tamaki, Auckland 36 Coleridge St, Sydenham, Christchurch www.plasticpackaging.co.nz

Plastics New Zealand: Reducing the Impact of Plastics on Our Environment



1 Introduction:

Plastics New Zealand is the trade organisation representing the New Zealand plastics industry. Our Membership comprises over 190 businesses including manufacturers, suppliers, recyclers (reprocessors), brand-owners and consultants to the industry. The industry has a broad range of company sizes from very large corporates to small enterprises.

Our Members are impacted by all aspects of this consultation. As specific Members will experience different impacts from the proposals, particularly in relation to the economic impacts, we have recommended that individual companies also make their own submissions. Some of the companies endorsing this submission may also send in their own to cover off specific points.

Please also see the separate submission from our EPS Sector Group detailing the specific impacts of the proposed blanket ban on EPS packaging.

Plastics NZ would welcome the opportunity to discuss our submission with MfE in more detail and will also engage directly with the relevant Ministers regarding certain elements of these proposals.

2 Our Approach to this Consultation

This scope of this consultation is very broad, covering three entire categories of material application and Single-Use Products (SUP). As the review of the consultation document was carried out, it was apparent that some significant assumptions were made from combining the analysis of material phaseouts and SUP bans together, as though they can be treated the same way. This is not the case as the impacts are different for each class, and sometimes sub-class, of material.

The following feedback on the consultation is therefore divided into categories with each of the materials and SUPs considered separately. This ensures that the information is clear, and the analysis is not confused by combining opposing impacts.

3 Problem Description

Q1: Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

<u>In part only.</u> The consultation presents an oversimplified view of the problem and does not adequately consider all aspects of the issues at hand. A number of substantive errors are also made.

We do not agree with designation of the EPS packaging used in cold chain supply chains & as protective packaging as 'difficult to recycle'.

3.1 Narrow Focus

The discussion of a 'low waste future' without linkage to a low-emissions circular economy shows a narrow focus. Without the low emissions component built firmly into the strategy there is a real risk of unintended environmental harm. This is evidenced by focusing on plastic materials and single-use-plastic items rather than all single-use packaging and assisting people to move away from single-serve convenience.

3.2 EPS is not always 'difficult to recycle'

The consultation presents an oversimplified view of the problem and lumps kerbside collected rigid polystyrene together with takeaway containers and EPS packaging used for product protection and in cold-chain supply lines. Please see the Plastics NZ EPS Sector Group submission for additional details on this matter. In summary however:



- There is no problem finding offshore markets for polystyrene if the material is separated and in sufficient quantity. It is a valuable material with many uses. As an example, Plastics News shows post-consumer polystyrene pellet as having a value of \$2.11NZD/kg, 70% higher than the value of coloured HDPE¹.
- The NZ EPS manufacturers prevented over 150,000 cubic metres of polystyrene going to landfill in 2019 (1,200 tonnes) through their recycling efforts and are actively increasing this in 2020. A large portion of this material went back into NZ-made EPS products rather than offshore.
- There is plenty of scope for Extended Producer Responsibly (EPR) or product stewardship for the packaging materials used in cold-chain supply lines and for protective packaging.

3.3 Plastic as a 'major source of pollution'

We acknowledge that there is an issue with leakage and littering of plastics into our ecosystem. A significant amount of work needs to occur to resolve the issues with infrastructure, littering and our linear economy.

The consultation document implies a strong link between the types of plastics used and the amount of plastic pollution in the environment. This link is tenuous at best.

Moving away from difficult-to-recycle materials in the NZ plastics economy will assist with improving sorting and recycling of NZ plastics. However, phasing out of materials is extremely unlikely to change behaviours and reduce the amount of pollution as this does not address the root causes of the leakage and littering. Work programmes are instead needed to prevent leakage from our waste management systems, to enforce littering bylaws, and to clean-up existing leakage from substandard land-fill sites.

Recommendation #1:

Implement work programmes focused on preventing leakage from our waste management systems, enforce littering bylaws, and to clean up existing materials leaked from substandard landfill sites.

3.4 Plastics and Climate Change

The consultation draws some erroneous conclusions regarding plastics and climate change. The statement *The plastics industry's consumption of oil is projected to increase to 20 per cent of total annual oil production by 2025* is based off a report from the World Economic Forum² which in turn references the IEA, World Energy Outlook 2014³ report. As the worlds understanding of issues around climate change and plastics have increased, there have been significant changes over the last five years. Review of more recent reports indicates that plastics are approximately 44% of petrochemicals market with the rest being nitrogen fertilisers and other chemical products⁴. Chemical feedstocks increase from 12% of total oil demand in 2017 to 16% in 2050⁵. With 44% contribution the plastics industry's consumption of oil is therefore approximately 7% of total oil demand in 2050, not 20%.

petrochemicals, Figure 2.3

¹ <u>https://www.plasticsnews.com/resin/currentPricing/recycled-plastics</u>

² World Economic Forum 2016 *The New Plastics Economy: Rethinking the future of plastics, Geneva* <u>http://www3.weforum.org/docs/WEF The New Plastics Economy.pdf</u>

 ³ IEA (2014), World Energy Outlook 2014, IEA, Paris <u>https://www.iea.org/reports/world-energy-outlook-2014</u>
⁴ IEA (2018), The Future of Petrochemicals, IEA, Paris <u>https://www.iea.org/reports/the-future-of-</u>

⁵ IEA (2018), The Future of Petrochemicals, IEA, Paris, Figure 4.6



The claim that *plastics will be responsible for up to 15 per cent of the total 'carbon budget' by 2050* references Geyer, Jambeck and Law (2017)⁶. This report does not discuss this matter. The author perhaps meant to reference the 2019 *Plastic and Climate⁷* report from CIEL which claims that plastics could reach 10-13% of the carbon budget remaining to ensure temperatures remain at or below a 1.5°C rise. This report obfuscates plastics with petrochemicals calling into question the veracity of the basic data. It also ignores the impact of moving from plastic to alternative materials. Plastic is strong and lightweight. Alternative materials are nearly always thicker and heavier. A report by Franklin Associates in 2018⁸ showed that global warming potential would increase two to three times if plastic packaging was switched out for alternative materials.

Plastics are also a critical enabler of the technologies required to meet New Zealand's Zero Carbon 2050 goals. This includes the technology enabling renewable energy use for wind and solar and electric vehicles of all types.

Recommendation #2:

Stop looking at plastics in isolation and focusing on end-of-life only. All human activity has environmental impact. Start analysing impacts from a cradle-to-cradle perspective for all materials or products within the system.

3.5 Problems with recyclability and design

The consultation document discusses the problems with recyclability and design. There are some errors within this:

- Polypropylene (PP, #5) has a very strong end market in New Zealand and is fully viable for onshore reprocessing.
 - Discussions with our Members have shown that 5 of Plastics NZ's members could each utilise the entire volume of NZ's post-consumer PP packaging in a single product. One of these is actively looking at the option of importing post-consumer PP bales into NZ for reprocessing.
 - Two of NZ's reprocessors are already recycling post-consumer PP onshore and a third will begin over the next few months.
- Both LDPE and PP have reasonably strong markets offshore if they are collected and sorted correctly. The issue here is not with the materials, but with NZ's waste management infrastructure.
- The statement that polystyrene is difficult to recycle due to limited offshore markets is incorrect, as discussed in Section 3.2. The challenge with rigid polystyrene is the separation and the quantity, not the offshore market.
- There is an error in the implication that EPS is carcinogenic. Please see EPS Sector Group submission for further discussion.

⁶ Geyer, Roland & Jambeck, Jenna & Law, Kara. (2017). Production, use, and fate of all plastics ever made. Science Advances. 3. e1700782. 10.1126/sciadv.1700782.

https://www.researchgate.net/publication/318567844 Production use and fate of all plastics ever made ⁷ Plastics & Climate, The hidden costs of a plastic planet, CIEL <u>https://www.ciel.org/wp-</u> content/uploads/2019/05/Plastic-and-Climate-FINAL-2019.pdf

⁸ Life Cycle Impacts of Plastic Packaging Compared to Substitutes in the United States and Canada, Franklin Associates for ACC, 2018, <u>https://plastics.americanchemistry.com/Reports-and-Publications/LCA-of-Plastic-Packaging-Compared-to-Substitutes.pdf</u>



The discussion on single-use plastic items entirely misses the point that the main issues are with the 'single-use' aspect of the packaging, not the plastic itself. The focus should be on all single-use-packaging rather than the material to avoid unintended consequences.

4 Objectives

Q2: Have we identified the correct objectives? If not, why? No – the focus is too narrow.

4.1 Main Objective

While the main objective is laudable in intent, the focus is too narrow. The emphasis should be on reducing the environmental and economic impacts of unnecessary waste within the NZ system.

Restricting the objective to 'reducing the amount in use' biases the analysis. While there is a definite need to consider the higher levels of the waste hierarchy, remove unnecessary packaging, and to redesign both our packaging and our system to ensure circularity, the importance and function of effective packaging should not be forgotten. Such a narrow focus on only the end-of-life portion of environmental footprint, is likely to lead to increases in food waste or product damage. The loss of the contents of the packaging has a far more significant environmental impact than the packaging itself. By focusing narrowly on plastics, the proposals almost guarantee increased emissions.

Recommendation #3:

Change main objective to *Reduce the environmental and economic impacts of unnecessary waste within the NZ system.*

4.2 Secondary Objectives

There is an assumption that changing materials will lower the amount of litter and improve resource management. However, there is nothing in the proposals indicating planned action around litter prevention and behaviour change (e.g. education and enforcement). As plastic pollution is a result of poor waste management systems and/or human behaviour, there will be no reduction from simply changing materials. It will simply morph into a different format.

The 'lower risk of environmental damage' is highly debatable. Cradle-to-cradle analysis shows the alternatives often use more energy and water to manufacture, and have higher global-warming, acidification, and eutrophication potential than the plastic option. When considering all environmental impacts, rather than narrowly focusing on the end of life, plastic is often the optimal option.

5 Options for Consideration & Criteria

Q3: Do you agree that these are the correct options to consider? If not, why? Yes – although an additional option should be added.

The options as presented appear to be the correct ones to consider. However, a ninth option should be added:

Option 9: Mandatory agreement with industry and business

An agreement which producers must engage with, would ensure a level playing field and participation by all. Specific targets could then be developed collectively with industry and government, ensuring ongoing progress towards circular economy goals.



Q4: Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and Polystyrene packaging, oxo-degradable plastics, and some single-use items? If not, why?

In part - as overall objective is too narrow in focus, so are the criteria.

As the focus of the main objective is too narrow, the 'Effectiveness' criterion is also too narrow. This focuses only on elimination, or significant reduction. The focus of this criterion should be the elimination or reduction of waste ending up in landfill or as litter. The narrow focus of this criterion immediately biases the analysis.

The rest of the criteria are reasonable when considered in the context of the scope. However, in the context of what we feel the objectives should be (see Section 4.1), then the criteria are too narrow.

Recommendation #4:

Modify the criteria to match revised objective proposed in Recommendation #3

6 Assessment of the Options

Q5: Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

No - the assessment has not been carried out correctly in our view

There are several issues with the way the assessment has been carried out. The first relates to the criteria used to make the assessment. While the criteria, and the weighting used, are suitable, the decisions have been made without adequate information. The consultation asks questions about the costs and impacts of the proposals. However, significant and inaccurate assumptions on both of these have been made in order to reach the conclusion that mandatory phase-out is the preferred option.

The second problem with the assessment is the way that phase-outs of entire material categories have been combined with bans on specific single-use items. Each material phaseout has different effectiveness and costs. The same is likely for each single-use plastic item. This analysis should therefore have been carried out for each item in the consultation separately, as different results are likely for each.

It is also misleading to have an '? Unknown or no evidence' score for certain options when the largest unknown factor relates to the costs of the various options; a criterion that has had specific costs applied for all options.

The following summary in Table 6.1 provides separated assessment for each material type in scope, excluding oxo-degradables. The full details, including table, for each assessment can be found in Appendix 1. This assessment has been carried out by Plastics NZ and is based on discussions with the industry, and other impacted parties, about the impacts of these proposals.

The oxo-degradable phaseout is not reanalysed. The oxo-degradable materials form a very small piece of the NZ plastics ecosystem therefore it is not cost-effective to focus on any options other than mandatory phase-out. Global movement away from these materials is also strong both in terms of the plastics industry and governments.



PVC packaging has been split into rigid and flexible packaging for separate analysis as they are different in terms of both use applications and end-of-life options. The analysis also assumes full coverage of all PVC packaging, not just that used in for food & beverage. This is necessary to prevent PVC packaging contaminating other recycling streams either via kerbside recycling or via the soft-plastics stewardship scheme. The majority of PVC packaging is outside of the food & beverage space.

Polystyrene has been split into three categories for analysis; rigid polystyrene such as that used for yoghurt six-packs, EPS used for food and beverage sold in supermarkets and in the hospitality sector (e.g. foamed takeaway containers, meat trays), and EPS used for cold-chain supply lines (e.g. seafood and vaccines) and protective packaging (e.g. whiteware and other heavy electronics).

Single-Use Plastic items are analysed together.

The following has been applied to all assessments:

- '? Unknown' score has been changed to 'Minimal' for the Effectiveness and Alignment assessments and 'Neutral' for Cost.
- Effectiveness is redefined to ask *Will the option advance the elimination or reduction of the packaging [material\product] ending up in landfill or littered?* This realigns the analysis to the unbiased objective of eliminating unnecessary waste as outlined in Section 4.1.
- When assessing the options as to whether they are achievable without new legislation or amending legislation it is strange to see an assessment of 'somewhat' achievable for voluntary agreements and reduction targets. These are achievable under current legislation. These are therefore changed to 'yes'. New option 9 (mandatory agreement) set as 'no' as unsure about this.

Recommendation #5:

Ensure analysis of materials (including sub-categories), and any single-use items is carried out on an individual basis, utilising all information gathered on actual costs to industry, thereby ensuring accuracy of assessment.



6.1 Summary of Assessments

Table 6. shows the results of the reassessment carried out by Plastics NZ for each of the material phaseouts and single-use-plastics (oxo-degradables excluded). The full details of these assessments can be found in Appendix 1.

The reassessment of each category separately confirms that mandatory phase-out is the leading option for PVC packaging, EPS food and takeaway packaging, and the single-use-items within scope. However, the reassessment also shows the following:

- For rigid polystyrene packaging product stewardship is shown to be equivalent to mandatory phaseout
- For EPS used in cold-chain supply lines and as protective packaging product stewardship is the best option with mandatory phaseout coming 5th.

Table 6.1 Reassessment Results

| Category | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|----------------------------------|-------------------------------------|-------------------------|------------------------------|-------------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Original Assessment | 6 th | 3 rd = | 7 th | 3 rd = | 2 nd | 1 st | 3 rd = | 8 th | N/A |
| PVC – Rigid | 3 rd = | 3 rd = | 8 th | 5 th | 9 th | 1 st | 7 th | 6 th | 2 nd |
| PVC - Flexible | 3 rd = | 3 rd = | 8 th | 5 th | 9 th | 1 st | 7 th | 6 th | 2 nd |
| PS – Rigid | 4 th = | 4 th = | 9 th | 6 th = | 1 st = | 1 st = | 8 th | 6 th = | 3 rd = |
| EPS – Food | 4 th = | 4 th = | 7 th = | 2 nd | 9 th | 1 st | 6 th | 7 th = | 3 rd |
| EPS – Cold Chain & Protection | 3 rd = | 3 rd = | 9 th | 7 th | 1 st | 5 th = | 5 th = | 8 th | 2 nd |
| Single-Use Items | 4 th = | 4 th = | 9 th | 2 nd | 7 th | 1 st | 6 th | 8 th | 3rd |



Recommendation #6:

For rigid polystyrene packaging covered in phase 2 (e.g. yoghurt pottles) remove from kerbside collection but fully investigate product stewardship as an alternative option alongside mandatory phaseout. This should include economic analysis based on actual impacts to F&B manufacturers rather than assumed impacts.

Recommendation #7:

Pursue formalised product stewardship for EPS packaging used in cold-chain supply lines and as protective packaging for heavy electronics. Mandatory phaseout is not suitable based on separated analysis and the alternatives are not viable replacements. The packaging is already included under the scope of the 'plastic packaging' priority product category.

The consultation document discusses mandatory phaseout as 'addressing the top of the waste hierarchy (refuse and reduce)'. This an overstatement as the proposals do not include specific actions to encourage reuse. There is a huge assumption that businesses will take the opportunity to look at reuse models. However, the hospitality sector has been incredibly hard hit by Covid and will be further hit with pending minimum wage increases, increased sick leave provisions and annual holiday entitlements. These businesses are unlikely to have the funding, or the energy, to investigate and trial reuse options without significant incentivisation.

It is also stated that a mandatory phaseout will 'create a level playing field for manufacturers, suppliers and retailers'. This is true to a point. However, these changes are impacting a competitive market that is broader than plastic packaging. By focusing only on plastics and not single-use packaging creates competitive disadvantages for plastics manufacturers. In this situation Government has a substantial degree of power in the market. Under Section 36(2)(b) of the Commerce Act 1986, a party having this level of power in a market must not take advantage of that power for the purpose of preventing or deterring a person from engaging in competitive conduct in that or any other market. It is our view that the focus on plastics rather than all single-use packaging actively prevents some plastics manufacturers from engaging in competitive conduct.

Claiming that a mandated phase-out will *lead to less litter, and cleaner waterways and oceans* is also an overstatement. This may be true for some of the single-use-plastic items. However, changing the type of material the packaging is made from will not lead to less litter. Litter and leakage from waste-management systems is not the fault of the material but the fault of the system and the people using it. It's time we looked for the root cause of the problems and stop blaming the plastic. We wouldn't blame a tree blown over in a storm so why do we blame the plastic for being disposed of incorrectly.

7 Phase Out Hard-To-Recycle Plastics – PVC & Polystyrene

PVC and Polystyrene are not single material categories.

- PVC is a material that ranges from fully rigid to fully flexible. This wide variance, and the different end-of-life destinations mean that these need to be dealt with separately in discussion.
- Polystrene covers several different categories; rigid polystyrene (e.g. yoghurt 6-packs), EPS food and takeaway containers/cups and the EPS packaging used for cold chain supply lines and as protective packaging. Each of these are quite different and need to be dealt with separately in discussion.



Q6: Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and 2025)? If not, why?

In part only. Different materials need different timeframes. Mandatory phaseout is also not the preferred option in all cases as discussed in Section 6

Q7: Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

In part only. Different coverage is needed than that proposed. See discussion below for each material type.

Q8: Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g. not just food and beverage and EPS packaging).

For PVC and rigid polystyrene – yes.

We do not agree with the inclusion of cold-chain and protective EPS packaging in the phaseout.

Q9: What would the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS by 2025?)

See analysis in Section 6 and Appendix 1 for each material. This has been carried out with coverage across all consumer-facing sectors in mind. The primary benefit of phasing out all PVC and rigid PS packaging for materials able to be reprocessed in NZ is the removal of plastics from landfill as this is where #3 and #6 plastics are heading.

Q10: Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene, and EPS)? If not, why?

<u>Yes for PVC</u> – rigid PVC packaging can be replaced by PET. Flexible PVC packaging can be replaced by multi-laminate, multi-layer material able to be accepted in the soft plastics recycling scheme.

<u>In part for rigid PS</u> – alternatives are theoretically available. However, these all require changes to packaging formats and possibly product formulation (in food space). To implement alternatives will take significant capital expenditure, and a long period of R&D, testing and regulatory compliance activities.

Yes for EPS used as food packaging and in hospitality. Alternatives are readily available.

<u>No for EPS used in cold-chain supply lines and protective packaging</u> (e.g. seafood, vaccines, whiteware). Please see discussion below and in separate submission from EPS Sector Group.

Q13: Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why? Please provide evidence to support your answer.

No – see analysis in Section 6 and Appendix 1. Costs have been significantly underestimated for the phaseout of rigid polystyrene and the EPS used for cold-chain supply lines and protection.

Q14: How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Very likely to have greater costs – see answer to Q13

Q15: What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Access to funding to assist transition away from hard-to-recycling packaging. A national plan to transition NZ to a low-emissions circular economy is also required to ensure integrated and systemic planning across all material types, covering all aspects of the waste hierarchy.



7.1 Rigid PVC

The proposal removes all food and beverage items that contain PVC packaging by January 2023.

NZ manufacturers began moving away from rigid PVC to PET several years ago. The majority of remaining rigid PVC packaging could be converted to PET within the proposed timeframe. The NZ plastics industry is ready for this change.

The main concern with rigid PVC is the small scope of the coverage. The main aim of moving away from rigid PVC is to eliminate it from kerbside collections and from contaminating the PET recycling stream. By focusing on food and beverage packaging, the majority of rigid PVC packaging is left out as this is in the wider consumer-retail space. PVC packaging is very common across all retail packaging including for toys, cosmetics, hardware items, manchester, and other consumer goods.

As a large portion of the non-food & beverage packaging is imported, a focus on F&B only provides a disadvantage to local manufacturers, without addressing the waste issue. Costs would be incurred without achieving the objectives of the phaseout.

One particular type of PVC packaging may need to be exempted in the short term. This is the PVC used for single-dose medication blister-packs. PVC is the most common blister packaging material due to its low cost. Changes in this packaging could result in price increases for end-users with no net environmental benefit. These blister packs are non-recyclable in NZ as they are sealed with a lidding material typically made from a foil or paper laminate. This laminate stays on the paper making it difficult to recycle. A complete packaging format, away from blister packs, would be required to fully remove the PVC. Something that would require significant regulatory compliance activities to achieve as well as requiring customer behaviour change. It also potentially disadvantages a sector of society who needs their medication portioned in a clear and safe manner.

Recommendation #8:

Expand scope for rigid PVC to include all packaging, thereby ensuring intent of phase-out is achieved (i.e. removal of PVC from kerbside). There should be no time difference in the phase-out of the packaging in the F&B space vs general retail as the majority of rigid PVC packaging is outside of F&B.

Recommendation #9:

Consider an exemption for PVC used in single-dose medication blister-packs.

7.2 Flexible PVC

The proposal removes all food and beverage items that contain PVC packaging by January 2023.

This packaging is not accepted at kerbside but may contaminate the soft-plastics recycling scheme. PVC is not accepted within this scheme (including PVDC coatings).

It is important to note that PVC/PVDC has unique properties in providing both a moisture and gas transmission barrier. All other materials used in packaging provide only one of these. This means that any replacement of PVC in flexible applications is likely to require a multi-layer, multi-material film. Alternatives may also result in an increase in the total amount of plastic to achieve the same performance. While likely more acceptable in the soft-plastics scheme, this is not a foregone conclusion. Phasing out of PVC/PVDC for flexible packaging may reduce the amount of packaging ending up in landfill but this is not guaranteed.

Flexible PVC is also used extensively used outside the food and beverage space. For some items, such as cosmetics, the same gas and moisture transmission properties are important. For many others PVC is selected because it is cheap, strong and has excellent transparency to showcase the



product. A very large portion of this packaging is imported into NZ on finished product. Any phaseout would therefore need to cover all flexible PVC packaging to be effective.

While a mandated phase-out would remove this packaging as a potential contaminant and from landfill, it is unclear as to whether the cost-benefit is there for proceeding. The costs of changing the packaging are high for business (see Section 6 and Appendix 1), and the costs of monitoring and enforcing the change across all imported packaging and finished products would likely be high.

Recommendation #10:

Expand focus to all flexible PVC packaging but carry out a cost-benefit analysis to determine if the benefits of proceeding outweigh the costs of not changing.

7.3 Rigid Polystyrene (PS)

Stage 1 (January 2023)

The proposals identify 'some' polystyrene food and beverage packaging to be phased out by January 2023. The rigid PS items included in this time frame are PS cups, sushi packaging, PS trays and casings used for confectionary and other items.

NZ manufacturers are already moving away from the type of packaging covered by stage 1 and there are viable alternatives on the market. Some applications may require longer implementation times than others but overall, the proposed timeframe is acceptable.

It should be noted that a lot of the rigid PS packaging covered by Stage 1 is used in the hospitality sector and is imported into NZ in bulk. It is not unusual for a hospitality business to buy in a palletload of packaging, very cheaply, that is expected to last several years. The plastic bag ban showed this tendency from the hospitality and retail sectors as many were left with pallet loads of bags from offshore suppliers. Plastics NZ fielded many calls on this and understands that a large amount of this material ended up in landfill.

The impacts of Covid-19 may well have exacerbated this issue due to lower sales in hospitality businesses than expected. It is important to gather information on the amount of packaging that needs to be run-out before a date is placed on this. The hospitality sector has been impacted badly by Covid. A poorly timed ban could result in businesses having to scrap owned packaging, paying for landfill costs, while also having to pay more for replacement packaging. The alternatives are often more expensive as polystyrene is relative cheap and can be formed with very thin walls.

Recommendation #11:

Consult with the retail and hospitality sectors to determine the amount of packaging in the system and determine phase-out timeframes based on allowing existing stock to be used up.

Stage 2 (January 2025)

The proposals identify 'all remaining' polystyrene food and beverage packaging to be phased out by January 2025. This includes the rigid PS containers used to package chilled dairy products.

As discussed in Section 6 mandatory phase-out is not the only option that should be considered for rigid PS packaging. The costs of changing are extremely high. Product stewardship may also be a viable option that achieves the objective without creating undue costs for business and the community.

Brands and manufacturers are working on alternatives to this rigid PS packaging already. However, the timeframe may be problematic. While 2025 sounds a long way off, four years is a relatively short



time for the amount of activity that needs to occur. With global supply chains in shambles, the lead times for materials, tooling and equipment from international suppliers will also extend timeframes.

Rigid PS is strong and can be formed into very thin wall sections. It also has great 'snap' properties allowing for the creation of the six-pack yoghurt format. The majority of rigid PS packaging covered by this Stage is manufactured on form-fill-seal lines where the packaging and product manufacture occur in the same operation. This is heavily automated, high-speed equipment. Both the packaging and the product formulation are designed specifically for the process. Changing away from this requires most, if not all, of the following:

- Research into alternative materials and packaging formats
- Product reformulation to suit new packaging and achieve required shelf-life
- Redesign and prototyping of new packaging
- Heat treatment testing; sterilisation, UHT, pasteurization etc.
- Preliminary performance and safety testing
- Process equipment replacement/modification; procuring, ordering, shipping, validation
- New tooling development
- Stock build ready for line changeover
- Line changeover & commissioning
- Final product testing; transport testing, shelf-life
- Stock build for release & logistics back-fill
- Customer engagement on release to ensure no loss of market share with changes
- Iteration if tested packaging formats do not meet all requirements.

To avoid unfairly penalising companies that are making genuine efforts to utilise packaging in a more circular manner, we recommend investigation into product stewardship as well as a mandated phase-out as discussed in Section 6.1 Recommendation #6. If mandated phase-out goes ahead, we strongly recommend allowing flexibility on the January 2025 timeframe.

Recommendation #12:

As per our analysis Mandatory Phaseout is not the only option for rigid PS phase-2 packaging. Product Stewardship should be discussed with producers and manufacturers.

Recommendation #13:

If a mandated phase-out proceeds for all rigid PS by 2025, we strongly recommend flexibility on the implementation date. This could include a noncompliance process to enable companies to provide evidence of the work carried out towards the phaseout, and the reasons why they cannot meet the deadline.

7.4 Expanded Polystyrene (EPS) Food Packaging

The proposals identify 'some' polystyrene food and beverage packaging to be phased out by January 2023. The EPS food and beverage items included in this are EPS meat trays, containers (e.g. clamshell takeaway) and EPS cups. It is also assumed to cover the EPS containers used for some supermarket products such as noodle bowls.

NZ manufacturers have already been moving away from the EPS packaging covered in this scope and alternatives are already on the market. The majority of the remaining EPS in this category could be converted to alternatives within the proposed timeframe. The NZ plastics industry is ready for this change.



As with the discussion for rigid polystyrene in Section 7.1 it must be noted that a large amount of this type of packaging is utilised within the hospitality industry. To avoid undue costs on a sector hit hard by covid-19, and to avoid unused plastic packaging ending up in landfill, Recommendation #11 also applies to this category of EPS packaging.

7.5 Expanded Polystyrene (EPS) Cold Chain & Protective Packaging

The proposals identify all EPS packaging to be phased out by January 2025 including bins made from EPS and packaging for homewares, electronics, and other consumer goods.

Amongst other things EPS bins are used across cold-chain supply lines for seafood, pharmaceuticals (e.g. vaccines) and biological products (e.g. blood, organs, and other biological matter). These types of products have stringent regulatory and safety requirements relating to thermal management and product protection. Maintaining product safety and performance is critical to these products.

EPS is also a material with excellent impact and energy absorption properties making it ideal for protection of heavy electronic items and equipment. Electronic goods of all types are required to pass stringent transportation testing before they are able to be sold. This is to prove they are able to withstand the rigours of the distribution system without presenting safety risks for the end-user (e.g. electrical shock).

Real-world testing of the alleged alternatives to EPS has shown that they do not meet the high-level requirements of cold-chain supply lines and shipment of heavy products. See the separate submission from the Plastics NZ EPS Sector Group for more details on this.

Under the Waste Minimisation Act 2008 Section 23 (2)(b) the Minister for the Environment must not recommend the control or prohibition of the manufacture or sale of products containing specified materials (Section 23 (1)(b)) unless a reasonably practicable alternative to the specified material is available. The alternatives proposed in the consultation document are not viable for these particular types of EPS packaging. The Minister must not therefore recommend a blanket ban for all EPS packaging.

As shown in Section 6 and Appendix 1, product stewardship is an effective option for handling the EPS packaging used in cold-chain supply lines and for protective packaging. The EPS manufacturers are already recycling EPS and are ready to do more. Formalised product stewardship would enable the key stakeholders across the wider system, including those importing protective packaging in the retail and medical sectors, to become part of the solution.

Recommendation #14:

As the proposed alternatives are not viable for cold-chain supply lines and for protective packaging of heavy electronics goods, the Minister for the Environment must not recommend their prohibition under the WMA Section 23 (2)(b). We recommend therefore that product stewardship is utilised for the EPS Packaging used in cold-chain supply lines and as protective packaging. The packaging is already included under the scope of the 'plastic packaging' priority product category.



8 Preventing Harm from Oxo-Degradable Plastics

Q11: Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes – although we would like to see it happen faster than this. The definition needs to be broadened to include all conventional plastics with prodegradants additives included.

Conventional plastics (e.g. PE, PP) in the environment slowly degrade into fragments and eventually become biodegradable, but the entire process may take decades or longer. This can even take hundreds of years if the oxidation process is limited. There are chemical additives available that act as catalysts to accelerate the fragmentation step – called prodegradants additives. However, while degradation time is faster than conventional plastics the oxo-degradables still take many years to break down, often much longer than claimed⁹. During this time, they exist as microplastics in the environment, including the ocean. Oxo-degradable plastics are not a viable solution for addressing plastic waste and is in fact counterproductive. Very few experts support the claim of effective biodegradation of oxo-degradable plastics¹⁰. However, significant evidence has been provided showing that oxo-degradable plastics are not a solution to plastic packaging pollution, and that they are not suited for effective long-term reuse, recycling at scale, or composting¹¹.

- Oxo-degradable plastics undermine mechanical recycling and the move to a circular economy. Recycling systems do not allow plastics containing oxo-degradable additives to be separated from untreated plastics. This means that oxo-degradable plastics have a high potential to contaminate the recycling stream for conventional plastics. As the additives accelerate degradation the durability of the material is impacted, and the performance weakened. For example, wood composite decking utilising recycled soft plastic has particular specifications for durability. The inclusion of prodegradants would weaken the ability of the timber to withstand weather conditions leading to faster breakdown and collapse. Oxo-degradable plastic is also not suited for reuse systems as it begins fragmenting within a few months or years. It is by its very design not created for long-term reusable applications.
- Oxo-degradable plastics don't fit within defined recovery systems. ISO 15270:2008 guidelines for the recovery and recycling of plastics wastes provides a principled, hierarchical approach to managing plastic products at end of life. Oxo-degradable technologies do not fit within the ISO guidelines because there are currently no recovery options. Instead, greenhouse gases are generated during the decomposition process, and fragments persist. Further, performance standards for products made from oxodegradables have not been established to verify consistent breakdown processes or the residual outcomes of that breakdown.
- **Oxo-degradable plastics encourage more littering.** Consumers may be encouraged to litter more if they believe products will degrade in the environment. There is some evidence that the belief that items are biodegradable or degradable could actually encourage people to litter or litter more¹².

¹⁰ New Plastics Economy Oxo-degradable Plastic Packaging is Not a Solution to Plastics Pollution, Reference 6

⁹ Ellen MacArthur Foundation, New Plastics Economy, Oxo-degradable Plastic Packaging is Not a Solution to Plastics Pollution, Reference 10, <u>https://ecostandard.org/wp-content/uploads/oxo-statement.pdf</u>

¹¹ New Plastics Economy Oxo-degradable Plastic Packaging is Not a Solution to Plastics Pollution, Reference 7 ¹² GESAMP (2015). Sources, fate and effects of microplastics in the marine environment: a global assessment, Kershaw, P.J., ed). Section 5.5. This is also well documented with cigarette litter, since many smokers mistakenly believe cigarettes biodegrade quickly.



- There is ongoing confusion and uncertainty with respect to 'degradable' terminology. Significant confusion still exists with consumers, industry, and governments with respect to the terms "degradable," "biodegradable, "oxo-degradable," and the like. The terms are often used interchangeably, without an understanding of the degradation mechanism, enddestination environments the products have been designed to end up in, and standards applicable to verify performance and degradation claims of the materials in real-world environments. Oxo-degradable plastics are often marketed as ox/oxo-biodegradable or biodegradable leading to further confusion.
- Oxo-degradable plastics are being removed from markets globally. The use of oxodegradable plastics is not supported by key governments, influential Non-Governmental Organisations, and the majority of plastics associations around the world.

While the 'oxo-degradable' definition covers the majority of existing degradable plastics this is not a fully comprehensive term. It covers photo-degradable, oxygen-degradable, and heat-degradable plastics. It may be best to designate the phase-out to be 'conventional plastics, from fossil or plant-based feedstocks, with prodegradants additives included to accelerate fragmentation'. This means that new products in a similar vein are automatically covered. For example, earlier this year biodegradable nitrile gloves were advertised extensively in New Zealand¹³. These gloves are designed to 'biodegrade' in an anaerobic landfill environment.

As the overall amount of conventional plastics containing prodegradants additives is limited within the NZ market, and with rapid creation of microplastics for these materials, we recommend a shorter timeframe for phase-out. The small group of companies importing these products should be able to provide adequate information as to the level of their stocks, providing accurate development of a phase-out deadline.

A note of caution: While prodegradants additives in conventional plastics are problematic for the reasons discussed above, they are also used in genuinely compostable products (i.e. certified). We strongly recommend discussing the specific wording of the phase-out with the polymer experts at Scion and New Zealand's universities to ensure the development of compostable materials is not hindered.

Recommendation #15:

Discuss specific terminology of phaseout of conventional plastics with prodegradants additives with polymer experts at Scion and New Zealand's universities to ensure broad coverage without disadvantaging the development of compostable materials.

Recommendation #16:

Shorten phase-out timeframe if it is possible to do so without financially disadvantaging those companies importing oxo-degradable products.

¹³ <u>https://www.insinc.co.nz/biodegradable-gloves.html</u>



9 Single-Use Plastic Items

Q16: What do you think about the proposed mandatory phase-out of some single-use plastics items (see table 7)? Please specify any items you would leave out or add and explain why.
We partly support the phaseout of some single-use plastics. See discussion below for further details.
Q17: Do the proposed definitions in table 7 make sense? If not, what would you change? See answer to Q16.

Q18: What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. A) 12 months? B) 18 months? C) 2 years? D) 3 years? E) Other? If you think some items may need different timeframes, please specify.

Timeframes depend on the type of SUP and the current NZ stocks of these items. Food outlets often buy packaging from overseas in large quantities covering several years. Two years may be required to use up some of this packaging so as to avoid unused packaging ending up in landfill. See discussions on each SUP for further detail.

Q22: Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Not entirely. For food outlets (takeaways, cafes, restaurants, caterers) the packaging costs will increase, and on almost every item of packaging they utilise. If not through these proposals, through the plastic packaging and CRS product stewardship. Costs will be passed to the public where possible but it's also likely that the current economic environment for the hospitality sector will result in loss of margin to avoid customer loss.

The argument that there is benefit to brands 'doing the right thing' is incorrect given that everyone is forced to change with a mandated phaseout. No differential PR is possible in this situation.

9.1 Plastic Straws

We do not oppose the removal of single-use-plastic straws as they are frequently found during NZ waterway clean-ups, including those carried out by Plastics NZ. We also support the proposed inclusion of compostable and degradable plastic straws in this ban. PLA is the most commonly provided option for compostable straws and does not degrade if littered, as it requires higher temperatures than those that occur in the natural environment.

However, there are two considerations to be worked through.

The majority of straws in the market are imported however, NZ has a single straw manufacturer¹⁴. This phaseout would have a significant economic impact on this manufacturer. While they produce a variety of products, straws form a large part of their portfolio. By banning plastic straws government is effectively using its substantial degree of power in the NZ market and deterring this company from engaging in competitive conduct – a proposition that is against Section 36(2)(b) of the Commerce Act 1986.

The main concern with this phase-out is the impact on those with disabilities who cannot drink without a straw. The alternatives are not always suitable. Paper and other biodegradable options can fall apart too quickly. They're also easy for people with limited jaw control to bite through, posing a subsequent choking risk. Reusable straws are often not flexible – an important feature for

¹⁴ <u>https://www.profileint.co.nz/about-us</u>



people with mobility challenges. Reusable straws also need to be washed, which not all people with disabilities can do easily. Metal straws, which conduct heat and cold in addition to being hard and inflexible, can pose a safety risk. Straws are also utilised as a tool to help regulate behaviour for sufferers of ADHD and other behavioural or sensory issues.

Recommendation #17:

Determine how catastrophic a plastic straw ban would be on NZ's only straw manufacturer and support them to diversify and stay competitive.

Recommendation #18:

Pay close attention to any submissions from those advocating for the rights of disabled people. Actively pursue consultation with disability rights advocates and organisations to ensure the needs of our disabled whanau are adequately considered and addressed. Timeframes for a ban should be based on the results of this consultation.

9.2 Plastic Cotton Buds

We agree with the removal of plastic shafted cotton buds from the market. These are frequently found during waterway clean-ups and alternatives are readily available with paper or bamboo shafts. Many retail operations are already moving away from plastic cotton buds. We have not seen options on the market utilising degradable or compostable plastics for cotton buds, but we support the inclusion of these plastics in this ban.

To our knowledge no NZ based manufacturers are impacted by this ban.

Timeframes should be based on the amount of stock held by NZ retailers to ensure that they are not negatively impacted by being left with unsaleable stock.

Another adjacent product that is often found during waterway clean-ups, and confused with the cotton bud shafts, are plastic lollipop sticks. There are alternatives available for these also. It would make sense to also remove these from the system.

Recommendation #19:

Include plastic lollipop sticks in coverage as alternatives are readily available.

9.3 Plastic Drink Stirrers

We do not oppose the removal of plastic drink stirrers from the market. Alternatives for these are readily available and many hospitality operations have already moved away from them. There are PLA biodegradable drink stirrers on the market. We support the inclusion of degradable and compostable plastics in this ban as these do not degrade if littered.

Several NZ manufacturers make these drink stirrers. However, they are a small part of their overall operations therefore the economic impact on their businesses will be small.

Timeframes should be based on the amount of stock held by NZ hospitality businesses and manufacturers to ensure that they are not negatively impacted by being left with unsaleable stock (See Recommendation #11).

9.4 Single-Use Plastic Tableware and Cutlery

In principle we support the move away from single-use plastic tableware and cutlery. However, there are some logistics challenges with this proposal. As with the plastic bag ban a decision will need to be made as to where the line is between disposable and reusable. This is not a straight-



forward decision as different materials (e.g. PP, PS, melamine) all have different properties. The thickness where an item becomes durable and therefore reusable will differ depending on the material the item is made from.

There are a number of NZ manufacturers who will be impacted by a ban on single-use plastic tableware and cutlery. However, most, if not all, of these manufacturers are also making non-plastic alternatives and/or reusable tableware and cutlery. While the economic impacts are likely to be moderate, these can be mitigated through a longer phase-out timeframe that allows the business time to adapt and change. We recommend a 3-year timeframe for this SUP ban.

See also Recommendation #11.

Recommendation #20:

Work with manufacturers to define the line between disposable and reusable for each plastic material type utilised for cutlery and tableware.

9.5 Single-Use Plastic Produce Bags

We do not oppose the move away from single use produce bags used for loose fruit and vegetables in stores and markets. The public are already used to using reusable bags in this space meaning a viable replacement option is readily available.

We do not support the removal of produce bags for pre-packaged produce.

We also support the coverage of degradable and compostable materials in this ban although we would be open to discussions on allowing the use of certified home compostable bags (certified to international standards such as OK Compost Home, AS 5810).

While discussions with MfE have indicated that the packaging on pre-packaged produce (e.g. salad leaves) is out of scope this is an important point missed in the consultation document. A large portion of the packaging used for pre-packaged produce is there to ensure shelf-life of the produce is optimised and to prevent food waste.

We also do not support the replacement of single-use-plastic produce bags with single-use paper bags. This is damaging to the environment due to the increased climate and water impacts. We propose a ban on all single use produce bags not just plastic ones, similar to what has been signed into law in New Jersey, USA¹⁵.

See also Recommendation #11.

Recommendation #21:

Clarify the scope to exclude pre-packaged produce and widen ban to include all single-use produce bags not just plastic ones (i.e. include paper) to avoid unintended environmental harm.

9.6 Single-Use Plastic Cups & Lids

While we support a transition to more recyclable options, we suspect this will be difficult to monitor and enforce. The plastics ID code is not mandatory. PET, PS and PLA cups all look identical. How is the user (business or public) expected to tell the difference? Use of prohibited materials will only be

¹⁵ <u>https://www.nbcnewyork.com/news/local/murphy-signs-single-use-plastic-and-paper-bags-ban-in-new-jersey-into-law/2704192/</u>



picked up once the materials reach the reprocessor and are found to be contaminating the waste stream. At that point it will be extremely difficult, if not impossible to trace the culprit.

We also find the exclusion of disposable coffee cups and their lids somewhat ridiculous. Their inclusion would create the perfect environment for reuse to thrive. Reusable coffee cups now have wide-spread acceptance and multiple schemes such as CupCycle and AgainAgain are already in action.

Part of the reason we find the exclusion odd is the fact that there is cross-over between the cups used for hot and cold beverages. See the example below. Saying that you can use this packaging format for coffee but not for cold drinks is confusing to the public and does not help move NZ to a circular economy.



Our recommendation is to change the scope to include coffee cups but modify the coverage to allow the use of paper cups with certified compostable lining for both hot and cold beverages. This should be done alongside action to create a stewardship scheme for coffee cups which includes composting at end of life. Plastic-lined coffee cups are already included under the scope of the 'plastic packaging' priority product category. This action would remove the confusion while also removing a nonrecyclable waste stream from NZ.

See also Recommendation #11.

Recommendation #22:

Include coffee cups in the phase-out. Allow the use of paper cups with certified compostable lining for both hot and cold beverages. Create a product stewardship scheme for these specific cups.

9.7 Non-Compostable Produce Labels

In theory we agree with this transition. However, the produce labels should be certified home compostable to ensure that they are successfully biodegrading no matter where they are disposed. The adhesives and inks also need to be carefully considered as these can also cause issues to soil health if the wrong types are used¹⁶.

There is significant R&D and progress being made already in this area by the leaders in the field; Jenkins Freshpac Systems and Sinclair International. Discussions indicate that mandatory phase-out of non-compostable produce labels will not accelerate the transition. The industry is already on

¹⁶ Elmas, Gülnur & Çınar, Gamze. (2018). Toxic Metals in Paper and Paperboard Food Packagings. BioResources. 13. 7560-7580. 10.15376/biores.13.4.7560-7580.

https://www.researchgate.net/publication/328495494 Toxic Metals in Paper and Paperboard Food Packa gings



target to achieve certified home compostable produce labels by 2025. A mandatory phase-out would distract from progress as it would result in additional meetings with government officials, retail stakeholders, concerned customers and others across the system.

We also note the use of the word 'sticker'. This denigrates the purpose and function of these highly technical and specialised labels. The items are produce labels not 'stickers'.

Recommendation #23:

Reconsider a mandatory phase-out for plastic produce labels as this will not accelerate progress towards the industries 2025 goal of certified home compostable produce labels.

9.8 Other Problematic Single-Use Items

Q19: What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

See Section 9.6 for discussion and proposal for single-use coffee cups.

See discussion below for wet wipes.

A large portion of the wet wipes on the market contain plastic. This was clearly shown in the BBC's War on Plastics¹⁷ documentary series and shocked many in both the public and in business. While NZ does not have the love-affair with wipes that the USA or the UK has, there is still a reasonably high consumption. These end up in our waterways in quantity and, along with other waste products, clog sewers on a regular basis¹⁸. They also frequently cause pipe blockages within homes creating problems for homeowners and landlords.

Globally there is significant movement towards stricter labelling on wet wipes and other related legislation. This includes:

- Requirement of 'Do not flush' on non-flushable wipes¹⁹.
- Inclusion of written warnings about potential clogs on flushable wipes
- Prohibiting manufacturers from labelling or advertising non-woven disposable products as flushable without prior approval²⁰. Approved wipes must be plastic free.

Our recommendations for wet wipes in the NZ context:

- Mandate that labels on wet wipes containing plastic (including biodegradable or compostable plastics) have a clear and obvious 'do not flush' message.
- Mandate that labels on wet wipes containing plastic (including biodegradable or compostable plastics) have a clear 'contains plastic' notification.

While we support the idea of a product stewardship approach or a voluntary agreement, the logistics of this could be challenging. The majority of wipes are imported into NZ and are manufactured by large multi-national corporations. NZ is a very small market for these corporations. Action is likely to be driven from larger markets such as the UK and EU. While there is international movement on solutions for wet wipes it is slow. It is difficult to see how stewardship or an

¹⁷ <u>https://www.facebook.com/watch/?v=2398115330420515</u>

 ¹⁸ <u>https://www.stuff.co.nz/national/102463890/wiping-out-a-nasty-problem-big-stink-over-flushed-wet-wipes</u>
¹⁹ California AB-1672 Solid waste: premoistened nonwoven disposable wipes

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1672

²⁰ New York State Senate Bill S5307A <u>https://www.nysenate.gov/legislation/bills/2015/s5307/amendment/a</u>



agreement in NZ would create real change. It is more likely to be a 'talk-fest' with minimal real action.

Recommendation #24:

Mandate labelling on wet wipes containing plastic (including biodegradable or compostable plastics) to include 'do not flush' and 'contains plastic' or similar, to make it clear to the public.

Q21: What do you consider an appropriate timeframe for working toward a future phase-out of plastic lined disposable coffee cups and wet wipes containing plastic?

See Section 9.6 for discussion and proposal for single-use coffee cups.

Given the issues that wet-wipes create for the NZ sewerage system and waterways changes should be implemented as soon as possible. Timeframes need to be determined in conjunction with retailers and any local manufacturers.



10 Appendix 1: Assessment of Options

10.1 Assessment Notes – Rigid PVC

The following notes apply to the assessment for Table 13.1. Note that this assessment assumed coverage of all rigid PVC packaging not just that used for Food & Beverage. Removing F&B packaging does not remove PVC from kerbside as the majority of this packaging is in the non-F&B space (e.g. toys, cosmetics, hardware, and other consumer goods).

Effectiveness:

- 1. The Packaging Accord was a voluntary agreement. All targets set out in the Accord were met within the target timeframes. We have also seen successful industry driven voluntary agreements around the phase-out of HBCD flame-retardants in construction EPS. A voluntary agreement can be at least 'somewhat' effective.
- 2. Reduction targets, backed up with strong government leadership and associated education and action, would be at least 'somewhat' effective as it would provide industry with clear information as to the direction of the NZ system.
- 3. A mandatory agreement with set targets (Option 9 as proposed in Section 5.0) would therefore be a 'yes' as the combination would be highly effective.
- 4. Labelling would be effective for some consumers but not the majority, so this is analysed as 'minimal' effectiveness. Labelling provides information but does not drive behaviour change. As this material would be diverted to landfill, labelling does not fulfil the objective of eliminating or reducing the amount of packaging to landfill.
- 5. Due to the wide range of properties in rigid PVC packaging materials, product stewardship would be difficult, if not impossible, to implement cost-effectively. This is assessed as 'No' for this reason.
- 6. Option 'No Change' would have 'minimal' to 'somewhat' effectiveness for removal of the rigid PVC packaging. There is already visible change in the market where brands are moving away from PVC to PET. This is assessed as 'minimal' due to the difficulty of changing imported products without regulation, and potential free-riders.

Costs:

- 7. Options 1, 2, 6 and 9 (mandatory agreement) are viewed by industry to have similar cost increases for the community, business, and public funds. Overall, these are all analysed as 'somewhat' in regard to implementation without undue costs, given that costs will be incurred by both business and the end-user. For rigid PVC packaging there is generally a readily available alternative. The alternatives do result in some cost to business in regard to higher packaging unit costs, tooling and equipment changes to implement new packaging material and format. All new packaging, particularly in the food & beverage and pharmaceutical space, requires a significant amount of testing to ensure all regulatory and performance requirements are being met. This is therefore assessed as 'somewhat' for cost.
- 8. Product stewardship costs for rigid PVC would be prohibitive as discussed under the Effectiveness discussion above. For this reason, it is assessed as 'No' for cost.
- 9. Recycled content is assessed as 'No' for rigid PVC. PVC is not a specific grade of plastic and can range in properties from fully rigid through to fully flexible. Even within the rigid PVC range there is significant variance in properties. It would be completely infeasible from an economic perspective to collect and sort this PVC into materials that could then be utilised as recycled content. We have also been unable to identify and global research into cycling rPVC back into food packaging.



10. For 'No change' option there are no undue costs. Businesses could change as their capex and budgets allowed. Increases in product costs due to changes can be built in over time, and gradually, meaning no undue costs on the consumer or business. While this means an assessment of 'yes' could be made, a 'somewhat' is applied due to uncertainty of engagement of brands.

Alignment with Strategic Direction:

- 11. The relationships across the plastics, packaging, resource recovery and government sectors in New Zealand are very collaborative and have a common goal of achieving circularity for plastics. Any agreement, reduction targets or other scheme would be instigated with this goal in mind. At minimum therefore any agreement, reduction target set, or other scheme would align 'somewhat' with the strategic direction.
- 12. Labelling is viewed a 'minimal' for this assessment. While it provides information, it does not create actual behaviour change and would therefore not have a significant impact on the removal of the packaging from recycling streams or landfill.
- 13. 'No change' is assessed as minimal. Visible, if slow, change is already occurring in transitioning away from rigid PVC to PET. This cannot therefore be assessed as 'No'.



Table 13.1 Modified Analysis – PVC Rigid Packaging Only

| Assessment criterion | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|------------------------------------|-------------------------------------|-------------------------|------------------------------|-----------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Effectiveness | Somewhat | Somewhat | Minimal | Somewhat | No | Yes | Somewhat | Minimal | Yes |
| (triple weighting) | (1 x 3 = 3) | (1 x 3 = 3) | (0) | (1 x 3 = 3) | (-1 x 3 = -3) | (2 x 3 = 6) | (1 x 3 = 3) | (0) | (2 x 3 = 6) |
| Cost | Somewhat | Somewhat | No | Somewhat | No | Somewhat | No | Somewhat | Somewhat |
| (double weighting) | (1 x 2 = 2) | (1 x 2 = 2) | (-1 x 2 = -2) | (1 x 2 = 2) | (-1 x 2 = -2) | (1 x 2 = 2) | (-1 x 2 = -2) | (1 x 2 = 2) | (1 x 2 = 2) |
| Alignment with strategic direction | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Yes | Minimal | Yes |
| | (1) | (1) | (0) | (1) | (1) | (2) | (2) | (0) | (2) |
| Achievable under | Yes | Yes | Yes | No | Yes | Yes | No | Yes | No |
| current legislation | (2) | (2) | (2) | (-1) | (2) | (2) | (-1) | (2) | (-1) |
| Weighted total score | 8 | 8 | 0 | 5 | -2 | 12 | 2 | 4 | 9 |
| Ranking | 3 rd = | 3 rd = | 8 th | 5 th | 9 th | 1 st | 7 th | 6 th | 2 nd |

Scoring: Yes = 2, Somewhat = 1, Minimal = 0, No = -1

10.2 Assessment Notes – Flexible PVC

The following notes apply to the assessment for Table 13.2. Note that this assessment assumed coverage of all flexible PVC packaging not just that used for Food & Beverage. Flexible PVC packaging does not enter kerbside collection, except as contamination but impacts soft-plastics recycling. As this scheme will expand under the already declared mandatory product stewardship, flexible PVC is an important consideration. Most of this packaging comes from outside the F&B products. It is extensively used across all consumer retail.

Effectiveness:

- 1. Notes 1, 2, 3, 4 and 6 from Section 13.1 Effectiveness analysis also applicable for flexible PVC.
- 2. Flexible PVC packaging materials have a huge range of properties in terms of flexibility, tear resistance and transmission. Product stewardship would be difficult, if not impossible, to implement cost-effectively. This is assessed as 'No' for this reason.

Costs:

- 3. Notes 8, 9 and 10 from Section 13.1 Cost analysis are also applicable for flexible PVC.
- 4. Flexible PVC is used across a very wide range of applications. It is used for food products to prevent oxygen and moisture transmission, thereby prolonging shelf-life and ensuring safety. As PVC is quite rare in its ability to prevent both moisture and gas transmission it is difficult to replace with single-layer packaging. The most likely replacement will therefore be a multi-layer, multi-material flexible packaging format. To achieve this a significant amount of testing is required to ensure regulatory and performance requirements are met. Packaging unit prices would be higher, and costs would be incurred with the tooling and equipment changes required to implement the new packaging.

Flexible PVC packaging in the non-food space is used extensively. For some items, such as cosmetics, the same gas and moisture transmission properties are important. For many others PVC is selected because it is cheap, strong and has excellent transparency to showcase the product. A very large portion of this packaging is imported into New Zealand on finished product. While the costs of changing for each individual item could be relatively neutral (due to being passed on to end-user) it is likely that the costs of implementing this change across the NZ system, and controlling imported packaging in particular, shift this to 'somewhat'.

Options 1, 2, 6 and 9 (mandatory agreement) are therefore assessed as 'neutral' in regard to implementation without undue costs.

Alignment with Strategic Direction:

- 5. Notes 11 and 12 from Section 13.1 Alignment analysis are also applicable to flexible PVC.
- 6. 'No change' is assessed as 'No'. To date very little change has been noted in the flexible PVC packaging space, particularly in the non-F&B space. It is unlikely that significant change would be achieved without a regulatory lever.



| Assessment criterion | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|--------------------------------------|-------------------------------------|-------------------------|------------------------------|-----------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Effectiveness | Somewhat | Somewhat | Minimal | Somewhat | No | Yes | Somewhat | Minimal | Yes |
| (triple weighting) | (1 x 3 = 3) | (1 x 3 = 3) | (0) | (1 x 3 = 3) | (-1 x 3 = -3) | (2 x 3 = 6) | (1 x 3 = 3) | (0) | (2 x 3 = 6) |
| Cost | Somewhat | Somewhat | No | Somewhat | No | Neutral | No | Somewhat | Somewhat |
| (double weighting) | (1 x 2 = 2) | (1 x 2 = 2) | (-1 x 2 = -2) | (1 x 2 = 2) | (-1 x 2 = -2) | (0) | (-1 x 2 = -2) | (1 x 2 = 2) | (1 x 2 = 2) |
| Alignment with | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Yes | No | Yes |
| strategic direction | (1) | (1) | (0) | (1) | (1) | (2) | (2) | (-1) | (2) |
| Achievable under current legislation | Yes | Yes | Yes | No | Yes | Yes | No | Yes | No |
| | (2) | (2) | (2) | (-1) | (2) | (2) | (-1) | (2) | (-1) |
| Weighted total score | 8 | 8 | 0 | 5 | -2 | 10 | 2 | 3 | 9 |
| Ranking | 3 rd = | 3 rd = | 8 th | 5 th | 9 th | 1 st | 7 th | 6 th | 2 nd |

Table 13.2 Modified Analysis – PVC Flexible Packaging Only

Scoring: Yes = 2, Somewhat = 1, Minimal = 0, No = -1

10.3 Assessment Notes – Rigid Polystyrene (PS)

The following notes apply to the assessment for Table 13.3. This is for rigid polystyrene such as yoghurt 6-packs.

Effectiveness:

- 1. Notes 1, 2, 3 and 4 from Section 13.1 Effectiveness analysis are also applicable for rigid PS.
- 2. Rigid PS packaging is very thin walled. As such the tonnage collected at kerbside is minimal, making it uneconomical to sort for reprocessing. However, rigid PS is used for some very specific packaging applications such as yoghurt six-packs and other chilled goods. While kerbside is not the right solution, it is probable that product stewardship involving community collection (eg. schools' program) would be effective. Product stewardship is therefore assessed as 'Somewhat' effective for rigid PS.
- 3. Option 'No Change' is assessed as 'minimal' effectiveness for removal of rigid PS packaging. While there is global movement in this space the high costs involved in changing packaging formats for chilled food means we're unlikely to see wholesale change without regulation.

Costs:

- 4. The cost of changing from rigid PS in food packaging is high. Most products using it are manufactured on highly automated, high-speed form-fill-seal lines that are very costly to change or replace. It is also not just a case of changing materials. The entire packaging format requires changing. In some cases, the product formulation will also need modification to sterilise or preserve the food product. The costs of these changes are extremely high; potentially in the millions for each brand-owner. Timeframes are also very challenging as it typically takes years to develop and test new packaging formats. Mandated timeframes alongside the phase-out could give rise to cost overruns if alternatives tested are not feasible and testing needs to be repeated. The costs of mandated phase-out are assessed as 'No' it cannot be implemented without undue costs to business and community.
- 5. Options 1, 2, and 9 (mandatory agreement) are viewed by industry to have similar cost increases for the community, business, and public funds. Overall, these are all analysed as 'neutral' in regard to implementation without undue costs, given that high costs will still be incurred by both business and the end-user. The higher flexibility on timeframes means that changes can be implemented as businesses capex budgets allow however moving this from a 'no' to 'neutral'.
- 6. Product stewardship would involve costs for business but would potentially also involve positive publicity through school-collection programmes or similar. This is therefore assessed as 'somewhat' for rigid PS.
- Recycled content is assessed as 'No' for rigid PS. We have been unable to identify any global research into cycling PS back into food packaging. The costs would therefore be extremely high.
- 8. For 'No change' option there are no undue costs. Businesses could change as their capex and budgets allowed. Increases in product costs due to changes can be built in over time, and gradually, meaning no undue costs on the consumer or business. While this means an assessment of 'yes' could be made, a 'somewhat' is applied due to uncertainty of engagement of brands.

Alignment with Strategic Direction:

- 9. Notes 11 and 12 from Section 13.1 Alignment analysis are also applicable to rigid PS.
- 10. 'No change' is assessed as 'Somewhat' for the reasons discussed above.



| Assessment criterion | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|--------------------------------------|-------------------------------------|-------------------------|------------------------------|-------------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Effectiveness | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Somewhat | Minimal | Yes |
| (triple weighting) | (1 x 3 = 3) | (1 x 3 = 3) | (0) | (1 x 3 = 3) | (1 x 3 = 3) | (2 x 3 = 6) | (1 x 3 = 3) | (0) | (2 x 3 = 6) |
| Cost | Neutral | Neutral | No | Somewhat | Somewhat | No | No | Somewhat | Neutral |
| (double weighting) | (0) | (0) | (-1 x 2 = -2) | (1 x 2 = 2) | (1 x 2 = 2) | (-1 x 2 = -2) | (-1 x 2 = -2) | (1 x 2 = 2) | (0) |
| Alignment with | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Yes | Somewhat | Yes |
| strategic direction | (1) | (1) | (0) | (1) | (1) | (2) | (2) | (1) | (2) |
| Achievable under current legislation | Yes | Yes | Yes | No | Yes | Yes | No | Yes | No |
| | (2) | (2) | (2) | (-1) | (2) | (2) | (-1) | (2) | (-1) |
| Weighted total score | 6 | 6 | 0 | 5 | 8 | 8 | 2 | 5 | 7 |
| Ranking | 4 th = | 4 th = | 9 th | 6 th = | 1 st = | 1 st = | 8 th | 6 th = | 3 rd = |

Table 13.3 Modified Analysis – Polystyrene Rigid Packaging Only

Scoring: Yes = 2, Somewhat = 1, Minimal/Neutral = 0, No = -1
10.4 Assessment Notes – Expanded Polystyrene (Food)

The following notes apply to the assessment for Table 13.4. They do not apply to the EPS poly-bins used in cold-chain supply lines or the protective packaging used on heavy electronic goods.

Effectiveness:

- 1. While voluntary agreements have been shown to be effective for packaging manufacturers, we are unaware of any voluntary agreements in the retail or hospitality space. As most of the EPS packaging in the supermarket is on imported products (e.g. noodle bowls), and the rest is primarily in use in takeaway operations, we view a voluntary agreement as being minimally effective for the removal of EPS packaging. The same applies to Reduction targets that are not mandated.
- 2. Product stewardship would be difficult for this type of packaging. With a large portion being used for food products that permanently contaminate the material (oils, colours, odours), it is also unlikely to be recyclable. As such product stewardship would not be effective for removal of this material from landfill. This is assessed as a 'No'.
- 3. Option 'No Change' is assessed as 'No' effectiveness for removal of this type of EPS packaging, particularly in a post-covid environment where economic pressures are high for the hospitality sector. All alternatives have a higher unit price.
- 4. A mandatory agreement with targets is assessed as 'somewhat'. While it would create movement in the right direction it would be very difficult to capture all businesses within the hospitality sector.

Costs:

- 5. There are alternatives available for all EPS packaging of this type. However, the unit cost is higher for most if not all alternatives. While not prohibitive this could have a perceived negative impact on the hospitality sector in the post-covid environment. If timeframes are handled correctly however, the businesses will be able to use up all 'old' EPS packaging and phase-in the new packaging. Costs would be relatively low and passed on to the end-buyer. This is therefore assessed as 'neutral' across options 1, 2, 6 and 9.
- 6. As discussed in point 2 above, product stewardship would be costly and ineffective for this type of packaging. This is therefore assessed as a 'No'.
- 7. Recycled content is assessed as 'No' for this EPS packaging for the contamination reasons discussed in point 2 above.
- 8. For 'No change' option there are no undue costs. Businesses could change as their budgets allowed. Increases in product costs due to changes can be built in over time, and gradually meaning no undue costs on the consumer or business. While this means an assessment of 'yes' could be made, a 'somewhat' is applied due to uncertainty of engagement of the hospitality sector.

Alignment with Strategic Direction:

- 9. Notes 11 and 12 from Section 13.1 Alignment analysis are also applicable to EPS packaging of this type.
- 10. 'No change' is assessed as 'No'. It is unlikely that packaging in the hospitality sector would shift away from EPS in a reasonable timeframe without regulatory levers being applied.



| Table 13.4 | Modified | Analysis – EF | S (Food) | Packaging C | Dnly |
|------------|----------|---------------|----------|-------------|------|
|------------|----------|---------------|----------|-------------|------|

| Assessment criterion | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|------------------------------------|-------------------------------------|-------------------------|------------------------------|-----------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Effectiveness | Minimal | Minimal | Minimal | Somewhat | No | Yes | Somewhat | No | Somewhat |
| (triple weighting) | (0) | (0) | (0) | (1 x 3 = 3) | (-1 x 3 = -3) | (2 x 3 = 6) | (1 x 3 = 3) | (-1 x 3 = -3) | (1 x 3 = 3) |
| Cost | Neutral | Neutral | No | Somewhat | No | Neutral | No | Somewhat | Neutral |
| (double weighting) | (0) | (0) | (-1 x 2 = -2) | (1 x 2 = 2) | (-1 x 2 = -2) | (0) | (-1 x 2 = -2) | (1 x 2 = 2) | (0) |
| Alignment with strategic direction | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Yes | No | Yes |
| | (1) | (1) | (0) | (1) | (1) | (2) | (2) | (-1) | (2) |
| Achievable under | Yes | Yes | Yes | No | Yes | Yes | No | Yes | No |
| current legislation | (2) | (2) | (2) | (-1) | (2) | (2) | (-1) | (2) | (-1) |
| Weighted total score | 3 | 3 | 0 | 5 | -2 | 10 | 2 | 0 | 4 |
| Ranking | 4 th = | 4 th = | 7 th = | 2 nd | 9 th | 1 st | 6 th | 7 th = | 3 rd |

Scoring: Yes = 2, Somewhat = 1, Minimal/Neutral = 0, No = -1

10.5 Assessment Notes – Expanded Polystyrene (Cold Chain & Protection)

The following notes apply to the assessment for Table 13.5. They only apply to the EPS poly-bins used in cold-chain supply lines or the protective packaging used on heavy electronic goods.

Effectiveness:

- 1. Notes 1, 2 and 3 from Section 13.1 effectiveness analysis also applicable for this type of EPS packaging.
- 2. Labelling would not be effective for EPS cold chain and protective packaging so this is analysed as 'no' effectiveness. Labelling does not drive behaviour change.
- 3. Formalised product stewardship, which required the retailers and producers to be involved in ensuring takeback and recycling of necessary EPS packaging, would be effective as shown by the recycling already underway in this space. This is therefore assessed as 'Yes'.
- 4. Option 'No Change' would have 'minimal' to 'somewhat' effectiveness for EPS packaging of this type. See the EPS Sector Group for full details but there are already concerted efforts within the NZ EPS industry to investigate voluntary stewardship on top of the recycling they already do. This would require the big-box retailers to be engaged, therefore it is assessed as 'minimal'.

Costs:

- 5. Options 1, 2, 5 and 9 (mandatory agreement) are viewed by industry to have similar cost increases for the community, business, and public funds. Overall, these are all analysed as 'somewhat' in regard to implementation without undue costs, given that costs will be incurred by both business and the end-user.
- 6. Mandatory phase-out of EPS in the cold-chain supply line and for protective packaging has significant impacts on business (see EPS Sector Group Submission). This is assessed as 'No' it cannot be implemented without undue costs.
- 7. Recycled content costs are viewed as having 'minimal' costs for this type of EPS packaging as this is already being carried out by NZ manufacturers.
- 8. For 'no change' option there are no undue costs. Businesses can change as their capex and budgets allow. Increases in product costs due to changes can be built in over time, and gradually, meaning no undue costs on the consumer or business. While this means an assessment of 'yes' could be made, a 'somewhat' is applied due to uncertainty of engagement of retailers.

Alignment with Strategic Direction:

- 9. Notes 11 and 12 from Section 13.1 Alignment analysis are also applicable to this type of EPS packaging.
- 10. 'No change' is assessed as 'minimal' alignment due to the uncertainty around the engagement of big-box retailers with no regulatory levers in place.

Alignment with Strategic Direction:

11. The implementation of a mandatory phase-out is dropped to 'somewhat'. A phase-out would require modification to the National Standards for Vaccine Storage and Transportation for Immunisation Providers 2017 (2nd Edition) as published by the Ministry of Health²¹.

²¹ <u>https://www.health.govt.nz/system/files/documents/publications/national-standards-for-vaccine-storage-and-transportation-for-immunisation-providers-sep19.pdf</u>



| Assessment criterion | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|--------------------------------------|-------------------------------------|-------------------------|------------------------------|-----------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Effectiveness | Somewhat | Somewhat | No | Somewhat | Yes | Yes | Somewhat | Minimal | Yes |
| (triple weighting) | (1 x 3 = 3) | (1 x 3 = 3) | (-1 x 3 = -3) | (1 x 3 = 3) | (2 x 3 = 6) | (2 x 3 = 6) | (1 x 3 = 3) | 0 | (2 x 3 = 6) |
| Cost | Somewhat | Somewhat | No | Somewhat | Somewhat | No | Minimal | Somewhat | Somewhat |
| (double weighting) | (1 x 2 = 2) | (1 x 2 = 2) | (-1 x 2 = -2) | (1 x 2 = 2) | (1 x 2 = 2) | (-1 x 2 = -2) | 0 | (1 x 2 = 2) | (1 x 2 = 2) |
| Alignment with | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Yes | Minimal | Yes |
| strategic direction | 1 | 1 | 0 | 1 | 1 | 2 | 2 | 0 | 2 |
| Achievable under current legislation | Yes | Yes | Yes | No | Yes | Somewhat | No | Yes | No |
| | 2 | 2 | 2 | -1 | 2 | 1 | -1 | 2 | -1 |
| Weighted total score | 8 | 8 | -3 | 5 | 11 | 7 | 7 | 4 | 9 |
| Ranking | 3 rd = | 3 rd = | 9 th | 7 th | 1 st | 5 th = | 5 th = | 8 th | 2 nd |

Table 13.5 Modified Analysis – EPS Cold-Chain & Protective Packaging Only

Scoring: Yes = 2, Somewhat = 1, Minimal/Neutral = 0, No = -1

10.6 Assessment Notes – Single Use Plastic Products

The following notes apply to the assessment for Table 13.5. While the consultation covers seven different products the single-use-nature of their application allows for combination.

Effectiveness:

- 1. While voluntary agreements have been shown to be effective for packaging manufacturers, we are unaware of any of these in the retail or hospitality space. As most single use products in scope are sold through these sectors, we view voluntary agreement as being minimally effective for removal of this packaging. This also applies to non-mandated Reduction targets.
- 2. Product stewardship would be difficult and expensive for these types of products and is assessed as having 'minimal' effectiveness. Some consumers would diligently participate in schemes to ensure circularity, however the majority would be unlikely to bother if they couldn't utilise their kerbside recycling collection.
- Labelling would not be effective for these products, indeed for some they are impossible to label. Labelling would provide information advising businesses and consumers of what to do with the packaging but does not drive behaviour change. This is analysed as 'no' effectiveness.
- 4. Option 'No Change' is assessed as 'No' effectiveness for removal of this type of packaging, particularly in a post-covid environment where economic pressures are high for the hospitality sector. All alternatives have a higher unit price.
- 5. A mandatory agreement with targets is assessed as 'somewhat'. While it would create movement in the right direction it would be very difficult to capture all businesses within the hospitality sector.

Costs:

- 6. There are alternatives available for all of the single-use items in scope. However, the unit cost is higher for most, if not all alternatives. While not prohibitive, this could have a negative impact on the hospitality sector in the post-covid environment. If timeframes are handled correctly however, the businesses will be able to use up all 'old' EPS packaging and phase-in the new packaging. Costs would be relatively low and passed on to the end-buyer. This is therefore assessed as 'neutral' across options 1, 2, 6 and 9.
- 7. As discussed in point 2 above, product stewardship would be costly and ineffective for these products. This is therefore assessed as a 'No'.
- Recycled content is assessed as 'No' for these products as the majority of the materials used cannot currently be cycled back into food-contact materials. This is unlikely to change in New Zealand in the next decade and costs would be significantly higher for any alternatives utilising globally sourced recyclate (i.e. chemically recycled materials).
- 9. For 'No change' option there are no undue costs. Businesses could change as their budgets allowed. Increases in product costs due to changes can be built in over time, and gradually meaning no undue costs on the consumer or business. While this means an assessment of 'yes' could be made, a 'somewhat' is applied due to uncertainty of engagement of the hospitality sector.

Alignment with Strategic Direction:

- 10. Notes 11 and 12 from Section 13.1 Alignment analysis are also applicable to single-useproducts of this type.
- 11. 'No change' is assessed as 'No'. It is unlikely that there would be movement away from these single-use products in a reasonable timeframe without regulatory levers being applied.



| Assessment criterion | 1. Voluntary agreement / pact | 2. Reduction targets | 3. Labelling requirements | 4. Levy / tax | 5. Product stewardship | 6. Mandatory phase-out | 7. Mandatory recycled content | 8. No change (ad hoc voluntary action) | 9. Mandatory agreement with targets |
|------------------------------------|-------------------------------------|-------------------------|------------------------------|-----------------|---------------------------|---------------------------|-------------------------------------|---|---|
| Effectiveness | Minimal | Minimal | No | Somewhat | Minimal | Yes | Somewhat | No | Somewhat |
| (triple weighting) | (0) | (0) | (-1 x 3 = -3) | (1 x 3 = 3) | (0) | (2 x 3 = 6) | (1 x 3 = 3) | (-1 x 3 = -3) | (1 x 3 = 3) |
| Cost | Neutral | Neutral | No | Somewhat | No | Neutral | No | Somewhat | Neutral |
| (double weighting) | (0) | (0) | (-1 x 2 = -2) | (1 x 2 = 2) | (-1 x 2 = -2) | (0) | (-1 x 2 = -2) | (1 x 2 = 2) | (0) |
| Alignment with strategic direction | Somewhat | Somewhat | Minimal | Somewhat | Somewhat | Yes | Yes | No | Yes |
| | (1) | (1) | (0) | (1) | (1) | (2) | (2) | (-1) | (2) |
| Achievable under | Yes | Yes | Yes | No | Yes | Yes | No | Yes | No |
| current legislation | (2) | (2) | (2) | (-1) | (2) | (2) | (-1) | (2) | (-1) |
| Weighted total score | 3 | 3 | -3 | 5 | 1 | 10 | 2 | 0 | 4 |
| Ranking | 4 th = | 4 th = | 9 th | 2 nd | 7 th | 1 st | 6 th | 8 th | 3 rd |

Table 13.6 Modified Analysis – Single Use Plastic Products Only

Scoring: Yes = 2, Somewhat = 1, Minimal/Neutral = 0, No =

Laura Barnett

| From: | Richard Moore <richard.polypalace@gmail.com></richard.polypalace@gmail.com> |
|----------|---|
| Sent: | Friday, 11 December 2020 2:28 AM |
| To: | Plastics Consultation |
| Subject: | Fwd: Reducing the impact of plastic consultation |

MFE CYBER SECURITY WARNING

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Hi.

Just checking that someone in MFE received this email.

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Warm Regards Richie Moore Poly Palace 021851777

----- Forwarded message ------From: **Richard Moore** <<u>richard.polypalace@gmail.com</u>> Date: Wed., 2 Dec. 2020, 21:04 Subject: Reducing the impact of plastic consultation To: <<u>Plastics.Consultation@mfe.govt.nz</u>>

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

EPS is not hard to recycle if (recycling defined as the act of re-manufacturing pre-used material into a product for the circular economy.) EPS has a molding temperature slightly in excess of 100 degrees Celsius (versus higher extrusion temperatures for other plastic molding) Hydraulic pressures in recycling are less for EPS than the extrusion of other plastic types. EPS recycling is substantially lower in energy consumption than other plastic manufacturing technologies. (eg Future Post) That in part explains why EPS is both low-cost and prolific.

Aggregation and compaction for export in itself is not recycling. It is an emissions-intensive engagement with a recycling plastics commodity industry best described by US industry leaders as "one of the most polluting and corrupt industry sectors on the planet". It is highly questionable that a circular economy can be achieved where part of the arc is based on corrupt and polluting offshore practices.

If the Ministry was more focused on 'local solutions for local problems' by removing the requirement for compaction for export and the associated difficulties when applied to EPS, Poly Palace has demonstrated not only that recycling for the local built environment is viable, but in fact it is one of the star performers of recycling, delivering a Zero Waste diversion from landfill, reducing landfill volumes (which in the Wellington region does not appear to be in the interests of Class 1 landfill owning councils who compete for the available waste stream) and at the same time achieving 80% of the value of newly manufactured virgin product from imported petroleum resource, and saving construction costs of alternatives to 100% recycled EPS light rigid fill, (a greater than 50% reduction in cost of a solid fill concrete or more labour intensive

boxing solutions) A whole of government approach to addressing societal problems in construction of housing would be more lenient on the application of 100% recycled polystyrene from appliance packaging where it's durability is valued in permanent application in the built environment vs a valueless and polluting waste when discarded in the natural environment because of the same durability and low value that makes it suitable for cost saving applications in the built environment. The failure therefore is not in the plastic type, it is in the lack of responsibility for appropriatley managing a potentially economic contributing resource, and this failure is across government, local government and the retail sector in the current operation of the take-make-waste economy.

2. Have we identified the correct objectives? If not, why?

Lower risk to the environment? What about the more significant risk to the environment of the widespread use of EPS in construction particularly raft foundations which now comprise more than 90% of domestic and light commercial construction of concrete slabs. The polystyrene forms for this construction have grown in volume to be the major outputs by volume of the NZ EPS industry for companies that have shape moulding pod making technology.

Reduce impact on resource recovery? The public recycling shambles of the last 20 years can be best described as a system with an overly elaborate and expensive frontend focus and beyond that the aggregation and sale by export into a global plastics recycling commodity industry which is one of the most polluting and corrupt industry sectors on the planet, to be recycled in countries that do not share our social economic or environmental standards. I am extremely disappointed that MFE still sees the primary opportunity for the output of our first world consumption as shipping valueless site around a polluted planet in all likely hood to a country that does not share our social, environmental or economic standards.

Failures in this export system have directly lead to increasing landfill volumes and pollution of the environment both in New Zealand and in destination markets.

I agree EPS is not suitable for aggregation for export simply because no plastic foam including polypropylene and polyethylene beaded base foams (which are the likely replacements for EPS by the appliance packaging industry in the event EPS is banned) can be recycled in the typical equipment used in 'resource recovery' specifically a baler.

The primary objective of public recycling must change to 'local solutions for local problems' as the first solution. If this objective was paramount, without an export focus, EPS because of lower emissions and energy manufacture and plant cost, is technically more easily recycled than any other plastic (eg compare Poly Palace plant and energy consumption and durability of end product v Futurepost) Poly Palace products are highly competitive 100% recycled products that compete admirably with Virgin manufactured EPS product manufactured from imported petroleum resource. Poly Palace products in an over priced construction industry contribute to economic social and environmental benefit of New Zealand.

3. Do you agree that these are the correct options to consider? If not, why?

I agree with banning EPS single use packaging for food beverage and loose fill applications as adopted in other countries.

I disagree with world-first of banning EPS appliance packaging in New Zealand for the following reasons:

1) No mention is made as to the extent that consumer choice of products will be affected as offshore manufacturers assess viability of packaging product lines specifically for the small New Zealand market.

2) There has been a lack of product stewardship by retailers of appliances packed in EPS in taking responsibility for this problem packaging. The solution for those retailers involved in the value chain of

these products should have adopted return to supplier practices that the EPS industry has largely adopted successfully for New Zealand manufactured EPS applied in the construction industry for waste recyclable material.

This is also in large part due to the EPS industry in New Zealand in the past agreeing within the EPS group of PINZ to not recycle consumer packaging that they are not involved in the value chain of. Poly Palace in our decade and a half existence his fought against this industry agreement as appliance packaging derived waste polystyrene is as viable a remanufacturing resource as construction industry EPS waste.

Consider the economic viability of appliance packaging derived polystyrene re-manufactured by Poly Palace given that our lowest cost construction industry product is 100% recycled that we are paid to recycle and then generates a sales value of a minimum of \$75/m3 compared to Virgin manufactured ribraft pods manufactured with an imported material cost yet only sell for \$44/m3.

If those involved in the value chain for appliance packaging took the responsibility necessary to achieve a vision of the circular economy, appliance packaging EPS would be seen as a resource for viable remanufacturing for our construction industry and not an environmental pollutant.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

The right criteria have not been identified because the fundamental basis for recycling is based on export which is a flawed assumption for the future of the circular economy. Therefore all downstream criteria for evaluating options are based on a flawed assumption.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

I do not agree with the Ministry's assessment of options for appliance packaging EPS as the Ministry pays little regard to the recyclability of PP and PE foam compared to EPS. Since PP and PE bead-based foamed can be molded in equipment equivalent to EPS these materials are the most likely replacement for EPS by the global packaging industry. Since neither PP or PE foam can be compacted for export these assessments will not achieve the desired outcomes they will only change one problem plastic type with another.

As the ministry mentions the volume of EPS polluting the ocean as microplastics is both noticeable, but not a major contributor to ocean plastic in terms of appliance packaging being a contributory source. By comparison microplastics arising from the washing of synthetic clothing are a far greater contributor to ocean microplastics.

My question to the ministry officials evaluating this document is : "Do any of the clothes you are wearing at this moment contain synthetic fibres and if so when did you last wash them?".

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

I disagree with the Stage 2 (2025) ban on all EPS appliance packaging because:

1) It will displace EPS with PE and PP foams that are more difficult and energy intensive to recycle if indeed they are practically recycled at all in NZ based on an export model for recycling commodities. These foams will not compact to export viable densities in resource recovery balers.

2) It will not change the poor performance of retailers as products stewards of appliance packaging that they are involved in the value chain of.

3) To refer to a similar past policy of a labour Government, this is the "incandescent light bulb' Clark government policy of our time, in that any reduction in choice in appliances in New Zealand due to this policy will be seen as nanny statism. It can be argued that the Clarke government was ahead of its time proposing a ban on incandescent light bulbs since as time has passed these energy consuming bulbs have largely been replaced with CFLs and laterly with LED technology . It can be argued that the Clark government was ahead of its time in this matter given the substantial energy savings achieved by the population applying these new technologies however even to this present day this policy remains as a frequently referred to example of nanny statism and is often quoted as a policy which was partly instrumental in the demise of the Clark government.

I do not wish the current government to make a similar misstep in mismatching policy with practical application in the public's perception.(I am by political persuasion more green-eyed than blue) There will be a backlash if New Zealanders experience reduced product choice because a world leading policy attempts to lead the world in a direction the 1st world consumers are not yet ready to go.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

The statement;

" as its difficulty to recycle.52 EPS is also bulky, making it difficult

to collect and transport, and it takes up space in landfill"...

...is an (uninformed) opinion not fact as alternative PP and PE bead based foams in every way are more of a recycling /landfill concern when measured against these parameters.

There is a complete absence of the circular economy ideal of seeing any potential waste as a resource first.

However I do agree that the loose bonds of bead in EPS compared to PP or PE foams is a greater environmental threat however the polluting impact of appliance derived EPS bead is miniscule compared with the widespread ocean pollution caused by the washing of synthetic clothes.

I suggest therefore that the ban on problem plastics includes all plastic foams that do not meet the value proposition of compressing in a baler to form a viable saleable export recycling commodity. I further suggest that due to the vast majority of ocean microplastics being derived from synthetic clothes being washed in automatic washing machines that we ban both synthetic clothes and automatic washing machines in order to maximize the intent of this proposed legislation on the basis reducing of environmental harm caused in the order of magnitude to the problem products and processes causing this harm.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

It is not mentioned in the ministry document but there are different densities of EPS foam. While the Ministry talks of 'hard polystyrene packaging' in terms of both recyclability and environmental pollution the lower density packaging products of polystyrene foam are a greater recycling challenge, more volumous to weight and therefore lower in value, and pose a significantly greater threat to the environment because lower density grades of polystyrene have poorer bead bond strength and therefore are more prone to shedding particles into the environment. This type of low-density low-value polystyrene sheet is used to pack flat pack furniture and yet the Ministry talks repeatedly of issues relating to appliance packaging which by comparison is a direct alternative to "S" (standard) or harder grades used in the construction industry.

Fun fact: the harder the grade of polystyrene the more valuable the resource.

It is counter-intuitive to ban clean appliance packaging but provide an exemption for EPS New Zealand manufactured fish bins which from a recycling point of view arrive at recycling facilities with significant inherent contamination. While a justification for the exemption will talk of the lack of an alternative product for cold food transport the real motivating factor is that this will support the Virgin manufacturing of EPS bins that occurs in NZ, while acting to the detriment of Recycling EPS based on the concepts of what constitutes the most viable recycling resource.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

When we talk of cost benefits in recycling, Poly Palace's 100% recycled EPS products recover 80% or more of the original virgin manufactured product value. By comparison compare this with the public recycling staple of paper and cardboard (fibre) with 50% of recycled fibre commodity volumes exported. Prior to the pandemic our last cardboard market was India. India, now second only to the US in terms of being challenged by the global pandemic is in no position to confidently provide the third world offshore market for our first world covid free consumption.

With the upfront costs associated with public recycling generally the outcomes have been extremely poor in terms of impacts in landfill reduction and environmental outcomes particularly since China stood in the global market as a responsible government and through its National Sword program took decisive action to clean up its own environmental practices arising from its private sector polluting and corrupt recycling industries.

We can look no further than our Capital City and it's surrounding region with 3 local government owned revenue generating, competing Class 1 landfills within 40 minutes drive of the CBD, and soon to build the new biggest ever regional mega-landfill 500 m from the boundary of renown Zealandia eco sanctuary, ostensibly because they need the waste inflows at current levels to mix with the city sewage sludge. Given what is known about the state of Wellington's pipe network it's clearly a failing pipe dream to be 4 years into a 10-year plan for 33% reduction in waste to landfill.

Unfortunately the entire climate change model is based on setting and meeting targets. What New Zealand government needs to do is to effect decisive policy to protect the environment in the manner that China has achieved with National Sword. Banning EPS appliance packaging while the capital city builds a mega landfill as a waste solution to the environmental impacts of a growing population and first world consumption for the next 25 years, while making senseless unachievable platitudes about waste reduction targets demonstrates the extent to which New Zealand is devoid of well-thought-out policy on waste related issues.

Today our government declared a climate emergency and yet we have not been invited to a global climate change conference because of our poor performance to date.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

While the 'green' press is inundated with innovations in packaging materials, eg mycelium promoted by IKEA as an alternative to EPS for flat packed furniture, unfortunately in recent years PP and PE bead based foams have been making significant inroads into traditional EPS appliance packaging.

In the event of a ban on EPS, PP & P E foams are the logical packaging alternative for the packaging industry. Packaging appliances typically requires a significantly compression resistant packaging material. Any packaging material resistant to compression sufficient to support the weight of large appliances during

shipping is most likely going to resist compaction in a resource recovery baler making the ministry's view of the viability of export recycling of alternative plastics rather questionable.

Cardboard is often promoted as a viable alternative but given the lack of global markets the best thing that can be said for cardboard is that in these considerations of viable materials in our capital city where even the MFE's offices feed into the significantly challenged sewerage and infrastructure network whose problems for the city supposedly require the building of a new mega-landfill, so the best thing that could be said about cardboard is that it's high carbon nitrogen ratio (C/N 200) could be mixed with sewage sludge (C/N \leq 8) to achieve an optimum hot composting carbon nitrogen ratio (C/N 30). Something MFE executives can contemplate next time they use the WC and interface with WCC's failing pipe network.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

No Comment

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

No Comment

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

"Less hard-to-recycle plastic in the system will reduce cost for recyclers and improve the efficacy of collecting, sorting and recycling high-value plastic"

This statement is an opinion and is based on recycling capability of the failing public recycling model.

My experience is Poly Palace takes a durable material and it is this durability that makes it an environmental pollutant if not managed responsibly, but by responsible management and stewardship of the resource and applying it for economic benefit using low cost manufacturing techniques for permanent application in the built environment through significant sales to leading industry construction companies such as Fletcher's Cconstruction, has a greater cost benefit in durable long-term application for the economy and society than the majority of achievements achieved through local government public recycling outcomes, which when investigated fully appear to have some successes but by and large have just polluted the environment of poorer countries.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

The unfortunate impact of legislation can be best describe is unintended consequences. For example MFE 2018 ban on the recycling or reuse in any form of hbcd polystyrene at a time when Centreport's polystyrene panel cool store on the Wellington wharf,damaged in the Kaikoura earthquake, was due for the demolition.

Unfortunately through a series of subcontractors the material ended up being stored in a lower Hutt Warehouse and given away not only on Trademe but also in the advertising sheet circulated around fast food venues. Centreport owned by our supposed environmental guardians Greater Wellington Regional Council and Horizons Regional Council paid \$600 per ton for this material to be disposed off and it should have ended up in one of the 3 Class 1 landfills in the region owned by cash strapped local government.

Unfortunately despite management claims to the contrary, Poly Palace is aware of reasonably extensive reuse of this material in multiple illegal applications.

Since some of the fundamental assumptions of the proposed ban is based on opinion rather than fact I doubt that the actual cost benefit can be reliably determined. We are left in the position that the government hopes the ban will have the desired impact. In terms of my expertise in material science of EPS foams versus other packaging foams I doubt there is grounds for this hope.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

If the government wishes my family business Poly Palace to move away from 'NOT' hard to recycle EPS packaging, I am unaware of any recyclable resource that recovers 80% or more of the original manufacturing cost in a unsubsidised private sector competitive market, while at the same time providing long term economic, social and environmental benefit and that our business is paid to take. Since the Ministry claims there are higher value materials please advise us of what those materials are and we will move our focus accordingly for the ensuing economic benefit.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

No Comment

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

No Comment

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

a) 12 months?
b) 18 months?
c) 2 years?
d) 3 years?
e) Other?
If you think some items may need different timeframes, please specify.

No Comment

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

No Comment

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

No Comment

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

No Comment

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

No Comment

23. How should the proposals in this document be monitored for compliance

Responsibility for compliance will no doubt fall on local government and in the Wellington regions that means landfill owning councils. The import of appliance packaging will be monitored at the ports by port Authorities that in the case of Wellington is Centreport.

All I can say is that on the basis of Poly Palace's experience with these entities over the last decade and a half in terms of environmental protection, and a forward looking waste reduction policy is..... "Good luck with that"

Finally Poly Palace was based on PCC WCC owned Spicer landfill. PCC recently spent an amount equivalent to 20% of its yearly rates take (rates which are amongst the highest in the country) on a 24 house development in Titahi Bay that PCC became responsible for through a leaky homes settlement process due to failed sub grade drainage.

Coincidentally on the local landfill Poly Palace took the wide range of post-consumer waste polystyrene and manufactured one of the best subgrade drainage products on the market. Until the industry changed from hbcd flame retardant in 2017-2018 Poly Palace's drainage products were the only EPS drainage products that did not contain hbcd flame retardant which is a persistent organic pollutant that is persistent in the aquatic environment. The majority of Poly Palace drainage product sales were to Styrobeck, the Virgin EPS polystyrene manufacturer in the Hutt and they rebranded this product as their own "Form Flow" for distribution through their sales channels in the lower North Island.

That is the circular economy in practice. It is real recycling not rhetoric and is a local solution for a local problem and does not require pedaling first world consumerist shite long distances around a polluted planet...

Please feel free to visit Poly Palace's new factory in Heriot Drive Porirua, for a masterclass in how EPS appliance packaging should be managed to the benefit of the NZ (circular) economy, society and the environment, and in the interests of reducing ocean microplastics please wear cotton.

Warm Regards Richard Moore Poly Palace 

02/12/2020

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Dear Sir/Madam

Porirua City Council Submission on Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items

Thank you for the opportunity to submit on the proposed phase out of hard-to-recycle and single use plastic items.

Please find below the Porirua City Council's (the council's) staff submission regarding these documents.

Should you have any queries regarding the content of this document please contact Nigel Clarke, City Growth and Partnerships by email <u>nigel.clarke@poriruacity.govt.nz</u>

Porirua is situated in the lower north island, 20 kilometres north of Wellington. Porirua has a population of around 55,400.

Porirua is made up of villages from Pukerua Bay in the north, Titahi Bay in the west and a large rural sector including Pāuatahanui, and borders Wellington city's suburb of Tawa. Porirua's most significant natural feature is Te Awarua-o-Porirua Harbour. The two arms of the harbour are Onepoto from the Paremata Bridge to the inner city shoreline, and Pāuatahanui stretching east from the Paremata Bridge and ending at Pāuatahanui Village.

In the Wellington Region Waste Management and Minimisation Plan (WMMP) Porirua City Council have advocacy and lobbying in their WMMP action plan: "*Continue to advocate and lobby for progressive waste management and minimisation policy (government and other relevant stakeholders) and action (all stakeholders).*" This submission fulfils this commitment to the population of Porirua by supporting the proposed phase out of hard-to-recycle and single use plastic items.

Te Awarua-o-Porirua is Porirua's greatest environmental taonga and unfortunately it possible to see the damage that the build-up of plastics (particularly single use) has on the natural environment. In collaboration with Sustainable Coastlines Litter Intelligence Platform, Council have analysed litter pick ups in five designated areas of the harbour. From an analysis of four surveys at each site conducted over the last eighteen months, approximately 84 - 90% of all litter has been made up of plastics. On average, there are 1,846 items of litter picked up per 1,000m².

By supporting the proposed changes, Council hopes to reduce the amount of single-use and hard-torecycle plastics that are damaging to Porirua – its harbour, streams, natural landscapes and its people.

Council fully supports the submission from the TA Forum. It is important to note that in question 19, Porirua City Council are one of the Councils in favour of banning single use coffee cups so long as there are effective reuse systems in place. Data from our litter surveys also show that plastic lolly-pop sticks are a problematic single-use plastic and the Ministry should also consider including this into the scope of the ban.

Porirua City Council do not accept plastics 3, 4, 5, 6 or 7 in either their kerbside collection or at their bulk recycling facility. Plastic material collected by the Council is sorted at the Oji Fibre Solutions Material Recovery Facility in Seaview. The facility does not have an optical sorter. Once an optical sorter is installed, Council will be able to accept plastic #5 if there are known markets for the product.

Lastly, Council want to recognise the opportunity that the proposed phase-out of hard-to-recycle and single use plastic items could have for Porirua and more widely, New Zealand. The environmental, social and economic benefits that could be unlocked with a transition from a linear to a circular economy are welcomed by Council.

Yours faithfully

Walle d

Wendy Walker Chief Executive Porirua City Council





www.qldc.govt.nz

4 December 2020

Via email: Plastics.Consultation@mfe.govt.nz

Dear Sir / Madam,

SUBMISSION: REDUCING THE IMPACT OF PLASTIC ON OUR ENVIRONMENT

Thank you for the opportunity to present our feedback on the Ministry's consultation document: Reducing the impact of plastic on our environment.

Queenstown Lakes District Council (QLDC) is broadly supportive of the proposed measures to reduce the prevalence of single use and hard-to-recycle plastics in the environment. As the following submission shows, QLDC believes there are further measures that could be taken by the Ministry to focus on the root cause of too much plastic being created as well as the mandatory phase-outs being tabled. The proposals detailed in the consultation document however, have the potential benefits of improving the health of ecosystems, water and air quality, and human health.

Thank you again for the opportunity to comment and should the opportunity arise, officers may wish to speak to this submission. It should be noted that this submission is the position of officers and has not been ratified by full council.

Yours faithfully,

Mike Theelen Chief Executive

Submission on the phase out of hard-to-recycle and single-use plastics.

1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

Yes – in part.

While the consultation document does comprehensively describe the issues associated with hard-torecycle plastics packaging and single-use plastic items, broadening the scope to include the wider cultural, economic and regulatory systems, which drive or enable consumption of these and other plastic materials would prove useful when determining regulatory responses.

As identified within the consultation document, plastic waste and the build-up of plastic in the environment is one of the greatest challenges of modern life. However, to date, too much emphasis has been placed on poor or unsustainable management of plastic waste being the primary cause of plastic pollution (and the associated impacts). To effectively address the plastic crisis there needs to be more focus on the root cause of too much plastic being created due to a global and national dependence on single-use and plastic packaging, and the public misconception around the ease of recovering plastics through recycling.

There also needs to be more emphasis placed on the following aspects:

- The low price of virgin plastic and a lack of regulation requiring the use of recycled resin that are both barriers to keeping "easy-to-recycle" plastics in a closed loop system to enable a reduction on dependence on virgin plastic use and therefore reduce the impacts associated with the production of virgin plastic.
- Product design, such as the use of coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products, unclear labelling of a product's recyclability etc. which can limit a product's recyclability regardless of it being a "high quality/easy-to-recycle" plastic type.
- Limited access to expensive automated Materials Recovery Facility technology that is required to distinguish between plastics types to ensure the quality specs from onshore reprocessors can be met can present a barrier to recovering "easy-to-recycle" plastic types.
- The significant negative human health externalities related to the production and consumption of plastic materials both locally and globally.
- The climate change impacts associated with all aspects of the plastic lifecycle including the manufacture, distribution and disposal of single-use and plastic items.
- The need for specific regulation and investment to disincentivise single-use across all material types to avoid perverse outcomes from a ban of this nature and instead incentive and drive a reuse culture.

2. Have we identified the correct objectives? If not, why?

Yes – in part.

The main objective should be amended as follows:

Reduce the impact on the resource recovery system, the natural environment and human health from hard-to-recycle plastic packaging and single-use items through significantly reducing the amount in use and accelerating the transition to a circular economy.

The below should also be added as secondary objectives:

- enable an effective after-use plastics economy to capture more material value and increase resource productivity, so that there can be a shift away from a reliance on virgin resin towards recycled resin to close the loop in the plastics economy and reduce the amount of new plastics entering New Zealand.
- reuse models are applied wherever practicable, reducing the need for single-use packaging.
- reduce carbon emissions associated with the manufacture, distribution and disposal of singleuse and plastic packaging items.
- protect human health from the negative effects of plastic.

3. Do you agree that these are the correct options to consider? If not, why?

Yes – in part.

The proposed options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. Council recommend an approach that combines the proposed bans with regulated product stewardship, levies/fees, labelling, measurable targets, deposit-return, take back schemes, and community engagement. When feasible, QLDC also support requiring mandatory minimum levels of recycled content in products where safe to ensure that all 'easy-to-recycle' plastics permitted after the proposed bans are effectively captured and recycled in a closed loop system. This will enable a reduced dependence on virgin feedstocks and create a demand-pull for recycled plastics, sending a clear signal stimulating investments in the collection, sorting, and recycling industry.

In addition to the options listed, there would be support for the consideration of additional measures to support the uptake and scale of reuse, e.g.

- mandatory targets for reuse/refill on specified items
- mandating reusables in dine-in settings (as done through phase 3 of the Berkley Single Use Food ware and Litter Reduction Ordinance)
- levies on targeted single-use items of all materials (e.g. coffee cups) that could be diverted into waste minimisation
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but which are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No.

More weight should be given to how well each option aligns with strategic direction. This would ensure that the highest-ranking outcomes are higher up the waste hierarchy e.g. reduction and reuse solutions. The alignment of strategic direction should also include legislation such as the Zero Carbon Act.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes – in part.

Mandatory phase-outs are a clear, simple way of eliminating harmful plastics. QLDC supports mandatory phase-outs of all the items listed (with the exception of plastic straws for those groups of the community which require them) but acknowledge that a 'ban only' approach can sometimes lead to perverse outcomes like the swapping of one single-use material for another. A ban alone also does not fix the problem of reliance on virgin plastic resin. Even if there is a shift to only using 'easy-to-recycle' plastics, this does not ensure that those products will be recycled or recycled back into the same kind of product. Positive regulatory and policy options are required alongside a ban to support reuse alternatives and increase recycled content in products when practicable under the WMA framework.

This blended approach would result in less waste, a lasting shift in social norms and behaviour change, and stronger markets for recycled resin. QLDC supports the Government moving ahead with reduction targets for any plastic packaging items that are not banned, which would require transparency from producers and importers (such as supermarkets and retail chains, food chains, manufacturers and exporters) about the volume of plastic used in order to measure plastic reduction over time.

There is also support for clearer labelling of product recyclability and a thorough education campaign on products not included in the proposed ban to reduce consumer confusion and enable more product to be recycled or disposed of correctly.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Yes – in part.

QLDC agrees with the proposed phase-out of PVC and polystyrene packaging in two stages given that some items are easier to phase-out than others.

For some products the timeframes for phase-out should be shorter, products such as EPS foamed cups, containers (e.g., clamshell takeaway containers) and meat trays, some rigid PS items like lidded sauce cups and sushi trays, and all PVC trays where viable alternatives exist. PVC trays are especially problematic for the recycling industry as they are the main contaminants of onshore clear PET recycling, and are easily substituted by clear PET trays. This is particularly relevant in the Queentown Lakes district where there is currently no access to optical sorting technology within the Materials Recovery Facility which limits the ability to recycle all clear PET product via the onshore reprocessor, Flight Plastics.

There may be unintended consequences of a ban on PVC/PS/EPS packaging resulting in their replacement with packaging materials as bad, or worse, in terms of environmental effects. There is a need to ensure that the viable packaging alternatives are fit for purpose and align with the strategic objective of the proposal. However, decisive action to reduce plastics from the economy should be taken to counteract the negative externalities associated with the manufacture, distribution and disposal of single-use and plastic packaging items.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

No - While this is a comprehensive list of products, the phase out of PVC packaging should apply to all consumer facing packaging not just food and beverage (i.e. packaging used for hardware goods etc.).

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

Where applicable all PVC and rigid PS should be phased out however, where these materials are used for packaging for medications and to ensure food products are kept at suitable temperatures for long distance transportation, exemptions may be required if suitable alternatives are not available.

PVC is also used extensively in other industries, such as construction and roading, for a variety of products. Council recommends that more research be undertaken to determine whether there are suitable replacements for these products.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Benefits:

- Whether used for food and beverage packaging, or other types of packaging, PVC is a contaminant in the recycling stream. This is especially relevant in the Queenstown Lakes district where there is not currently the required optical sorting technology to distinguish between PET and PVC in the Materials Recovery Facility. This limits the types of PET products able to be recycled. Phasing it out for all packaging applications will assist in the ongoing drive to provide high quality recycling materials to onshore reprocessors.
- EPS, which becomes litter in the environment, creates lasting damage to the soil, waterways and marine environment. Phasing out EPS for all consumer packaging would therefore better protect ecosystems than limiting the phase-out to food and beverage packaging only.
- A small quantity of higher quality EPS is being collected for recycling and is reprocessed either overseas or onshore into products like insulation. However, due to the harmful properties of plastic in the environment, QLDC would support it being replaced as a packaging material.
- Rigid/hard polystyrene (6) packaging cannot be recycled as there is no market for it. Phasing it out as a packaging material in all contexts would allow for its replacement with a recyclable material, or ideally a reusable packaging option, which would be a move towards a circular economy.

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs and a greater rate of easy-to-recycle plastics being recovered.
- Cleaner, higher value recycling streams, assuming materials are swapped out for domestically recyclable plastics #1, #2 & #5.
- Increasing the viability of domestic recycling opportunities for #1, #2 & #5s due to higher volumes and increased quality.
- It would create a level playing field for all businesses which would provide certainty and fairness.

Costs:

- Industry will need to develop new processes and alter production lines to accommodate different packaging materials.
- Higher cost of alternative material types for packaging, especially for takeaway containers. While a significant percentage increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ and Colmar Brunton has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by a well signaled and considered lead-in time and liaison with recyclers as clean EPS is recyclable.
- Inferior-quality packaging could result in increased food loss and waste.
- Potential for higher environmental costs depending on new packaging choices. A ban on PVC/PS/EPS could end up with these materials being replaced with something as bad or worse from an environmental/waste perspective e.g. a composite material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home compostable and also unlikely to reach a commercial composting facility which is able to process it. There is a risk of creating yet another contaminant in kerbside recycling or in commercial composting processes, or at best the use of additional materials whose only option is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but also ensure a simultaneous transition to materials that can be easily recycled onshore or preferrably reusable packaging options.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Yes – in part.

While QLDC agrees with the list of examples of alternatives set out in Table 5, however, given the complexities involved in determining which plastics are used in food packaging, this is a very technical and specialised area and so is not a question that Territorial Authorities are necessarily best placed to answer.

Additional regulations and policy is required to support the scale and uptake of reusable alternatives, mandatory recycled content and sustainable product design where designing out waste is top priority. Sustainable product design, which considers the full lifecycle of a product/material including the end-of-life options, is necessary to prevent any unintended consequences from the

targeted phase-out. For example, banning EPS appliance packaging is likely to boost use of moulded cardboard packaging. Research should be done to identify the best practice end-of-life solution for moulded cardboard packaging (i.e. recycling or composting). The research should be widely disseminated to packaging suppliers and product designers so that appropriate choices of glue, coatings and/or colourings are made to align with the end-of-life solution. Clear labelling is also essential so that customers know what they should do with the packaging after use. Durable, reusable appliance packaging should also be explored.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Partially.

Degradable plastics of all types should be phased out. This includes both oxo-degradable and photodegradable plastics. It is important when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break down more quickly into microplastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and also the deceptive nature of the advertising for many of these products which imply that they are greener and more environmentally friendly than conventional plastic leading to confusion and frustration for consumers.

Due to the issues caused by these types of plastic and the often misleading nature of how some of these products are advertised, a shorter phase out period should be implemented, by January 2022.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

N/A

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes – in part.

The consultation document sets out a comprehensive list of the costs and benefits to various sector groups of the mandatory phase-out of the targeted plastics. However, it may also be valuable to supplement the cost/benefit approach included in the document with a holistic lens.

The current cost/benefit approach perceives the 'environment' as an "affected party" separate to, and distinct from, human survival. Current and future generations - and indeed the economy - can only thrive within the planet's limits to stay in balance. Taking action on plastics is an essential step towards preserving the functional ecosystems required to sustain life.

The phase-out of targeted plastics will have additional benefits for:

- Indigenous communities: reducing plastic pollution may reduce degradation of the natural (including marine) environment which has impacted on customary practices.
- Fresh water quality: microplastic contamination of drinking water is already occurring.
- Ecosystem health: microplastics are being found in all ecosystem compartments, including within organisms, so far examined. Their impacts range from the individual level to the ecosystem level.
- Air quality: microplastics are increasingly being found in the air of both populated and remote locations.
- Human health: The 2019 report Plastic & Health: The Hidden Costs of a Plastic Planet found that significant, complex, and intersecting human health impacts occur at every stage of the plastic lifecycle.
- Climate: Reducing single-use plastics will reduce the reliance on virgin plastic resin, and therefore on fossil fuels. Emissions from plastic emerge not only from the production and manufacture of plastic itself, but from every stage in the plastic lifecycle – from the extraction and transport of the fossil fuels that are the primary feedstocks for plastic, to refining and manufacturing, to waste management. Acting to reduce single-use plastics and increase recycled content will also help New Zealand meet its international and domestic climate change obligations.
- Future generations: Reducing targeted plastics helps to reduce degradation of ecosystems essential to the wellbeing of future generations and non-human species.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

One benefit currently missing is the opportunity for businesses and community enterprises to develop reuse schemes and reusable packaging systems to replace the targeted plastics. Preliminary studies indicate that reuse systems produce far more jobs than systems based on disposal or recycling. These increased jobs are also more likely to be localised and which could aid economic recovery for districts which have suffered due to COVID-19.

The growth of reuse schemes and shifting social norms will also lead to a reduction in other singleuse packaging (not just targeted plastic), which will further reduce costs for local authorities and ratepayers.

As mentioned previously, the greatest risk is if a ban on PVC/PS/EPS ends up with these materials being replaced with something as bad or worse from an environmental perspective. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging, but also ensure the simultaneous transition to materials that can be easily captured and recycled in a closed loop system onshore in NZ, or preferably how reusables can replace single use. Other measures that could assist would be standardising kerbside recycling and introducing compulsory labelling which clearly indicates the recyclability and/or compostability of materials. In terms of compostable packaging, the Ministry for the Environment needs to assist industry to develop the appropriate processing and collection infrastructure, whether that be through funding or designating compostable packaging a priority product. Alternatively, it could be clearly signalled that compostable packaging is not an appropriate alternative to PVC and EPS.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

The standardisation of materials collected at kerbside recycling collections would send a signal to manufacturers and producers about which packaging types are best to use for recyclability, and this in turn would help the public move away from hard-to-recycle packaging.

Government regulatory policy and investment is needed to move reusable alternatives from the niche to the mainstream. It is noted that it is already possible to 'BYO' reusable containers and tableware for takeaway food and drink. In many cases, washable crockery is a realistic alternative instead of disposables. A handful of reuse schemes exist for reusable takeaway packaging, such as Again Again, CupCycling and Reusabowl. The issue is not a lack of ideas or models, but barriers to scale and normalisation of these systems within an entrenched linear economy, and lack of adequate incentives to ensure uptake of reusable alternatives when they are available. Accordingly, sustained policy interventions and investment are required to level the playing field between single-use and reuse. A blended policy mix could include levies on single-use items and delivery systems (which will encourage uptake of reusable and refillable models), deposit return systems on food and beverage packaging, mandating reusable service ware in certain situations, and reuse quotas/targets.

Money should be made available for the infrastructure needed to make reuse work (e.g. reverse logistics and sterilisation), with a preference for locally-based infrastructure to reduce emissions and increase community engagement and job creation.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

QLDC is supportive of a ban of all the items proposed in Table 7. In additional to causing issues when littered, none of these items are accepted for kerbside recycling but they contribute to contamination in recycling.

There are concerns raised by disability groups on the proposed ban on plastic straws and while some reusable alternatives work well for some people, for others there may be no reusable alternative that is suitable.

It is not clear if plastic produce bags over 70 microns would be able to be used. No plastic produce bags would be the preference.

Would there be some criteria for what makes plastic tableware reusable? As a potential danger could be that people remarket their disposable plastic tableware (that doesn't last very long, is not designed for more than single use) as reusable.

The list could also be extended to include these other single-use plastic items:

- Single-use disposable coffee cups and their lids should also be included in the proposed phase-out list as the proposed timeframe for implementation could stretch as far as 2025. A single-use coffee cup ban can certainly be achieved within that timeframe as businesses and consumers will have plenty of preparatory time to transition to reusable alternatives.
- Plastic lollipop sticks and wrappers: These can easily be replaced by cardboard sticks and paper wrappers.

- Single-serve pottles, sachets & containers for condiments and toiletries: For example, soy sauce fish, pottles with peelable plastic lids for jam, butter and other condiments, sachets of sauces, condiments, sugar and toiletries. One of the items commonly picked up by volunteers cleaning up after the Fox River landfill disaster were single-use sachets from the accommodation and hospitality providers in this popular tourist destination. Some hotels are already voluntarily phasing out these single-serve items.
- Coffee pods containing plastic: Single-serve coffee pods made of any material are hard-torecycle because each pod contains coffee grinds that must be removed before recycling is possible. A phase-out of all single-use coffee pods (reusable pods exist) is supported but for the purposes of this consultation only those containing plastic should be included in this mandatory phase-out list.
- Teabags containing plastic: Many teabags contain plastic (either in the bag itself or the
 adhesives that hold the bag together). This is not common knowledge and many people put
 used teabags in their compost bins. Consequently, teabags containing plastic present a
 similar concern for potential plastic contamination of soil as plastic fruit stickers do. The
 consultation document has earmarked fruit stickers for a ban; for consistency's sake,
 teabags containing plastic should be included on the list for mandatory phase-out too. Not
 all teabags contain plastic, so alternatives do exist. In addition to potential microplastic
 contamination of soils, plastic in teabags is also a health concern as the plastic and additives
 may be released into the tea.
- Single-use plastic water bottles: In New Zealand, there is widespread access to potable
 water from the tap, so bottling water in plastic and transporting it around the country, and
 the world, needlessly creates harmful emissions and waste. Single-use plastic bottles are an
 inefficient and environmentally harmful way to provide access to potable water, which could
 be replaced by public fountains or bulk, reusable containers. Initiatives like Refill NZ are
 gaining traction, but banning or at least imposing a tax on single-use plastic water bottles
 could make a real difference in the volume of plastic water bottles used and reinforce New
 Zealand's brand as one of high environmental standards. Exemptions could be designed for
 civil defence and emergency situations.
- Balloons and balloon sticks.
- Glitter and plastic confetti: Plastic-based glitter is used in a wide range of cosmetic products and art supplies. Environmentally friendly options exist on the market. As a microplastic, glitter shares similar environmental impacts to other microplastics.
- Complementary plastic toys on children's magazines and with fast food.
- Chewing gum containing plastic most large branded chewing gum contains plastic and causes up to 100,000 tonnes of plastic pollution globally every year.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Yes – with changes.

QLDC strongly supports the proposal to include items made of degradable, oxo-degradable, biodegradable and compostable plastics in the proposed phase-out. As the consultation document notes, many of these products are not certified, and/or not home compostable nor freshwater/marine degradable.

The following alterations or clarifications of the proposed definitions are recommended:

- Single-use plastic tableware: alter the proposed definition to include paper bowls and containers with plastic or wax linings (similar to the plastic cups and lids definition).
- Single-use plastic produce bags: broaden the definition to include plastic net bags that fruit and vegetables are commonly pre-packed into within the scope of the phase-out.
- Single-use plastic cups and lids: QLDC does not support exempting single-use plastic cups • made of plastics 1, 2 and 5 from a ban. Although these cups are technically recyclable, they are mostly used away from home, and are likely to enter the recycling system unwashed via public recycling bin systems. Any unwashed cups that contain milk products or smoothies are considered contaminated and will not meet quality standards for recycling. At best, these plastics will be pulled out from the recycling stream and discarded, at worst they can result in the entire contents of the bin going to landfill. Even if the cups are clean enough to meet quality standards (e.g. if they contained water or soft drinks), public recycling bins are often heavily contaminated, resulting in the contents of many going to landfill. These cups are also easily breakable and therefore hard to bale and transport for reprocessing. For this reason, defining recyclability not just by the type of plastic, but also by the likelihood of it being recycled given existing collection and processing systems is preferred. If the exemption goes ahead, QLDC recommends that lids not be included in the exemption as their size effectively makes them 'hard-to-recycle' items in most kerbside systems that rely on automated MRFs for sorting. Furthermore, they are detachable so can easily be lost to the environment. Excluding these products from a ban also allows for the continued use of single-use products at the likes of events and disincentives organises from using reusable options.
- Single-use coffee cups and lids: There is support for disposable coffee cups being included in the proposed phase-out. WasteMINZ research has indicated that 44% of councils are in favour of a ban.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.

Many businesses import these products in bulk and often have inventory sufficient for a number of years. However, the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling. QLDC is supportive of a well-signalled phase out within 2 years of less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Single-use Coffee Cups

In New Zealand, coffee cups contaminate kerbside and public place recycling and in the case of compostable cups, New Zealand lacks both the collection infrastructure and sufficient composting facilities with the resource consent to accept them. As well as being a contaminant to the recycling stream, coffee cups are also light and prone to escaping into the environment. The fully detachable lids increase the potential for harmful plastic litter.

The expertise to create reusable infrastructure and accompanying community engagement is already well established in New Zealand. Virtually all outlets already accept BYO reusables, and most outlets have in-house ceramic options if people forget their cup. There is also a growing range of reuse schemes/cup loan systems.

Nationwide, a growing number of cafes have eliminated single-use cups entirely by implementing strategies to encourage customers to "sit, borrow or bring". They have implemented a combination of incentives such as discounts/surcharges, retail of 'keep cups', adoption of homegrown/national reuse systems (e.g. Again Again and informal cup loans), invitations to BYO, education around the issue and importantly, encouragement to build community by making time to stay. An example of this includes the SUCFree campaign, which aims to make Wānaka single-use coffee cups free by 2022, with nine cafes already committed and more than 180,000 cups saved from landfill since the initiative started in 2019.

The most impactful role for the Government is to use regulation, policy & investment to increase the uptake, accessibility (including affordability), reach and availability of reusable alternatives to throwaway coffee cups. Effective policy options (many of which are possible under s 23 of the WMA or without the need for new Parliamentary legislation) include:

- Mandatory reusables for dine-in customers
- Supporting the creation of a 'bring your own cup' norm
- Well-publicised disposable cup-free zones (e.g. university campuses & Govt buildings, museums and galleries, coasts and national parks)
- A deposit return scheme for both disposable coffee cups and reusable alternatives offered through a reuse scheme (e.g. Again Again) plus mandating that all outlets dispensing takeaway cups (whether disposable or reusable) take back empty cups (for appropriate disposal or reuse) achieved under s 23(1)(c) and (e) of the WMA.
- Ensuring that reusable cups & reuse schemes follow universal design principles and are accessible for everyone in the community.
- Investing in the infrastructure needed for reuse schemes to work well, e.g. reverse logistics & sterilisation services.
- Working with MoH and MPI to create official reusables guidelines so that businesses & the public can feel confident in the safety of reuse.
- Updating food safety legislation to require outlets to accept clean BYO cups.
- Compulsory labelling on disposable coffee cups that inform consumers about reusable alternatives and where they should be disposed of (i.e. in rubbish bins, unless a commercial collection facility is available for compostable cups)
- A levy on disposable coffee cups and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.
- Inclusion of disposable coffee cups in the proposed mandatory phase-out list because this will stimulate solutions.

The Government suggests it could invest in scaling up reuse systems. This is supported by QLDC alongside regulatory and policy interventions that remove some of the barriers to reuse schemes growing. Doing both will be most effective & efficient. Rather than investing in expensive systems to downcycle or compost cups, it may be more efficient to invest this money in stimulating the scale and uptake of a reusables network. Local community engagement and collaborative solutions are more impactful in terms of creating lasting behaviour change than high-level national education.

Funding support to NGOs and community groups already working to educate and engage on the ground would be the most efficient way to invest in behaviour change.

Wet Wipes

Wet wipes are a significant issue for councils, who spend thousands of dollars undoing blockages in wastewater systems. 73% of councils would like to see wet wipes banned with only 26% of councils supportive of the decision not to ban them.

In alignment with the waste hierarchy, QLDC supports investment in community engagement around reusable alternatives. It is noted that building acceptance of reusable wipes as an alternative to wet wipes connects closely to the promotion of reusable nappies –trialling alternative approaches in the early childhood sector is the type of activity which could be considered. Developing a culture of reusable wipes may also provide a potential use for unwanted textiles, contributing to a circular solution.

In conjunction with promoting a reusable option, Council supports requirements and action which will help consumers make an informed choice. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. There should be a requirement for compulsory on product labelling to inform users of how to dispose of them correctly and to prohibit use of the word "flushable" on the product packaging for all wipe types (these labelling requirements should be mandated through regulation under s 23(1)(f) of the WMA).

Before a ban is brought in, QLDC would also support fees being attached to wet wipes to cover the clean-up costs (which can be considerable when they block pipes and form fatbergs).

An alternative pathway that could be helpful would be to declare disposable sanitary products (which would include wet wipes) as a 'Priority Product' - this would enable a considered, wraparound approach to a multitude of similar products at once.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/A

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Coffee Cups

With formal Government support for reuse systems and community engagement, individual towns can meet their goal of being single-use cup (SUC) free by 2022. Replicating the successes of those towns could lead to a SUC free Aotearoa by 2023.

Wet Wipes

Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from single-use items to reusable resources. A transition time of three years for a wet wipe ban is supported due to the issues these pose, in particular the blocking of wastewater pipes and the urgency with which these should be addressed. The aim is to encourage industry to take an innovative approach to better solutions for this product by suggesting a shorter transition time.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Yes – in part.

QLDC agrees with the benefits listed, but notes the additional benefits below:

- It will support the strengthening of social norms for reuse and foster a culture of reuse and recycling, rather than disposing of single-use items.
- There could be the opportunity for new job creation or migration to circular local jobs.

23. How should the proposals in this document be monitored for compliance?

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors.

At its simplest form, this could be a hotline where members of the public can email if they see a business selling a non-compliant product.

Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging.

Many councils, including QLDC, and businesses undertake waste audits, which could provide data to help understand compliance.

Setting targets with major brands, manufacturers and retailers and then requiring them to report on progress could help to determine progress and future initiatives.

It is also important to see if the legislation has achieved its desired aim. Included below are some suggestions as to how aims could be evaluated.

- Supermarket chains have completed inventories of the types of plastic packaging in their brands. Funding a repeat of these audits after the ban has been implemented would determine to what extent the amount of hard-to-recycle plastics had been reduced.
- Monitoring the amount and type of litter in the environment to see whether the rate at which these products have been littered has decreased.
- If Flight Plastic is able to accept PET trays from a larger number of councils, this would also be a clear indication that the legislation had achieved its aim to reducing contamination in recycling. Council waste audits would also provide evidence that contamination had decreased. The Rethinking Rubbish and Recycling Project has benchmarked contamination and use of plastics and this audit could be repeated once the ban is in place.
- Any evaluation could also include changes in public attitudes towards plastic products, packaging, litter and the general acceptance of these policies.



NEW ZEALAND/ AOTEAROA SINGLE USE PLASTICS BAN DISCUSSION PAPER

October 2020

Reloop Pacific^{*} (<u>https://reloopplatform.eu/</u>) is pleased to provide the following submission to New Zealand/ Aotearoa's policy paper regarding options to address the problem of single use plastics (SUP).

Reloop would note that at the moment it appears the government are asking the community to 'either' ban some SUP's or introduce levies, targets etc. Both can and should be undertaken simultaneously. Some items cannot be readily collected and recycled, straws, plastic forks, plastic coffee cups, etc and should simply be banned in favour of more sustainable alternatives; other materials can be collected and recycled and should be targeted with economic instruments. It should not be one approach or the other.

Introduction

As Minister Sage outlines in the foreword to the discussion paper, 'Moving away from hard-to-recycle and single-use plastics will help clean up our towns, cities, beaches, moana and whenua. It will also improve the functioning of our resource recovery system, and reduce waste to landfill.'

It's estimated that almost half of all marine mammals (40%) and seabirds (44%) are affected by ingesting marine plastic pollution.

Plastic packaging is a global scourge and is finally being addressed by hundreds of countries, councils, businesses and communities globally. Actearoa's entry (following the ban on plastic shopping bags) into the world's evolution away from this material is welcome and appropriate.

In Australia WWF estimate that only around 12% of plastic is recycled[†]. In addition, much of the material consumed cannot be recycled at all. Getting rid of this material from our economy and therefore litter streams, oceans etc is the only option.

Though as a recent report[‡] into the lobbying activities of the oil industry (this sector is relying on plastics as an alternative to slowing demand for fuels[§]) and drink and food producer's outlines, industry resistance to these changes should be expected. The report demonstrated amongst other things that numerous voluntary promises over decades from manufacturing giants such as Coca Cola and Nestle have never materialised.^{**}

The only way to achieve the government's and community's ambitions is to legislate bans on certain products, and mandate targets for recycling or recycled content – voluntary approaches will not produce the results NZ is seeking.

As the government assess options it should bring the issue of 'collection' front and centre. Collection schemes for recyclable plastics (and other materials) such as container refund/ deposit schemes (CRS) are vital and should not simply be dumped on local authorities. They must also involve material separation in the early

^{*} Reloop Pacific is the regional arm of the EU based Reloop Platform https://reloopplatform.eu/

 $^{^{\}rm +} {\rm https://www.wwf.org.au/news/blogs/we-have-the-solutions-to-help-end-plastic-pollution-in-australia}$

[‡] https://talking-trash.com/#main

[§] https://www.theguardian.com/world/2020/sep/01/kenya-plastic-oil-industry-lobbies-us

^{**} Links to video's and reports all available here

https://twitter.com/ChangingMarkets?ref src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

phases to ensure product quality, e.g. Australia's experiments (promoted by producers) with 'public place comingled recycling' have been an abject failure.

Banning certain types of SUP's is appropriate and there are commercial alternatives that are either equal in price or only marginally more expensive – but what price to save our oceans, seabirds and marine mammals?!

The Problem

The following damning statistics should drive this policy proposal forward and the community expects and is supportive of action on this issue^{††}.

According to reports given to the UN Ocean Conference in 2017:

- More than 8 million tonnes of plastic enter the oceans each year
- As much as 80 per cent of all litter in our oceans is made of plastic
- As many as 51 trillion microplastic particles 500 times more than the stars in our galaxy litter our oceans and seas, seriously threatening marine wildlife.
- Marine debris is harming more than 800 species. 40 per cent of marine mammals and 44 per cent of seabird species are affected by marine debris ingestion.
- According to some estimates, at the rate we are dumping items such as plastic bottles, bags and cups after a single use, by 2050 oceans will carry more plastic mass than fish, and an estimated 99 per cent of seabirds will have ingested plastic.
- Plastic waste kills up to 1 million sea birds, 100,000 sea mammals, marine turtles and countless fish each year. Plastic remains in our ecosystem for years, harming thousands of sea creatures every day.

Aotearoa in step with global moves

The European Union is globally leading the issue of SUP management, so their recent actions are instructive and help pave the way for additional jurisdictions such as NZ.

In December 2018 the EU parliament passed a new Single Use Plastics (SUP) Directive (http://www.europarl.europa.eu/news/en/press-room/20181219IPR22301/parliament-and-council-agreedrastic-cuts-to-plastic-pollution-of-environment)

This ground-breaking initiative will now manifest (in different ways) across EU member states within the next two years. The following (from the Reloop Platform EU offices^{‡‡}) outlines a summary of this directive and its multiple objectives and targets.

The following lists various products and the approaches taken by the EU in their management. It's worth noting that some similar activities are emerging on an ad hoc and voluntary basis in Australia (covered later).

- 1. **PRODUCT BANS** As per Article 5, certain SUP items like cotton bud sticks, cutlery (forks, knives, spoons, chopsticks), plates, straws, stirrers, balloon sticks, oxo-degradable plastics and expanded polystyrene (EPS) food containers and cups will be <u>banned in the European Union from 2021</u>.
- 2. NEW COLLECTION ARRANGEMENTS EPR SCHEMES As per Article 8, Member States will have to establish EPR schemes across a range of products by 2021.

Producers of SUP products including food containers, packets and wrappers, beverage containers, cups for beverages, tobacco products with filters, wet wipes, balloons, and lightweight plastic carrier bags will be expected to cover the costs of collecting waste consisting of those SUP products and its subsequent transport and treatment, including the costs of litter clean-up and awareness raising measures.

⁺⁺ 70% of Britons support bans on SUPs <u>https://www.globalcitizen.org/en/content/70-of-britons-support-retailers-banning-single-use/</u>

^{‡‡} https://www.reloopplatform.org/wp-content/uploads/2019/06/SUPD-Backgrounder-June-2019.pdf

3. DESIGN REQUIREMENTS (INCL RECYCLED CONTENT REQUIREMENTS) – Article 6 sets out product design measures for SUP beverage containers to ensure that their caps and lids remain attached (i.e. tethered) to the container during its use stage in order to improve recyclability and ensure they do not leak into the environment. In addition, there is a 25% target for recycled content in PET bottles by 2025 and 30% in all plastic bottles by 2030.

NZ should couple its container deposit scheme (CDS) reform with the inclusion of recycled content incentives and policy settings, such as mandates.

4. OTHER MEASURES, include 'measurable quantitative' reduction in consumption of some single-use items (Article 4) and also labelling requirements (i.e. to inform consumers about appropriate waste disposal operations) and some additional awareness raising measures (Article 7).

EXCLUDED MATERIALS: PVC containers should banned in NZ, including not being permitted into the NZ CDS. This material is largely unable to be differentiated in MRFs and sorting centres and contaminates particularly the PET recycling stream.

There is little use of PVC in the market and alternatives (e.g. PET) for this material are readily available. Drinks pouches are also a concern since they consist of multi-material laminates and are non-recyclable.

From the EU to local councils, governments are taking action

Closer to home and as an example of the global shift to move away from SUP's my council of Hobart in Tasmania (Australia) has recently enacted local by-laws to ban the use of SUP's in the council municipality.

In effect the Hobart council action sees SUP takeaway items (plastic straws, coffee cups, take away food containers, cutlery) are banned within the council precinct and the ban appears to have been widely supported by shop owners and consumers.

The following graphic explains what is in and out of the Hobart approach.

SINGLE USE PLASTICS BY-LAW What is IN and what is OUT





Detail of the council by law is available here: <u>https://www.hobartcity.com.au/files/assets/public/rubbish-</u> recycling-and-street-cleaning/l8897-plastic-takeaway-containers-single-use-plastics-2017initiative-single-useplastic-by-law.pdf

Companies such as BioPak^{§§} in Australia offer numerous solutions for food and drink venues to non-sustainable food packaging including biodegradable items <u>https://www.biopak.com.au/</u>

Biodegradable means compostable

BioPak also offer some level of composting service - <u>https://www.biopak.com.au/compost-service</u> Either commercial or council Food Organic and Garden Organics (FOGO) are essential for this material. Much of it does not break down until it reaches around 65deg C. Again, Hobart council offers this service direct to households - <u>www.youtube.com/watch?v=w64woeC6CYo</u>

Opposition

As noted earlier, large producers and the oil industry have a significant commercial stake in seeing NZ not act to reduce or ban SUP's (witness the glass industry campaigning vigorously to stay out of NZ's CRS). The following graphic from the recent 'talking trash' report (<u>https://twitter.com/hashtag/TalkingTrash?src=hashtag_click</u>) outlines the big polluters in the sector

The World's Worst Offenders For Plastic Pollution

Metric tonnes of plastic packaging produced annually



* As of 2020. Based on companies that have disclosed their packaging figures. Source: Changing Markets Foundation

^{§§} Reloop has no commercial association with BioPak and simply use this reference as an example of the types of companies and materials that are now emerging as realistic and commercial alternatives to SUP's

CONCLUSION

The discussion paper provided is an exciting development toward a circular economy and aligns with public expectations that governments will act on the environmental problems posed by SUPs including banning these items.

Robert Kelman Director Reloop Pacific +61 (0)423 573278


Plastics Consultation Ministry for the Environment PO Box 10362 Wellington 6144

By email: Plastics.consultation@mfe.govt.nz

4 December 2020

Reducing the impact of plastic on our environment - Retail NZ submission

INTRODUCTION

- 1. Retail NZ is a membership organisation that represents the views and interests of New Zealand's retail sector. Our membership accounts for two-thirds of total domestic retail spending. We have consulted our members in preparing this submission.
- 2. Retail NZ welcomes the proposal to phase out hard to recycle plastic types, and seven single use plastic items, as outlined in the consultation document '*Reducing the impact of plastic on our environment*'.
- 3. The plastics identified to be phased out largely have environmentally friendly alternatives that are widely in use already, or that are under development.
- 4. A phase out, or ban, is the preferred approach because it reduces confusion for retailers and consumers. A ban is widely publicised so that there is a high level of understanding across the population in advance of the products being removed. A ban is also likely to be less costly and time-consuming for business that the alternatives proposed such as taxes, product stewardship or reduction targets. A ban is also likely to be highly effective, and is universally applied, meaning that businesses that are making moves away from problematic products voluntarily are not disadvantaged.
- 5. Signalling the bans clearly and well in advance of the implementation date will allow the market to respond with alternatives that are cost effective. We would suggest a transition date of 2025 is necessary to allow retailers to work with their suppliers to achieve change.

A LARGE RANGE OF IMPORTANT WORK TO REDUCE PLASTIC WASTE IS ALREADY UNDERWAY

- 6. Retail NZ was supportive of the 2019 ban on single use plastic shopping bags. It achieved the Government's desired outcome (the elimination of bags) without creating competitive issues associated with a playing field that is not level. Once the ban was announced, retailers moved quickly and successfully to replace these products and compliance with the ban has been high.
- 7. Retail NZ is also generally supportive of the current programme of developing mandatory product stewardship for priority products, particularly plastic packaging. We see this work as being complementary to the ban on hard to recycle and single use plastic products, proposed in this document.

RETAIL NZ // HQ Level 9, 175 Victoria Street, Wellington 6011 PO Box 12-086, Wellington 6144 P // 0800 472 472 E // info@retail.kiwi W // www.retatl.kiwi Connect with us:





- 8. A number of Retail NZ members were signatories to the NZ Plastic Packaging Declaration which commits to 100% reusable, recyclable or compostable packaging by 2025.
- 9. Significant work is underway by GS1 (administrator of the standardised barcode system) to allow detailed information to be gathered about food and beverage packaging at all stages of the supply chain. This important work will allow retailers to understand the types of packaging being used by suppliers and the volume.

BUT MORE CAN BE DONE AT A NATIONAL LEVEL

- 10. While Government has taken significant positive steps to improve sustainability Retail NZ is advocating for a national standard for kerbside composting and recycling. The current mix of approaches across the 67 territorial authorities is highly confusing for consumers. It also creates real complexity for national retailers looking for packaging options that are recyclable or commercially compostable, as this can vary greatly across the country.
- 11. We continue to advocate for the creation of single national agency to manage waste and recycling across the country, free from the variations inherent in local Government decision-making. Hand in hand with this is the development of onshore recycling facilities, which are required to create a circular economy for plastic packaging in New Zealand. Such facilities should be established by, or contracted to, that single national agency.
- 12. Retail NZ is also very supportive of improved public education campaigns to encourage behaviour change and reduce waste. We also support recycling and composting options at public bins.

RETAIL IS IN A UNIQUE POSTION IN THE SUPPLY CHAIN FOR PLASTIC PACKAGING

- 13. Retail is in a unique position on the supply chain because it is at the coal face between consumers and suppliers. It is also highly visible to Government and policy makers.
- 14. Retail is moving quickly to respond to demands to improve sustainability in all aspects of the business. It should be noted the most visible substantiality issues, such as plastic packaging, do not necessarily line up with the actions that make the greatest improvement to the environment. Examples of this include improving the efficiency of instore refrigeration systems and moving to natural refrigerants, converting delivery fleets to electronic vehicles, or reductions in the levels of food waste and the corresponding methane emissions. These actions take place behind the scenes but have a very large impact on the environmental impacts of retail.
- 15. The level of waste generated by retailers is largely influenced by the packaging used by suppliers. This includes the packaging used for delivery to store, which might include several steps in the supply chain depending on the origin on the product.
- 16. When products come from overseas it becomes even more difficult for retailers to influence the packaging that is used. New Zealand is a small market globally, and retailers do not have strong bargaining power, particularly if the requirements here are significantly different to other jurisdictions. It is likely that suppliers that use packaging that does not comply with New Zealand law might simply decline to supply local retailers. It is important, therefore, that New Zealand's rules on the importation of plastic products are in-step with those of major overseas markets.

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- 17. We understand that intention of the proposal is to capture primary packaging or the packaging that ends up on shop shelves and goes home with the consumer and into their rubbish or recycling bins, however this is not clear from the consultation document.
- 18. We would be supportive of this approach as labelling is not consistently used for secondary packaging and retailers, particularly smaller businesses, have little control over the types of plastic used for transportation. In addition, businesses largely do not use kerbside recycling, and have their own waste and recycling solutions. There is a lower risk of contamination of the recycling stream for secondary packaging than is posed by the primary consumer packaging.
- 19. Food and beverage packaging has an important primary function. It is designed to ensure that food and drinks are safe for consumption. It keeps them safe from contamination and slows or stops the onset of decay. It also means the products can be transported safely with a usable shelf life. In some cases, reduction of the use in plastics in packaging can mean that the levels of food waste increases, this also has an environmental impact.
- 20. While food and beverage use a level of plastic packaging, plastics are used across the retail sector, and the entire economy. The use of plastic to keep food safe is a better use of a potentially environmental damaging products than many others. Retail NZ would like to see the focus of the current proposals broadened to all problematic plastic packaging used in New Zealand.

HARD TO RECYCLE PLASTICS

- 21. Retail NZ is supportive of the intent to remove the most problematic plastic packaging types. PVC, polystyrene packaging, and oxo-degradable plastics make up a small proportion of packaging overall. Phasing out these plastic types will remove a large amount of confusion for retailers and consumers about which products can and cannot be recycled at kerbside, in those locations where kerbside recycling is available. It also removes the risk of contamination in the recycling stream caused by incorrect sorting of these plastic types.
- 22. We support all PVC and hard polystyrene packaging being included in stage 2 of the phase-out (not just food and beverage and expanded polystyrene packaging). The issues caused by these hard to recycle plastics are the same regardless of the application.
- 23. As previously mentioned, we understand that intention of the proposal is to capture primary or consumer-facing packaging and does not include secondary packaging such as pallet wrap which may be made from PVC. We support this approach for the reasons outlined above. We also note that the distinction between food and beverage packaging and other types of packaging becomes more difficult to implement and justify at the secondary packaging stage.
- 24. The hard to recycle plastics which will be banned in the proposal do have specific properties which in some instances will make them difficult to replace. For example, polystyrene yoghurt pots which are sold in multi packs have the ability to hold together, but also cleanly snap apart for individual use by the consumer. These cannot be replicated by other plastic types. The ban therefore will likely result in a removal of these products altogether in their current form.

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- 25. There is a risk that removing hard to recycle plastic types could lead to an increase in other hard to recycle packaging types. For example, single serve polystyrene yoghurt pots could be replaced with a mixed plastic type squeezable pouch, which has its own recycling challenges. PVC or polystyrene takeaway food containers could be replaced with cardboard trays with a plastic liner, which are not recyclable or compostable.
- 26. It is essential that alongside the ban is a clear information about what alternatives are available and which are environmentally friendly. This is a very confusing area for consumers and retailers, and despite best efforts to 'do the right thing' it is very easy to shift to a product that might have a worse environmental impact.
- 27. Packaging is also a rapidly changing area, with new products constantly being development and promoted. It is important that environment claims are accurate and that misleading statements are swiftly dealt with by regulators. It is likely that confusion in this area will only grow with the introduction of the new bans, and we would like to see more proactive regulation around the terms "biodegradable", "compostable", "commercially compostable" alongside the current proposals, to ensure the playing field is level.
- 28. Business will incur costs to replace the hard to recycle plastic types and ensure that the alternatives are available and in use by the time the bans come into effect. Largely these will be one off costs. However, some of the alternatives are a likely to be more costly.
- 29. An example is the alternative to expanded polystyrene for use in temperature control. The current best alternative is wool insulation, this is currently more expensive than expanded polystyrene and could increase the price of products for consumers. It is possible that price of alternative packaging options will come down when the ban comes into effect, as demand and production will likely increase in response.
- 30. We are very supportive of creating an exemption for packaging that is used to meet export and import requirements. Retailers bringing chilled foods from overseas need to be assured that the products arrive in good condition, and that they will be meet customs requirements at each stage.
- 31. We support a timeframe of 2025 for the hard to recycle plastic packaging types items identified in the consultation document. This aligns with the NZ Plastic Packaging Declaration which commits to 100 per cent reusable, recyclable or compostable packaging by 2025.

SINGLE USE PLASTIC ITEMS

- 32. Retail NZ is supportive of the seven plastic items proposed for phase out. Largely retailers have already moved away from selling single use plastic straws, cotton buds, drink stirrers, tableware, and cutlery.
- 33. Alternatives are currently available to consumers for produce bags (reusable net bags or home compostable single use paper bags). Customers have readily adjusted to life without single-use checkout bags and are likely to adapt to life without plastic produce bags in the same way.
- 34. The challenge for removing produce bags will be at very small retailers and markets. It is likely that this can be overcome by clearly communicating the changes and ensuring that all

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traders are aware of the ban.

- 35. We understand the proposed phase out of produce bags will only apply to lightweight barrier bags that are used for collecting and transporting loose produce. We would not support a phase out of produce bags used for pre-packaged items like salad mix or bread bags. Pre-packaged bags have an important function to keep products fresh and safe. These bags can be recycled through the voluntary soft plastic recycling scheme, where available.
- 36. The proposed ban on compostable stickers is likely to be more difficult for the horticulture sector in New Zealand, and for importers into New Zealand, as viable alternatives do not currently exist. Government could assist the industry by providing support in the form of funding for research and development of alternative that meet the needs of all stakeholders.
- 37. We support a timeframe of 2025 for all single use plastic items identified in the consultation document. This aligns with the NZ Packaging Declaration which commits to all recyclable, compostable packaging by 2025.

OTHER PLASTIC ITEMS NOT INCLUDED IN THE PROPOSED BAN

- 38. The consultation document notes that a ban is not proposed at this stage on wet wipes containing plastics and plastic lined coffee cups. We support this approach and believe that the any timeframe for phase out should be led by industry, and when more sustainable alternatives are available. If these products are causing serious and costly issues in the environment the Government should support industry to develop alternatives.
- 39. If a ban were proposed for these items, we would expect a separate consultation process that fully explores the costs and benefits.
- 40. We agree with the comment in the consultation document that phasing out other problematic products picked up by the National Litter Audit (cigarette filters, balloons, and glitter) "would require a significant shift in behaviour".
- 41. We support excluding these products from the proposed phase out because they do not currently have plastic-free alternatives. Consumers need to be made aware of the impacts of these products in the litter stream to encourage correct disposal. Behaviour change is required, and this should be supported by a Government information campaign. In addition, Local Government can use the tools it already has for enforcement under the Litter Act by issuing fines.

CONCLUSION

- 42. Retail NZ is supportive of the proposals to phase out the seven single use plastic items, all PVC and polystyrene food and beverage packaging, all oxo-degradable packaging, and all expanded polystyrene packaging. We support a phase out date of 2025 which will give industry and consumers time to understand and adapt to the proposals.
- 43. We recommend moving phase-out deadlines from January, which is peak trading season for the food and beverage sector.
- 44. We recommend a ban on *importing* the banned items, as well as the ban on sale and manufacture, because consumers can (and do) purchase products online from all over the

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world. The ban needs to include any business (regardless of where they are based) importing or sending banned products or using banned packaging in New Zealand.

- 45. This is a particular risk for expanded polystyrene commonly used in packaging of electronic goods, furniture, and homewares when purchased online from overseas. If packaging brought into New Zealand is not included in the ban it would hand an unfair advantage to online overseas retailer and would threaten our otherwise polystyrene free recycling stream.
- 46. New Zealand retailers face significant competition from businesses offshore which sell into New Zealand over the Internet: in some sectors, up to 30 per cent of sales are estimated to be from foreign websites. A failure by Government to implement a ban on imports could result in foreign firms gaining a competitive advantage over New Zealand retailers - and New Zealand businesses being disadvantaged by Government policy.
- 47. Retail NZ has an important role supporting members to understand new legislation and what it means for business owners. We would like to work with Government to ensure the retail sector is informed and prepared for the phase outs as we approach the implementation dates.
- 48. No part of this submission is confidential, and all can be published or released if requested under the OIA.

Yours sincerely,

Greg Harford Chief Executive Retail NZ

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Telephone +64 7 343 5899 Facsimile +64 7 348 0952 Email enquiries@scionresearch.com www.scionresearch.com



4 December 2020

To: Ministry for the Environment

From: Scion (the NZ Forest Research Institute LTD, trading as Scion)

Contact: Matt.Paterson@scionresearch.com

Re: Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items.

1. Key Points

- Pro-degradants should be included, not just oxo-degradable additives
- The impact of packaging and materials imported into NZ has not been considered. This will make removal of all PVC, polystyrene etc, very challenging.
- We suggest extending the restrictions from PVC/PS/EPS food and beverage packaging to all packaging from PVC/PS/EPS.
- Mandatory phase out will be impossible unless a collection and recycling/end of life system is in place.
- Consistent recycling and collection systems are needed across New Zealand
- Material alternatives for PVC and PS are available but require investment in packaging manufacturing equipment and investment in product design.

2. Introduction – Who is Scion.

- Scion is a Crown Research Institute with a core purpose to "enhance New Zealand's prosperity, well-being and environment through trees kia piki te ora, te taiao me te whai rawa o Aotearoa mā to ngāhere".
- Scion is a leading science provider committed to becoming a key enabler in transitioning New Zealand to a circular bioeconomy. Scion is globally recognised for our expertise in sustainable and renewable material development for the plastics and packaging industries. This includes innovation, commercial research and development to help ensure the underpinning science has real world applications such as achieving New Zealand's 2025 packaging targets.
- An important part of Scion's work is to carry out testing for food contact compliance, functional performance, and processing including recycling. In order to understand the environmental effects of the products it develops or tests on behalf of commercial clients, Scion runs the only DIN CERTCO accredited composting facility in Australasia to test biodegradability of products and materials.

• Scion also carries out research on applications of plastic to products outside packaging and explores manufacturing and applying biobased and biodegradable substitutions for petroleum-based plastics.

Signed by

Elsfith Vana

Dr Elspeth MacRae, Chief Innovation and Science Officer, HSNO Director

Florian pocichen

Dr Florian Graichen, General Manager Forests to Biobased Products

Questions in this document

If you are posting your feedback, you may wish to print this list out and respond to the questions.

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

We largely agree, however while oxo-degradable plastics are discussed; we think this should be broadened to all pro-degradant containing plastics. This could be written as "oxo-degradable and other pro-degradant plastics".

The connection drawn between "hard-to-recycle" and "environmental pollution" is wrong. The main driver against recycling is often economic, environmental pollution is predominantly caused by behaviour.

We also note that on p. 16 it is stated that "For many businesses, the type of packaging will be a commercial decision...". Our experience from working with our customers is that most businesses choose their packaging based on functional requirements to protect their product, or requirements of the receiving party e.g. export markets.

2. Have we identified the correct objectives? If not, why?

Yes.

3. Do you agree that these are the correct options to consider? If not, why?

Options are well laid out regarding what is covered under the WMA, who pays and the expected outcomes.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

Inconsistency may be perceived between the document and table make the weighting confusing. Also, cost is not listed as an objective though clearly given some higher weighting in the table.

Achievability will require new or amended legislation – two issues not addressed by option 6 if enacted – imported packaging on imported goods, and non-packaging single use products. Applying the same materials will make mandatory phases unlikely to be achieved.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

We agree with the one option of Mandatory Phase-out. It would be the most effective and fair across industry. However, it is unfortunate that three of the options had "Unknown"

effectiveness and could therefore not really be considered. Again, cost is confusing; for Labelling which the text says could be expensive has a -1 score for Cost while Product Stewardship would also be high according to the text and has a +2 score for Cost.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

We agree with all PVC phase-out in stage 1

We suggest all EPS food packaging should also come under the 2023 timeline. EPS food and beverage packaging (e.g. for baked goods) can be replaced with other alternatives. One of the few scenarios where EPS as food and beverage packaging is difficult to replace is for (live) seafood export, e.g. crayfish. However, we argue that there are options available and their lack of adoption is mainly due to economics. Additionally, the proposal includes provisions to develop specific exception for certain products or applications. In this case, the user of EPS would need to provide sufficient evidence to support continued use of EPS; such evidence could also be used to further develop alternatives with the goal to eliminate EPS completely.

Also, oxo/pro-degradable plastics have been left out of the text for Stage 1. These materials should be part of Stage 1 – the use of oxo/pro-degradants poses significant environmental and health risk and they should be banned as soon as possible, following international examples.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

We think the right items have been identified for phasing-out, but we would also include oxo/pro-degradant and all PS/EPS/PVC packaging not just food & beverage.

Post-consumer PS, EPS or PVC packaging is not recycled in NZ and it should be used as little as possible to achieve the proposal objective and improve recycling systems. More packaging alternatives/materials are available for non-food contact items. We believe the best changes to avoid contamination of recycling streams with hard-to-recycle plastics will be eliminating PS, EPS and PVC as packaging options altogether. Otherwise, consumers will not be aware that PVC might be used as packaging, for example, for pillow cases and put the plastic which appears to be PE into recycling.

While the public is focused on single-use and food packaging the easier replacement targets need to be included if the purpose of change is to improve recycling collection.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Yes. See above for reasoning

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

The benefits are obviously the same regarding reducing contamination in kerbside recycling, moving NZ closer to the goal of 100% reusable, recyclable or compostable by 2025. Costs to

replace EPS are as yet unknown, as this is a difficult problem to solve, especially for whiteware and other large/heavy fragile appliances.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

There are material alternatives for PVC and PS, however, they will require investment in packaging manufacturing equipment to convert new materials, investment in product design to ensure the packaging item 'performs' as required with the new material, investment in labelling, moulding.

There will also be initial costs from higher product failure/breakage/loss due to new materials (e.g., EPS replacements not having same performance) before supply chains can adapt. For EPS: Material replacement might lead to thicker materials having to be used which leads to increased transportation costs for goods.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Increased recycling of plastics is implied as a benefit but should be highlighted. With targets for higher recycled content in plastic products, this should be a major driver.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

We think the benefits for packaging manufacturers are overstated. There will not be a benefit from selling higher-value material, there is no reason to believe that margins for manufacturers will increase due to using a more expensive raw material. Manufacturers feedback is needed for more accurate cost assessment.

For some cases, Table 6 underestimates the cost impact. For example, many EPS manufacturers across NZ do not have alternative material options. Those which only focus on packaging and not building products will be highly impacted. Likewise, brand owners highly depend on EPS packaging could be highly impacted, especially if increased product loss (as well as more expensive alternative packaging materials) is a factor for applications such as homeware.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

| N/A | | |
|-----|--|--|
| | | |

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

We agree with the initial list but see scope for expanding the list considerably to include the following items, when they are made from non-biodegradable plastics:

- Wet-wipes containing plastic fibres,
- Single-use coffee cups,
- Outer packaging of Snack Packs, (unless bio-based, and certified homecompostable or accepted by NZ paper recycling operations)
- Non-compostable plant pots,
- Plant clips and ties, plant labels, (unless bio-based, and certified homecompostable or accepted by NZ paper recycling operations)
- Single use party balloons and water balloons, (unless bio-based, and certified home-compostable or accepted by NZ paper recycling operations)
- Plastic glitter, confetti, sequins, (unless bio-based, and certified homecompostable or accepted by NZ paper recycling operations)
- Party poppers with plastic 'filling', (unless bio-based, and certified homecompostable or accepted by NZ paper recycling operations)
- 17. Do the proposed definitions in table 7 make sense? If not, what would you change?

The proposed definitions make sense; but it needs to include "paper cups with polymeric coatings, including dispersion- or emulsion- coating" in the definition to complement wax and polymer coatings and avoid the loophole of water-dispersion (paint) coatings.

Disposable coffee cups made from /with hard-to-recycle plastics should be also included. This is a very large group, where a difference could be made.

- 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.
 - a) 12 months?
 - b) 18 months?
 - c) 2 years?
 - d) 3 years?
 - e) Other?

If you think some items may need different timeframes, please specify.

For Single-use plastic cups and lids, b) 18 months seems about right for companies to use up stock and prepare for alternatives. For all others, a) 12 months seems acceptable.

This is based on the assumption of phase-out, not material replacement with alternatives. Phase-out timeframes need to ensure that business have time to adjust their operations and

use current stock. Unfortunately, business rely heavily on single-use coffee cups which are also manufactured overseas. Therefore, we believe a slightly longer timeframe is acceptable here.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

We think single-use coffee cups should be included in the phase-out list. We need to change consumer behaviour; a phase-out is a way to ensure this.

We also think wet wipes that include plastic should be included in the phase-out list; there are alternatives. All wet wipes block sewerage systems regardless of plastic content. The product stewardship approach to cover the cost of waste management is a good option.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/A

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

18 and 12 months, respectively. Refer to Q18.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

We think they look about right, but the industry would be better positioned to comment here.

23. How should the proposals in this document be monitored for compliance?

The phase-out should be monitored using a similar approach to the one used for single-use shopping bags or other prohibited goods.



Submission to the Ministry for the Environment

Reducing the impact of plastic on our environment

4th December 2020

- 1. Seafood New Zealand Limited welcomes the opportunity to submit on the Reducing the impact of plastic on our environment moving away from hard-to-recycle and single-use items (the Consultation Document).
- 2. Seafood New Zealand is a professional organisation delivering industry-good services for the wider benefit of the seafood industry, an industry which had an annual export earnings of \$2.02 billion in 2019. Seafood New Zealand plays a leading role in developing and presenting the seafood industry's response on legislative and regulatory proposals affecting the industry.

General Comments:

- 3. The New Zealand seafood industry is supportive of Government's efforts to reduce the impact of plastic on the environment and is itself working to reduce the use of plastic within and across our operations. An example of this is initiative where Aquaculture New Zealand partnered with the Ministry for Primary Industries and the Sustainable Business Network this year to undertake work to better understand plastic use and the opportunities to reduce plastic waste in New Zealand aquaculture.
- 4. Many companies have also individually invested in a range of initiatives designed to reduce the overall amount of plastic used within their businesses and/or to replace plastic items where there are cost effective and viable alternatives.
- 5. However significant concern has been raised by our industry regarding the proposed mandatory phase-out of expanded polystyrene (EPS) transport boxes. A large portion of seafood is distributed in live or chilled form using EPS transport boxes both throughout New Zealand and to many export markets, including markets in China, the United States of America and Europe. Products include live rock lobsters, shellfish, eels and other high value chilled and processed seafood products. The annual export value of live and chilled seafood alone is approximately \$530 million.
- 6. Live and chilled seafood is extremely perishable and places high demands on packaging during transport. Thermal properties, liquid containment and product protection (requiring a high degree of rigidity), are necessary to maintain the product's integrity and to ensure high quality, safe seafood reaches its destination.

- 7. There are alternatives to expanded polystyrene boxes available for transport of food products. However, the nature of live and chilled seafood and the exposure to the variable transport conditions throughout the distribution chain, challenges the integrity of these alternatives, particularly for live seafood and/or long-distance transport.
- 8. The recent HelloFresh recall of trevally fillets in New Zealand due to elevated histamine levels (which is caused by a break-down of the cold-chain) within New Zealand has highlighted the critical importance of temperature control of chilled seafood during transport and distribution.
- 9. For reasons further outlined in this submission relating to liquid containment, thermal and protection properties necessary to maintain product quality, integrity and food safety, the seafood industry is opposed to the proposed mandatory phase-out of expanded polystyrene boxes by 2025 and seek an exemption to continue to utilise this product for the transport of live and chilled seafood.

Specific Comments and Question Response:

Q1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

10. We agree we need to encourage New Zealanders to use less plastic overall and to reduce the reliance on single use plastic items. However, we do not completely agree that expanded polystyrene boxes used for transport of seafood are hard-to-recycle. First, these often remain in circulation as they are reused by industry, and according to Plastics New Zealand (EPS Sector Group), the EPS sector has been actively recycling EPS, including recycling over 1,200 tonnes in New Zealand since 2019. EPS is also collected, compacted and sent offshore for recycling overseas by the waste management companies and organisations like Abilities Group.

Q2. Have we identified the correct objectives? If not, why?

11. We agree with the intent of the policy objectives however believe that simply focussing on 'reducing the use' of specified plastics may be too blunt. We are also concerned that, as stated in the consultation document, this is a starting point. With respect to seafood, it must be packed and transported in a manner that maintains quality and food safety, otherwise the product very quickly becomes waste. Food safety must be a priority consideration for the Government in determining any future actions associated with plastic reduction, as it is for industry when assessing alternative packaging options for viability.

Q3. Do you agree that these are the correct options to consider? If not, why?

12. These appear to be the correct options to consider but we do not agree that the proposed mandatory phase-out should be the preferred option for expanded polystyrene transport boxes. As previously stated, other options such as a product stewardship approach should be considered.

- 13. Option 6 (mandatory phase-out), also only considers the costs to the taxpayer but is silent on the costs that will be borne by industry. A move away from expanded polystyrene transport boxes, not only comes with additional risks to quality, food safety and meeting market requirements, but additional cost. In the seafood industry a large proportion of live and chilled product is exported into competitive markets where there is limited ability to simply add on additional cost, and so these will need to be absorbed into an already tight cost structure.
- 14. For a mandatory phase-out to be considered the Minister for the Environment must be satisfied that 'a reasonably practicable alternative to the specified materials are available'. There are alternatives to expanded polystyrene boxes available for transport of chilled seafood, and there are companies using alternatives where they are truly viable. However, this is usually in specific situations and where the transport conditions (product type, travel distance, with additional refrigeration, etc) are controlled.

Q4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

Q5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

- 15. We have considered these two questions together, as we have concerns with regards to the weightings applied in Table 3, and the way the assessment has been carried out broadly across the 'hard to recycle' and 'single use products' identified in the consultation document, leading to the consideration of only taking one option forward for both categories.
- 16. We believe both effectiveness and cost should be given equal weighting, with consideration to how effective the measure will be in achieving the objectives, alongside of the cost of implementation.
- 17. The seafood industry believes that there is scope for these packaging materials to be better managed through a product stewardship or similar type of scheme and are happy to work with EPS manufacturers and other stakeholders to progress this option.
- 18. In terms of assessment, Table 6 does not provide an actual cost benefit analysis, so there is no ability to assess whether or not the implementation of a mandatory phase-out across the products identified can be achieved without placing undue costs on New Zealand, i.e. on Government (taxpayer) and on those businesses affected.

Proposal 1:

Q6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and 2025)? If not, why?

19. The seafood industry is generally supportive of a managed phase-out of PVC and polystyrene, however, we are opposed to the mandatory phase-out of expanded polystyrene (EPS) transport boxes, for reasons already outlined in this submission.

Q7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

20. Table 4 of the consultation document proposes the scope for the phase-out of food and beverage packaging but it is noted that the list provided, has 'includes but is not limited to' as a disclaimer. Without a defined list it is difficult to identify exactly what is in scope and what is not. It is recommended that a defined scope is provided and a full cost benefit analysis be undertaken.

Q8. Do you think we should include all PVC and hard polystyrene packaging, in stage 2?Q9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging?

21. As previously identified an actual cost benefit analysis would provide necessary information to make an informed decision in terms of the overall impact for New Zealand, and specifically the impact on the seafood industry.

Q10. Do you believe there are practical alternatives to replace hard to recycle packaging (PVC, polystyrene and EPS)?

- 22. While we acknowledge the on-going work and continual development of alternative packaging, the nature of live and chilled seafood and the variation of transport conditions that product is exposed to through the distribution chain, means that the liquid containment, thermal and protection properties required are challenging to replicate. Currently, there is not a truly time tested, practical alternative available that ensures product integrity is maintained, under the range of transport conditions various live and chilled product are exposed to.
- 23. The investment, research, innovation and particularly the time required to develop alternatives that meet the demands for liquid containment, thermal control and production protection is significant. Complexity is added with the amount of trialling required to truly determine viability. For seafood there is significant variability that must be factored in such as, the product form (live or chilled), the species and product format, level of protection (rigidity) required, the distance of travel, the mode of travel, and the conditions under which transport occurs. What works for one situation may not work for another.
- 24. The current alternatives have not yet been truly tested over time and for some product formats and/or travel distances required, they do not stand up, and are not yet a practical alternative. For this reason, the industry is opposed to the proposed mandatory phase-out of expanded polystyrene boxes by 2025.
- 25. It should be noted that the industry is willing to continue to work with packaging companies in the alternative space. However, can only move to an alternative when one is developed that ensures product will meet quality, food safety and integrity on reaching its destination in the same way that expanded polystyrene boxes do. And only after having been truly time tested and over the range of transport conditions product is exposed to.
- 26. Until this happens, the seafood industry considers a product stewardship approach more suitable.

Q11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023?

27. Yes, we agree with the phase-out of oxo-degradable plastics where there is a truly viable alternative, however we do note the relatively short timeframe (2023) which could add additional cost pressures on some businesses in an already challenging time.

Q12. If you manufacture, import or sell oxo-degradable plastics which items would a phase-out affect?

28. Not applicable.

Q13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.
Q14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed? Please provide details to explain your answer.

29. No assessment of the actual costs has been provided in the consultation document. A full cost benefit analysis needs to be completed to understand the impact of these proposals on the taxpayer, businesses and New Zealand overall.

Proposal 2

30. The seafood industry is supportive of proposal 2, the phase-out of the identified singleuse plastic items. That said, it is important an actual cost benefit analysis is completed in order to truly understand the impact of the proposal on New Zealand before regulatory decisions are made.

In Summary

- 31. The New Zealand seafood industry is supportive of Government's efforts to reduce the impact of plastic on the environment. However, we believe that a full cost benefit analysis is critical to understand the full impact of the proposals before regulatory decisions are made.
- 32. For reasons as outlined in this submission relating to the thermal and protection properties necessary to maintain quality, integrity and food safety, we are opposed to the proposed mandatory phase-out of expanded polystyrene boxes by 2025 and seek an exemption to continue to utilise this product for the transport of live and chilled seafood.

Yours sincerely

civet

Cathy Webb

| Contact Person: | Cathy Webb, |
|-----------------|---------------------------------------|
| | Seafood Standards Manager |
| | Seafood New Zealand Ltd |
| | PO Box 297 |
| | Wellington |
| | ddi: (04) 801 4690 |
| | mob: 0274 747 033 |
| | eml: <u>cathy.webb@seafood.org.nz</u> |

Submission by

The Packaging Forum's Soft Plastic Recycling Scheme (SPRS)



to the

Ministry for the Environment

on the

Reducing the impact of plastic on our environment: moving away from hard to recycle and single use items

4 December 2020



Executive Summary

The Soft Plastic Recycling Scheme (SPRS) currently has 92 members which fund the collection, baling, transportation and processing of post-consumer soft plastic materials. The scheme has grown its membership by 46% since 1 January 2020.

The SPRS **SUPPORTS IN PRINCIPLE** the intent of the Ministry for Environment's proposal to address "hard to recycle" packaging.

However, technological advances in recycling plant and collection systems mean that packaging that is currently "hard to recycle" may not be so in the future. The scheme's focus is on soft plastic materials which are not currently collected at kerbside in New Zealand however there are already trials in New South Wales for kerbside collection of soft plastics via an industry led project with Nestle and Australian Recycler iQ. We are also working with companies that are involved in New Zealand Research and Development and part of global trials to convert plastic into oil and to use plastic as a feedstock for new generation finished projects.

COVID-19 has reinforced the need for packaging to protect and preserve products. In stores, consumers are choosing single use plastic bags for their produce and bakery and we therefore question the inclusion of these products in the proposed "phase out" when there is an effective recycling scheme in place. The SPRS **DOES NOT SUPPORT** the phase out of single use bags under 70 microns thick without handles for carrying fruit or vegetables. This packaging can and is being recycled and banning it may create more waste if there was a shift to bags over 70 microns which we have seen with the single use plastic carrier bag ban or if other materials such as paper are introduced which may increase the amount of paper waste.

We note that the consultation paper acknowledges that LDPE (4) is mainly used for making soft plastic and is difficult to replace with other materials. We also accept secondary materials which are encompassed within resin 7. The SPRS **does not agree** that any packaging which meets its recyclability criteria should be "phased out" or banned. The definition of "other" resin #7 is broad and includes materials which we are able to recycle in a blended mix. Manufacturers choose these multiple layer products for specific functionality.

The SPRS does not cover either Polystyrene or PVC as these products are not accepted by our processors.

The SPRS supports the NZ Food & Grocery Council's research to quantify how much plastic is consumed annually by resin type. The consultation document refers to having assessed "costs" however without understanding current consumption patterns and how many manufacturers are using resins which will be "banned", it is impossible for the Ministry to say it has assessed the costs.

However, in Australia, the Australian Packaging Covenant Organisation (APCO) reports that PVC consumption reduced by 25% in 2019 compared to 2018 and EPS reduced by 26% over

the same period. This demonstrates that industry is phasing out these plastic resins on a voluntary basis. This voluntary action is also happening in New Zealand.

The Consultation Paper was released in August, six months into the COVID-19 pandemic and yet makes no mention of seeking to understand how the economic constraints on industry will be intensified through this legislation. The SPRS considers that a full economic assessment is required before product bans are introduced. We **DO NOT AGREE** with the proposal to only take forward one Option, Mandatory Phase Out. We consider that other options, working together over time will reduce and where necessary eliminate "hard to recycle" plastics without placing undue costs on New Zealand businesses. Plastic Packaging has been declared a Priority Product requiring mandatory product stewardship and as such we believe should be an alternative option for consideration.

Detailed Comments on Questions asked by the Ministry

The SPRS is by definition focussed on soft plastic packaging materials. However, our members also use rigid plastic packaging, and we incorporate their feedback in our commentary below.

1 Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items?

The SPRS **agrees in principle**. However, "hard to recycle now" may not be hard to recycle in the future. Technological advances in recycling plant and collection systems mean that packaging that is currently "hard to recycle" may not be so in the future.

The scheme's focus is on soft plastic materials which are not currently collected at kerbside in New Zealand however there are already trials in New South Wales for kerbside collection of soft plastics via an industry led project with Nestle and Australian Recycler iQ (<u>https://www.curbythebilby.com.au/</u>) and iQ Renew is pioneering a new chemical recycling technology for End-of-Life Plastics.

In New Zealand we are also working with companies that are involved in Research and Development and part of global trials to convert plastic into oil and to use plastic as a feedstock for new generation projects.

2. Have we identified the correct objectives? Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items?

The SPRS **agrees in principle**. However, we are concerned with the reference to this being a Starting Point. Industry needs to understand what is under further consideration before it invests in substitution, then find things change after the "start".

3 Do you agree that these are the correct options to consider?

Agree.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items?

The SPRS **agrees in principle**. However, the criteria and weighting need clarity before they can be supported as described.

Effectiveness and Alignment have similar intent and are therefore "double counted". Cost should have an equal weighting with effectiveness (including "social and environmental cost).

Weighting should be based on a clearly defined criteria, considering the practical aspects of material substitution and economic risk and other aspects as quality and consumer safety.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)?

The SPRS **does not agree** with the decision to take forward only one option – Mandatory Phase Out. Option 5 is already regulated for Plastic Packaging and should be considered as an alternative. PVC and Polystyrene are already covered within the declaration of Plastic Packaging as a Priority Product and therefore consideration should be given to Product Stewardship to deliver the objectives.

The SPRS does not agree that the Ministry's recommendations are based on an understanding of the cost. Without knowing the consumption by resin type the cost to business of change is not understood.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)?

Members have signed up to the Plastic Packaging Declaration which sets targets for 2025. They therefore question why products should be banned before that agreed deadline.

Further, without an understanding of how many companies are using PVC and PS packaging, it is difficult to understand whether the time frame is feasible.

The likely costs or benefits of phasing out all PVC and polystyrene packaging needs a full and separate economic analysis.

For companies that do use these products, multiple packaging lines will need replacing and often an R&D component will be needed.

By the time economic insights are drawn, alternative materials and infrastructure are available, and trials are concluded the end of 2022 is impossible and even the end of 2024 is probably not achievable in totality.

7/8. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)?

The SPRS is concerned about the range of packaging included and the timeframes. Any phase-out needs to include solutions for alternative packaging which will be fit for purpose and avoid unintended consequences e.g. less plastic but more food waste, reduced hygiene, or safety impacts.

For example, Polystyrene keeps food cool and protects handlers from heat. For food that needs to be kept chilled and for long distances there is no replacement to PS therefore we could threaten our food export market if alternatives that are as reliable/safe are not found by phase out.

High Impact Polystyrene Sheet (HIPS) used in food packaging such as yoghurt pots should be excluded and covered with the Mandatory Product Stewardship of Plastic Packaging.

In general, we recommend greater alignment with Australia in terms of packaging design and what is collected at kerbside so that we have the opportunity to share processing technology to the benefit of both countries.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Capital costs to businesses will be millions of dollars to replace current filling lines and the higher costs of packaging will be **significant** and will need to be passed onto consumers.

Further, the size of a packaging component should be taken into consideration when identifying 'problematic' materials. A small pack size (eg: portion packs) will not be recyclable in the current recycling infrastructure *(reference: Standardising Kerbside Collections)* no matter what material it is made from. It therefore makes no sense to change a portion pack from HIPS to PET at a significant capital cost and packaging on-cost for no benefit to the circular economy - they will both go to the waste stream.

If, for example a product was moved from white HIPS to White PET, we would need to be certain that the new product would be collected for recycling and recycled.

10 Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)?

The SPRS **does not agree** that there are currently practical alternatives to replace some "hard to recycle" packaging for example HIPS yoghurt pots.

Plastic resins are selected for their functionality. Some products require protection from light to preserve the quality, safety and shelf life of the product. There are other functional hurdles to overcome which HIPs currently provide such as "snappability" and formability.

We recommend that HIPS used in food packaging such as yoghurt pots should be excluded and covered with the Mandatory Product Stewardship of Plastic Packaging. In Australia there is a HIPS recycle programme based on the Terracycle partnership.

11 Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023?

Agree.

12 If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

No position

13 Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics?

For those companies impacted by the ban the costs are in the millions of dollars at a time when many businesses are already hit by Covid 19.

There has been no assessment of the cost to industry of introducing new plant, machinery or capability. Further the consultation paper which was released in August makes no mention of the economic impact of Covid 19.

We consider that a full economic assessment is required before product bans are introduced.

14 How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here?

Highly Likely. We are certain that the Proposal to phase out targeted plastics will have greater costs than those referred to in the document (and those not discussed within the document). Vague references to "some businesses" and "some impacts" do not provide business with confidence that the Ministry understands the costs of the proposal.

Our members however have indicated that the capital costs to businesses will be millions of dollars and that the higher costs of packaging will be significant and will need to be passed onto consumers.

15 What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Members impacted by the ban ask whether the sort of funding support which is being received by recyclers and processors to change and improve their systems will also be available to them.

The SPRS supports consumer education programmes to improve the consumer's understanding of what can be recycled and where. The Scheme has been accepted by the Australian Packaging Covenant Organisation as an "alternative destination" within its Australasian Recycling Label as it now meets the threshold for "recycle at store" labelling. This is a huge achievement for the scheme and will provide a consistent labelling experience for consumers.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

The SPRS **does not agree** with the phase out of single use bags under 70 microns thick without handles for carrying fruit or vegetables. This packaging **can and is** being recycled and banning it may create more waste if there was a shift to bags over 70 microns which we have seen with the single use plastic carrier bag ban or if other materials such as paper are introduced which may increase the amount of paper waste and exceed NZ fibre recycling capacity.

COVID-19 has reinforced the need for packaging to protect and preserve products.

We agree with encouragement to use reusable alternatives and we have scheme members who produce these reusable bags.

APPENDIX: ABOUT THE SOFT PLASTICS RECYCLING SCHEME

Background

The Soft Plastics Recycling Scheme (the SPRS) initially started collecting post-consumer soft plastic packaging in November 2015 as an industry led trial with funding from the Waste Minimisation Fund

The SPRS was accredited as a Voluntary Product Stewardship Scheme under the Waste Minimisation Act (2008) on the 22 March 2018.

The SPRS is stewarded by a Steering Committee which reports to the Packaging Forum's Governing Board. The Steering Committee comprises nine member companies from across the supply chain including plastic packaging manufacturers, brand owners and retailers.

The SPRS represents an estimated 74% of the post-consumer soft plastic packaging market as identified in 4.4 below.

Membership of the SPRS

The scheme has **92** members and has increased membership by 46% during 2020.

Members pay a levy based on their company turnover and an understanding of the volume of soft plastic materials which they place on the New Zealand market.

The SPRS has defined its membership by the resin codes which are acceptable to processors. The Scheme also notes that it has measured consumption using available industry market data however targets will be improved through access to data on imported/distributed materials. **Chart 1: Membership**



Soft Plastics Consumption in New Zealand

On 1 July 2019, single use plastic carrier bags were banned in New Zealand. This removed around 6424 tonnes of soft plastic materials from the waste stream. Brand owners and

retailers have also increased their efforts to reduce plastic consumption by encouraging an increase in reusable options for fresh produce etc.

The SPRS uses volume consumption data from IRI MAT data to August 2020. The average weight per item in grams is calculated from Waste Not Consulting's independent audit of soft plastic packaging conducted for the scheme in March 2020.

An estimated 789 million bags were consumed in the 12 months to 16.8.20. This reflects an increase of 10% over 2019 but includes the COVID-19 lockdown period and "panic buying" of products within our categories including toilet rolls, confectionery, snack foods, frozen foods etc.

Based on the average weight per category type, around 4976 Tonnes of plastic packaging was consumed. This equates to around 1kg of soft plastic packaging consumed per annum per New Zealander. The average weight of bags has reduced by 5% which reflects light-weighting initiatives by industry.

| | | Average | | | |
|----------------------|-------------|----------|---------------|-----------|-------|
| | | weight | | | Total |
| | Unit Sales | grams | Total grams | Total Kgs | Tonne |
| | | | | | |
| | | | | | |
| Bread Bags | 139,146,980 | 8.1 | 1,127,090,538 | 1,127,091 | 1,127 |
| Potato chips | 152,667,672 | 4 | 610,670,688 | 610,671 | 611 |
| Biscuits | 101,429,896 | 3.9 | 395,576,594 | 395,577 | 396 |
| Frozen Food Bags | 61,502,329 | 8.7 | 535,070,262 | 535,070 | 535 |
| Confectionery | 73,700,398 | 2.2 | 162,140,876 | 162,141 | 162 |
| Pasta,rice & noodles | 82,109,493 | 6.5 | 533,711,705 | 533,712 | 534 |
| Breakfast cereal | 63,679,008 | 10.7 | 681,365,386 | 681,365 | 681 |
| Toilet Tissue | 37,853,593 | 9.6 | 363,394,493 | 363,394 | 363 |
| Sanitary Hygiene | 13,826,437 | 9.6 | 132,733,795 | 132,734 | 133 |
| Kitchen towel | 13,997,530 | 9.6 | 134,376,288 | 134,376 | 134 |
| Miscellaneous | 50,000,000 | 6 | 300,000,000 | 300,000 | 300 |
| | 789,913,336 | 6.299591 | 4,976,130,625 | 4,976,131 | 4,976 |

Chart 3: Unit sales and estimated tonnes

Participation Levels in Scheme.

Based on IRI date provided in Chart 3 and the brands identified in the Waste Not Consulting Branded Audit, the scheme represents approximately **74%** of the soft plastic packaging market as defined by the categories listed in Chart 3. The Scheme is working hard to encourage the non-participant brands to join.

Chart 4: Scheme Member's Market Share

584.5 million bags consumed are supplied by scheme members – an increase of 17% over 2019

| | | % share of total by | Unit sales by |
|----------------------|-------------|---------------------------|---------------|
| | | members | members |
| | | | |
| Bread Bags | 139,146,980 | 95% | 132,189,631 |
| Potato chips | 152,667,672 | 85% | 129,767,521 |
| Biscuits | 101,429,896 | 35% | 35,500,464 |
| Frozen Food Bags | 61,502,329 | 90% | 55,352,096 |
| Confectionery | 73,700,398 | 90% | 66,330,358 |
| Pasta,rice & noodles | 82,109,493 | 50% | 41,054,747 |
| Breakfast cereal | 63,679,008 | 84% | 53,490,367 |
| Toilet Tissue | 37,853,593 | 85% | 32,175,554 |
| Sanitary Hygiene | 13,826,437 | 85% | 11,752,471 |
| Kitchen towel | 13,997,530 | 85% | 11,897,901 |
| Miscellaneous | 50,000,000 | 30% | 15,000,000 |
| | 789,913,336 | 74% | 584,511,109 |

Scheme Performance

Tonnes collected

In the year to end November 2020, the SPRS has collected and processed 165 Tonnes of soft plastics despite the cessation of collection services during COVID lockdown and restrictions. The scheme's principal processing partner Future Post has increased its production capacity which allows the scheme to expand geographically. We anticipate that New Zealand will have the capacity to recycle over 700 Tonnes of soft plastic packaging in 21/22 year.

Geographic Reach

60% of New Zealanders now have access to a drop off location and more regions will be added. The Scheme has been accepted by the Australian Packaging Covenant Organisation as an "alternative destination" within its Australasian Recycling Label as it now meets the threshold for "recycle at store" labelling. This is a huge achievement for the scheme.

Packaging Design & Labelling

The SPRS accepts flexible materials which are plastics resin code 2, 4 and 5. Secondary materials (resin code 7) are accepted as part of the packaging, but their total weight must be less than 30%. The following chart shows the materials thresholds.

Secondary materials must be less than 30% in total across all secondary material types and primary materials (HDPE/LDPE/PP) must be a minimum of 70% by weight.



Chart 4: Materials Thresholds for Recyclability

Ideally packaging should be single resin materials however in practice the need for barrier, moisture and damage protection for some Food & Beverage products to ensure products do not spoil and achieve shelf life means that more than one layer is currently necessary.

The SPRS actively promotes members that are introducing reusable packaging or selecting alternative and more easily recycled materials.

The SPRS **does not agree** that any packaging which meets its recyclability criteria should be "phased out" or banned. The definition of "other" resin #7 is broad and includes materials which we are able to recycle in a blended mix.



Public Health South

Dunedin: Private Bag 1921, Dunedin 9054 Ph: 03 476 9800 Fax: 03 476 9858

Invercargill: PO Box 1601, Invercargill 9840 Ph: 03 211 8500 Fax: 03 214 9070

Queenstown: PO Box 2180, Wakatipu, Queenstown 9349 Ph: 03 450 9156 Fax: 03 450 9169

| SUBMISSION ON: | Reducing the impact of plastic on our environment: moving away from hard to recycle and single use items |
|-----------------------|--|
| То: | Ministry for the Environment PO Box 10362 Wellington 6143 |
| Details of Submitter: | The Southern District Health Board |
| Address for Service: | Public Health South Southern District Health Board Private Bag 1921 Dunedin 9054 |
| Contact Person: | Andrew Shand 03 4769895 Andrew.shand@southerndhb.govt.nz |
| Our Reference: | 20Aug09 |
| Date: | 02/09/2020 |

Introduction

Southern District Health Board (Southern DHB) presents this submission through its public health service, Public Health South (PHS). Southern DHB delivers health services to a population of 335,900 and has responsibility under the New Zealand Public Health and Disability Act 2000 to improve, promote and protect the health of people and communities. It seeks to promote equity and to reduce adverse social and environmental effects on the wellbeing of people and communities.

This submission provides general commentary and answers to specific questions on 'Reducing the Impact of Plastic on our Environment: Moving away from Hard to Recycle and Single Use Items' discussion document.

General Comments

Southern District Health Board appreciates the opportunity to submit on this initial consultation document. It addresses a very important environmental health issue and provides some practical recommendations on the way we receive, import, manufacture, sell, use and dispose of plastic products. Individual behaviour affects both New Zealand's clean, green image and our ecological systems, specifically our marine environment. The potential health impacts of environmental microplastics and nano-plastics pollution from direct (through drinking water), or indirect (the

consumption of aquatic life) includes changes to gastrointestinal activity, liver toxicity, neurological and reproductive toxicity.¹

While it is not clear what damage to human health is being created by the accumulation of plastics in sea life (e.g. consumption of fish contaminated with plastic), unchecked, the mass of plastics is predicted to rise. At current rates, plastic is expected to outweigh all the fish in the sea by 2050².

In addition to this, over 170 fracking chemicals that are used to produce the main materials for plastic have known human health impacts, including cancer, neurological, reproductive, and developmental toxicity, impairment of the immune system, and more. These toxins have direct and documented impacts on skin, eyes, and other sensory organs, the respiratory, nervous, and gastrointestinal systems, liver, and brain.³

There are also downstream effects on not only fish and shellfish stocks, but on our fishing industry. Marine litter is estimated to cost the Scottish fishing industry between US\$15.5 million and \$17.2 million a year, and reduce the fleets' total annual revenue by 5%.⁴ A parallel could therefore be made to the New Zealand fishing industry (NZ \$1.8 billion worth of seafood exports 2018⁵ compared with Scotland estimated at 1.4 billion pounds contributing to the UK economy). Any negative effects on New Zealand's fishing industry could reduce the availability and or affordability of fish in New Zealanders' diet with consequential longer-term health effects.

New Zealand could use Norway as an example of good policy for plastic diversion re-use and alternative product use. The proportion of plastic in their waste stream is close to one quarter of ours, and six times less plastic waste is produced per person per day. With a similar population to our own, these improvements are also achievable for us as a country.⁶

It should be noted that the focus in the discussion document is on micro-plastics. There are other less well researched and documented topics that could have been included in the consultation document, including the creation of nano-plastics.

Submission in Response to Specific Questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

We agree that they should be the focus of any regulatory interventions and changes in government policy/strategy. The exemptions should include Polyurethane foams to make it clear that they are locally manufactured and can be recycled as opposed to products such as Polystyrene that is more difficult to recycle. The issues as described may be more complex than detailed here. For example, in the transport sector (and in particular vehicle manufacture) there may be considerable overall cost savings in choosing lightweight materials – for example using electric vehicles. Essentially, the overall carbon footprint for

¹ Xiaoru, Chang; Yuking, Xue; Jiangyan, Li; Lingyue, Zou; & Meng, Tang. Potential health impact of environmental micro- and nanoplastics pollution. <u>https://onlinelibrary.wiley.com/doi/full/10.1002/jat.3915</u> (accessed September 02, 2020)

² Centre for Biological Diversity. Ocean Plastics Pollution. <u>https://www.biologicaldiversity.org/campaigns/ocean_plastics/</u> (accessed August 20, 2020).

³ Center for International Environmental Law. Plastic and Human Health, a Lifecycle Approach to Plastic Pollution. <u>https://www.ciel.org/project-update/plastic-and-human-health-a-lifecycle-approach-to-plastic-</u>

pollution/#:~:text=Microplastics%20entering%20the%20human%20body,outcomes%20including%20cancer%2C%20cardiovascular%20dis eases%2C (accessed September 29, 2020)

⁴ The Skimmer. OpenChannels News. <u>https://meam.openchannels.org/news/skimmer-marine-ecosystems-and-management/what-marine-plastic-pollution-costing-us-impacts accessed 20/08/2020</u> (accessed August 08, 2020)

⁵ <u>https://www.seafoodnewzealand.org.nz/industry/key-facts/</u> (accessed September 15, 2020)

⁶ Royal Society Te Aparangi. Plastics in the Environment: Te Ao Hurihuri – The Changing World. <u>https://www.royalsociety.org.nz/what-we-do/our-expert-advice/all-expert-advice-papers/plastics-in-the-environment-evidence-summary/</u> (accessed August 08, 2020)

SDHB submission on Reducing the impact of plastic on our environment

the life of a vehicle may be considerably reduced by using lightweight components. Savings are often made in the area of car tyres with some manufactured with synthetic compounds to reduce their carbon footprint.⁷ The use of synthetics reduces weight and rolling resistance thereby lowering energy requirements over the life of the vehicle (the so called – "green tyre technology"). This shows that the elimination of one type of synthetic compound/plastic may actually create other environmental issues including an increased carbon footprint over the lifetime of the alternative product.

2. Have we identified the correct objectives? If not, why?

We agree that these changes need to be made at an import, manufacturing, retail and disposal stage.

3. Do you agree that these are the correct options to consider? If not, why?

While the timelines for the prohibition on the use of these 'unwanted' types of plastics should be as soon as practicable, we agree that there needs to be real and measurable changes within the timelines proposed. We assert that previous attempts where industry was allowed to self-regulate or implement a voluntary stewardship scheme have been too slow to make a credible change (e.g. used tyres).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

While the weightings do strongly favour the desired options, a holistic approach including a comprehensive public information and education programme alongside the chosen option(s) is encouraged.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

While we feel that the mandatory option will have a desired effect (e.g. plastic shopping bags), this may put some hardship on industry that is already feeling an economic stress from COVID19. The food industry in particular will need to be given the opportunity to feed back on the practicalities of changes to the desired outcomes within the timeframes required before any final decision/dates are made. Options for alternatives need to be available before implementation to prevent food safety issues (e.g. meat trays through supermarket checkouts). The inclusion of incentives for reduce and reuse before recycling could be a useful addition. Also see our response to question 5 below regarding an exclusion for rigid polystyrene in a healthcare setting.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

As above, alternatives will have to be made available (and priced into the retail products) before implementation.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? The reduction in one type of packaging may create an increase in another type which may be less recyclable. Currently plastics are used for transportation of goods due to being light weight and its ability to provide impact absorption and insulation. Flat pack type furniture,

⁷ Oponeo. What Are Tyres Made of? The Nature of Tyre Rubber <u>https://www.oponeo.co.uk/blog/eco-tyre-materials-the-nature-of-tyre-rubber</u> (accessed August 21, 2020)

SDHB submission on Reducing the impact of plastic on our environment

for instance, may have few options due to the bulk and mass of products being transported, wooden replacement packing may be recyclable, but will be considerably more expensive initially. Wooden packaging and outers (e.g. for whiteware and electronics) may also require harder woods (or laminated ply woods) and more urethane foam type synthetic products may be created as a substitute (the latter being recyclable). Some alternative packaging (e.g. paper and cardboard) can have a higher carbon footprint than plastic packaging (e.g. paper and cardboard products often have high embodied carbon from their manufacture and if disposed of in landfill can degrade releasing methane a greenhouse gas). Ideally if any packaging product is removed, it should have an alternative that is recyclable and has low lifecycle carbon emissions associated with it.

Once again, the industries themselves will have to provide feedback on this as some items will be difficult to replace. Southern DHB are aware that some alternatives to PVC do not currently have a recycling stream. Southern DHB currently has a recycling/reuse program for PVC products – oxygen masks, tubing and fluid bags. The alternative products (fluid bags) that are non-PVC, are not recyclable in the current streams. Therefore, removing PVC would limit Southern DHB's ability to recycle (bearing in mind the environmental impact of PVC manufacture).

In healthcare settings, expanded polystyrene boxes are often used to transport medical supplies that must be kept cool. A concern has been raised regarding reusable alternatives potentially having a significant expense, and single-use alternatives not being able to provide the stability required for the transportation of the products. In this instance a product stewardship type scheme for the whole of product lifecycle may be more appropriate.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

As above – see response to question seven.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025? There are likely to be considerable benefits in eliminating all these products from an environmental perspective. The options chosen are controllable 'streams' where

environmental perspective. The options chosen are controllable 'streams' where alternatives can be found. A total ban on all Polystyrene and EPS would seem to be going too far (see our response to question 7 regarding insulated cool bins), especially where there are safety factors at stake (e.g. flotation for watercraft).

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

As above - see response to question 7. There may be alternatives for the health industry but they in turn are harder to recycle.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

We agree these should be phased out as they are a restriction on any possible future recycling opportunities due to contamination.

- 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details. Coffee cups and kitchen rubbish bags would be affected. Southern DHB is currently phasing out all forms of plastic coffee cups and replacing them with cardboard.
- 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

We recommend consideration of recyclable/reuse ceramic options (i.e. cheaper than regular barrista cups) or introduce recyclable outers (plastics/ceramic) with disposable or recyclable inners.

Wet wipes are an issue from the environmental perspective as they are a considerable contaminant in reticulated wastewater systems. Until alternatives are available (and in particular in a health industry setting, the status quo could remain). Suitable alternatives should be sought/promoted.

Please note that we have not responded to Questions 13-28, and 20-23 as we feel we do not have the qualifications or contextual knowledge to do so.

Summary

Thank you for the opportunity to comment on this discussion document. We believe that replacement products are or will be available within the timelines proposed and that a regulatory intervention is required to make this move to remove/reduce unwanted plastics from our environment.

We would like to speak to this submission if the opportunity arises.

Andrew Shand Senior Health Protection Officer




Darren Tiddy Stormwater360 7C Piermark Drive, Rosedale, Auckland, 0623, New Zealand

1st December 2020

Waste and Resource Efficiency Team, Ministry for the Environment, Environment House, 23 Kate Sheppard Place, Thorndon, Wellington, 6011, New Zealand

<u>RE: Consultation Response: Reducing the impact of plastic consultation, Ministry for the</u> <u>Environment</u>

To the Waste and Resource Efficiency Team,

This note is submitted as part of our response to the consultation document "Reducing the Impact of Plastic on our Environment: Moving Away from Hard-to-Recycle and Single-Use items" to provide additional context and details relating to our submission.

Stormwater360 is New Zealand's only specialist stormwater technology company with over 25 years' experience and expertise in managing every aspect of stormwater management. Since 1996, we have developed and delivered efficient, innovative, and award-winning solutions to manage stormwater runoff and reduce its impact on the environment. We are passionate about the environment and proud to be working towards cleaner water and a sustainable future.

We agree with the objectives set out in this policy and consultation document in its current form. We agree that it will provide benefits to both processes and infrastructure within the waste management industry. However, we disagree with the expected environmental benefits within the current scope. The scope includes two objectives, first to regulate specific plastic materials in a select number of applications, and second to regulate certain single-use items.

With respect to the first objective, changing the plastic composition of an item will impact on waste management processes but is unlikely to impact on whether that item is littered or leaked to the environment, regardless of its material composition. The second objective does have potential to reduce the total litter loading, but the associated environmental benefit is assumed.

Stormwater360 has conducted numerous studies on the characteristics of litter leaked to stormwater drains across a variety of land uses, and we conclude that litter is both complicated and ubiquitous. Based on this experience, our view is that this policy scope is too narrow with over-estimated benefits. This over-estimation is based on unqualified assumptions made about how and where plastic litter is generated and transported.

Therefore, we recommend a review and expansion of the scope of this policy. We acknowledge the planned release of the National Plastics Action Plan due in December 2020, and that this document may or may not include a broader scope as recommended (Ministry for the Environment, 2020). We also recognise additional processes currently taking place, such as the Three Waters Reform Programme¹ and the Resource Management System review², which are both able to include plastic litter capture from public and private infrastructure within their scope of reference.

Improved recycling processes and infrastructure would not reasonably be expected to impact the quantity of litter generated across urban areas if those items are littered outside of waste management processes and facilities. Waste management infrastructure and stormwater infrastructure may both aspire to reduce the amount of litter leaked to the environment, but they are operated and maintained separately, with significant differences in their function and locations. The broader strategic objective of this policy aims to improve waste management infrastructure alone which will not be capable of producing the stated environmental benefits. For example, changing PVC packaging to polyethylene packaging would enable improved recycled plastic volumes, but could not reasonably be expected to influence whether that plastic becomes littered along a road, in a loading bay, around a rubbish bin or bin storage area, on either residential or commercial sites, or indeed whether this type of packaging is a commonly found item of litter in a drain. The environmental benefits stated in the policy assume this indirect action will have a significantly high environmental benefit, we respectfully disagree with this weighting.

We do agree that improved waste management processes and infrastructure will provide environmental benefits, but these will be limited to specific locations such as transfer stations and recycling facilities where stormwater infrastructure overlaps with waste management. Other land uses that generate equally significant litter volumes would not be affected. Examples are manufacturing facilities where plastic pellets or nurdles are primary inputs, public amenities such as bus stops, commercial loading bays, among others which we have identified through on-going research projects. We do not see this policy scope addressing such processes or infrastructure, and this is our justification for challenging the quantified environmental benefits in this policy.

To list our assumptions, we agree that much of the globally manufactured plastic materials are used for packaging materials (Geyer *et al.*, 2017) and that this is likely the basis and justification for this policy. We also state that our expertise is not in the recycling or waste management industry, and so we are not in the position to state what quantity of plastic packaging gets to a recycling facility or landfill. However, we have extensive experience and expertise in capturing litter outside of waste management processes, which is done within the stormwater network and its associated infrastructure.

From our experience, most of the litter pollution entering stormwater drains is composed of plastic materials. Our studies show that the average drain in commercial land uses in New Zealand receive between 600-800 pieces of litter per drain per year. It is estimated that there are more than one million stormwater catch pits across New Zealand and most of the litter they receive is uncaptured as it passes through the reticulation network. As stated, much of this litter consists of various types of plastics, typically more than two-thirds and up to three quarters are plastic items. Our research is identifying the hotspots which contribute significantly more litter, these can be targeted first for effective use of limited funding.

¹ Department of Internal Affairs | Te Tari Taiwhenua website: <u>www.dia.govt.nz/Three-Waters-Reform-Programme</u>

² Ministry for the Environment | Manatū Mō Te Taiao website: <u>https://www.mfe.govt.nz/rmreview</u>

There are two primary factors that influence litter loading, these are:

- 1. Littering is a consequence of human activity, and the behavioural aspects that control this activity can be conscious or subconscious (Rangoni & Jager, 2017). This means that the act of littering may be intentional or accidental, with the person being aware or unaware or their behaviour.
- 2. Most littered items are transported through a fast and efficient stormwater network (Burton & Pitt, 2002), to a receiving environment which is usually a stream, river, pond, lake or ocean. There are numerous other factors that influence the variability seen in pollutant loadings in stormwater, including the extent of urbanisation, land type, spatial factors (such as regions or combinations of source water), flow factors (such as base flow, storm events and contaminant responses to flow), variability between events (such as seasonal effects, rain event characteristics and antecedent conditions) and finally the sampling or survey methods used to gathering this information (Gadd & Milne, 2019). This makes understanding litter loading complicated and means that litter 'hotspot' may move around depending on the influence of these inputs.

The Prime Minister's Chief Science Advisor's (PMCSA) report identifies some of the research gaps and infrastructure required to address this issue. We believe that New Zealand has the technical and commercial capabilities currently to adopt practical and financially viable processes and infrastructure to address and abate litter pollution. Stormwater360 has significant expertise in the field of pollutant characterisation and capture using stormwater infrastructure. One such example is our innovative litter capture technology, the LittaTrap[™], featured on page 197 of the PMCSA's report. The LittaTrap is the result of 25 years technical development here in New Zealand. It has won numerous awards, locally and internationally, for innovation within our field of practice. Despite this recognition, together with active engagement with councils, businesses and engineers, there has been low uptake of the technology in New Zealand compared to other international markets.

Although littering is prohibited in New Zealand, resource consents rarely require specified at-source reduction of litter. Significant efforts have been made to run pilot projects with councils and corporations with the intention of showing their commitment to capturing plastic litter before it is lost to a nearby drain. These efforts have for the most part been unsuccessful due to a lack of commitment to non-regulated resource management conditions. In the rare occasions that litter capture designs are required for public assets, we then experience a lack of technology verification standards and a lack of competitive tender opportunities. This results in either poorly performing technology, wasteful expenditure, or both.

We note that the PMCSA's report includes a broad range of stakeholders on the panel and reference group. There appears to be significant representation from the waste management industry and corporations, but there does not appear to be any experts from the stormwater industry which we believe is an unfortunate omission.

Lastly, we believe it critical to highlight the impact that regulations have on the technology development process. In our experience, it is ideal for regulatory developments to direct both process and technology towards an intended outcome. Until now our experience has been the opposite, where litter capture technology exists but without the regulatory requirements to utilise them. Attempting to implement successful, high impact technologies into a region which lacks regulation results in low levels of implementation. The result of this is far greater demand for our products in regulated markets abroad than domestically.

New Zealand is lagging international best practice when it comes to litter capture. This is an unfortunate reality when we believe that there is enough research, public pressure, environmental necessity and technology available to take the actions required to reduce our overall impact on the environment. Additional benefits could be realised by taking these littered captured items and turning them back into the waste management industry to create circular economic opportunities, and it is here that an expanded scope would be able to benefit from the outcomes of this policy as it is currently.

We thank you for the opportunity to comment on this policy during the consultation process. Stormwater360 is committed to delivery products to infrastructure projects to achieve world-leading water quality outcomes for the benefit of New Zealand.

Ngā Mihi | Kind Regards, Darren Tiddy Technical Lead +64 27 508 5879 darrent@stormwater360.co.nz

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Private Bag 12024 TAURANGA 3140 <u>www.bopdhb.govt.nz</u> Ph: 07 579 8000



Plastics Consultation, Ministry for the Environment, PO Box 10362, Wellington 6143

To whom it may concern,

Ministry for the Environment (MfE) 2020 – *Reducing the Impact of Plastic on Our Environment. Moving away from Hard-to-Recycle and Single Use Items.*

Please find below and attached the response from Bay of Plenty District Health Board (BOPDHB) on the above MfE consultation document. This submission has been compiled by the Sustainable Health Sector National Network (SHSNN) with input from participating DHBs.

The BOPDHB broadly supports the intent of this document. However, we would like to emphasise the following points made in our submission:

- The scope of the consultation document is limited to plastic packaging associated with the food and beverage sector. Whilst this undoubtedly represents a sizeable portion of the single use or hard to recycle plastics in New Zealand it ignores the extensive volume that exists within all other sectors and consumables. This limited scope does not demonstrate the level of urgency required to address the global challenge represented by plastics in our environment.
- We feel strongly that the measures to tackle our plastics challenge should be approached on a sector by sector basis to ensure that the suite of tools is appropriate
- The Healthcare sector relies on a large and complex international supply chain for essential medical supplies. Support will be required to transition that supply chain away from single use and hard to recycle plastic packaging and components. In addition, further support is needed to provide the collection and recycling infrastructure needed to take this plan forward.

We look forward to providing further input into the development of plastics policy and controls in the future.

Yours Sincerely,

Vicktoria Blake MEnvMgt Sustainability Manager Bay of Plenty District Health Board

healthy, thriving communities Kia Momoho Te Ha pori Öranga www.bopdhb.govt.nz



Corporate Services



3 December 2020

Plastics Consultation Ministry for the Environment PO Box 10362 Wellington 6143

Email: Plastics.Consultation@mfe.govt.nz

To whom it may concern

PLASTICS CONSULTATION: Ministry for the Environment (MfE) 2020 – Reducing the Impact of Plastic on Our Environment. Moving away from Hard-to-Recycle and Single Use Items.

Please find below and attached the response from Hawke's Bay DHB on the above MfE consultation document. This submission has been compiled by the Sustainable Health Sector National Network (SHSNN) with input from participating DHBs.

The Hawke's Bay DHB broadly supports the intent of this document. However, we would like to emphasise the following points made in our submission:

- The scope of the consultation document is limited to plastic packaging associated with the food and beverage sector. Whilst this undoubtedly represents a sizeable portion of the single use or hard to recycle plastics in New Zealand, it ignores the extensive volume that exists within all other sectors and consumables. This limited scope does not demonstrate the level of urgency required to address the global challenge represented by plastics in our environment.
- We strongly feel that the measures to tackle our plastics challenge should be approached on a sector by sector basis to ensure that the suite of tools is appropriate.
- The health care sector relies on a large and complex international supply chain for essential medical supplies. Support will be required to transition that supply chain away from single use and hard to recycle plastic packaging and components. In addition, further support is needed to provide the collection and recycling infrastructure needed to take this plan forward.

We look forward to providing further input into the development of plastics policy and controls in the future.

Yours sincerely,

Dr Nicholas Jones Clinical Director – Health Improvement & Equity

CORPORATE OFFICE

Phone 06 878 8109 Fax 06 878 1374 Email: firstname.lastname@hbdhb.govt.nz, www.hawkesbay.health.nz 2nd Floor, Corporate Office, cnr McLeod Street & Omahu Road, Private Bag 9014, Hastings, New Zealand

Emma Coote 29 Finch Street Western Springs Auckland 1022 04 December 2020

Plastics Consultation, Ministry for the Environment PO Box 10362, Wellington 6143

To whom it may concern

Ministry for the Environment (MfE) 2020 – Reducing the Impact of Plastic on Our Environment. Moving away from Hard-to-Recycle and Single Use Items.

Please find below and attached my response on the above MfE consultation document. This submission has been compiled by the Sustainable Health Sector National Network (SHSNN) with input from professionals working in this area.

I broadly support the intent of this document. However, I would like to emphasise the following points made in our submission:

• The scope of the consultation document is limited to plastic packaging associated with the food and beverage sector. Whilst this undoubtedly represents a sizeable portion of the single use or hard to recycle plastics in New Zealand it ignores the extensive volume that exists within all other sectors and consumables. This limited scope does not demonstrate the level of urgency required to address the global challenge represented by plastics in our environment.

• I feel strongly that the measures to tackle our plastics challenge should be approached on a sector by sector basis to ensure that the suite of tools is appropriate

• The Healthcare sector relies on a large and complex international supply chain for essential medical supplies. Support will be required to transition that supply chain away from single use and hard to recycle plastic packaging and components. In addition, further support is needed to provide the collection and recycling infrastructure needed to take this plan forward.

We look forward to providing further input into the development of plastics policy and controls in the future.

Yours Sincerely,

Emma Coote

Manjula Sickler 54 Lemington Road Westmere Auckland 1022 26th November 2020

Plastics Consultation, Ministry for the Environment, PO Box 10362, Wellington 6143

To whom it may concern

Ministry for the Environment (MfE) 2020 – *Reducing the Impact of Plastic on Our Environment. Moving away from Hard-to-Recycle and Single Use Items.*

Please find below and attached the response on the above MfE consultation document. This submission has been compiled by the Sustainable Health Sector National Network (SHSNN) with input from participants working within the health sector.

I support the intent of this document. However, I would like to emphasise the following points made in our submission:

- The scope of the consultation document is limited to plastic packaging associated with the food and beverage sector. Whilst this undoubtedly represents a sizeable portion of the single use or hard to recycle plastics in New Zealand it ignores the extensive volume that exists within all other sectors and consumables. As a major importer of goods from overseas, the scope does not demonstrate the level of urgency required to address the global challenge represented by plastics in our environment.
- We feel strongly that the measures to tackle our plastics challenge should be approached on a sector by sector basis to ensure a stewardship approach is applied to all packaging per se and plastic waste is managed in a nationally consistent manner with policy and guidelines as appropriate for each industry/sector.
- The Healthcare sector relies on a large and complex international supply chain for essential medical supplies. Support will be required to transition that supply chain away from single use and hard to recycle plastic packaging and components. In addition, further support is needed to provide the collection and recycling infrastructure needed to take this plan forward.

We look forward to providing further input into the development of plastics policy and controls in the future.

Yours Sincerely, Manjula Sickler Margriet Geesink 12 Emay Crescent Pahi Paparoa, 0571 3 December 2020

Plastics Consultation, Ministry for the Environment, PO Box 10362, Wellington 6143

To whom it may concern

Ministry for the Environment (MfE) 2020 – *Reducing the Impact of Plastic on Our Environment. Moving away from Hard-to-Recycle and Single Use Items.*

Please find below and attached the response on the above MfE consultation document. This submission has been compiled by the Sustainable Health Sector National Network (SHSNN) with input from professionals working in the health sector..

I support the intent of this document. However, we would like to emphasise the following points made in our submission:

- The scope of the consultation document is limited to plastic packaging associated with the food and beverage sector. Whilst this undoubtedly represents a sizeable portion of the single use or hard to recycle plastics in New Zealand it ignores the extensive volume that exists within all other sectors and consumables. This limited scope does not demonstrate the level of urgency required to address the global challenge represented by plastics in our environment.
- We feel strongly that the measures to tackle our plastics challenge should be approached on a sector by sector basis to ensure that the suite of tools is appropriate
- The Healthcare sector relies on a large and complex international supply chain for essential medical supplies. Support will be required to transition that supply chain away from single use and hard to recycle plastic packaging and components. In addition, further support is needed to provide the collection and recycling infrastructure needed to take this plan forward.

We look forward to providing further input into the development of plastics policy and controls in the future.

Yours Sincerely, Margriet Geesink James Hamill Starship Children's Health Grafton, Auckland 16 November 2020

Plastics Consultation, Ministry for the Environment, PO Box 10362, Wellington 6143

To whom it may concern

Ministry for the Environment (MfE) 2020 – *Reducing the Impact of Plastic on Our Environment. Moving away from Hard-to-Recycle and Single Use Items.*

A submission on the above MfE consultation document has been compiled by the Sustainable Health Sector National Network (SHSNN) with input from participating DHBs. I am writing to add my support to the SHSNN submission. Broadly, the SHSNN supports the intent of the MfE consultation document. SHSNN highlights the following points (quoted):

- The scope of the consultation document is limited to plastic packaging associated with the food and beverage sector. Whilst this undoubtedly represents a sizeable portion of the single use or hard to recycle plastics in New Zealand it ignores the extensive volume that exists within all other sectors and consumables. This limited scope does not demonstrate the level of urgency required to address the global challenge represented by plastics in our environment.
- We feel strongly that the measures to tackle our plastics challenge should be approached on a sector by sector basis to ensure that the suite of tools is appropriate
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Yours Sincerely,

James Hamill, PhD, FRACS

Dr Matthew Jenks Consultant Anaesthetist Anaesthetic Department - Dunedin Hospital 201 Great King Street Dunedin

26th November 2020

Plastics Consultation,

Ministry for the Environment, PO Box 10362, Wellington 6143

To whom it may concern

Ministry for the Environment (MfE) 2020 – Reducing the Impact of Plastic on Our Environment. Moving away from Hard-to-Recycle and Single Use Items.

Please find below and attached the response on the above MfE consultation document. This submission has been compiled by the Sustainable Health Sector National Network (SHSNN) with input from participants working within the health sector.

I support the intent of this document. However, I would like to emphasise the following points made in our submission:

- The scope of the consultation document is limited to plastic packaging associated with the food and beverage sector. Whilst this undoubtedly represents a sizeable portion of the single use or hard to recycle plastics in New Zealand it ignores the extensive volume that exists within all other sectors and consumables. As a major importer of goods from overseas, the scope does not demonstrate the level of urgency required to address the global challenge represented by plastics in our environment.
- We feel strongly that the measures to tackle our plastics challenge should be approached on a sector by sector basis to ensure a stewardship approach is applied to all packaging per se and plastic waste is managed in a nationally consistent manner with policy and guidelines as appropriate for each industry/sector.
- The Healthcare sector relies on a large and complex international supply chain for essential medical supplies. Support will be required to transition that supply chain away from single use and hard to recycle plastic packaging and components. In addition, further support is needed to provide the collection and recycling infrastructure needed to take this plan forward.

We look forward to providing further input into the development of plastics policy and controls in the future.

Ngā mihi

Dr Matthew Jenks

Reducing the impact of plastic on our environment - Consultation Questions.

1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

This is a well-considered description of the problems with hard-to-recycle plastic packaging and single-use plastics items. Microplastics, such as those cause by oxo-degradable plastic, are of significant public health concern as little is yet known of the effects of microplastics on human health, however research suggests the chemicals found in plastic (such as styrene and BCPs) can have harmful health effects such as cancers, reproductive problem, immune system issues, and more.

2. Have we identified the correct objectives? If not, why?

The objectives are sound from a resource recovery perspective. While health related impacts may not be relevant in this perspective, they are still significant if end-of-life plastic is not managed appropriately.

3. Do you agree that these are the correct options to consider? If not, why?

The options are relevant and considered, however, the mandatory phase-out option could be more explicit (see Q5).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

We are happy with the criteria used to assess the various options.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

We strongly support the mandatory phase-out option in terms of food and beverage packaging/plastics, however this option could be more explicit. For example, some concerns have been raised about the importing of prohibited materials in packaging.

However, a sector-by-sector approach is recommended to fully understand the level of imported plastic and its use in New Zealand. For example, the healthcare sector relies heavily on imported equipment, clinical supplies, and pharmaceuticals. As this is already a competitive market, limiting access to products due to their plastic content and packaging could have serious implications on the ability to provide certain health services. It is important that sectors such as ours is supported as we transition away from hard to recycle materials. Product stewardship embedding localised solutions for packaging could be an interim solution, for example.

Further, in a healthcare setting where expanded polystyrene boxes are used to transport medical supplies that must be kept refrigerated. A concern has been raised regarding reusable alternatives potentially having a significant expense, and single-use alternatives not being able to provide the stability required for the transportation of the products. In a case such as this, a product stewardship scheme may be a more appropriate option, however this could be argued as an exception and not as a rule until such time as a better solution becomes available.

Inclusion of incentives for reduce and reuse before recycling could be a useful addition. Further, we strongly support a return scheme (product stewardship) whereby the consumer has an incentive to return plastic and/or other packaging to the supplier/manufacturer, and the mandatory labelling of any materials used for packaging.

Our recommendation would be sector specific options are considered as an adjunct to this proposal.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

The proposed phase-out of PVC and polystyrene packaging seems well considered.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Generally we agree with the packaging items listed, however we do query rigid bins made of polystyrene in a healthcare setting if a reliable alternative is not found (see response to Q5).

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Please refer to our response to Q5 relating to the need to review this sector-by-sector.

However, it should be noted that we consider food and beverage part of the wider retail sector. We feel that all forms of consumer product packaging containing hard-to-recycle plastics should be included in this ban (e.g. as clamshell product packaging, plastic shrink wrapping, etc., made of PVC or polystyrene). To not include all product packaging seems to unfairly target the food and beverage industry, while leaving other consumer good industries free to continue to use products that may cause detrimental environmental impacts. Environmental degradation caused by plastic waste is not solely due to food and beverage packaging. For example, the cosmetic and household chemicals industries also create footprints. Would these items be classed as food and beverage? What is the definition of food and beverage packaging?

We accept that this may require a longer lead time, particularly on imported goods. Further,

We recommend the Ministry for the Environment undertakes a full review of PVC and hard polystyrene as well as exploring alternatives before a stage 2 phase-out is considered.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Generally we concur that there are practical alternatives available to replace hard-to-recycle packaging, however it must be acknowledged that we do not currently have the required infrastructure in New Zealand to accommodate 4 and 5 plastics in the volume that they are created (or 1 and 2 plastics for that matter). Investment in decentralised infrastructure is necessary to really see any benefits otherwise these plastic types could also be considered "hard-to-recycle".

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Oxo-degradable plastics are a human health concern and for that reason we wholeheartedly support the mandatory phase-out of this type of plastic.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

Not applicable

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

We feel comfortable that the right costs and benefits have been assessed, however the benefit to human and animal health could also have been considered.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Consumer demand for more ethical products is growing and this often comes with higher costs to meet compliance standards. Therefore, we accept that additional costs associated with a phase-out of targeted plastics will be borne by the consumers.

We do not see any benefits identified in relation to human or animal health which will occur if all plastic waste generated in New Zealand is collected and recycled.

We also do not note consideration of localised environmental costs (e.g. water/air pollution) that may be incurred by providing more recycling infrastructure in New Zealand and in our local communities. However, it could be argued that currently any adverse effects from virgin plastic creation and plastic recycling processes are being exported, often to countries who do not have strict health and safety and/or environmental regulations like we do here in New Zealand.

Further the cost benefit of any accumulated infrastructure environmental footprints would need to be compared with the status quo. We do not see reference to this in these documents.

The public sector has obligations to meet the broader outcomes as defined in the Ministry of Business Innovation and Employment Procurement Rules (4th Ed), one of which is to reduce waste. This submission is made in good faith that the public sector needs to be considered by the Ministry for the Environment as to its overall footprint, generation of plastic waste and infrastructure access requirements.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

While we support reusable and refillable alternatives where they are available and appropriate, organisationally we require single-use materials on some occasions, such as cutlery, drinking vessels, etc. where visitors may be inclined to take items offsite for consumption. Currently in New Zealand we do not see any solutions for this in the scale that we would require.

Compostable solutions (i.e. cardboard, wood, bamboo) are the best option for us, however there are two significant barriers to their adoption presently. 1. Compostable solutions (e.g. wooden cutlery) are almost twice the cost of plastic solutions currently. 2. The lack of decentralised commercial composting infrastructure does not enable us to divert these waste streams from landfill at this time.

To enable us to move away from hard-to-recycle plastics New Zealand would need to see more investment in decentralised commercial composting infrastructure.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

We are disappointed to see single-use coffee cups and wet wipes left off this list.

Single-use coffee cups and lids are the main culprit of recycling contamination in our hospital environments. Reusable coffee cup systems are already available in New Zealand (such as Again Again). Further, unless there is significant investment in commercial composting systems, having commercially compostable only single-use products (such as PLA lined coffee cups) as the only products available on the market makes no difference to landfill volumes from the waste stream.

Wet wipes can easily be replaced with the humble flannel (therefore there are alternatives available). While we use wipes in the healthcare environment, we feel they could potentially be treated similarly to straws where they are only available for medical use.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

The proposed definitions seem sensible, however plastic tableware may require a micron definition to ensure that flimsy tableware is not labelled reusable.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.

While a short time frame would be great from a zero waste perspective, a two - three year phase-out should allow organisations enough time to organise procurement of replacement options, and allow the market to introduce more suppliers of sustainable options reducing the financial cost.

We would recommend that all items have the same timeframe for ease of phase-out and communication.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

As stated in response to Q16, we are disappointed to see single-use coffee cups and wet wipes left off the original list. As discussed in the consultation documentation, innovations already exist for coffee cups and plastic based wet wipes. Enforcing a ban on a two - three year timeline will encourage more innovation and behaviour change. For example, if there is already a supplier providing a 100% paper coffee cup alternative, setting a ban timeline will allow other innovators (including the likes of Again Again) to join the movement to reduce the significant landfill footprint single-use coffee cups create.

Further, wet wipes are a significant disruption to waste water systems, including in a hospital environment. Similar to the coffee cup example above, if products already exist that do not contain plastic, even if wet wipes were not constrained to a medical environment, this would significantly reduce plastic pollution.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

From a user perspective, two things will assist us to transition away from single-use items. 1. Access to a reliable plastic-free product, and 2. Access to decentralised commercial composting infrastructure.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We feel that these items should be aligned with the single-use items already listed (with the exception of medical use for wet wipes) therefore suggest a two - three year timeframe.

22. Have we identified the right costs and benefits of a mandatory phase-out of singleuse plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

We feel comfortable that the right costs and benefits have been assessed, however the benefit to human and animal health could also have been considered.

23. How should the proposals in this document be monitored for compliance?

We would expect that the Ministry for the Environment would understand compliance monitoring and would either set up a specific unit for this purpose, or fund local government to complete this task.

Final Comments:

Overall, the comments made in this submission identify the challenges we face, specifically in the health sector, and the need for significant investment in decentralised infrastructure to promote the circular economy and reduce waste being sent to landfill.

We fully support the intention of the Ministry for the Environment to consult and the purpose of this consultation overall, however we ask you to conduct a similar exercise for other sectors/industries to extend the responsibility to high users of hard-to-recycle plastics, with urgency. This would pave the way for a consistent and unified approach to managing hard-to-recycle packaging/plastics in New Zealand.

TAKEAWAY THROWAWAYS'

FULL SUBMISSION ON THIS GOVERNMENT PROPOSAL:

REDUCING THE IMPACT OF PLASTIC ON OUR ENVIRONMENT -MOVING AWAY FROM HARD-TO-RECYCLE AND SINGLE-USE ITEMS



1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Do we agree? Yes, in part.

Overall, the consultation document gives a good & thorough description of the problems that the targeted plastics pose to resource recovery systems, and the health & wellbeing of the environment, wildlife & people. We appreciate the work that has gone into justifying the need for these proposals.

We would welcome more in-depth consideration of the problems associated with single-use systems (as opposed to single-use plastic items) and then seeing this linked to the proposed policies. From the perspective of zero waste and circular economy theory, the problem isn't just about plastic as a material, but the resource & energy intensive way that all materials are used & discarded in a linear economy.

The part of the consultation document to which this question relates contains a small section on "creating a culture of reuse" (p. 20), but doesn't explain how such a culture is created, nor the Government's role in that and how this might go hand-in-hand with the phaseout of single-use items. The consultation document even refers to the Takeaway Throwaways campaign, yet states we're calling on the Government to single-use plastic ban tableware and omits to mention the campaign's

equally important headline ask that the Government advance measures to co-design and mandate accessible reusable alternatives.

We believe the Government's framing of the problem as predominantly about the impact of plastic material, and its downplaying of the 'single-use' part of the equation, has shaped its narrow approach to the policy proposals.

POLICY OBJECTIVES

2. Have we identified the correct objectives? If not, why?

Do we agree? Yes, in part.

The policy objective of reducing the amount of hard-to-recycle and singleuse plastics in use through eliminating certain problematic items and materials is not only a correct objective, it's a necessary condition for a circular economy.

This objective must be combined with the equally important objective of **increasing the uptake and scale of accessible, reusable alternatives and the systems that support them.** This additional objective would harness the opportunity presented by banning ubiquitous single-use items to foster movement up the waste hierarchy and prevent uptake of false solutions (i.e. single-use items made of other materials).

Facilitating reuse is key to reducing singleuse plastics and plastic pollution. This is increasingly recognised internationally (including research and commentary on how the EU Directive on Single-Use Plastics can be leveraged to promote reuse, and research and literature by the Ellen MacArthur Foundation).¹ We query why the previous section of the consultation document (on the problem of single-use plastics) promotes the importance of the top layers of the waste hierarchy and of "creating a culture of reuse", yet in the policy objectives these goals are absent.

The consultation document also states that the proposal will help NZ achieve its commitments under the New Plastics Economy Global Commitment (to which both MfE and a handful of New Zealand businesses are signatories) (22). The Commitment calls on Government signatories to commit to implementing "ambitious policies" for "encouraging reuse models where relevant, to reduce the need for single-use plastic packaging and/or products",² thus we'd expect to see this included in the proposal's main policy objectives.

3. Do you agree that the options listed for shifting away from hard-to-recycle and single-use plastics are the correct options to consider? If not, why?

Do we agree? Yes, in part.

The options list is thorough and considers a range of important measures; we take no issue with the measures highlighted and considered.

However, the list is missing a blended

option(s) - the only options considered are standalone measures. It is unclear why the consultation document has not explored at least one policy option that combines some or all of Options 1-7, in the style of the EU Directive on Single-Use Plastics, or Ireland's recently released National Waste Policy.³ For more detailed reasoning, please see our response to Q 5.

In addition to a blended option, there are further policy intervention options worthy of consideration that are relevant to creating a culture of reuse. Namely:

- Mandatory reuse targets for certain items (such as serviceware) alongside reduction targets.
- Implementation of deposit return systems and/or a mandatory take-back service for all takeaway serviceware, to level the playing field for reuse systems and reduce the chance of littering for the items and

1. S. Miller, M. Bolger, L. Copello (2019) <u>Reusable solutions: how governments can</u> <u>help stop single-use plastic pollution</u> (3Keel, Oxford, United Kingdom: A study by the Rethink Plastic alliance and the Break Free From Plastic movement); A Lendal and S Wingstrand (2019) <u>Reuse: Rethinking Packaging</u> (Ellen Macarthur Foundation and New Plastics Economy); Eilidh Robb and Grainne Murphy (eds) <u>Moving Away</u> <u>from Single-Use: Guide for National Decision</u> <u>Makers to Implement the Single-Use Plastics</u> <u>Directive</u> (Report by Rethink Plastic alliance and Break Free From Plastic, 10 October 2019).

2. The full text is available here: <u>https://</u> www.ellenmacarthurfoundation.org/assets/ downloads/13319-Global-Commitment-<u>Definitions.pdf</u>.

3. Department of Communications, Climate Action and Environment (2020) <u>A Waste Action</u> <u>Plan for a Circular Economy: Ireland's National</u> <u>Waste Policy 2020–2025</u> (Government of Ireland). materials not proposed for phaseout.

 Measures to mandate reusables in certain contexts. For example, the Berkeley Ordinance that mandates reusable serviceware for 'dine-in' customers (now being considered by a range of cities across the US).⁴

The Government could also consider the further Option of applying fees to cover clean-up costs for items that are not proposed for a ban, but are still problematic, either because they are commonly littered or commonly not disposed of correctly (fees to cover clean-up costs differ from a levy and should be possible under s 23(1)(d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxodegradable plastics and some single-use items? If not, why?

Do we agree? Not specified.

The criteria and weightings are appropriate and useful for understanding how the preferred policy option was chosen.

We would like to see greater weight attached to how well each option aligns with strategic direction, particularly achieving outcomes higher up the waste hierarchy.

Additional criteria should be added to assess how well each option protects

against unintended perverse outcomes (i.e. greater use of single-use items of different materials), and whether the option promotes or undermines accessibility.

Some criteria are defined too narrowly. "Effectiveness" should consider whether the option will help to increase the uptake & scale of accessible, reusable alternatives & the systems that support them (see our answer to Q2).

"Achievability" should consider more than the need for new or amended leaislation. Measures that rely on moral suasion or voluntarism are arguably difficult to achieve (or at least achievement is difficult to measure or assess). For example, avoiding perverse outcomes from mandatory phaseouts rests on education and awareness to ensure businesses make informed decisions to reduce the risk of unintended consequences - how achievable is this? Furthermore, the need for new or amended legislation would be of lesser relevance if a blended option were considered. For example, a mandatory phase-out of certain single-use items could still be advanced under existing legislation while proposals progress through Parliament to introduce a levy on single-use coffee cups, or amendments to the WMA to allow for levies or mandatory recycled content.

4. City of Berkeley (2019) <u>Single Use Foodware</u> <u>and Litter Reduction (</u>Ordinance No 7639–N.S). **5.** Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Do we agree? Yes, in part.

We fully support a mandatory phaseout of the items listed (except for plastic straws, see our answer to Q16). We agree that mandatory phase-outs will be effective at achieving the main objective, that maintaining the status quo approach is not satisfactory, and that voluntary approaches like plastic pacts aren't enough to achieve the main objective.

However, we disagree with the decision to take forward mandatory phase-outs ONLY. As noted in our answer to Q3, we support a blended approach, in the style of the EU Directive on Single-Use Plastics,⁵ or the Irish National Waste Policy (see, in particular, the 'Plastic and Packaging Waste' and 'Single Use Plastic' chapters).⁶

It is unclear why the consultation document limits each option to standalone measures and presents the policy choices as either/or options. While the document notes that rejected options may appear in a renewed NZWS or Plastics Action Plan (p.35), we believe a more holistic suite of policy interventions could be considered in this proposal (particularly if the Government wants to create a culture of reuse).

We are concerned that measures operating in isolation will struggle

to move our economy up the waste hierarchy towards reuse and could create perverse outcomes. In removing a whole suite of single-use items, we urge the Government to consider the possible detrimental replacements in a packaging system dominated by linear approaches, and to design policies/ regulations that nudge all actors in our economy towards reusables instead. The potential for 'regrettable substitution' could be avoided by complementary regulations that capture single-use items (of any material) beyond the targeted plastics; for example, levies and deposit return systems, fees to cover clean-up costs, or mandatory reusables in certain circumstances. We believe the Government has a critical role in levelling the playing field between single-use and reuse packaging systems, and in ensuring alternative reusable systems and products are accessible and meet the principles of universal design.

We note too that some regulatory measures suit certain items more than others. We recognise that bans may be inappropriate for some items, even though they may be problematic. A more flexible, blended option approach would allow for a greater range of single-use and plastic items to be brought within the proposed regulatory regime. For example, cigarette butts, glitter, balloons etc.

5. EU Directive 2019/904 on <u>the reduction of</u> <u>the impact of certain plastic products on the</u> <u>environment</u> [2019] L 155/1.

6. Department of Communications, Climate Action and Environment (2020) <u>A Waste Action</u> <u>Plan for a Circular Economy: Ireland's National</u> <u>Waste Policy 2020-2025</u> (Government of Ireland). Instead, the ban-only approach has knock-on effects for items not considered for a phase-out, such as wet wipes and coffee cups. These are now left entirely unregulated, despite acknowledgement that they are problematic and harmful, and that the Government does wish to phase-them out eventually. With the other policy levers taken off the table, what concrete, regulatory actions can the Government now take to mitigate negative impact and stimulate reduced consumption and increased uptake of reusables in the interim? And what is the pathway for achieving an eventual phase-out?

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Do we agree? Yes, in part.

The staged approach and the categorisation of the products falling into the two stages make sense. However, both could happen on shorter timeframes. The world is on course for global plastic production to double in the next 20 years,⁷ and for the flow of plastic into the ocean to triple by 2040.⁸ We need to act decisively to reverse these trends.

We note that EU Member States will ban many of the items and materials targeted by the present proposal by July 2021 (under the Single-Use Plastics Directive⁹). So, the growth of alternatives will be in full swing internationally, making it easier for countries like New Zealand to follow suit faster. We suggest that Stage 1 products are phased out by June 2021 and Stage 2 products are phased out by June 2023.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Do we agree? Yes.

Thank you for this expansive and ambitious list of products proposed for a phase-out.

7. Laurent Lebreton and Anthony Andrady (2019) "*Future scenarios of global plastic waste generation and disposal*" Palgrave Communications.

8. The PEW Charitable Trusts and SYSTEMIQ (2020) <u>Breaking the Plastic Wave: A comprehensive assessment of pathways towards stopping ocean plastic pollution.</u>

9. EU Directive 2019/904 on <u>the reduction of</u> <u>the impact of certain plastic products on the</u> <u>environment</u> [2019] L 155/1.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g. not just food and beverage and EPS packaging)? Please explain your answer.

This question is out of scope for Takeaway Throwaways, which is focused on serviceware. Please refer to the joint submission by the zero waste community.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

This is out of scope for TakeawayThrowaways, which is focused on serviceware. Please refer to the joint submission by the zero waste community.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Do we agree? Yes, in part.

We believe practical alternatives exist to replace the hard-to-recycle packaging items proposed for phase-out. However, ensuring uptake of the most desirable alternatives (reusable and refillable packaging or highly recyclable packaging with recycled content) and guaranteeing that these are accessible to everyone, requires more than simply phasing-out some of the undesirable options.

The Government says that in the longterm it would like to see more reusable or refillable alternatives operating within innovative reuse models (p.39). This is such a pleasing statement to read; we support this vision wholeheartedly. We note that this vision is unlikely to occur spontaneously, and certainly not with the requisite level of urgency, without higher levels of Government support through both targeted policy interventions that level the playing field between singleuse and reuse, and investment in the necessary infrastructure for accessible reuse models to work at scale.

We note the Government's concern with the environmental impact of alternatives to the items proposed for a ban (p.40). We agree, and reiterate our call for policy & regulatory levers to accompany a ban that direct businesses and consumers towards the best alternatives. We note that it's already possible to BYO reusable containers and tableware for takeaway food and drink. In many cases, washable crockery is a realistic alternative instead of disposables. A handful of reuse schemes exist for reusable takeaway packaging, such as Again Again, CupCycling and Reusabowl. Furthermore, many grocery outlets, from butchers to dedicated zero waste grocers, offer unpackaged, fill your own models or reusable packaging systems. Business to business reuse schemes exist for transport packaging also. The issue is not a lack of ideas or models, but barriers

to scale and normalisation within our entrenched linear economy, and lack of adequate incentives to ensure uptake of reusable alternatives when they are available. Furthermore, these barriers promote ad hoc product and system development that isn't always conducive to accessibility.

Accordingly, sustained policy interventionsandinvestmentarerequired to level the playing field between singleuse and reuse. As mentioned above, this requires levies on single-use items and delivery systems (which will encourage uptake of reusable and refillable models), deposit return systems on food and beverage packaging, mandating reusable serviceware certain in situations, and reuse guotas/targets.

Furthermore, Government oversight is needed to direct the market towards a high-performing, zero waste, circular economy based on reuse that is low emissions and accessible for everyone. While even poorly designed reuse systems likely have far lower impact lifecycle analyses (LCAs) than any single-use system, well-designed reuse systems can have extraordinarily lower LCA impact. Also, some reusable options are less accessible than others -Government oversight can ensure a codesign process for reuse schemes that guarantees reusable alternatives follow principles of universal design. In addition, it may be appropriate to establish a reusables fund under the umbrella of the Disability Allowance to enable those who are eligible for this allowance to purchase accessible reusables if they would like to

The consultation document also states that where plastic packaging is in use, it should be made of higher-value and recyclable materials, with recycled content. Again, regulatory interventions such as levies and legislated mandatory recycled content are required for this outcome. If the powers to achieve this do not exist under the WMA, then part of the present proposal should include a plan to progress the necessary amendments through Parliament.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Do we agree? Yes.

Thank you for proposing a blanket ban on oxo-degradable plastics – we wholeheartedly support this. We would prefer to see this ban occur more quickly. Many overseas jurisdictions, including the EU, will be phasing-out oxo-degradable plastics by July 2021. We believe New Zealand should follow this timeframe too.

12. If you manufacture, import or sell oxodegradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A

13. Have we identified the right costs and benefits of a mandatory phaseout of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Do we agree? Yes.

The consultation document sets out a comprehensive list of costs & benefits of the mandatory phase-out of the targeted plastics. We agree with all listed. We also appreciate acknowledgment of the potential cost savings for retailers if customers BYO containers and the cost savings for the wider community of reducing the complexity of our waste & recycling streams. We also like how the Government has recognised that bans help to put all retailers in the same boat.

Overall, we think the analysis would be more meaningful if the environment was not treated as an affected party separate to our human or economic benefits – human society (including the economy) can only thrive if our planet is well.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

One benefit that is currently missing is the new potential opportunity for businesses and communities to develop reuse schemes and reusable packaging systems to replace the targeted plastics. If this opportunity is harnessed, it will not only reduce waste and recycling, it will also have a positive job creation impact. Preliminary studies indicate that reusable packaging systems tend to produce higher numbers of jobs than systems based on disposal or recycling. Furthermore, those jobs are more dispersed across the country, which meets provincial development goals.¹⁰

The growth of reuse schemes will also lead to a reduction in single-use/oneway packaging generally (not just targeted plastic), which will further reduce costs for local authorities and thus ratepayers.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

As noted above, concrete Government regulation and investment is needed to move reusable alternatives from the niche to the mainstream. Furthermore, a

10. See, for example, Miller, M. Bolger, L. Copello (2019) Reusable solutions: how governments can help stop single-use plastic pollution (3Keel, Oxford, United Kingdom: A study by the Rethink Plastic alliance and the Break Free From Plastic movement), p.15; Patrick Albrecht, Jens Brodersen, Dieter W Horst and Miriam Scherf (2011) Reuse and Recycling Systems for Selected Beverage Packaging from a Sustainability Perspective: An analysis of the ecological, economic and social impacts of reuse and recycling systems and approaches solutions for further development to (PriceWaterhouseCoopers), pp.ix, xvii, 53.

coordinated universal design approach is needed to ensure these alternatives are accessible for everyone in our community (taking into account potential barriers, such as cost or disability).

Government direction and oversight in all this is necessary. A hands-off, provoluntary, awareness raising approach from the Government that leaves the development of reuse schemes entirely up to the whims of private interests will not guarantee a baseline reusables system that is widespread, accessible and environmentally, socially and economically efficient.

The consultation document notes that removing the targeted plastics could lead to greater use of other hard-torecycle materials, such as composites. The proposal for mitigating this risk is "pairing the phase-out with best practice guidance on sustainable packaging... an opportunity to educate businesses and the public, and raise awareness of the environmental impact of different choices." (p.46) We do not believe this approach is sufficient to achieve the outcomes the Government seeks. Nor is it the best use of government resource (not least because it risks duplicating the mahi that many community groups and NGOs have been doing for some time now). What's really needed is for the Government to play its part and back up our collective effort with policy, regulations and investment that make "best practice... sustainable packaging" reusable/refillable packaging (i.e. wherever possible) standard practice.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

Do we agree? Yes, in part.

We fully support banning almost all of the listed single-use plastic items, including their oxo-degradable, degradable, biodegradable and compostable plastic counterparts.

However, we do not support a ban of plastic straws. Takeaway Throwaways has always excluded plastic straws from our campaign & petition because some people with accessibility needs require a plastic straw to drink. While some reusable alternatives work well for some people, for others there may be no reusable alternative that is suitable. An exemption to a plastic straw ban can mitigate the potential harm (for example, exemptions to permit plastic straws' availability "on request" at hospitality outlets and pharmacies), but they are difficult to design without being stigmatising. There is also the risk that disabled people seen using a straw will face backlash from uninformed hospitality staff or the public.

We believe that direct consultation with the disabled community about a possible straw ban and/or exemptions should have occurred before this consultation document was released. In any case, this consultation must now occur before any decision is made to ban plastic straws. of items for phase-out, and would like to see the list extended to include other disposable serviceware items that also cause harm in our environment, exist in the litter stream and contaminate recycling:

1. Disposable coffee cups & lids

We are extremely disappointed that coffee cups & lids have been expressly excluded from the ban list. The Packaging Forum estimates that New Zealanders use 295 million coffee cups a year. The overwhelming majority get landfilled. Huge confusion surrounds their recyclability and/or compostability. They're also light and prone to escaping into the environment, and their lids are fully detachable, increasing the potential for litter.

We strongly disagree with the Government's assessment that practical alternatives are lacking. Virtually all outlets accept BYO reusables, most outlets have in-house ceramic options if people forget their cup. There's also a growing range of reuse schemes/ cup loan systems across New Zealand (reflecting international trends in this direction).¹¹ There are towns, such as Wanaka, that have a vision of being free of disposable coffee cups by 2022.¹² And, nationwide, a growing number of cafes (over 50 to our knowledge¹³) have gone single-use-cup-free already by implementing strategies that combine discounts with surcharges, retail of personal 'keep cups' and the adoption of homegrown or national reuse systems, with invitations to BYO, and importantly, encouragement to build community by making time to stay.

Even if alternatives are not yet fully established in every corner of the country, the expertise about alternatives and systems for delivering them does exist in New Zealand. Under the present proposal, none of the bans would occur overnight. If coffee cups were included, businesses and consumers would have ample time and notice to prepare and adopt alternatives (particularly if a ban were to phase-in by 2025). A ban with a lead-in time would also grant security for cup reuse schemes to invest to scale.

Takeaway Throwaways is involved in the movement to phase-out throwaway takeaway packaging in New Zealand. One of our founders has been working alongside hospitality outlets since 2017 through Use Your Own, to support hundreds of cafes across the country to reduce their use of disposable coffee cups (or cease using them completely). Through our work, research and daily engagement with the public and hospitality outlets across New Zealand, we can attest to how far public and media perception has turned against disposable coffee cups. These items are increasingly recognised as a burden to hospitality outlets financially. Due to their propensity to pollute roadsides and waterways, they are a growing source of embarrassment for brands and of public ire and frustration. We believe that most

11. See, for example, the inventory of local and global reuse schemes for serviceware on the Takeaway Throwaways website: <u>https://takeawaythrowaways.nz/reuse-schemes-at-home-and-abroad</u>

12. Find out more about the SUCFree Wanaka campaign here: <u>https://www.facebook.com/</u> <u>sucfreewanaka</u>

13. See the search list on the Use Your Own Aotearoa Café Directory website: <u>https://www.uyo.co.nz/</u> <u>search?name=&feature%5B%5D=ndc</u> businesses would willingly cease to use disposable cups if all outlets were in the same boat. The only way to achieve this is through a nationwide ban.

2. Plastic lollipop sticks

These present a similar hazard to plastic cotton buds (which are proposed for a ban) and there are also alternatives, such as cardboard.

3. Single-serve/Portion Control Unit pottles, sachets & containers for condiments.

For example, soy fish, pottles with peelable plastic lids for jam, butter and other condiments, sachets of sauces, condiments and sugar. We note that the consultation document highlights the impact of the Fox River Landfill disaster one of the items commonly picked up by volunteerswere these types of single-use/ PCU packets from the accommodation and hospitality providers in this popular tourist destination. We note that these types of products have been earmarked for banning by the Irish Government in their recently released National Waste Policy.¹⁴

4. Soft plastic wrappers for individually packaging mini confectionary items

For example, mints given out at restaurants as breath fresheners or lollies on flights. The wrappers are very small and thus easily escape rubbish collection, and are an unnecessary level of packaging as confectionary is easily purchased in bulk packaging.

5. Place-based phase-outs

We would support the Government pursuing a place-based phase-out approach to items that we aren't ready to ban completely, including sustainable public procurement. For example, a mandatory phase-out of disposable serviceware for all dine-in contexts (i.e. like Berkeley, California¹⁵); single-use free zones in towns and cities (like South Australia's Plastic-Free Precinct trial¹⁶); on campus or institutional bans of bottled water and disposable coffee cups, including Public Procurement Policy that excludes disposable serviceware etc.¹⁷

14. Department of Communications, Climate Action and Environment (2020) <u>A Waste Action</u> <u>Plan for a Circular Economy: Ireland's National</u> <u>Waste Policy 2020-2025</u> (Government of Ireland), p.33.

15. City of Berkeley (2019) <u>Single Use Foodware</u> <u>and Litter Reduction</u> (Ordinance No 7639–N.S).

16. See, for example, <u>www.plasticfreeplaces.</u> <u>org; https://www.greenindustries.sa.gov.au/</u> <u>plastic-free-precincts</u>.

17. For example,

- <u>https://source.wustl.edu/2016/04/water-bottle-ban-success-bottled-beverage-sales-plummeted/;</u>
- <u>https://phys.org/news/2017-05-students-plastic-bottles-campus.html;</u>
- <u>http://www.msnbc.com/msnbc/san-</u> francisco-bans-sale-plastic-water-bottlesclimate-change;
- <u>https://edition.cnn.com/2019/08/02/</u> <u>business/plastic-water-bottle-ban-sfo-</u> <u>trnd/index.html</u>
- <u>https://australianfoodtimeline.com.au/</u> bottled-water-ban-bundanoon/

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Do we agree? Yes, with changes.

We strongly support the proposal to include items made of degradable, oxo-degradable, biodegradable and compostable plastics within the ambit of the proposed phase-out - we applaud the Government for taking this step. As the consultation document notes, many of these products are not certified, and/ or not home compostable nor marine degradable. Those that are certified compostable regularly do not arrive to the types of environments they are designed to degrade in (p.48). If they go to landfill, they produce methane in the anaerobic conditions.

Furthermore, whether compostable or not, these products are still designed for single-use applications, with all the wasted embodied energy and resources that that status represents. As the consultation document notes, the items selected for phase-out in this proposal represent an 'unnecessary' use of plastic. Therefore, even if genuinely home compostable plastic alternatives were developed, they would remain an unnecessary application of that technological innovation.

We recommend the following alterations or clarifications of the proposed definitions:

• Plastic straws: The proposed definition refers to an exemption to allow

access to plastic straws for disabled persons and for medical purposes. If the Government does decide to ban plastic straws then we would support an exemption because some people need a straw to drink. However, we note that an exemption is unlikely to fully redress the loss in accessibility brought about by a plastic straw ban. Furthermore, the extent to which the risk of stigmatisation or discrimination mitigated depends is on how the exemption is drafted and the surrounding policy for its application and enforcement. Unfortunately, the potential impact of the exemption is impossible to assess because the proposed exemption has not been drafted for feedback (other than an indication that it may look like the UK or EU approach). There is also no specific field in the submission form to provide specific feedback on the proposal to include plastic straws in the phaseout, the suitability of an exemption, or what an exemption could look like to maximise accessibility. We believe the active participation of the disabled community is not sufficiently upheld by this consultation process.

- Single-use plastic tableware: The proposed definition should be amended to clarify that this includes paper bowls and containers with plastic or wax linings (similar to the plastic cups and lids definition).
- Single-use plastic cups and lids: Disposable coffee cups should be included in the proposed phase-out (as discussed in our answer to Q16). We also do not support exempting single-use plastic cups made of plastics 1, 2 and 5 from a ban – even if these are easier to recycle

plastic types, the cups are likely to be too food contaminated to recycle. Furthermore, as takeaway, on-thego products, the cups are likely to be used away from home where the public has reduced access to recycling services. Nevertheless, if the exemption goes ahead, we recommend that it applies to cups only and that any lids are expressly excluded from the exemption as their size effectively makes them 'hardto-recycle' items in most kerbside systems that rely on automated MRFs for sorting. Furthermore, they are detachable so can easily be lost to the environment.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Depends on the item.

We believe a 12 - 18 month time period would be achievable for most items.

For some items, the Government needs to have conversations with parties likely to be affected by the ban, which may require a longer timeframe.

For example, if plastic straws are to be banned, the Government must take the time to properly draft the exemption to ensure access for the disabled community (see our answers about this in Q17). **19.** What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Takeaway Throwaways is a campaign focused on serviceware, so we focus only on disposable coffee cups in this response. Please refer to the joint submission by the zero waste community for comments in relation to wet wipes.

As noted elsewhere in this submission, the Government must consider regulatory & policy interventions and investment to increase the uptake, accessibility and availability of reusable alternatives to disposable coffee cups. We note that many of these regulations & policies can be achieved under s 23 of the WMA and/or without the need for new Parliamentary legislation.

These include:

- Adding disposable coffee cups to the proposed phase-out list as this will motivate industry and consumers to find alternatives faster.
- Levies on disposable coffee cups or a producerfee on all disposable cups put on the market to cover estimated costs associated with clean-up or disposal.
- Mandating reusable serviceware only for dine-in customers.
- Phasing-in disposable coffee cup free zones or sustainable public procurement policies that prohibit

disposable service ware (e.g. university campuses and other institutional spaces, buildings associated with local and central govt and Parliament etc.)

- A deposit return scheme for both disposable coffee cups and reusable cups, offered through a reuse scheme, combined with a requirement that hospitality outlets offer a takeback service for the cups they give out (whether for reuse or appropriate disposal).
- Ensuring that reusable alternatives and the systems to deliver them adhere to the principles of universal design so that they are accessible for everyone in the community.
- Investing in the infrastructure needed for reuse models to operate effectively, such as reverse logistics and washing/sterilisation infrastructure.
- Creating welcoming а more environment for BYO cups by working with the Ministries of Health and Primary Industries to inform businesses that accepting BYO cups is consistent with food safety regulations (including during covid-19), and amending food safety legislation to require outlets to accept BYO cups (in accordance with appropriate food safety requirements/food control plans) rather than leaving this to the discretion of individual businesses.
- Working with the Ministry for • Primary Industries develop to specific food safety guidelines for reusable and refillable packaging onerous systems (not to create regulations, but rather to give businesses a sense of security and

confidence in accepting reusables).

• Compulsory labelling requirements for disposable coffee cups that inform consumers about the availability of reusable alternatives and a ban on branding cups.

We note that Ireland's recently released National Waste Policy provides a useful blueprint for how a Government can accelerate an eventual phase-out of disposable coffee cups and cold drinks cups.¹⁸

We have considered the options put forward in the consultation document (p.49) and offer the following comments:

- We support the suggestion of investing to scale up reuse systems. We note that this will achieve the best outcomes if accompanied by the regulatory & policy interventions listed above as these are necessary preconditions to level the playing field with singleuse. Furthermore, a coordinated approach to scheme design overseen by Government is needed to guarantee basic accessibility and availability of reusable alternatives.
- Non-plastic alternative coffee cups may be appropriate in some contexts (such as medical situations or civil emergencies). However, for more general application this is a false solution as they are still single-use, with all the embodied energy and resource wastage associated with this linear approach. Furthermore, a

^{18.} Department of Communications, Climate Action and Environment (2020) <u>A Waste Action</u> <u>Plan for a Circular Economy: Ireland's National</u> <u>Waste Policy 2020-2025</u> (Government of Ireland), pp.33-34.

collection system would be required for composting these cups because they will be too contaminated for recycling and if disposed of to landfill will produce methane in the anaerobic conditions. Thus, they present the same issues as home compostable plastics.

- While public education campaigns to promote reusable alternatives is an option, there are numerous NGOs and community groups in NZ and globally doing this mahi already. We need Government to back our efforts with the powers that only Government has (i.e. regulation, policy and investment) rather than risk duplicating work already being done. However, funding support to some of these NGOs and community groups to conduct their education and campaigning could be appropriate, so long as it operates alongside regulatory supportive measures and infrastructural investment.
- Exploring the feasibility of a scheme to collect and recycle or compost singleuse cups (putting aside the technical challenges to successfully recycling or composting them, which shouldn't be ignored) doesn't address the fact that these are still single-use items that waste energy and resources - it's a way of doing things that the circular economy demands we move away from. Furthermore, the investment in logistics and infrastructure to take back these cups and develop facilities to compost or recycle them would be better diverted towards scaling and developing reuse schemes infrastructure centred around reuse. Reuse schemes would also create a greater number of jobs in the collection, washing and redistribution

logistics and these jobs would be more dispersed across the country.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

Takeaway Throwaways does not manufacture, supply or use single-use plastic coffee cups. However, we invite the Government to consult with the 50+ hospitality businesses who are SUC free, and the organisations and small businesses around NZ that support their work such as:

- UYO
- SUC-free Wanaka
- Again Again
- Cupcycling
- Good to Go Waiheke
- The Grey Lynn Koha Jar Project
- Wanakup

These businesses and groups report that the ability to implement alternatives to single use plastic coffee cups enables businesses to move entirely to reuse. Furthermore, many businesses would be willing to cease dispensing disposable coffee cups, but would prefer if all outlets were in the same boat (i.e. through a nationwide ban). **21.** What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Takeaway Throwaways is a campaign focused on serviceware, so we focus only on disposable coffee cups in this response. Please refer to the joint submission by the zero waste community for comments in relation to wet wipes.

Disposable coffee cups products should be included in the list of items proposed for phase-out. We should be seeking to remove them from the economy well before 2025. Accessible alternatives exist. Were the Govt to commit to supporting reuse schemes & to developing and amplifying guidance (see Q19) we see no reason why disposable coffee cups cannot be amongst the first to be phased-out, i.e. by 2022.

22. Have we identified the right costs and benefits of a mandatory phaseout of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Do we agree? Yes, in part.

A comprehensive list of the costs and benefits of mandatory phase-out of the targeted plastics. We agree with all listed, and appreciate the acknowledgement of the potential cost savings for retailers from a move to phase-out unnecessary single-use items, the cost savings for local govt (and therefore ratepayers) from reduced waste & litter, and the fact that banning items across the board has the benefit of levelling the playing field.

One significant cost missing is the potential impact that a ban on plastic straws will have for individuals with accessibility needs who require a straw to drink, and the potential that needing to rely on an exemption will be stigmatising.

One benefit that is currently missing is the new potential opportunity for businesses and communities to develop reuse schemes and reusable packaging systems to replace the targeted plastics. If this opportunity is harnessed, it will not only reduce waste and recycling, it will also have a positive job creation impact. As noted in Q 14, preliminary studies indicate that reusable packaging systems tend to produce higher numbers of jobs than systems based on disposal or recycling. Furthermore, those jobs are more dispersed across the country, which meets provincial development aoals.

The growth of reuse schemes will also lead to a reduction in single-use/oneway packaging generally (not just targeted plastic), which will further reduce costs for local authorities and thus ratepayers.

As noted in question 13, overall we think the analysis would be more meaningful if the environment was not treated as an affected party separate to our human or economic benefits – human society (including the economy) can only thrive if our planet is well. **23.** How should the proposals in this document be monitored for compliance?

A compliance and enforcement strategy is needed because the range of products being proposed for a ban is quite wide and will impact a variety of sectors, industries, businesses, organisations and individuals. So, the potential for noncompliance to slip through the cracks is quite high.

We saw with the plastic bag ban that some businesses did push the limits of the law and after a year, **400 breaches** were reported.

Given the scope of the present proposal, that goes well byoend the plastic bag ban, we support the appointment and resourcing of enforcement officers, alongside relying on community members to report breaches.





That's it.




MFE Consultation document: Reducing the Impact of Plastic on our Environment

Feedback from Tāmaki Estuary Protection Society

The Tāmaki Estuary Protection Society (TEPS) is a non-profit organisation founded in 1969 by residents living around the waterway who wished to protect Tāmaki Estuary's special eco-system. It is an incorporated society with charitable status. As a society concerned with the preservation, protection and improvement of the waters, shorelines, catchment and wildlife of the Tāmaki Estuary any reduction in the impact of plastic on our environment is very welcome and of great importance to us.

Unfortunately, plastic litter is a common occurrence along the shores of the Tāmaki Estuary. Investigations by the society have also established microplastic pollution in the estuary environment. Extensive housing development is underway, particularly in the Glen Innes and Panmure areas. Polystyrene is often used for thermal insulation for concrete floors in these developments. When handling the material small pieces are left behind and due to their light weight, these risk ending up in the waterways that feed into the estuary.

Overall we believe this document is a comprehensive and well researched overview of the issues related to the impact of plastics on our environment and options for reducing this impact. We have not responded to all the questions in the feedback document, but we would like to provide specific feedback on the two key categories of plastic targeted in the proposals related to plastic production, use and disposal.

Category 1: Hard-to-Recycle Plastics

The Government is looking to move away from hard-to-recycle plastics, specifically some polyvinyl chloride (PVC) and polystyrene packaging as well as all oxo-degradable plastic products. Of the eight options provided we concur that option 6: mandatory phase - out is the preferred option.

With regard to Table 4 and to your request for feedback on specific items that should be covered by a mandatory phase-out, we suggest all PVC food and beverage packaging listed in table 4 be included. Table 5 alternatives are noted. We agree with the rationale that where plastic continues to be used its value is maximised through re-use and recycling in order to prevent it ending up as litter.

We agree with a mandatory phase-out of all oxo-degradable plastics by January 2023.

We also support the proposed two stage (2023 and 2025) phase-out of PVC and polystyrene packaging.

We further note timeliness, i.e. the speed with which policies can be implemented, is an important criteria which should be considered in weighing up policy options.

Category 2: Single-Use Plastic Items

The Tāmaki Estuary Protection Society emphatically supports the phase-out of singleuse plastic items. The items listed in Table 7 for consideration of phase-out would, as stated in your report, address the top of the waste hierarchy i.e.: reducing and reusing. One item of single-use plastics we suggest should be targetted and added to the list is the lollipop/chubba chubba sticks we see washed up in beach litter.

We are pleased to see single-use disposable coffee cups and wet wipes are also identified as problematic. Regarding wet wipes, we support mandatory labelling "do not flush", and "contains plastic". This labelling could go further, with "contains x% plastic" There was a big campain in the UK, with many people not realising wet wipes were made from plastic.

The rationale and proposed timeframe of 2025 at the latest for a phase-out of ALL items looks to be appropriate. However, where it is easier to phase out some items and where a viable alternative already exists it is hoped that Government will move with greater urgency.

Public education to influence consumer behaviour and Government assistance to business and industry to promote viable alternatives would help to remove these additional items from the circular economy and reduce the harm they do to our environment. One of our key priorities is education and raising awareness of the environmental values of the Tāmaki Estuary and the threats it faces. Compliance monitoring and enforcement will also be important to support implementation.

The Tāmaki Estuary Protection Society aims to safeguard the life-supporting capacity of the Tāmaki Estuary. Any strategy to reduce the impact of plastic on our environment would greatly assist us to do this.

Thank you for the opportunity to provide this feedback.

Contact: Tamaki Estuary Protection Society Beth Evans Chairperson chair@teps.org.nz 527 1787 021 119 8599









Date: 9 November 2020

To: Ministry for the Environment (MFE)

SUBJECT: SUBMISSION ON REDUCING THE IMPACT OF PLASTIC ON OUR ENVIROMENT

On behalf of the Taranaki Solid Waste Management Committee (TSWMC)

The Taranaki Solid Waste Management Committee (TSWMC) provides oversight on waste management and minimisation issues within the Taranaki Region and is represented by Councillors from Taranaki Regional Council (TRC), New Plymouth (NPDC), Stratford (SDC) and South Taranaki District Councils (STDC).

We thank the Ministry for the Environment (MfE) for the opportunity to provide feedback and be part of the consultation process. Our submission is based on a regional perspective for Taranaki, with input from the regional and district councils noted above. We have collaborated with WasteMINZ Territorial Authority Officers Forum (TAO Forum) as a strategic working party on the options MfE proposes.

The Taranaki region is an advocate for change and is committed to working towards Zero Waste as a community. As a region, we have already taken steps to discourage the use of single use plastics by reducing our transfer station and kerbside recycling collection to only accepting plastics numbers 1, 2 & 5's so this proposal substantiates the current waste services provided in the Taranaki region. We recognise that waste disposal is becoming an increasing issue due to the recent changes imposed by the China National Sword policy. We support MfE's recent initiatives including the increase to the waste levy, proposed product stewardship schemes, and placing more emphasis on creating a circular economy. The facilitation of regional waste infrastructure will also allow for waste to be processed and recycled within New Zealand.

The Taranaki Solid Waste Management Committee agrees with the description in the MfE consultation document 'Reducing the impact of plastic on our environment'. Our submission fully supports the WasteMINZ TAO Forum submission which is provided in Appendix 1. Additional comments to the TAO Forum submission are also provided below referencing the relevant question in the consultation document.

Q2. Have we identified the correct objectives for hard-to-recycle plastic packaging and singleuse plastic items? If not, why?

The committee strongly agrees with the three objectives proposed in the WasteMINZ submission.



Rew Plymouth District Council



Q4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

The committee agrees with WasteMINZ TAO Forum submission. The Ministry for the Environment should consider issues associated with PVC for regions without an optical sorter. PVC is contaminating PET recycling where there is hand sorting of plastic (as it's very difficult to tell the difference between PET and PVC when hand sorting). This means that companies such as Flight Plastics will only take clear PET bottles. All the other clear PET has to go to landfill as there is no other market currently.

- Q5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why? Yes, Central Government needs to lead the change towards achieving a circular economy through policy that bans problematic single-use items. Policies that ban harmful single-use plastic items are currently being developed in other countries, such as Canada.
- Q6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why? The Committee agrees with the TAO Forum submission. The impacts of alternative products need to be understood and how any changes will influence current infrastructure and services for the items proposed in Stage 2 phase-out.
- Q7. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

The Committee agrees with the TAO Forum submission. Items needs to be assessed at an industry level to better understand the limitations. Addressing food and beverage packaging will result in the highest impact associated with behaviour change gains as this is public facing.

Q10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

The Committee agrees with the TAO Forum submission in that focus should be on single use packaging where there are known viable alternatives in the first instance. The assessment of feasibility, potential impacts and available alternatives for more difficult packaging with limited alternatives should be led by central government. We strongly support investigating and supporting alternatives that can be developed within Aotearoa.

Q18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

The Committee supports the TAO Forum submission but strongly supports a short timeframe (12 months) for phasing out problematic single-use items, where alternatives are readily available and significant industrial changes is not required. The items listed in Table 7 directly contribute to kerbside recycling contamination. Of the recyclable materials collected within Taranaki Region, 27% was deemed contaminated, some of which were identified as single use items. Therefore, these problematic single-use plastic items need to be addressed urgently to minimise the cost for Councils needing to dispose of these items.





Te Kaunihera-ā-Rohe o Ngāmotu New Plymouth District Council



Q19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

In addition to what is provided in the TAO forum submission, the following local information on wet wipes is provided.

New Plymouth District Council recommends wet wipes containing plastic should be banned. The rationale being that over the span of six months (April - September 2020) NPDC had 51 blocked sewer pipes caused by wet wipes. The repairs associated with unblocking the pipes cost Council over \$21,000.

South Taranaki District Council estimates their annual spend clearing sewer blockages to be \$10,000-\$20,000 per annum, depending on the number of blockages caused. This number only covers clean-ups and disposal costs, not fines from TRC or staff time etc.

Q23. How should the proposals in this document be monitored for compliance?

The committee recommends that monitoring and compliance procedures be put in place for manufacturing, hospitality and retail sectors, given the volumes of waste produced within these industries and opportunities for behaviour change initiatives given their public interface. The chosen option should provide a reasonable timeframe to allow for clear communication and time to set up appropriate infrastructure to facilitate the new regulations. Review and further research will be required to determine if the plastics changes have been effective and have not resulted in any perverse or unexpected outcomes. A pragmatic approach to logistics of the single-use plastic ban is encouraged with education to support these changes.

We look forward to future consultation processes to incorporate the proposed amendments into relevant statutes and would welcome the opportunity to comment on any issues explored during their development.

Appendix 1:

WasteMINZ TAO Forum: Submission on ban on single use plastic items and pvc and polystyrene food and beverage packaging 2020

About WasteMINZ

WasteMINZ is the largest representative body of the waste and resource recovery sector in New Zealand. Formed in 1989 it is a membership-based organisation with over 1,000 members – from small operators through to councils and large companies.

We seek to achieve ongoing and positive development of our industry through strengthening relationships, facilitating collaboration, knowledge sharing and championing the implementation of best practice standards.

WasteMINZ Territorial Authorities Officers Forum (TAO Forum)

The TAO Forum is a WasteMINZ sector group. The vision of the forum is to facilitate a clear and cohesive voice for the local government sector in relation to waste issues in order to influence and shape the future direction of the waste industry.

This is achieved by advocacy on behalf of the local government sector, leading strategic thinking on the future of the waste industry and encouraging information and knowledge sharing.

The TAO Forum is overseen by an elected Steering Committee consisting of the following council officers.

- Andre Erasmus Kawerau District Council
- Angela Atkins Hastings District Council
- Donna Peterson Invercargill City Council
- Eilidh Hilson Christchurch City Council
- Jennifer Elliot Wellington City Council
- Kimberley Hope New Plymouth District Council
- Kirsty Quickfall Hamilton City Council
- Parul Sood Auckland Council
- Sophie Mander Queenstown Lakes District Council

The steering committee is a representative mix of councils from throughout New Zealand, including small to large councils representing:

- North Island
- South Island
- City
- District
- Unitary

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

The TAO Forum agrees with the description but think a broader framing of the problem would allow for wider issues to be considered and tackled, which will likely require more than a simple ban. Firstly, there is a culture of dependence (economic and social) on the convenience of single-use plastics. In addition, we note the following issues which could be a barrier to the objectives outlined below:

- The price of virgin plastic can create an economic barrier to utilising recycled resin
- Product design such as the use of coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches can still limit a products recyclability)

The present proposal should be part of a comprehensive Government policy targeting reliance on both single-use products in general and on virgin plastic resin. This could include specific regulations and investment to disincentivise single-use and create a reuse culture.

Finally, overreliance on offshore markets increases our carbon footprint through importing fossilfuelled plastic resin or manufactured plastic products. There is a need to develop zero or low carbon alternatives where single-use is necessary and encourage onshore manufacture where possible.

2. Have we identified the correct objectives? If not, why?

Yes, however, we think there should be three main objectives

- 1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy.
- 2. Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams.
- 3. Reduce the current level of contamination in kerbside recycling

The following list expands on the three main objectives rather than being secondary objectives.

- lower risk of environmental damage including through litter and poor resource management
- decreasing the risk of wildlife consuming plastic and plastic entering into our food chain

- less PVC contamination in our recycling stream, so high-value materials like PET can be recycled rather than sent to landfill
- fewer unrecyclable plastics in our recycling stream such as plastic cutlery plates etc leading to lower contamination
- less contamination of plastic in both home and commercial composting
- increasing the uptake of high-value packaging materials including PET (1), HDPE (2) and PP (5)
- improving the recyclability of plastic packaging
- reducing public confusion and making it easier for New Zealanders to recycle right
- reducing carbon emissions associated with the manufacture, distribution and disposal of singleuse plastic items.

3. Do you agree that these are the correct options to consider? If not, why?

Yes, however we believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. For example, an approach that combines the proposed bans with levies/fees, ecolabelling, measurable targets, deposit-return, take back schemes, and community engagement. The EU Directive on Single-Use Plastics, and the plastics and packaging and single-use plastics chapters of the recently released Irish National Waste Policy, provide useful examples of blended approaches.

In addition to the options listed, we would support the consideration of additional measures to support the uptake and scale of reuse, e.g.

- mandatory targets for reuse/refill on specified items
- deposit return systems for takeaway serviceware to ensure that they are in a recyclable condition (i.e., clean) and put in the correct recycling bins
- mandating reusables in dine-in settings (as done through phase 3 of the Berkley Single Use Foodware and Litter Reduction Ordinance)
- levies on targeted single-use items
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No. The TAO Forum thinks that separate tables, weighting and criteria should be used to evaluate pvc and polystyrene; oxo-degradable plastic and single-use plastics as these product categories are distinct from each other and there are different issues with each of them.

There should be a criterion around technical feasibility. Currently, there isn't rpvc or rpolystyrene on the market so mandatory recycled content is technically not feasible. Conversely there are labelling schemes such as the Australasian Recycling Label, so the option of mandatory labelling requirements is technically feasible.

The TAO Forum also thinks that there should be criteria around willingness of the public to embrace the change and readiness of business – what shifts have businesses already made in this space?

Note with regards to the criteria the alignment of strategic direction should also include legislation such as the Zero Carbon act.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Whilst the TAO Forum is very supportive of moves to ban unrecyclable packaging, there is a need to carefully consider what the viable packaging alternatives are. A ban on PVC/PS/EPS packaging could result in their replacement with packaging materials as bad, or worse, in terms of environmental effects.

Firstly, both food safety and shelf life need to be considered. We need to balance the desire to reduce use of hard-to-recycle plastics with the potential for inferior packaging choices leading to increased food loss and waste, given that approximately one-third of all food produced for human consumption globally is already lost across the supply chain.

Secondly, we need to consider recyclability and how to ensure that measures to reduce PVC/PS/EPS packaging don't lead to an increase in packaging coded as plastic #7 or compostable packaging where there is no infrastructure in place to process it.

Finally, it is also important to have a carbon footprint lens, to ensure, where possible that alternatives use less resources in production, transport etc.

Therefore, the TAO Forum is supportive of a ban for products where known alternatives are available that are recyclable e.g. products which can be made out of plastics #1, #2 and #5. However, the TAO Forum notes that there is a risk that products could move from plastics #3 and #6 and switch instead to equally unrecyclable plastics.

The TAO Forum is supportive of a ban in two stages. Stage 1 should only include those products where there are known alternatives available. In particular, banning pvc and polystyrene trays would ensure that valuable PET trays which are currently being landfilled can be sent to processors such as Flight Plastics for recycling and could prevent some councils from needing to purchase costly optical sorters. EPS containers (eg, clamshell takeaway containers) and EPS and polystyrene cups cause contamination in kerbside recycling and once again there are suitable alternatives on the market.

The TAO Forum thinks that more research needs to be undertaken to ensure that the proposed 2025 timeframe for Stage 2 is sufficient to ensure recyclable alternatives to pvc and polystyrene.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why? A blanket ban may not necessarily be the most appropriate measure at this stage for PVC and PS rigid packaging. It may be better to focus on specific items within these packaging types where appropriate alternatives are readily available, particularly around supermarket food packaging and takeaway items that can easily be swapped out e.g. meat trays, sushi containers, and PS takeaway containers. This would place the focus on specific items that prevent the effective recycling of other recyclables e.g. pvc trays.

The TAO Forum notes that EPS packaging for homeware and whiteware can't be collected at kerbside due to its size but can be collected through store takeback schemes. Plastic NZ has already begun work on voluntary product stewardship for preconsumer eps packaging and several large retailers offer takeback schemes, but these aren't widely promoted. ¹Designating packaging for homeware and whiteware as a priority product and setting up a product stewardship scheme for this type of packaging to encourage industry-led innovation such as a redesign of packaging materials may also be a suitable option.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

PVC and PS/EPS are used for packaging for medications and to ensure products are kept at suitable temperatures for transportation. It is possible that exemptions might be needed for medical use if suitable alternatives are not available. PVC is also used in the construction industry for a variety of materials. The TAO Forum recommends that more research is undertaken to determine whether there are suitable replacements for these materials and to investigate where reusable or refillable options may be possible. The TAO Forum recommends that the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

The TAO Forum believes that there would be the following benefits

Environmental

- There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- It will encourage the transition away from non-renewable oil-based products

Social

- There will be amenity improvements due to less litter in the environment.
- Reducing plastic waste in our environment contributes to improving the mauri of our environment.

¹ E.g. Harvey Norman

Economic

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs.
- Cleaner, higher value recycling streams, assuming materials are swapped out for domestically recyclable plastics #1, #2 & #5.
- Increasing the viability of domestic recycling opportunities for #1, #2 & #5s due to higher volumes and increased quality.
- Businesses that produce products for export may gain a competitive advantage by using more recyclable packaging
- It would create a level playing field for all businesses which would provide certainty and fairness.
- With many of the alternatives being fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

The TAO Forum believes that there would be the following costs:

- Industry will need to develop new processes and alter production lines to accommodate different packaging materials.
- Higher cost of alternative material types for packaging, especially for takeaway containers.
 While a significant % increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ² and Colmar Brunton³ has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by the long lead-in time.
- Inferior-quality packaging could result in increased food loss and waste.
- Potential for higher environmental costs depending on new packaging choices.

The TAO Forum believes that the last point noted above is the greatest risk. A ban on PVC/PS/EPS could end up with these materials being replaced with something as bad or worse from an environmental/waste perspective e.g. a composite material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home compostable and also unlikely to reach a commercial composting facility which is able to process it. There is a risk of creating yet another contaminant in kerbside recycling or in commercial composting processes, or at best the use of additional materials whose only option is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but ensure the transition to PET/ HDPE/ PP.

² WasteMINZ Plastic Bag Charges and Beverage Container Deposits Study 2016

³ https://static.colmarbrunton.co.nz/wp-content/uploads/2019/05/Colmar-Brunton_Better-Futures-2020-Presentation.pdf

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Given the complexities involved in determining which plastics are used in food packaging, ranging from ensuring plastics are food safe, to offering physical protection and providing adequate oxygen and moisture barriers where required, this is a very technical and specialised area and so not a question that Territorial Authorities are necessarily best placed to answer.

Alternatives are already available for some food and beverage packaging items e.g. PET meat or biscuit trays where PET is proven to be effective as a packaging material, acceptable in kerbside recycling and with a domestic market for reprocessing (Flight Plastics).

There may not be practical replacements readily available for all PVC/PS/EPS food and drink packaging items, for example flexible PVC which is often used to package fresh pasta or ham, and PVC-related plastics which are used for barrier coatings.

Therefore, at this stage the TAO Forum believes that for the purposes of this consultation, in the short term, the scope must stay focused on single-use packaging where there are known viable alternatives and that further research and innovation may be needed for other packaging types.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Partially

Yes, degradable plastics of all types should be phased out. This includes both oxo-degradable and photo-degradable plastics. The TAO Forum notes that it is important when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break down more quickly into microplastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and also the deceptive nature of the advertising for many of these products. Many of these products imply that they are greener and more environmentally friendly than conventional plastic see image below.

Due to the issues caused by these types of plastic and the deceptive nature of how some of these products are advertised the TAO Forum believes they should be phased out over a shorter time period by January 2022.



12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/a.

- 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.
 Yes, the TAO Forum agrees that correct costs and benefits have been identified
- 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

As mentioned previously, the greatest risk is if a ban on PVC/PS/EPS ends up with these materials being replaced with something as bad or worse from an environmental perspective. This would increase the costs but also reduce the benefits of the ban. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging, but ensure the transition to PET/ HDPE/ PP. Other measures which could assist would be standardising kerbside recycling and introducing compulsory labelling for recyclability and compostability. In terms of compostable packaging the Ministry for the Environment needs to assist industry to develop the appropriate processing and collection infrastructure whether that be through funding or designating compostable packaging a priority product. Alternatively it could be clearly signalled that compostable packaging is not an appropriate alternative to PVC and EPS. The TAO Forum prefers this option.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

N/a

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

The TAO Forum is supportive of a ban of all the items proposed in Table 7. In additional to causing issues when littered, none of these items are accepted for kerbside recycling but they contribute to contamination in recycling. A 2019 national waste audit⁴ found that an estimated 851 tonnes of paper cups⁵ are disposed of in kerbside recycling 1.3% of all contamination. Soft plastic which would include plastic produce bags makes up 3,754 tonnes of contamination 5.7%. Plastic straws and plastic cutlery were found in the top 20 most common types of contamination by frequency.

These items also cause contamination for those councils who offer food and green waste collection services and there is strong support for the proposed ban on plastic fruit stickers.

The TAO Forum notes the concerns raised by disability groups on the proposed ban on plastic straws, but also notes that Auckland District Health Board has moved to providing paper straws only in their hospitals without incidence.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Whether a piece of cutlery or a drink cup is single-use or reusable isn't always clear cut. Microns were used as the differentiating measure for the plastic bag ban to distinguish between reusable or single-use bags. Single-use can be subjective, so further clarity is needed for the definitions of single-use plastic tableware and cutlery and single-use plastic cups and lids.

For clarity, we would encourage all the definitions to include the following description:

plastic including both degradable and biodegradable plastics.

⁴ Rethinking Rubbish and Recycling 2019 Sunshine Yates Consulting

⁵ Paper cups is defined as all cups made from fibre products, including single use soft drink cups, coffee cups, takeaway noodle bowls etc

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Plastics New Zealand has noted that many businesses import these products in bulk and often have inventory sufficient for a number of years. However, the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling. Wellington City Council estimates the costs of dealing with contamination in recycling at c\$300,000 per annum. Therefore, the TAO Forum is supportive of a ban being implemented as early as possible to reduce the impact on the environment and the financial burden of councils whilst ensuring that the financial impact on businesses is mitigated. The TAO Forum is supportive of a well signalled phase out within two years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Only 56% of councils support the decision not to ban coffee cups at this stage with 44% of councils in favour of a ban.

The waste caused by New Zealand's coffee drinking culture and the associated costs are significant. The Rethinking Rubbish and Recycling research found that 1,288 tonnes of single-use cups are disposed of via councils' household kerbside rubbish collections with a further 851 tonnes contaminating household recycling bins. In addition there would be a significant number that are disposed of via public place and commercial collection systems 1.24 million coffee cups are used per annum in New Plymouth (as a conservative estimate), and it costs \$230,000 to dispose of these cups per annum. Therefore, the aim should be to move up the waste hierarchy, supporting systems that reduce the number of single-use cups used. This requires systematic change and incentives that establish a dominant culture of avoidance or reuse.

Reusable cups

If more people use reusable cups, there will be savings for businesses and less waste and therefore less burden on territorial authorities who bear the cost of a linear system. In alignment with the waste hierarchy, the focus should be on reuse rather than recycling or disposal for both waste and carbon reduction. In its simplest form, the best option to address coffee cups is through incentivising reusables.

We support investment into reuse systems such as cup-lending schemes but recognise that this type of scheme acts primarily as a backup for the personal choice consumers make to bring their own cups. Therefore, supporting the creation of a 'bring your own cup' norm should be the main focus area. There are also community-led approaches such as cup libraries which could be supported, for example by providing 'how-tos' and health and safety guidelines as an educational package to guide the hospitality sector. Behaviour change programmes using tools such as prompts, and commitments should be built into the support for wider use of reusable cups.

Single-use cups

In New Zealand coffee cups contaminate kerbside recycling and in the case of compostable cups, New Zealand lacks both the collection infrastructure and sufficient composting facilities with the resource consent to accept them. We note that single-use cups are not considered in the upcoming mandatory product stewardship scheme for beverage containers, although they do meet the criteria in the potential scope. We suggest that inclusion in this scheme should also be investigated when identifying the most effective method to reduce/eliminate use of these items.

One way to stimulate reuse is through strategic use of taxation. A 2019 study showed that people are inclined to use a reusable coffee cup if they see other people doing this or if they are charged extra for a disposable cup. This aligns with the theory of loss aversion in which people experience the negative feeling of a loss more strongly than a positive sense of a gain, even if it's the same size. This means that cafes voluntarily giving a discount for a reusable cup is not as effective in changing behaviour as putting a levy on a disposable cup. To most effectively incentivise reuse, Ireland has committed to introducing a €.25 tax on coffee cups in 2021 and the Californian city of Berkeley has already put a "latte levy" in place. This tax could potentially be used to fund the infrastructure required for single-use cups to be collected and composted.

The main barrier for composting facilities to be able to process compostable cups is the commercial requirement to produce organically certified compost. Products containing compostable plastics cannot be processed at these facilities.

For single-use cups to become part of the circular economy through composting, all cups on the market would need to be made from the same material as the cost involved in sorting compostable from non-compostable products would be prohibitive. The material used would need to be certified compostable and the cup would need to be fibre based with no plastic films or additives. Notwithstanding, this does not resolve the issue of resource consumption and carbon emissions.

Overall, the TAO Forum recommends that a suite of actions are needed to tackle the prevalence of singe use coffee cups.

- promoting reusable cups and cup loan schemes in the first instance
- investment to scale up re-use systems like Again and Again
- standardisation of any single use cups available on the market (addressing composability and contamination issues)
- improved labelling requirements to make it clear whether a cup is compostable or not
- encouraging the development of well-publicised disposable cup-free zones (e.g. university campuses & government buildings, museums and galleries, coasts and national parks)
- a ban on coffee cups with plastic linings of any type; or in place of a ban, a levy on disposable coffee cups and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.

Wet wipes

73% of councils would like to see wet wipes banned with only 26% of councils supportive of the decision not to ban them.

Wet wipes are a significant issue for TAs, who spend thousands of dollars undoing blockages in wastewater systems. For example, Gisborne District Council estimate wet wipes are costing roughly \$100,000 per year due to complications they cause for the wastewater network's operation and maintenance costs. In addition to that, GDC estimate a spend of about \$43,500 p.a. for disposal costs at their wastewater treatment plant due to wet wipes, which would be rise under the new

waste levy increases. South Taranaki District Council spends approximately \$20,000 annually unblocking pipes due to wet wipes.

The Watercare operated Mangere Wastewater Treatment Plant screens out substantial volumes of single use plastics and wet wipes on a daily basis. On average, the total single use plastics component of the screenings are around 500 – 1600kg per day, or 350 – 600 tonnes per year. It is estimated that almost half of this quantity is wet wipes.

Wet wipes are another case of local government and thus rate payers footing the bill for industry's poor product design choices.

Reusable wipes

In alignment with the waste hierarchy, we see the best option being to promote reusable wipes as a simple return to squares of cloth. It is noted that building acceptance of reusable wipes as an alternative to wet wipes connects closely to the promotion of reusable nappies –trialling alternative approaches in the early childhood sector is the type of activity which could be considered. Developing a culture of reusable wipes may also provide a potential use for unwanted textiles, contributing to a circular solution.

It is important to recognise that time, and access to the washing facilities required for reusable wipes, may present a barrier for some. Considering the reasons why consumers choose to flush these products should also be part of any programme, for example disposable wipes may be flushed even when consumers are aware of the problem because they are reluctant to place smelly used wipes in the rubbish.

Single-use regulation and action

In conjunction with promoting a reusable option, we support requirements and action which will help consumers make an informed choice. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. We call for a requirement to state the content in wipes so that the consumer is aware they contain plastic.

Ideally, industry would be required to transition away from plastic based wipes through a mandatory phase out. This should also include products that are currently touted as biodegradable as they do not break down in a timely enough manner. This would avoid blockages and contribute to minimising plastic pollution of waterways and marine environment. We support mandatory prominent labelling 'do not flush' messaging for all wipes regardless of plastic content. It is also worth noting that research has identified that placing a 'please don't flush wipes' message close to public toilets has proved effective, and campaigns such as this to create new social norms should be considered . In conjunction with educating around reusable options, Ministry should continue to support behaviour change around flushing wipes.

Finally, there are other non-biodegradable products entering the wastewater system which are also responsible for introducing plastic and causing blockages. These include sanitary products (the average pad can contain up to 90% plastic, and there is a significant amount in most tampon products as well). Facial tissues and kitchen paper often contain bonding agents – this can slow their breakdown and add to the blockage problem as well as introducing more chemicals to the wastewater system. We therefore call for funded behaviour change campaigns that can raise awareness of these issues and promote alternatives and subsidies for reusable products for low-income communities.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/a.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We support the goal of transitioning to reusable products as part of a circular economy, including a phase out of problematic single-use items. We are cognisant of pressures on the sector, however, we note that there are even greater pressures on our environment that cannot be ignored. We advise working with industry on these issues over the timeframes noted below.

Coffee cups

Much of the work around coffee cups should centre on education and behaviour so that single-use phase out can be effective. We support a gradual phase out of single-use cups which contain plastic linings or additives over the course of five years.

Wet wipes

Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from single-use items to reusable resources. We support a transition time of three years for a wet wipe ban due to the issues these pose in particular the blocking of wastewater pipes and the urgency with which we should address them. Our aim is to encourage industry to take an innovative approach to better solutions for this product by suggesting a shorter transition time.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

The TAO Forum agreed with all the benefits listed but there are also additional benefits. The benefits are environmental, social and economic.

Environmental

- 1. It will encourage the use of reusable options
- 2. There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains. It will also reduce the amount of plastic in compost and therefore in soil.
- 3. It will encourage the transition away from non-renewable oil-based products which are responsible for carbon emissions from manufacture, freight and disposal

Social

- 1. It will support the strengthening of social norms for reuse and foster a culture of reuse and recycling, rather than disposing of single-use items.
- 2. There will be amenity improvements due to less litter in the environment.
- 3. There could be the opportunity for new job creation or migration to circular jobs.

Economic

- 1. There will be less contamination in recycling services resulting in lower sorting and disposal costs.
- 2. There will be significantly less contamination in organic waste collections particularly if single-use produce bags and non-compostable fruit stickers were banned resulting in lower sorting costs and the ability to make a higher grade of compost.
- 3. There will be lower collection and disposal costs for litter collection.
- 4. Businesses that manufacture, import and supply reusable items would benefit.
- 5. Some businesses would save money by no longer supplying these items to their customers e.g. single-use produce bags
- 6. It would create a level playing field for all businesses providing certainty and fairness.
- 7. There would be economies of scale for alternatives which would help to lower costs and drive innovation.
- 8. With many of the alternatives fibre or wood based there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.
- 9. Reuse options may eventually result in cost savings for consumers.

The TAO Forum agrees with the costs listed but notes that most of these single-use items are currently imported from overseas rather than made in New Zealand so the cost of complying with this ban is likely to be less significant than the ban on pvc and polystyrene packaging.

23. How should the proposals in this document be monitored for compliance?

The TAO Forum recommends that the proposals be monitored for compliance but also evaluated to see whether the aims of the legislation will be achieved.

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors. At its simplest form this could be a hotline where members of the public can email if they see a business selling a non-compliant product. This was used when the plastic bag ban was introduced with 375 alleged breaches of the ban reported in the first six months.⁶ Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging e.g. sushi stores; \$2 shops for example.

Many councils and businesses undertake waste audits so asking these organisations to keep aside any branded examples of banned packaging so that businesses could be followed up is also an option.

It is also important to see if the legislation has achieved its desired aim. The TAO Forum identified three main aims and includes suggestions below as to how these could be evaluated.

1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy. Both supermarket chains have completed inventories of the types of plastic packaging in their brands. Funding a repeat of these audits after the ban has been implemented would determine to what extent the amount of hard to recycle plastics had been reduced.

⁶ <u>https://www.newshub.co.nz/home/politics/2019/12/almost-400-alleged-breaches-of-plastic-bag-ban-but-no-prosecutions.html</u>

- 2. Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams. Monitoring the amount and type of litter in the environment to see whether the rate at which these products have been littered has decreased.
- 3. Reduce the current level of contamination in kerbside recycling.

If Flight Plastic is able to accept PET trays from a larger number of councils, that would also be a clear indication that the legislation had achieved its aim to reducing contamination in recycling. Council waste audits would also provide evidence that contamination had decreased. The Rethinking Rubbish and Recycling Project has benchmarked contamination and use of plastics and this audit could be repeated once the ban is in place.

Any evaluation could also include changes in public attitudes towards plastic products, packaging, litter and the general acceptance of these policies.

3 December 2020



Ministry for the Environment PO Box 10362 Wellington 6143

Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items - Tasman District Council submission

Introduction

Tasman District Council (the council) welcomes the opportunity to submit on the Ministry for the Environment proposal: "Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items".

Council supports the intent of the proposals, but considers that the objectives should be amended to:

1. Maximise the reuse and recycling of resources, and

2. Minimise the quantity and environmental impact of plastic items that make their way into our environment.

The Council **generally supports** the proposals to phase-out particular plastic packaging materials and single use items. , but considers that it is possible that a simple phase-out of some materials and items may give rise to perverse outcomes. In some instances the costs may exceed the benefits of the phase out.

The Council also considers that the problem definition and the costs and benefits of a phase-out should be determined separately for each plastic material and item. This will identify the most promising and cost effective materials and items to phase-out.

The Council is **strongly supportive** of a mandatory phase-out for products where known recyclable alternatives are available – for example products which can be made out of PET, HDPE and PP (plastics #1, #2 and #5).

In some instances **alternative options may be more effective** (such as product stewardship, mandatory labelling and levies or fees to manage a product). In other instances a blended approach, combining multiple approaches over time, may also be more cost effective.

Council encourages the Ministry to continue to engage with the local government, recycling industries, manufacturing and packaging industries and primary sector groups to ensure that the phase-out is feasible and effective.

The council's contact is:

David Stephenson, Team Leader – Stormwater and Waste Management, Tasman District Council (DDI: 03 543 8483) or <u>david.stephenson@tasman.govt.nz</u>

Background

Tasman District Council is a unitary authority in the Top of the South. The Council shares a Joint Waste Management and Minimisation Plan (JWMMP) with Nelson City Council, adopted in September 2019¹.

The JWMMP is driven by a vision of the communities of the Nelson Tasman region working together to reduce waste. This includes a target of reducing waste to landfill by 10% per person by 2030. The councils have three goals, in partnership with our communities, to support this:

- Avoid the creation of waste
- Improve the efficiency of resource use
- Reduce the harmful effects of waste

Method 2.1.3 of the JWMMP mandates the councils to engage with central government to advocate for leadership in waste reduction. This mandate includes for advocacy to regulate for the avoidance of waste. This is the basis of the Councils' submission.

The Council notes that the Territorial Authority Forum of the Waste Management Institute of New Zealand is also submitting on this proposal. The Council broadly supports that submission, but wishes to emphasise some aspects of that submission and raise additional matters.

Response to consultation document questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

The Council **generally agrees** with the description of the problem. Single use plastics are a significant source of litter and marine pollution, and the use of some plastics, such as PVC, significantly affect the Council's recycling operations.

An additional barrier to recycling and reuse, not included in the consultation document, is the currently low price of virgin plastic. This can create an economic barrier to utilising recycled resin and may make single use plastic more attractive in the short term.

Engagement with our community has indicated strong support for regulation of plastics by central government and a willingness to change the culture around single-use plastics.

While generally supporting the description of the situation, Council also consider that **a broader framing of the problem** would allow for wider issues to be considered and addressed (for example, the whole of life energy and carbon emissions of various materials). This wider consideration would consider any potentially perverse outcomes of a phase-out and in some cases may conclude that other options are more sustainable.

Regulating some plastics may create perverse outcomes that drive a switch to composite or non-regulated plastics or to other materials that have high emission profiles. Product design, such as the

¹ <u>http://www.nelson.govt.nz/assets/Our-council/Downloads/Plans-strategies-policies/2019/Nelson-Tasman-Joint-Waste-Management-and-Minimisation-Plan-Councill-approved-19sep2019.pdf</u>

use of coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches, may also limit a product's recyclability.

Council also consider that the present proposal should be considered as part of a wider Government policy targeting reliance on all single-use products, not just plastics. This could include specific regulations and investment to disincentivise single-use items across all materials and create an environment to enable reuse.

2. Have we identified the correct objectives? If not, why?

Council supports the general intent of the objectives, but considers that **the objectives should be amended** to:

- 1. Maximise the recovery, reuse and recycling of resources, and
- 2. Minimise the quantity and environmental impact of plastic items that make their way into our environment.

Council considers that incorporating an objective to maximise resource recovery provides a wider scope to evaluate each option. Recovery of "resources" includes all materials, not just plastic, and could also include energy as a resource. Including a wider objective of resource recovery would reduce the risk that any proposal decreases plastic waste but increases other waste materials or waste energy.

The reduction of single-use plastics and plastics that are difficult to recycle then become secondary objectives. Reducing contamination in composting systems could also be added to the secondary objectives.

3. Do you agree that these are the correct options to consider? If not, why?

Council considers that in some instances some of the separate options could be combined. For example this approach could combine a phase-out with labelling, measurable targets, deposit-return, take back schemes, and community engagement. The EU Directive on Single-Use Plastics, and the plastics and packaging and single-use plastics chapters of the recently released Irish National Waste Policy, provide useful examples of blended approaches.

In addition to the options listed, Council would support the consideration of additional measures to support the uptake and scale of reuse, for example:

- mandatory targets for reuse/refill on specified items
- deposit return systems for takeaway service ware
- levies on targeted single-use items
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items such as cigarette butts, takeaway packaging and wet wipes. While these are not proposed to be phased out they are still problematic. These types of fees to cover the management cost of a product differ from a levy and are possible under s 23(1)(d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

Not completely. The Council considers that a **separate table**, weighting and criteria should be used to evaluate **each plastic material and single use item**. Each material and item are distinct from each other and there are different issues to consider for each.

The Council also recommends three new criteria be included:

- technical feasibility,
- public support, and
- climate change impact.

The Council recommends an additional criterion around technical feasibility because the option may not be technically feasible. For example, there may not be recycled PVC or polystyrene products on the market, so mandatory recycled content may not be technically feasible for this material. Conversely, there are labelling schemes such as the Australasian Recycling Label, so the option of mandatory labelling requirements is technically feasible for some products and materials.

The Council recommends an additional criteria around willingness of the public and readiness of business for change because public support is a significant advantage when implementing change of this scale. This criterion score could be based on feedback from this consultation.

The Council also recommends an additional criterion relating to climate change impact because where a proposal increases or reduces emissions, this should be considered.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Not generally, as in some instances other options may be more appropriate in the medium term.

In the event that mandatory phase-out is not technically feasible for an item or product mandatory labelling or product stewardship may be more effective. Labelling and levies may also be able to be implemented more quickly.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

The Council is **strongly supportive of a mandatory phase-out for products where known recyclable alternatives are available** – for example products which can be made out of PET, HDPE and PP (plastics #1, #2 and #5).

In particular, phasing-out PVC and EPS meat trays and food containers would ensure that PET items, which are often being landfilled at present, can be sent to domestic processors for recycling. This change would also reduce the need for Councils to fund additional equipment to identify PVC and EPS contamination.

However, the Council notes that there is a **significant risk** that manufacturers would move from PVC and EPS and switch instead to equally unrecyclable plastics (such as "compostable" or multi-material plastics).

Stage 1 of the phase-out should only include those products where there are known recyclable alternatives available and prohibit use of other problematic plastic, non-plastic or multimedia materials.

Council considers that more research needs to be undertaken to ensure that the proposed 2025 timeframe for Stage 2 materials is sufficient. Whilst Council is supportive of moves to ban unrecyclable packaging, there is a need to carefully consider what the viable packaging alternatives are. In some cases a ban on PVC, PS or EPS packaging could result in their replacement with packaging materials that have greater environmental effects.

In considering a mandatory phase out, food safety and shelf life also need to be considered. Given that approximately one-third of all food produced for human consumption globally is lost across the supply chain, the desire to reduce use of hard-to-recycle plastics must be weighed against the potential for inferior packaging choices leading to increased food loss and waste.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Council considers that a blanket ban may not necessarily be the most appropriate measure at this stage for PVC and PS rigid packaging. It may be better to focus on specific items within these packaging types where appropriate alternatives are readily available, particularly around supermarket food packaging and takeaway items that can easily be swapped out (e.g. meat trays, sushi containers, and EPS takeaway containers). This would place the focus on specific items that currently prevent the effective recycling of other recyclables.

Council notes that EPS packaging for homeware and whiteware can't be collected at kerbside due to its size, but can be collected through store takeback schemes in some areas. We understand that Plastic NZ has already begun work on voluntary product stewardship for pre-consumer EPS packaging and several large retailers offer takeback schemes, are a **strongly supportive of a product stewardship approach** for these materials.

Designating packaging for homeware and whiteware as a priority product and establishing a product stewardship scheme for this type of packaging to encourage industry-led innovation such as a redesign of packaging materials may also be a more suitable option.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

PVC and PS/EPS are used for packaging for high value products, medications and to ensure food products are kept at suitable temperatures for transportation. It is possible that **exemptions might be needed** for medical use if suitable alternatives are not available. PVC is also used in the construction industry for a variety of materials. Phase-out of this packaging may inadvertently lead to increased waste in other high value materials and products.

Council recommends that **more research** is undertaken to determine whether there are suitable replacements for these materials and to investigate where reusable or refillable options may be possible. Council **recommends that the Ministry directly fund this research** or in the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Council cannot quantify the specific costs and benefits of phase-out of these materials but considers that the following benefits would arise:

Environmental

- less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- potential to transition away from non-renewable oil-based products

Social

- amenity improvements due to less litter in the environment.
- reduced plastic waste in our environment contributes to improving the mauri of our environment.

Economic

- reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in plastics going to landfill. This will result in lower sorting and disposal costs.
- cleaner, higher value recycling streams, if materials are swapped out for domestically recyclable plastics #1, #2 & #5.
- increased viability of domestic recycling opportunities for #1, #2 & #5 plastics, due to higher volumes and increased quality.
- businesses that produce products for export may gain a competitive advantage by using more recyclable packaging
- with many of the alternatives being fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

Costs

Council considers that there would be the following costs arising from phasing out all PVC and polystyrene packaging:

- industries will need to develop new processes and alter production lines to accommodate different packaging materials.
- higher cost of alternative material types for packaging, especially for takeaway containers. The cost is likely to be small, but will be passed on to the consumer. Research by both WasteMINZ² and Colmar Brunton³ has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- large quantities of unused PVC, PS and EPS packaging may be sent to landfill once the ban takes effect. This could be mitigated by a long lead-in time and liaison with recyclers, as clean EPS is often recyclable.
- inferior-quality packaging could result in increased food loss and waste.
- potential for higher environmental costs, depending on new packaging choices.

² WasteMINZ Plastic Bag Charges and Beverage Container Deposits Study 2016

³ https://static.colmarbrunton.co.nz/wp-content/uploads/2019/05/Colmar-Brunton_Better-Futures-2020-Presentation.pdf

Council considers that the last point noted above is the **greatest risk**. A ban on PVC, PS and EPS could result in these materials being replaced with something as bad or worse from environmental rsource and waste perspectives. For example, a composite material, whose only option is landfill, or a "compostable" plastic #7 which is unlikely to be home compostable or reach a commercial composting facility may be as worse as a PVC plastic.

There is a risk of creating another contaminant in kerbside recycling or in commercial composting processes if the phase-out is not managed carefully. Consideration needs to be given as to how to not only ban PVC, PS and EPS packaging but also ensure a simultaneous transition to PET, HDPE or PP.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Council is not well placed to address this question in detail, given the complexities involved in determining which plastics are best used in food packaging, providing adequate oxygen and moisture barriers or offering physical protection.

Council is aware that in some instances alternatives are already available for some food and beverage packaging items (for example, PET meat or biscuit trays where, PET is proven to be effective as a packaging material).

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes, in general. Council supports the phase-out of all degradable plastics. This includes both oxodegradable and photo-degradable plastics. Council notes that it is important when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break down more quickly into microplastics when littered, they are a greater source of environment harm than conventional plastic.

A **shorter phase out period** for these plastics may be appropriate due to the harm they cause and in some instances the deceptive nature of the advertising for some of these products. Many of these products incorrectly imply that they are greener and more environmentally friendly than conventional plastic.

Due to the issues caused by these types of plastic and the deceptive nature of how some of these products are advertised, Council considers they should be phased out over a shorter time or that **mandatory labelling** be introduced in the interim.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

Council has no comment on this item.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes, Council **generally agrees** that correct costs and benefits have been identified but recommends the additional factors discussed in response to Question 9 be included. The Council also recommends the **costs and benefits be determined separately** for **each plastic material** (PVC, PS, EPS and oxo-degradable) and, if necessary, for **each product type** (for example food packaging, beverage packaging, plastic bags, insulated packaging, impact protection).

This level of analysis may delay implementation but will reduce the risk of perverse outcomes.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

As mentioned previously, Council considers the **greatest risk** is if a phase-out of PVC, PS and EPS results in these **materials being replaced with something worse** from an environmental perspective. This could increase the costs and reduce the benefits of the phase-out.

Consideration needs to be given as to how to not only phase-out PVC, PS and EPS packaging, but ensure the simultaneous transition to PET, HDPE or PP or another sustainable alternative. For each option the whole-of-life cost should be considered.

Other measures which could assist this transition include:

- standardising kerbside recycling and
- introducing compulsory labelling for recyclability and compostability.

In terms of compostable packaging, the Ministry for the Environment could assist industry to develop the appropriate processing and collection infrastructure, whether that be through funding or designating compostable packaging a priority product.

Alternatively, government could clearly signal that compostable packaging is not an appropriate alternative to PVC and EPS.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

A consistent range of materials used in food and beverage packaging and **mandatory labelling of packaging**.

This has been identified in our resident surveys as the **most preferred improvement** to assist in the ease of recycling. In March 2020, **73%** of Nelson Tasman residents surveyed supported improved labelling of recyclable materials and **43%** of residents identified this as the most useful source of information for recycling.

The nationwide results of this survey showed **60%** of those surveyed supported improved labelling and **31%** indicated this as the most useful improvement.



16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

Council is **generally supportive** of a phase-out of all the items proposed in Table 7. Many of these items are frequently littered and none are accepted for kerbside recycling and contribute to contamination. There may be some instances where further work on alternatives is required.

A 2019 national waste audit⁴ found that an estimated 851 tonnes of paper cups⁵ are disposed of in kerbside recycling comprising 1.3% of all contamination. Soft plastics, which would include plastic produce bags, makes up 5.7% of contamination. Plastic straws and plastic cutlery were found in the top 20 most common types of contamination by frequency.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

"Single-use" can be subjective, so further clarity is needed for the definitions of single-use plastic tableware and cutlery and single-use plastic cups and lids. Whether a piece of cutlery or a drink cup is single-use or reusable isn't always clear cut.

For clarity, we would recommend that all definitions include the following description: "plastic including both degradable and biodegradable plastics".

⁴ Rethinking Rubbish and Recycling 2019 Sunshine Yates Consulting

⁵ Paper cups is defined as all cups made from fibre products, including single use soft drink cups, coffee cups, takeaway noodle bowls etc

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Council understands that Plastics New Zealand has indicated that many businesses import these products in bulk and often have inventory sufficient for a number of years. However, the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling.

Council is supportive of a phase-out being signalled **as early as economically possible** to reduce the impact on the environment and the financial burden of councils, whilst ensuring that the financial impact on businesses is mitigated. Council is supportive of a well signalled phase-out within **three** years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Coffee cups

While coffee cups are not a significant litter item, coffee cup disposal contaminates recycling collection bins and reinforces a single-use culture.

Council supports development of systems that reduce the number of **all single-use cups**, including soft drink paper cups. This requires community buy-in, systematic change and incentives that establish a culture of waste avoidance or reuse.

Wet wipes

Inappropriate wet wipe disposal is a significant issue for Council. Wet wipes flushed down toilets cause blockage and overflows in Council's wastewater systems, and increase operating costs.

In the absence of a mandatory phase-out, Council supports **mandatory labelling** of wipes and/or a **levy to fund clean-up costs** from disposal. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. Council supports a requirement to state the content in wipes so that the consumer is aware they contain plastic and mandatory prominent labelling such as 'do not flush' on all wipes regardless of plastic content.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

Council has no comment on this item.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Council supports the goal of transitioning to reusable products as part of a circular economy, including a phase out of problematic single-use items. Council recognises pressures on the all sectors at present, so supports a longer term transition for these materials.

Coffee cups

Much of the work around coffee cups could centre on education and consumer choice so that singleuse phase out can be effective. Council supports a gradual phase out of single-use cups which contain plastic linings or additives over the course of **five years**.

Wet wipes

Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from single-use items to reusable resources. Council supports a transition time of **three years** for a wet wipe phase-out due to the issues these pose, in particular the blocking of wastewater pipes. Council's aim is to encourage industry to take an innovative approach to better solutions for this product by suggesting a shorter transition time.

Council also supports **mandatory labelling within one year** or a levy to fund clean-up costs. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. Council supports a requirement to state the content in wipes so that the consumer is aware they contain plastic and mandatory prominent labelling such as 'do not flush' on all wipes regardless of plastic content.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Council **generally agrees** with the benefits listed, but considers that in some instances there is a risk that the **cost of phase-out may exceed the benefits**. Again, separate tables should be prepared for each item where necessary.

In some instances changes in consumer behaviour and supplier preferences may negate the need for a regulated phase-out (for example, a recent decline in plastic-based cotton buds).

Council has also identified additional benefits of the proposed phase-out of these items which could also be considered. The benefits are environmental, social and economic, but are general in nature and do not relate to particular single-use items.

Environmental

- encourages reusable options.
- reduced plastic in compost and soil.
- encourages a transition away from non-renewable oil-based products

Social

- supports the strengthening a culture of reuse and recycling, rather than disposing of singleuse items.
- amenity improvements, due to less litter in the environment.
- opportunities for new job creation

Economic

- less contamination in recycling services resulting in lower sorting and disposal costs.
- less contamination in organic waste collections, particularly if single-use produce bags and non-compostable fruit stickers were phased-out, resulting in lower sorting costs and the ability to make a higher grade of compost.
- lower collection and disposal costs for litter collection.

23. How should the proposals in this document be monitored for compliance?

Council recommends that the proposals be monitored for compliance, but also **evaluated to determine whether the aims of the proposals are achieved**. This will assist when considering the phase-out of other materials or items.

Council thanks the Ministry for the opportunity to comment on these proposals. Council encourages the Ministry to continue to engage with the local government, recycling industries, manufacturing and packaging industries and primary sector groups to ensure that the phase-out is feasible and effective.

Dwayne Fletcher Acting Engineering Services Manager

3 December 2020

Reducing the impact of plastic on our environment - Tasman District Council submisison 2020-12-03.docx



Te Ohu Kaimoana's draft response to the Ministry for the Environment's Reducing the Impact of Plastic on our Environment

Te Ohu **Kaimoana**

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Executive Summary

- Te Ohu Kaimoana supports the move to replace hard-to-recycle plastics with alternative products that are more sustainable or have a better recycling capability. We recognise that a high percentage of plastic products used in Aotearoa are being sent to landfill due to the limited recycling capability for certain types of hard-to-recycle plastics. A large proportion of this plastic waste ends up in our aquatic ecosystems.
- 2. The negative impact plastic pollution has on the health of aquatic life diminishes the relationship between lwi and Tangaroa and consequently their rights under the Deed of Settlement. The relationship Maori have with Tangaroa is reciprocal. If we do not care for Tangaroa, Tangaroa cannot provide for us. The unsustainable and continued pollution of our marine environment contradicts the values of Te Ao Māori and will not ensure future generations have access to healthy marine resources.
- 3. Te Ohu Kaimoana supports a regulatory change to phase out some plastic products. However, regulation is not the only appropriate tool to achieve an effective and far-reaching phase out. The Government also has a role in supporting and enabling organisations and communities to reduce plastic pollution. Iwi and their settlement entities aspire to reduce unsustainable practices. This aspiration has been demonstrated through waste commitment policies and local community agreements. With government support and resourcing, these initiatives could increase nationally and generate greater change than what is proposed for regulation. This enables everyone to do the best they can which will accelerate the change needed for a more sustainable Aotearoa.
- 4. The consultation document identifies several options to address the issue of undesirable plastic products in Aotearoa. We support the option of implementing a mandatory phase out of these products. However, we also believe that other options present some beneficial outcomes and are worth investment in tandem with the regulatory approach. For example, enabling and supporting producers, recyclers and retailers of plastic products to implement voluntary codes of practice could assist in the transition to the new regulations as well as generate wider behavioural change and values across Aotearoa. The need for support from industry, stakeholders and consumers is required to achieve the Ministry for the Environment's 100% reusable, recyclable or compostable goal by 2025.
- 5. Further it is our view that the phase out of these less desirable plastic items needs to be supported by alternatives that are economically viable and readily available. Importantly, systems need to be put in place to support the people of Aotearoa to successfully replace some plastic items with better choices. Specific consideration should be given to the impact of the desired changes on already disadvantaged groups, so they have access to equitable alternatives.
- 6. Sustainable use practices are paramount to ensuring that the environment is healthy for future generations. This will require a long-term investment from the Government and our people to both
sustain the environment while ensuring, social, cultural and economic well-being of the people in Aotearoa. We believe the values of Te Āo Māori must be incorporated into management decisions to achieve the necessary goals in reducing plastic waste in the environment.

This is our response to Reducing the Impact of Plastic on our Environment

- 7. Thank you for providing us with the opportunity to comment on the Ministry for the Environment's consultation paper: Reducing the Impact of Plastic on our Environment (the consultation paper). Unsustainable plastic pollution has rapidly become one of the biggest threats to our natural environment. Now, because the modern world is so heavily dependent on plastics it is important to implement strategies to effectively adapt the way we use it.
- 8. We have structured our response as follows:
 - First, we set out who we are.
 - Second, we describe the Te Hā o Tangaroa kia ora ai taua, as the foundation of our advice.
 - Third, we outline our views and recommendations.
- We have discussed the content of the consultation document with Mandated Iwi Organisations (MIOs)¹, Asset Holding Companies (AHCs) and Iwi settlement entities. We have incorporated their perspectives into developing this response.
- 10. We do not intend our response to conflict with or override any response provided independently by Iwi through their MIOs and/or AHCs.

We are Te Ohu Kaimoana

11. Te Ohu Kai Moana Trustee Ltd (Te Ohu Kaimoana) was established to protect and enhance the Deed of Settlement. The Deed of Settlement and the Maori Fisheries Act 2004² are expressions of the Crown's legal obligation to uphold Te Tiriti o Waitangi.

¹ MIO as referred to in The Maori Fisheries Act 2004: in relation to an iwi, means an organisation recognised by Te Ohu Kai Moana Trustee Limited under section 13(1) as the representative organisation of that iwi under this Act, and a reference to a mandated iwi organisation includes a reference to a recognised iwi organisation to the extent provided for by section 27.

² Māori Fisheries Deed of Settlement 1992. The Deed is given effect to by the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, and the Māori Fisheries Act 2004.

- 12. Our purpose, set out in section 32 of the Maori Fisheries Act, is to "advance the interests of iwi, individually and collectively, primarily in the development of fisheries, fishing and fisheries-related activities, in order to:
 - a) ultimately benefit the members of Iwi and Māori generally
 - b) further the agreements made in the Deed of Settlement
 - c) assist the Crown to discharge its obligations under the Deed of Settlement and the Treaty of Waitangi
 - d) contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Deed of Settlement."
- 13. We work on behalf of 58 MIOs who represent Iwi throughout Aotearoa. AHCs hold Fisheries Settlement Assets on behalf of their MIOs. The assets include Individual Transferable Quota (ITQ) and shares in Aotearoa Fisheries Limited which, in turn, owns 50% of the Sealord Group.
- 14. MIOs have approved our Māori Fisheries Strategy and three-year strategic plan, which has as its goal "that MIOs collectively lead the development of Aotearoa's marine and environmental policy affecting fisheries management through Te Ohu Kaimoana as their mandated agent". We play a key role in assisting MIOs to achieve that goal.

Te Ohu Kaimoana's interest

- 15. Our interest arises from our responsibility to protect the rights and interests of Iwi in the Deed of Settlement and assist the Crown to discharge its obligations under the Deed and Te Tiriti o Waitangi.
- 16. Te Tiriti o Waitangi guaranteed Māori tino rangatiratanga over their taonga, including fisheries. Tino rangatiratanga is about Māori acting with authority and independence over their own affairs. It is practiced through living according to tikanga and mātauranga Māori, and striving wherever possible to ensure that the homes, land, and resources (including fisheries) guaranteed to Māori under Te Tiriti o Waitangi are protected for the use and enjoyment of future generations. This view endures today and is embodied within our framework Te Hā o Tangaroa kia ora ai tāua (the breath of Tangaroa sustains us).

Our advice is based on Māori principles

The significance of Tangaroa to Te Ao Māori

17. The relationship Māori have with Tangaroa is intrinsic, and the ability to benefit from that relationship was and continues to be underpinned by whakapapa. Tangaroa is the son of Papatūānuku, the earth mother, and Ranginui, the sky father. When Papatūānuku and Ranginui were

separated, Tangaroa went to live in the world that was created and has existed as a tipuna to Māori ever since.³

Protection of the reciprocal relationship with Tangaroa is an inherent part of the Deed of Settlement

 it's an important and relevant part of modern environmental management for Aotearoa.

We base our advice on Te hā o Tangaroa kia ora ai tāua

- 19. Te Hā o Tangaroa kia ora ai tāua is an expression of the unique and lasting connection Māori have with the environment. It contains the principles we use to analyse and develop modern fisheries policy, and other policies that may affect the rights of Iwi under the Deed of Settlement. In essence, Te Hā o Tangaroa kia ora ai tāua highlights the importance of humanity's interdependent relationship with Tangaroa to ensure our mutual health and wellbeing.
- 20. Māori rights in fisheries can be expressed as a share of the productive potential of all aquatic life in New Zealand waters. They are not just a right to harvest, but also to use the resource in a way that provides for social, cultural and economic wellbeing.
- 21. Te Hā o Tangaroa kia ora ai tāua does not mean that Māori have a right to use fisheries resources to the detriment of other children of Tangaroa: rights are an extension of responsibility. It speaks to striking an appropriate balance between people and those we share the environment with.
- 22. As increasing and enduring plastic pollution in our environment negatively effects the health of Tangaroa, it is our responsibility as tangata whenua to limit these effects to ensure the bounty of resources are still available to utilise for generations to come.

Our view on reducing the impacts of plastic waste on our environment

- 23. Te Ohu Kaimoana supports well thought out efforts to reduce impacts of plastic waste on the environment. We understand the need for Aotearoa to encompass a circular approach to plastic management and take action to become world leading in this area. Our viewpoint stands to ensure reciprocity is maintained in our relationship with Tangaroa, this means appropriate management of all resources that are gifted to us.
- 24. Due to the enduring nature of plastic pollution, we agree that the way we are using plastics is not sustainable. It is important that we act now to reduce the impacts of plastic pollution so that future

³ Waitangi Tribunal. "Ko Aotearoa tēnei: A report into claims concerning New Zealand law and po icy affecting Māori culture and identity." Te taumata tuatahi (2011).

generations have access to healthy environments. This is consistent with the concept of kaitiakitanga and specifically the views shared with us by Te Arawa Fisheries.

25. Our view is that plastic reduction and its impacts will be best achieved through a variety of targeted management approaches. We agree with the proposed mandatory phase, however, consider more can be achieved if this is accompanied by complementary tools that support organisations and communities. There are currently multiple local or business specific initiatives that aspire towards greater waste reduction. With the proper resourcing and support from Government, such initiatives could be far more influential. We consider that enabling groups to do the best they can to improve waste management, will have a greater effect than regulation on its own.

Examples of voluntary initiatives from the Seafood Sector

- 26. Moana New Zealand (Aotearoa Fisheries New Zealand), an lwi owned seafood company, is reducing its footprint through a waste commitment policy. The company is making huge progress by cutting its waste to landfill by over 50%. Through simple changes in their operations from using compostable bin liners and exchanging plastic bags to buckets, operations can still maintain efficiency with significantly less plastics sent to waste.
- 27. Sealord, which is 50% iwi owned, no longer uses any polystyrene in their operations and has limited their use of PVC plastic. The only PVC they use is limited to the lining of their workers' gumboots. They have replaced the plastic shrink wrap that covers tuna from Japan and have replaced it with an eco-friendly alternative, costing a significant amount of money, but absorbing all the associated costs.
- 28. These are examples of what can be achieved through voluntary pacts and business initiatives. We consider that there is a lot to be achieved through this process. With added Government support the rate and scale of positive change could increase.

Plastic waste impacts offshore island communities

29. The Moriori community that resides on the Chatham Islands is heavily affected by offshore plastic threats from international based fishing and drifting mainland plastic waste. On the island there are no recycling facilities, which means that plastic waste washing onto the beaches stays on the island. The community still attempts to separate and store plastics from general waste, despite currently having no method of transporting it back to the mainland. Hokotehi Moriori Trust, alongside local fishers are trialling the use of alternative biodegradable products in the fishing industry, both on water and in the fishing factory. The initiatives taken by the Chatham Islands' community provide an opportunity for greater collaboration and Government assistance to reduce the impacts of plastic on our marine environment.

The consultation document provides options to support and enable greater change

30. We consider the proposed mandatory phase out option to be only part of the solution toward sustainable use and reducing plastic impacts on the environment. Although the Ministry for the Environment settled on moving forward with a single option to enforce a mandatory phase out; Te

Ohu Kaimoana sees the benefits in implementing multiple options that are presented in the consultation paper. Combining options would enhance Aotearoa's ability to transition to easier recycled plastics. We support Government investment in the options outlined below.

- Voluntary agreement on operational procedures with industry and business enabling the opportunity for businesses to accept accountability and implement positive changes is a way to assist Aotearoa to transition toward the phase out. Further, such agreements could generate wider awareness of sustainable practices and lead to changes beyond the proposed regulations. A voluntary pact should first have focus on larger corporations and then allow for smaller businesses to make changes where they can be made.
- Labelling requirements on plastics to allow consumers to make an informed decision on plastic use is another useful option. Creating awareness about sustainable choices can drive market changes and incentivise business practice changes. If the goal of Government is to become 100% reusable, recyclable or compostable by 2025 there needs to be focus on better public awareness. Contrary to the consultation document, we believe this option can have significant influence in consumers decision making.
- Government incentivising good behaviour instead of increasing the tax on less desirable items. We consider there are better incentives, for example subsidising a small percentage of the cost of easier to recycle or more eco-friendly options. We do not support increasing taxes or levy's on problematic plastic items an option for industry to make the desired change. Larger more established businesses are more capable of absorbing this cost, whereas for smaller or newer businesses attempting to absorb this cost can have major impacts and potentially disincentivise businesses to create changes. We believe the consultation has incorrectly evaluated the potential effectiveness of this option.

We support interim exemptions to the phase out where viable alternatives are not yet available.

- 31. We support the provision of suitable replacement products that achieve all the necessary functions of the original product. If these are not currently available, then exemptions should be provided to not disadvantage groups of people. We note that the consultation paper recognises this issue in the context of the function of plastic straws enabling unassisted drinking for some disabled people. We support the proposed exemption for this example and support other exemptions that are based on the same principle should more issues arise.
- 32. Further, we support the proposed exemption for the use of polystyrene EPS bins for food transportation in the seafood industry. The seafood industry are well aware of the harmful effects polystyrene bins have on the environment, however until there is an alternative option that can function with the same properties at a reasonable cost, we believe an exemption is appropriate for both international and domestic seafood packaging and shipment. Polystyrene EPS bins are currently the only product that ensures quality and/or safety where shipping live seafood across the market. There are alternative options being developed however these do not yet provide the same functions in terms of consistent temperature and vibration control in transit. We support an exemption until an equitable option is developed for food safe alternatives to polystyrene bins

Our current economic climate means it is important to be precautionary

33. While we support the Government's initiative to phase out hard to recycle plastics, we are conscious of the impacts that COVID-19 have had on the people of Aotearoa. There is still significant uncertainty about the stability of our economic climate in the years to come. We note there is a lack of detailed impact assessment in the consultation paper. There is the potential for a mandatory phase out to have flow on effects to consumers which could limit their access to certain products. The importance of food security was highlighted during the level four lockdown in Aotearoa and we consider it paramount that Government decisions consider these effects and put mitigation measures in place. Therefore, there may be a case for Government subsidies on sustainable alternatives.

Conclusion

- 34. Due to the mismanagement of plastic products, plastic waste is accumulating in our aquatic ecosystems and affecting the health of Tangaroa. Microplastics in the marine environment accumulate up the food chain, polluting kaimoana that are an important food source for Aotearoa and a customary right for iwi/Māori. The values of Te Āo Māori and reciprocity must be incorporated into all management decisions, we see this through sustainable utilisation of resources that are gifted to us and protection of resources that cannot be used sustainably.
- 35. Overall, this consultation document has highlighted some necessary steps to enable better management of plastic waste. However, we believe regulating a mandatory phase out of certain plastics is only part of the solution. The Government needs to ensure systems are put in place to enhance public awareness and allow businesses the opportunity to make the necessary changes. We can make a difference in Aotearoa through a collaborative relationship between government and industry.

Acknowledgements

Te Ohu would like to specifically acknowledge the contributions made by:

Hokotehi Moriori Trust

Te Arawa fisheries

Sealord Group Limited

Aotearoa Fisheries Limited (Moana)





Submission on the Government Consultation: Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items.

Submitted on: 3 December 2020 Authors: Liam Prince and Hannah Blumhardt

Understanding the problem of plastics

1. Do you agree with the description in this document of the problems with hardto-recycle plastic packaging and single-use plastic items? If not, why? Position: **Yes in part**

How an issue is framed shapes the proposed solutions. We agree with the description of the problems caused by the targeted plastics. We agree that, as a material, plastic presents unique problems when used in a single-use context and that PVC and PS present particular issues for our onshore recycling collection and processing systems. We agree that all plastic that escapes into our natural environment is uniquely harmful.

Undoubtedly, these descriptions are fundamental to the problem definition, but the problem does not stop there. Using any material in a single-use context – plastic, glass, metal, paper, wood, bamboo etc - is problematic because the linear economy drains energy and resources regardless of the material. Furthermore, each material presents its own unique difficulties when disposed. Plastic obviously has high impact as a pollutant and environmental hazard. Materials like paper, cardboard, wood and bamboo have high methane emitting potential when in landfill, but are often too food contaminated to recycle if used for food and drink contexts. Glass is non-toxic and infinitely recyclable, but can be heavier to transport, which is an issue if it's only used once before being recycled (and especially if it isn't recycled at all). This is not to say that plastic is a better material nor that the status quo is satisfactory, but that the issue goes beyond plastic and relates to the way we use materials. Therefore, we would like to see greater engagement from government with the problem presented by the single-use, linear economy, and how we can address both plastic pollution and our throwaway culture at the same time by moving up the waste hierarchy rather than simply removing a few problem items made of plastic from the system (though we do support mandatory phaseouts of problematic materials because such a policy is essential to this shift). This necessarily demands a more ambitious use of the regulatory powers in s 23 of the Waste Minimisation Act (WMA), which includes bans, but doesn't stop there. More ambitious use of s 23 would help the Government create a culture of reuse and address some of the problems that sit beneath this handful of targeted hard-to-recycle and single-use plastic items.

Furthermore, in relation to hard-to-recycle materials, the problem is not only about problematic materials acting as contaminants. There are fundamental barriers to recycling even 'easier-to-recycle' plastic types, such as PET, HDPE or PP. Ultimately, the bigger issue is not that we still use some hard-to-recycle plastics, but that we rely on virgin plastic resin to make the packaging products we 'need'. Using fewer hard-to-recycle plastics and more easier-to-recycle plastics only solves this issue if the easier to recycle plastic get recycled back into the things we use regularly that are currently being made from virgin plastic resin. Achieving this is not just about reducing contamination (though that's certainly important), but also about phasing-out inherent design flaws that undermine closed loop recyclability, and unblocking the pull-through of recycled plastics in our economy so that our packaging system can operate in a closed loop rather than simply generating feedstock for downcycled products.

Therefore, we would like to see a more expansive definition of 'hard-to-recycle' that includes pigmented plastic packaging, composite/multi-material packaging, tear-away products and soft plastic pouches (among other things), and a proposal for mandatory recycled content legislation.

In relation to all of the above, we note that resource depletion and climate change are two of the biggest environmental crises human society faces. For us, as advocates of zero waste, the problem of single-use and hard to recycle items is that they fuel resource depletion and climate change. We need to shine a light on this angle of our waste problems with as much vigour as we currently do for plastic pollution in order to arrive at policies that help us mitigate the core issues of our time more holistically.

2. Have we identified the correct objectives? If not, why? Position: **Yes in part**

The objectives selected make good sense. In line with our answers to Q1, we would like to see the objectives take account of the broader environmental impacts of linear packaging systems – expanding on the secondary objective of "better reflecting the waste hierarchy and a circular approach to resource management, by ensuring that the materials we use can be reused and recycled."

In particular, we would support the main policy objective being more ambitious and incorporating more of the vision touched upon in the consultation document about moving towards greater uptake of reusables/refillables and towards products with recycled content. This vision should be incorporated into the main policy objective in order to justify policy proposals that achieve those outcomes (i.e. use of some of the other regulatory powers in s 23 beyond mandatory phase-out), otherwise the consultation document's reference to creating a culture of reuse or increasing recycled content is just words. We believe that the Government has a role not only in taking 'bad' things away, but in building the positive alternative.

Options for Shifting Away from Hard-to-Recycle and Single-Use Plastic Items

3. Do you agree that these are the correct options to consider? If not, why? Position: **Yes in part**

The options outlined are all appropriate to consider (of course, some are more exciting than others). It's a bit unclear how this list was decided upon and the process for selecting and excluding options.

We believe a broader range of options could have been included in the list. In particular, we would like to see the list extended to include options that could unlock a reuse economy. We support the additional options outlined in the joint submission of the zero waste community, and in the Takeaway Throwaways submission.

We also believe that many of the options listed would work best in concert with each other rather than as stand-alone options. Therefore, it would be great for the government to propose an additional option that combines some of the options in the list (along with a few other options too). This could help achieve better waste minimisation outcomes for items both within and outside the scope of the current proposals by avoiding unintended outcomes and driving behaviour toward reusable and high recycled content packaging systems.

We note that this is a consultation about using a power under s 23 of the WMA – s 23 includes a suite of regulatory powers. There seems no reason to believe that the section was created with the intention of mandatory phase-out being the only tool Government would explore, nor that these powers need to be proposed separately, in isolation from each other.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why? Position: **Yes**

Yes, though it would be good to see criteria directed towards achieving outcomes at the top of the waste hierarchy. Also, criteria and weighting around how well policy options protect against unintended outcomes. One example of a critical unintended outcome that a phase-out proposal really should be assessed against and designed to avoid is the potential for people to simply swap the banned single-use and/or hard to recycle material for another single-use and/or hard-to-recycle material that is not banned.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why? Position: **Yes in part**

We absolutely support the decision to phase-out the items listed (except for plastic straws, see our discussion below). We also strongly support the approach of consulting on a mandatory phase-out of a number of items and polymers at once, rather than conducting a whole consultation for just one product.

The wide range of items targeted by this proposal is not matched by the narrow policy response proposed. We are disappointed by the decision to take forward only a mandatory phase-out. This approach doesn't follow international best practice for managing single-use plastics and packaging, which is to take a suite of policy options forward simultaneously, alongside bans (see the EU Single-Use Plastics Directive and the Irish Waste Action Plan).

The 'ban only' approach misses a big opportunity to create a wraparound, comprehensive and coherent policy on hard-to-recycle and single-use products that combines mandatory phase-outs with levies, deposit return systems for takeaway packaging, labelling requirements and mandatory recycled content regulation, among other policies. Together, this would harness the objective of removing problematic items from our economy, while reducing single-use and fostering reuse, and thereby enabling a longer-term move away from a wider range of problematic materials than the plastics targeted by this proposal.

A further difficulty with the ban only approach is that it leaves the government with no tools to address other items it accepts as problematic but doesn't want to ban. This is exemplified by the consultation document's search for solutions to reducing single-use coffee cups and wet wipes, and its assertion that balloons, cigarette butts and glitter cannot be addressed at all. All of these items (and more) could at the very least be reduced through other policies that could have been proposed here alongside a ban of the targeted items.

We also understand that some policies, such as a levy and mandatory recycled content regulations would require an Act of Parliament to progress. However, we don't see that as a reason not to consult on such policies here. If these policies are needed then the mahi needs to be done to draft up primary legislation to enable these regulations. In the meantime, we do note that s 23(1)(d) of the WMA enables fees to be charged to cover the management of a product and while that is more restrictive in application than a levy, could still be a really useful tool to attach to problematic items such as wet wipes, cigarette butts and other single-use items that generate clean-up costs for local authorities and NGOs that certainly are quantifiable.

Phase-Out Hard-to-Recycle Plastics

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in **two stages (by 2023 and by 2025)**? If not, why? Position: **Yes**

Yes, it makes sense to conduct the phase-out in two phases and give the industry a heads up and longer lead in time for the more difficult products to substitute (while not having that hold up the PVC and PS items that don't need such a long lead in time). We do believe that the timeframes could be brought forward for both stages, particularly the second stage – 2025 is much too far away.

7. Have we identified the right packaging items that would be covered by a phaseout of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Position: Yes

We believe that all PVC and PS packaging should be included, not just food and beverage packaging (see our answer to question 8).

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Position: Yes

Yes, all consumer packaging items that are made of PVC and PS should be included in the phaseout – limiting the phase-out to food and beverage packaging seems arbitrary. There are many consumer goods (such as electronics, batteries, tools, toys etc) that are packaged in clear PVC or PS packaging that will cause contamination in kerbside recycling streams. It makes sense to phase out the use of these polymers for all packaging applications.

9. What would be the likely costs or benefits of phasing out <u>all</u> PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Including all PVC and PS packaging (not just food and beverage packaging) would reduce inevitable confusion for consumers because it would essentially mean that all clear, hard plastic could be put in household recycling bins without the need for further comms. At the moment there is still a lot of consumer packaging (such as around electronics and tools) that is made of PVC that could still contaminate PET streams. Extending the phase-out would require more companies to change their packaging, but this should be of minor inconvenience as there are plenty of alternatives for these particular packaging applications. The benefits of extending the phase-out (less waste & litter, cleaner & simplified recycling streams) would far outweigh the short-term costs to business of changing packaging types.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why? Position: **Yes**

In most contexts there are practical alternatives, including easier to recycle plastics, cardboard, or innovations in the area of reuse and refill packaging, and low-waste bulk packaging that enables zero packaging in retail. A phase-out will hopefully stimulate further practical alternatives and innovations.

There may be some applications of packaging such as EPS that will need to be exempted from the ban, such as transporting vaccines or live organs. The criteria for exemption should be based on whether the item being packaged is essential (e.g. medical situations) as opposed to whether or not alternatives exist for packaging for a product that is not essential.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why? Position: **Yes**

Yes, there is nothing beneficial about these plastics. They cause a lot of confusion with people thinking that they are more 'eco'. We believe that the phase-out can occur sooner than January 2023 as alternatives to all forms of oxo-degradable plastics already exist and many jurisdictions plan to phase-out oxo-degradable plastics in 2021.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A

13. Have we identified the right costs and benefits of a mandatory phase-out of the **targeted plastics**? If not, why not? Please provide evidence to support your answer. Position: **Yes in part**

More or less, though greater engagement with the potential benefits of zero packaging, reusable and/or refillable packaging would be good.

The separation of the environment as a distinct 'affected' party feels out-dated – the health of the environment underscores all other activity and the idea that we can weigh this against other costs and benefits on a balance sheet doesn't recognise that the health of human society is inseparable from healthy ecosystems.

14. How likely is it that phasing out the **targeted plastics** will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

We support the position outlined in the joint submission of the zero waste community and the Takeaway Throwaways submission.

In addition, we recognise that phasing out the targeted plastics removes some of the externalised costs created by waste, litter and pollution that at present place an unfair cost burden on communities, local governments and wider society. Wider benefits to these groups that are hard to quantify are likely underestimated.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

For six years we have lived waste-free in our own lives. For three of those years we lived on the road, fulltime, across all parts of New Zealand. Accessing essential goods (i.e. groceries) from retailers that sell these goods through reusable, refillable and/or zero packaging systems is fundamental to waste-free living. Through The Rubbish Trip we have spent many years delivering presentations and developing resources to help individuals, households and families to reduce their waste, including how to shop using zero packaging, reusable and refillable packaging systems. In addition to our presentations, we produce regional zero waste shopping guides for the whole country to help people find everyday groceries without disposable packaging. Our shopping guides feature nearly 2500 entries spanning the entire country – most New Zealanders do live within range of retailers who sell essential products without disposable packaging.

However, we are not naïve - we know that simply having these options available does not make them accessible. We are very alive to the challenges people face in moving towards reusable and refillable alternatives to disposable packaging (whether hard-to-recycle or not). The feedback we receive from people about why they find it hard to access these options include the following:

- Most people shop in supermarkets. Supermarkets generally have very few goods on offer in zero packaging, refillable or reusable packaging. This is a significant inconvenience for

most people who do not feel they have the time to visit multiple shops to get unpackaged groceries/groceries in reusable packaging (i.e. butcher, baker, greengrocer, market, wholefoods bulk store).

- Groceries that have less packaging are either more expensive or perceived to be more expensive. Groceries sold in reusable packaging specifically usually are more expensive because the producer needs to add the cost of managing their own packaging logistics (unlike producers who use disposable packaging, who benefit from publically funded waste and recycling systems).
- The groceries that are unpackaged tend to be ingredients rather than processed/pre-made food. Most people feel too busy to make food, cleaning products and toiletries from scratch.
- Lots of people forget to leave the house with a raft of BYO bags and containers to put unpackaged groceries into.
- The system is not set up for reuse and as an individual, moving towards reusable and refillable alternatives still involves being an outlier and going against the grain. Most people quite rightly do not want to feel like an activist when they're just trying to do their weekly grocery shop, and feel awkward having to do things like ask for unpackaged goods to be put in BYO containers. The awkward factor has increased post-COVID because of a (false) perception that reusables cannot be managed hygienically.
- Most products come in single-use packaging, so if a person is committed to only going for zero packaging or reusable and refillable packaging options, they have to be prepared to give up buying a very wide range of groceries on the market.

What the above feedback suggests is that there is a real need for Government regulation and incentives to shift the market in favour of zero packaging and reusable packaging systems so that these options are more available in mainstream stores for mainstream products at prices that are lower than products in single-use packaging. Individuals do play a role, but the onus needs to be on retailers and producers to develop reusable packaging systems rather than rely on the consumer to go against the tide and carry their reusables around with them. There is only so much that consumers can do to influence the system - at a certain point, Government intervention is required. We find it really problematic (and honestly deeply exasperating) when government highlights reusable and refillable packaging as the best options, and yet very little is done to drive major players like supermarkets and fast food chains to change their delivery and vending systems to reflect this.

Furthermore, there are a growing number of small businesses that are developing new reusable, refillable and zero packaging vending systems. We interact with many of these businesses on a regular basis and have met/know most of the owners personally. It's very apparent that these businesses want to scale but lack capital to do so. Our observation is that the government support provided to these businesses (i.e. through mechanisms like the WMF) is virtually non-existent – it's almost like the government doesn't really believe in these businesses nor their vision of achieving packaging outcomes at the top of the waste hierarchy at a scalable level.

It's also worth noting that while there are businesses who package into reusable packaging or are developing reuse schemes for takeaway food and drink, these businesses are not supported by a larger packaging, logistics and infrastructural system conducive to reuse. If a producer wants to package into reusables (e.g. Oaklands Milk) they need to be vertically integrated (i.e. not only do they have to manufacture their product, they need to run their entire packaging system themselves too). Meanwhile, most of the reuse schemes New Zealand has for takeaways (AgainAgain, CupCycling, Reusabowl) are product focused – they don't deliver the wraparound system of logistics, sanitisation and redistribution that is essential for scale and to compete with the

convenience of single-use. It's simply unrealistic to expect that a reusable packaging system can be set up by private entrepreneurs – it's not what we expect of the waste and recycling system, so it seems odd to expect this for the reuse economy. Delivering policy and investment to drive system change is something the government can do to make it easier for individuals, whānau, businesses and organisations to adopt reusable/refillable alternatives.

There is also a need for Food Safety legislation to be updated to take zero packaging, reusable and refillable packaging systems into account, in order to assist producers and retailers to use and accept these systems with confidence. Even pre-covid the practices and systems for operating refill and reuse packaging systems were inconsistent and disorganised and often disincentivised or dissuaded people from using BYO packaging. As a result of covid-19 there has been a backlash against reusable packaging because of unfounded beliefs that it is less hygienic (even though this does not stand up to scientific scrutiny). The approach in Managed Isolation Facilities of serving meals to guests in single-use disposable containers, with single-use plastic cutlery and single-use cups with every meal goes directly against the intent and purpose of this proposal. There is a clear need for different agencies of Government to work together to harmonise policy and messaging and to design safe and resilient systems of reuse that are safe for both people and planet.

Finally, when it comes to organisations promoting reuse, by and large, the mahi these organisations do seems largely to be taken for granted by both local and central government. Most of us do our mahi for free, with very little moral, let alone financial, support from official institutions. If the government truly wants to see a lift in waste-free, reusable and refillable alternatives, there needs to be a shift in priorities and vision, including greater engagement with the people, businesses, communities, and whānau who operate at the top of the waste hierarchy.

Proposal 2: Take action on single-use plastic items

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Position: **Agree in part**

We agree with the list of items proposed for phase-out, including the degradable, biodegradable and compostable versions of these items, apart from the inclusion of plastic straws. There are currently no alternatives to plastic straws that work for everyone, particularly for persons with certain physical disabilities. While we acknowledge the consultation document refers to a possible exemption on the ban for those who require a plastic straw to drink, this doesn't remove the stigmatising effect of a ban, nor the risk that those who require plastic straws to drink may face backlash when relying on the exemption to request straws, to purchase them, or to use them in public places.

Disposable coffee cups should be included in the list of items proposed for phase-out. There are wide-ranging alternatives available – from a growing commercial cup lending sector, BYO cups, community campaigns like SUC Free Wanaka, and community-led initiatives that provide an integrated cup loaning and washing service such as Good to Go on Waiheke Island. Phasing out disposable coffee cups within an appropriate timeframe would provide the reusable cup sector with a much-needed boost, enabling the rapid expansion and improvement of existing systems, and development of new and innovative systems. Furthermore, disposable coffee cups do not perform any important or necessary function. They merely exist for the sake of convenience, which we believe is not nearly reason enough to justify their exclusion from the list of items to phase out; the harms these cups cause far outweigh the costs of removing them from circulation. Barista-

made coffee is also an expensive luxury item for people that have disposable income, making throwaway coffee cups a waste stream being produced by the more affluent in society. Coffee is also something that people go out of their way to access, so the lack of throwaway cups is not likely to result in less people drinking coffee, just more people washing reusable cups.

We do not support an exemption of single-use plastic cups made of polymer types 1, 2 and 5. The fact that these polymers are theoretically easier to recycle does not mean they are always recycled in practice. We have been to countless events that give out single-use plastic cups made from these polymer types where there is no sorting of recyclables. We have seen these cups littered owing to their lightweight nature - people may try to do the right thing but can be thwarted by the wind or an overflowing bin. Often these cups are food/drink contaminated and are therefore not able to be recycled. In our observation, if a single-use cup is the only available option, the vast majority of people will accept it regardless of whether it is likely to be recycled or not. Removing the option is the best way to avoid the problem.

We strongly support including in the proposed phase-out list all the additional items listed in the joint submission of the zero waste community (to which The Rubbish Trip contributed and has signed on to). In particular, we note that regulations must be introduced to target cigarette butts, which the Prime Minister's Chief Science Advisor suggests are the most littered item on Earth.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Position: Yes with changes

We support the position outlined in the joint submission of the zero waste community (to which The Rubbish Trip contributed and has signed on to).

We wish to reiterate our discomfort with the proposed ban of plastic straws and the process surrounding this, which we do not support. We understand that there was no prior consultation with the disabled community about putting this proposal out to public consultation. On its own, this has the potential to generate unhelpful and divisive debate that puts the lives of disabled people who require straws to drink on a balance sheet against the health of the environment and then throws that out to the general public to discuss with no wider context or framing. In our view, the first people who should be consulted on a plastic straw ban are the people who require a plastic straw to drink.

Furthermore, the consultation document earmarks an exemption to the straw ban as possible. However the exemption has not been drafted for comment, nor is there any information about whether the exemption drafting process will be inclusive. This puts disabled advocacy groups in an impossible position because there is no way of knowing if the exemption will guarantee proper and unstigmatising access to plastic straws, so the proposal simply has to be opposed.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

We support the position outlined in the joint submission of the zero waste community (to which The Rubbish Trip contributed and has signed on to).

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Coffee Cups

We support the full list of options offered in the Takeaway Throwaways submission to reduce the use of single-use coffee cups. We also agree with the assessment in the Takeaway Throwaways' submission of the options discussed in the consultation document.

In addition, we support a sinking lid policy being applied in the food licensing system nationwide so that no more food licenses are granted to outlets that do not a) have washing facilities or b) a system in place to wash reusable serviceware. The latter would allow businesses to operate from premises without washing facilities, such as a food truck, so long as they can implement a system for washing serviceware at another premise or else be signed up to a reusable serviceware scheme managed by a third party that operates a collection and washing service. This sinking lid policy is necessary because the business model of these mobile vendors is currently predicated on the existence of single-use packaging, which the government is signalling is no longer sustainable. Every time a license is granted to a disposable-serviceware-only business, government legitimises this practice. Furthermore, the existence of "mobile vendors" (e.g. retailers operating from food trucks) was one of the reasons the government gives in the consultation document for not being able to phase-out coffee cups, which reinforces further that this business model needs to be phased-out because it is presenting an obstacle to government progressing a shift away from the linear economy.

In our view, the most effective way to reduce the use of single-use coffee cups is to include them in the proposed ban list. The date for banning the cups could be as far out as 2025 and still fall within the timeframe proposed for other items in this consultation document. Frankly, this is ample time for people to get their act together. Wanaka is working towards being single-use cup free by 2022 and has already made considerable progress. The prospect that a life without throwaway coffee cups might still be inconceivable five years from now is extremely depressing. Single-use coffee cups are one of the most publicly visible and increasingly stigmatic symbols of the linear economy. They epitomise the prioritisation of convenience over ecological health that is a hallmark of consumer culture. Phasing out single-use coffee cups would not only reduce waste and the harms these cups cause, but would signal a highly symbolic shift in our nation's priorities. We believe that the single-use coffee cup is the item that if phased out would lead to the biggest shift in consumer culture and behaviour toward a more waste-conscious approach. It would also create the necessary infrastructure in the hospitality industry to facilitate a wider shift away from all disposable serviceware.

In relation to the need for coffee cups in healthcare settings, we note that if, following consultation with those affected, it is deemed that coffee cups are necessary in healthcare settings to enable people to drink and no reusable option exists that can offer equivalent accessibility characteristics, then we would support an exemption from the ban in those circumstances. However, this is an area of work that requires further research to determine whether or not reusable options exist (or can be designed) that have universal design features appropriate for a healthcare setting (it has already been established, in the case of plastic straws, that this is not yet possible, but the research is lacking on cups).

Wet wipes

We support the list of options outlined in the joint submission put forward by the zero waste community. In addition, we have talked with many council officers beside themselves about wet wipes blocking drain pipes. We think it's outrageous that companies are allowed to label these products as flushable when they absolutely are not. While we believe these items should also be included on the proposed phase-out list, at the absolute least, labelling requirements need to be introduced under s 23(1)(f) of the WMA to ban the use of the word 'flushable' on the packaging of wet wipes and to require "DO NOT FLUSH" to be put on the packets instead. We also think that s 23(1)(d) should be used to impose a fee on producers of wet wipes to cover the clean-up costs of blocked drains as a result of their product, which is both quantifiable by councils and considerable.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

To generate some helpful answers to this question, we encourage the government to liaise with the many businesses and groups who are working with hospitality outlets to phase out single-use coffee cups, and to the many businesses who have already gone single-use cup free (roughly 50-60 outlets nationwide). We especially support the government liaising with Laura Cope from the Use Your Own Responsible Café Guide who has supported many outlets through the process of reducing and ultimately eliminating single-use coffee cups from their premises.

The government could also talk with the university campuses that have phased out single-use cups (University of Otago and Lincoln University) as they may have some useful insights about what enabled the various businesses on their campuses to move away from disposable cups.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We really urge the government to consider including disposable coffee cups and wet wipes in the present proposed phase-out list. The timeframe considered for the phase-outs stretches as far as 2025, which is a very long time for businesses and the public to get ready.

We are of the view that banning single-use coffee cups is not only doable, but could be achieved much earlier than 2025 if the chosen date were signalled in 2021 when the regulations are issued. For example, 2023 would be realistic. We hold the same views about wet wipes.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items. Position: **Yes**

We support the position outlined in the joint submission of the zero waste community (to which The Rubbish Trip contributed and has signed on to).

In addition, we note that the cultural impact of these phase-outs will undoubtedly lead to flow-on benefits in society at large, which are harder to quantify. Banning single-use plastic shopping bags led to an increase in people using BYO bags, and highlighted items like plastic produce bags that many felt should also have been banned. Similarly, phasing out a range of single-use plastic items will likely drive positive behaviour and broaden the general awareness of existing waste issues and solutions. Even if these phase-outs result in complaints from the public that "the government is not doing enough or not targeting the right items," this can only help drive waste minimisation activities further and faster.

There are also wider socio-economic benefits of removing the externalised costs of waste, litter and pollution (see our answer to question 14).

Compliance, Monitoring and Enforcement of Regulations

23. How should the proposals in this document be monitored for compliance?

We support the position outlined in the joint submission of the zero waste community (to which The Rubbish Trip contributed and has signed on to).



Collective Submission by Track Zero and 28 Artists and Scientists

On the Government proposal: Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items



DATE: Submissions close 4 December 2020, 5pm

TO:

Ministry for the Environment Environment House 23 Kate Sheppard Place Pipitea, Wellington 6011 Sent via email: Plastics.Consultation @mfe.govt.nz

FROM:

Track Zero Chairperson – Sarah Meads 1 Boundary Rd Kelburn, Wellington, 6012 E: sarah.meads@trackzero.nz M: +64 (0)21 113 8858

Joseph Michael Visual Artist

'Voices for the Future' lit up the United Nations General Assembly and Secretariat buildings in New York. Image credit: supplied by the Artist

TRACK ARTS INSPIRING CLIMATE ACTION

Dear Hon. Kiritapu Allen, Minister of Conservation,

This Collective Submission is made by Track Zero Trust (Track Zero) and a group of 28 prominent, individual artists and scientists from around Aotearoa whose expertise and creativity helps us to understand our inter-connection with the natural world and who deeply care about shaping a better, more sustainable future.

We tautoko/support the Joint Submission prepared by organisations across New Zealand's wider zero waste community (to be read in conjunction with this), which Track Zero has also signed on to. We agree with their submission in advocating for a broader framing of the problem (which will likely require more than a simple ban) to enable the wider economic and regulatory context through which these and other materials flow to be tackled at a systemic level.

Plastics cause lasting damage to our natural world and accelerate climate change. By 2050, plastic production from fossil fuels is expected to triple, contributing up to 13% of the global carbon budget adding to global warming. We believe plastic pollution requires a concerted approach of regulatory and technological solutions and a re-imagining of our cultural beliefs and practices such as production, consumption, disposability and convenience. Such a shift will need diverse communication platforms to bring about the breadth and scale of change that is needed. The inclusion of creative and cultural communities and of artists working with scientists to communicate and implement this policy needs to be considered.

Arts and sciences can work together to change hearts and minds, to communicate complex concepts, and to allow people to feel included in the process when policy change is implemented. Creative tools also work as scientific tools, to measure changes in knowledge, understanding and compliance.

There are many examples where arts-science partnerships have been incredibly effective in communicating a concept, or they have resulted in measured behaviour change. For example, the award-winning partnership between Siouxsie Wiles (Microbiologist and Science Communicator) and Toby Morris (Cartoonist and Writer) on COVID-19 and collaborative initiatives such as 'The Unseen', an art-science-community project exploring marine ecosystems and climate change by Gabby O'Connor (Artist, Science Communicator, Antarctic researcher and PhD candidate).





Artists have a powerful role to play in our response to plastic pollution and the climate crisis. Art connects with people on an emotional level, in ways that scientific statistics and graphs cannot – both are important ways of communicating these critical issues. This visceral response can help to create entry points that make people feel more engaged and inspired to act.

Many of Aotearoa's highly celebrated artists already use their creativity and cultural experience to draw attention to our relationship with oceans, rivers and land and the urgent need to protect our natural world. Artists like Moana Maniapoto, Miria George, Nina Nawalowalo, Carol Brown, George Nuku, Troy Tu'ua, Nigel Brown, Joseph Michael, Gareth Farr, Warren Maxwell and Michel Tuffery and many others continue to inspire diverse audiences in communities across Aotearoa and the world. Some examples of works of art by several artists who are part of this Collective Submission are included below.

We support many of the recommendations in this proposal and encourage the Government to show progressive leadership to ensure inclusive, ambitious steps to tackle plastic pollution and our current climate crisis. We believe we can come together to make a difference - drawing on all kinds of skills and knowledge, artistic, scientific, mātauranga Māori and that founded in culture and personal experience - working with the Government to help bring about a better, more sustainable future.

Yours sincerely

Mandala Series II (Floor piece), 2011 Image credit: supplied by the Artist.

Dr Anne-Gaelle Ausseil

Environmental Research Scientist

Denise Batchelor

Nigel Brown ONZM Artist

Lynda Chanwai-Earle

Script Writer, Poet, Broadcaster and 2019 IIML Writer in Residence, Te Herenga Waka – Victoria University of Wellington

Dr Daniel Collins Freshwater and Climate Change Scientist

Dr David Hall

Lecturer in Politics, School of Social Sciences and Public Policy, AUT University

Professor Bronwyn Hayward

Professor of Political Science at University of Canterbury

Dr Daniel Hikuroa Servant of Papatūānuku

Tanea Heke Tumuaki – Te Kura Toi Whakaari: NZ Drama School

Professor Shaun Hendy

Scientist, Author and Director of Te Pūnaha Matatini

Michaela Keeble

Poet and Children's Book Author

Lisa McLaren osm PhD candidate, Climate Activist

Renee Liang Writer and Doctor

TRACK

7FRO

David Long Composer, Musician and Producer

Susan Mabin

Artist

Moana Maniapoto Musician, Current Affairs host

Sarah Meads Founder/Manager of Track Zero, Development Specialist

Joseph Michael Visual Artist

Jason O'Hara Designer, Artist and Educator

Della Rees Visual Artist

Lisa Reihana onzm Artist

Professor James Renwick

Head of School, Geography, Environment and Earth Sciences/ Te Kura Tātai Aro Whenua, Victoria University of Wellington/Te Herenga Waka

Dr Jenny Rock

Scientist and Artist

Rob Ruha

Te Whānau a Apanui, Ngāti Porou – Kōpara-tuhi (Singer/Songwriter)

Associate Professor Craig Stevens

Oceanographer

Kelcy Taratoa Artist

Dr Carla van Zon onzm

Arts Festival Artistic Director, Curator and Producer

Kerry Warkia

Producer and Founding Partner of Brown Sugar Apple Grunt Productions





Nigel Brown ONZM Artist

'Tipping point' 2018-2019

Acrylic with mixed media on canvas, 1350mm x 800mm. Image credit: supplied by the Artist.



Kelcy Taratoa Artist

'Manu Rerenga, Waewae Pākura' 2019

Acrylic on canvas, 2130 x 1521 x 36mm. Collection of Chris and Kathy Parkin. Image courtesy of Bartley Company + Art





Susan Mabin Artist

'Black stack' 2019

Made from plastic objects collected from the beach. Hawkes Bay. Image credit: supplied by the Artist.



Susan Mabin Artist

'In memory of Waitangi Reserve' 2017

This work is made from plaster casts of the interior of all the plastic containers I found in one afternoon on the beach at Waitangi Regional Park. Hawkes Bay. Plastic is often a transparent material and we have learnt not to see it in the environment, this work makes visible the space that the plastic containers actually occupy. This work is a memorial to that space and to the past, present and possible future. Image credit: supplied by the Artist.



Denise Batchelor Artist

'Flotsam and Jetsam' 2019

Image credit: supplied by the Artist



Denise Batchelor Artist

'Bluebottle' 2019

"Living on the edge of the Hokianga harbour usually entails daily beach walks, and inevitably includes the picking up of some form of plastics. You can tell which ones have been bobbing around the ocean for some time and are breaking down into smaller and smaller pieces, and others that haven't lost any of their colour or lustre yet and are a relatively new addition to the currents."

Image credit: supplied by the Artist.



Joseph Michael Visual Artist

'Voices for the Future' lit up the United Nations General Assembly and Secretariat buildings in New York. Image credit: supplied by the Artist



Joseph Michael Visual Artist

'Antarctica - while you were sleeping'

Explores the intersection between humans and nature with projections of enormous icebergs onto prominent architecture in urban areas. The world premier saw over 20,000 visitors surround Auckland's historic War Memorial Museum. Image credit: supplied by the Artist



Dr Jenny Rock Scientist/Artist

'Off the Ends'

Image credit: supplied by the Scientist/Artist

Dr Jenny Rock is a rare example of someone who is both an accomplished artist and scientist. As well as more than 20 years of interdisciplinary research in environmental physiology, molecular ecology, and evolutionary genomics, she also holds exhibitions for her art, mainly print work, and writes poetry. "My art making often feels like an act of renewing vows to the environment, or honouring."...Rock is convinced drawing "is a deeply human way to know something"... Likewise, science has helped Rock's artwork... "Quite often my art practice makes me invoke my science methodology; more than I would like it to!" she says.

Interview in Otago Daily Times, 2 October 2018 'Painting a Picture'



Dr Jenny Rock Scientist/Artist

'Warming Cell'

Image credit: supplied by the Scientist/Artist



Moana Maniapoto Musician, Current Affairs host

'Upokohue' (Moana & the Tribe/TŪ). A tribute to the endangered Maui dolphin. Lyrics by Scotty Morrison. Music by Paddy Free and Moana Maniapoto. Video: Louise Potiki Bryant. Image credit: still images from the video supplied by Moana Maniapoto.









Della Rees Visual Artist

Mandala Series II, 2011 Image credit: supplied by the Artist.

In these Mandala works* I have substituted the traditional sand for plastic bottle tops, material that will not return to the earth on the wind like the sand Mandalas, Instead degrade into smaller and smaller pieces becoming micro plastics, which will never disappear completely, but sadly, become a new kind of sand.

*Mandalas are a ritual symbol in Buddhism and Hinduism representing the universe, in meditation its purpose is to help transform ordinary minds into enlightened ones.

Mandala Series II (Floor detail), 2011 Image credit: supplied by the Artist.

the ocean's pockets

we turn the kids' pockets before every wash

outpours everything

sand stones shells sticks caps coins pills

plastic eyes

the ocean turns its pockets

scans us on its hands

are we treasure volcanic ash

or trash

are we worth keeping are we

Michaela Keeble Poet and Children's Book Author

Poem 'the ocean's pockets' Poem supplied by the Artist.





Lynda Chanwai-Earle Script Writer, Poet, Broadcaster and 2019 IIML Writer in Residence, Te Herenga Waka – Victoria University of Wellington

Actor Sepelini Mua'au and Stevie Hancox-Monk in the play called 'Hole', Circa Theatre 2020. Image credit: Philip Merry Lynda Chanwai-Earle Script Writer, Poet, Broadcaster and 2019 IIML Writer in Residence, Te Herenga Waka – Victoria University of Wellington

Ice hole and Weddell seal in the play called 'Hole' at Circa Theatre. Image credit: Philip Merry.

From the award-winning team of "HEAT" comes "HOLE" a green-powered black comedy about an Antarctic Scientist, a Greenpeace Activist, a Navy SEAL, and one huge OZONE HOLE. In 1985 the world wakes to the discovery of the Ozone hole over Antarctica. It's Wild West days at McMurdo Station and Scott Base. It's little more than a decade since the US Navy lifted their ban on women traveling to the ice. Stella, a NZ scientist, Ioane, a US Navy SEAL from American Samoa, and Bonny, a Greenpeace activist, meet during one Antarctic summer. What unfolds is as dark, funny and monumental as the discovery of the ozone itself.

The second play in Lynda Chanwai-Earle's Antarctic Trilogy, HOLE builds on the innovative use of greenpowered energy as used in the award winning HEAT.



Jason O'Hara Designer, Artist and Educator

Jason O'Hara and Warren Maxwell. Hira from performance 'Where Memories Sleep' created by Jason O'Hara and Warren Maxwell. Image credit: supplied by Jason O'Hara



Kuia from performance 'Where Memories Sleep' created by Jason O'Hara and Warren Maxwell. Dancer Zaniah Fae. Image credit: supplied by Jason O'Hara

'Where Memories Sleep' the legend of the Aurora. An immersive cine-dance production that interprets the epic adventures of a young explorer during which she journeys to an icy realm meets a powerful sorceress, is gifted the memories of the world and falls in love. It combines dance with stunning full-dome projections and sets by Jason O'Hara and music by Warren Maxwell all inspired by their real-life experiences with science teams in Antarctica.





Reducing The Impact of Plastic On Our Environment

Submitted by:



P.O. Box 66047, Beach Haven, Auckland 0749 0800 507 555 / 09 480 5057 <u>info@unitedfresh.co.nz</u>

Submitted to (<u>plastics.consultation@mfe.govt.nz</u>) on 04 December 2020

Introduction

United Fresh is the only pan-produce industry body in New Zealand. Our membership includes growers, grower organisations, pack-houses, wholesalers, and service & logistics providers, as well as retailers. Our industry aims to provide New Zealand a healthy and safe supply of quality produce. Our vision is to create a sustainable fresh fruit and vegetable industry for New Zealand.

United Fresh represents an industry that almost every New Zealander interacts with on a daily basis. The produce industry is one of the largest industries in New Zealand. Our industry is complex. Plastics of all types and recycling levels are used in produce packhouses, produce cool stores, produce wholesale, retail, and distribution facilities. Our industry uses single-use plastics to preserve the quality of our products through reducing evaporation and transpiration, as well as to enable labelling regulated by law onto our products. As such, any change to the regulations or legislation surrounding our use of plastics will impact throughout our industry.

On behalf of the New Zealand Produce Industry, United Fresh therefore wishes to make a submission on "Reducing The Impact of Plastic On Our Environment".

United Fresh also welcomes the opportunity to comment on the proposed changes by way of this submission, as it provides us, as the pan-produce industry body, with the opportunity to enhance our membership's understanding of the issues that have led to the proposed reduction in plastic usage.

While United Fresh is not a company that manufactures, sells, purchases, or uses plastics as part of its offerings, United Fresh wishes to comment on this proposal for a phaseout of certain plastics, as these changes will affect United Fresh members who utilise single-use plastics, such as produce bags and produce labels.

Prepared by The United Fresh Technical Advisory Group, Dr Hans Maurer, Chair, Anne-Marie Arts, Food Safety Representative, Jacob Lawes, Senior Project Officer

Situation Overview

In August 2020, The Ministry for the Environment (MfE) released a consultation document entitled "Reducing The Impact Of Plastic On Our Environment - Moving Away From Hard-To-Recycle And Single-Use Items".

This consultation document proposes that New Zealand take more action to phase out certain types of hard-to-recycle plastic packaging and some single-use plastic items.

The proposals reflect a commitment by the Government in December 2019, in response to a report by the Office of the Prime Minister's Chief Science Advisor – Rethinking Plastics in Aotearoa New Zealand. This report set out recommendations for how New Zealand should reduce the impact of plastics on our environment, yet retain some of the benefits that plastic offers to modern society.

The consultation document contains two proposals:

- **Proposal 1**: The Government is looking to move away from hard-to-recycle plastics, starting with a phase-out of:
 - some polyvinyl chloride (PVC) and polystyrene packaging
 - all oxo-degradable plastic products.

This is part of a long-term shift toward a more circular economy for plastics where packaging materials are made of higher value materials that are easier to recycle.

• **Proposal 2**: The Government also seeks feedback on a phase-out of some single-use plastic items. Moving away from single-use items in the future will help to encourage reuse, reduce waste to landfill, and minimise harm to the environment from plastic litter.

United Fresh's submission concerns itself in the main with **Proposal 2**, and the impact on single-use, hard to recycle plastics.

The two key single-use, hard to recycle plastic items used by our industry are "single-use plastic produce bags", dispensed at retail, and "non-compostable produce stickers", on many fruits.

The phase out date suggested in the consultation for Proposal 2 is 2025.

United Fresh notes that the plastic items discussed in this consultation document complete their supply chain journey at the consumer, making it difficult for our industry to exercise influence over the recycling processes employed by consumers.

"Stickers" vs "Labels"

We note with concern that MfE lists produce <u>stickers</u> as an item for phase-out. The Oxford Dictionary defines a sticker as: "An adhesive label or notice, generally printed or illustrated".

The same publication defines a label as: "A small piece of paper, fabric, plastic, or similar material attached to an object and giving information about it".

We would like to state from the outset that the pieces of material, typically plastic, attached to produce, are labels. The critical difference being that labels carry information, which is essential to the effective functioning of the produce supply chain, including Traceability and Food Safety.

For this reason, we are, throughout this submission, referring to produce <u>labels</u>, unless we are specifically quoting the Consultation Document.

Question and Response Section

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

United Fresh agrees with the identified problems within the consultation document.

2. Have we identified the correct objectives? If not, why?

United Fresh agrees that the general direction of the objectives has been identified.

3. Do you agree that these are the correct options to consider? If not, why?

Yes, United Fresh agrees that within the scope of what is being considered, these are likely the correct options to consider.

However, United Fresh notes that MfE is only offering single option solutions, and does not appear to be considering a bundling of several options, in order to increase the overall effectiveness of any proposed solution. For example, a combination of Option 4 (levy or tax) and Option 5 (product stewardship) may achieve outcomes that either of these two Options on their own is unable to reach.

United Fresh also notes that Government already has at least one "cap and trade" system in place for reducing undesirable products, where greenhouse gases such as hydrofluorocarbons are restricted in use, and the ability to import and/or use the restricted product requires purchasing the right to utilise the product. United Fresh suggests that this may be an option to consider, based on the successful implementation of gas phasedowns over the last 4 decades in New Zealand.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics, and some single-use items? If not, why?

We believe that the weighting is roughly appropriate for the majority of the criteria.

However, United Fresh is of the opinion achievability is over-weighted by the Ministry.

Any option or system selected by MfE to enable a reduction in the use of hard to recycle plastics, will require implementation at some point. As noted in the consultation document, solutions that involve legislation will have extended implementation timeframes due to the legislative process. However, if selected by MfE as the appropriate option, these would be the option deemed most realistic by MfE, and subsequently, the option pursued and implemented.

As such, the requirements for legislation are likely to pose no realistic difference in considerations of which solution is most appropriate, as it would not affect the outcomes of implementation, only the timeframe.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

United Fresh agrees that MfE's assessment of the Options is likely to be correct, but queries whether MfE should consider a multi-pronged approach strategy, with the phaseout requirements based on product use cases and lifespans.

The current proposal is for one control mechanism aimed at multiple types of plastics, which are used in a variety of different ways. These plastics are also "*in use*" for differing lengths of time.

A single coffee cup may have a half hour "active life span", while the coffee is being consumed. A produce label, however, is often put in place during the packing process at a packhouse, at the beginning of the supply chain. It may then stay with the fruit for anywhere between several days to several months, helping to identify the product as it transits through the packhouse, wholesaler, distribution centre, retail rear store, retail front of store, and the point of sale. For example, the apples being purchased at a supermarket in November, are likely to have been picked and labelled, before
being placed in cold storage, back in April or May. What is therefore appropriate for a coffee cup, may not be appropriate for a produce label.

United Fresh suggests a "cap and trade" system (as used in regulating greenhouse gases), or similar flexible systems, may be a viable method for reducing the use of hard to recycle plastics, while also acting as a pricing motivator to encourage switching to alternatives where possible, and reducing the impact on products with limited alternatives, or in situations where switching is a complicated process.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

The produce industry agrees with a two-stage proposal that allows for additional time to find alternatives for PVC, but queries whether the timeline is sufficient for the first stage of the proposal. This proposal will cause increased demand on alternative plastics producers in New Zealand, as well as importing channels, which may not be able to manage the new demand within the timeframe currently suggested.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

United Fresh believes that it is likely that the right packaging categories have been identified in general.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phaseout (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

United Fresh and our members do not use PVC and hard polystyrene in non-food related uses, and cannot comment further.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

In addition to the environmental benefits listed in the consultation document, United Fresh believes the removal of PVC and polystyrene packaging will also assist the recycling efforts related to other plastics, as a result of reduced waste-stream contamination.

United Fresh also notes that there are likely be associated costs and benefits to the importers and manufacturing industry, who will now have to alter their manufacturing process or import channels to meet the new requirements. This is likely to alter the competitive market for purchasers of PVC and polystyrene plastics, and may result in job losses, and increased prices for alternative plastics.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene, and EPS)? If not, why?

The New Zealand produce industry currently uses, or is transitioning to, PET, RPET, and other alternative materials noted by the consultation document.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

United Fresh agrees that from a health and environmental perspective, oxo-degradable plastics should be phased-out. We believe this will have a limited impact on our industry.

12. If you manufacture, import, or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

United Fresh and the produce industry do not manufacture, import, or sell oxo-degradable plastics, and cannot comment on this further.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

United Fresh believes the following additions need to be made to the cost/benefit table:

- Environmental cost the phaseout of the identified plastics will not affect consumer behaviour significantly, and is likely to result in similar volumes of other non-biodegradable plastics reaching the environment, as this phase-out does not encourage a move to biodegradable plastics. The 2018 Independent Review of the Australian Capital Territory Plastic Shopping Bags Ban Act 2010 found that while plastic usage temporarily decreased, without further policy changes, plastic consumption then began increasing again, and was likely to pass the level at which the ban was implemented, as time passed by.¹
- Manufacturer/Supplier/Importer cost the increased demand on alternative plastics, and the change in market competition from altered demand levels is likely to cause market disruption and supply issues in the short to medium term. The ability to understand market disruption consequences specifically for the targeted plastics listed in the Consultation Document would require research at a level of granularity that, to the best of our knowledge, has yet to occur globally. The best available evidence to support our assertion that market disruption will occur, can be found in analytical documents that start at the origin of plastics, i.e. the oil industry, and attempt to work themselves up the supply chain.

One such document is a Deloitte article (2019) entitled "One Downstream, Strategic Imperatives For The Evolving Refining And Chemical Sectors". The article includes the following statement: "Automotive, building & construction, and packing industries – key end-markets of the downstream industry – have been undergoing a transformation for a while, but the pace and degree of change seem to have now reached a point of disruption".

In a separate section, the article then tries to scope retail related plastic packaging use. "The disruption is not limited to end-markets; in fact, end-users are increasingly driving systemic change in circular thinking at an industry level. In 2018, 13 leading retailers and packaging companies – together representing more than 6 million metric ton per annum of plastic packaging per year – joined hands to move toward 100 percent reusable, recyclable, or compostable packaging by 2025. According to the CEO of a European major [FMCG company], 'As a consumer goods industry, we can go further in addressing the challenge of single-use plastics by leading a transition away from the linear take-make-dispose model of consumption, to one which is truly circular by design'."

It is simply not possible to attempt change of such magnitude, without market disruption, over a significant period of time, being a part of the equation. Market disruption is nothing other than a disturbance in the equilibrium between supply and demand, and such disturbances are always accompanied by increased costs.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

United Fresh notes that within the produce industry, we have already taken action to reduce our use of the impacted plastics. We therefore cannot comment in depth on this topic, as our future impacts are likely to be on average lower than other industries currently more reliant on these plastics.

United Fresh Response to The Ministry for the Environment on "Reducing The Impact of Plastic On Our Environment" December 2020 Page 6 of 15

¹ Australian Capital Territory Government (2019) Phasing Out Single-Use Plastics – Discussion Paper.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

The two hard-to-recycle plastics packaging categories that United Fresh is focused on within the scope of this submission are single-use plastic bags used by the consumer at the Point of Purchase to pack the loose produce they have selected, and non-compostable produce labels.

As it so happens, there is actually a direct connection between the use of produce bags, and produce labels. Whilst each of these functional "*tools*" exist in their own right, their respective functionalities come together at a retailer's checkout/Point-of-Sale, and are viewed by retail as an integrated part of the overall business system in use, to facilitate effective and efficient transfer of produce from retailer to customer.

In the case of the plastic bags, the driver has to be education. Education at the Point of Purchase, i.e., in the produce department itself, and education at the Point of Sale, i.e., at checkout operator level. The education at the Point of Purchase would most certainly benefit from an element of Government support, through a focused consumer marketing campaign.

It is more than reasonable to assume that the consumer would respond to such a campaign. An example of that response already exists, in the case of loose mushrooms, where the mushroom industry and retailers have managed to successfully convert a significant part of loose mushroom purchases from plastic to paper bags, on a basis of educating consumers about reduced respiration, and improved "*shelf*" life post-purchase advantages.

However, switching the entire loose produce range from plastic into paper bags has ramifications at the checkouts. Produce presented in plastic bags can be identified as part of a smooth process, up to the first identification level in every case. This means the checkout operators can see whether they are dealing with a tomato, apple, or onion, for example. If the onion happens to be brown, checkout operators pull up the visual ID for brown onions on their computer screens, whilst at the same time passing the bag containing the loose onions across the set of scales integrated into the checkout. This means the customer is being charged the correct price, and the Master File integrity is maintained.

Checkout operators can also tell the difference between a red apple and a red tomato through a plastic bag, but not necessarily whether they are about to weigh a Red Delicious, a Royal Gala, an Envy, or a Jazz apple. Supermarkets buy these apples at different wholesale price points, and sell them at different retail price points. In order to determine the correct price, checkout operators check for product identification on a produce label through the plastic bag, or temporarily remove an individual piece of fruit if necessary. The produce label typically contains the product name, and either a Price Look Up (PLU) number, or a barcode. One of these data sets is then used to identify the correct product, before the entire purchase is weighed.

That instant recognition either cuts out one entire step at capturing the sales value and volume of the produce being presented, or significantly reduces the time it takes for the checkout operator to process the produce the customer wishes to purchase.

One of the challenges in reducing single-use plastic bags with paper bags across the entire produce range, means that checkout processes would take more time, as, in every case, checkout operators would no longer be able to detect what is being purchased through the bag. Each paper bag would have to be opened, to, at minimum, view the content, and in the worst case, to then have an item removed and checked for product data carried on the item itself.

Whilst this would "*only*" add seconds to each transaction, seconds add up, in particular if you have six-digit customer counts, with several hundred thousand produce transactions occurring each week.

A related issue is the fact that customers typically object to anyone handling "*their*" produce, after they have selected it, on food safety related grounds, be they real or perceived. It would not be inconceivable to presume that shifting the entire loose produce category into paper bags could result in a consumer driven increase in prepacked produce being offered on supermarket shelves, which would defeat the purpose of working towards the reduction of plastic packaging. Or, checkout operators may need to start wearing plastic gloves to handle consumer selected loose produce at checkout, as a matter of course, with these gloves, naturally, being single-use, and needing to be replaced several times an hour, due to wear and tear.

In summary, single-use plastic bags being replaced by paper bags is achievable, with the help of education. We do note however, the logistical, the cost related, and consumer perception issues connected with such a move.

Replacing single-use produce labels is a far more complex undertaking, which will be discussed in detail in our answer to Question 16.

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see Table 7)? Please specify any items you would leave out or add, and explain why.

United Fresh disagrees with the proposal to phase-out non-compostable produce labels, until such time as realistic alternatives are available.

Produce labels fall into two categories:

- Labels that are promoting a producer brand, and possibly carry an abbreviated marketing message.
- Labels that have an essential supply chain function.

The approach to these two label categories requires differentiation, before one gets into the detail of what is compostable.

Producer Brand/Marketing Labels

The goal of every fruit grower is to shift their product out of the commodity² trap, where growers are more often than not price takers, into a realm where growers can generate a level of demand for their particular fruit, i.e., premium apple growers differentiating themselves from their commodity producing colleagues.

This desire for brand differentiation is fuelled by the way new fruit varieties are commercialised, via plant variety rights, licenses, and club varieties.³ Produce labels that only carry brand messages therefore do have a function. The retail part of the supply chain, as well as national and international produce industry associations focusing on information systems and standards (such as the International Federation for Produce Standards), are encouraging users of pure brand labels to incorporate product and traceability information into the label.

We also note that branded fruit is able to consistently achieve margins above unbranded fruit, when the brand stands for an entire production system that is capable of generating justifiable consumer confidence at Point of Purchase, where selection decisions are made within seconds. Zespri is a classic case in point. Without the ability to brand individual pieces of fruit, Zespri would lose a very distinct marketing position, which would translate ultimately into reduced income for New Zealand kiwifruit growers.

Additional labels that carry functional information for the supply chain or consumer also exist, and may be present on different produce, such as ripeness labels. These help to identify when produce, such as avocados, are "ready to eat".

Unfortunately, there is a reasonable chance that should these produce labels be prohibited, then retailers and producers are highly likely to increase the range of prepacked produce being offered in the stores, to compensate for the inability to include marketing messages on their fruit.

² Here a Commodity is an agricultural product whose wide availability typically leads to smaller profit margins and diminishes the importance of factors such as a brand name other than price.

³ An example of this are Jazz apples versus Red Delicious Apples. Jazz is a trademarked variety licensed by T&G Global. Red Delicious is a decades old established commodity variety that does not attract license fees or anything of that nature.

Essential Supply Chain Function Labels

The majority of produce labels in circulation have an essential supply chain function. This is to allow correct product identification at checkouts. Correct product identification at checkout has three effects:

- Customers are charged the accurate price for the product they are purchasing, as the PLU Number / Barcode on the fruit links to the retailer Master File, in which category management maintains accurate pricing, with this pricing also being displayed at the Point of Purchase.
- The sales data collected at checkout is, in many cases, and most certainly in the case of the larger supermarkets, directly linked to the inventory management system. Accuracy at checkouts is absolutely critical to enable the supermarket buying teams to understand and plan their required purchasing patterns and frequency, in order to keep the shelves stocked.
- Accurate data capture at checkout is also directly linked into store and company accounting systems, used to calculate financial performance. This in turn drives ranging decisions related to whether a product should be stocked at all, and if it is to be stocked, how much shelf space to allocate to this product. Supermarkets are regularly maligned in relation to what is often referred to as "*price gouging*". The reality is that margins within fresh foods in general, and produce in particular, are tightly managed in any event, in order to manage the perishability of the produce. Losing the ability to ensure highly accurate data capture, at checkouts, has the potential to generate additional costs, which at the end of the day would be reflected in higher retail prices.

We are referring in our submission here to essential supply chain function labels. In order to underpin the basic argument we have just articulated; we now want to provide some background to this concept of essentiality.

A produce label with an essential supply chain function either carries a Price Look Up Number (PLU), or a Barcode. PLUs were developed in the early 1990s, by the International Federation for Produce Standards (IFPS, <u>https://www.ifpsglobal.com/</u>).

PLU codes are 4- or 5-digit numbers and appear on a small label applied to the individual piece of produce. The PLU number identifies produce items based upon various attributes which can include the commodity, variety, growing methodology (e.g., organic), and the size. These numbers are assigned by IFPS after rigorous review at both national and international levels. PLU codes ensure that consumers are charged the accurate price, by removing the need for checkout operators to identify the product on a case by case basis, and whether or not it is conventionally or organically grown.

A PLU enables supermarkets to offer multiple varieties of loose apples, pears, oranges, etc., at the same time, while maintaining commercially appropriate pricing for each variety. While two apple varieties may look identical, the cost of production and distribution may be 20-30% higher for one variety over the other. A checkout operator at a supermarket cannot be expected to memorise and know by sight the potentially dozens to hundreds of lines of produce a store may sell, but the presence of a PLU enables a checkout operator to enter the PLU into the Point of Sale system and accurately record the sale of the produce presented by the customer.

In addition to the PLU labels, there are two further essential supply chain function labels : "country of origin labelling", and "DataBar" Traceability labels.

Country of Origin Labels (COL) are placed onto produce to identify where this produce has been grown. These labels are required by law in many countries. In New Zealand, The Consumers' Right to Know (Country of Origin of Food) Act 2018 requires that by December 2021, food such as produce must be labelled to indicate its country of origin. The New Zealand produce industry is therefore gearing up to, and in many cases, already complying with, labelling its loose produce, with COL labels to meet its legal obligations, both domestically, and internationally.

Modern barcodes on produce labels are typically referred to as DataBar. Databar is a system developed by the global standards body GS1 (<u>https://www.gs1.org/standards/barcodes/databar</u>) to support the identification and Traceability of produce throughout domestic and international

supply chains. The DataBar Expanded barcode can carry encoded information not captured by traditional PLU labels, such as expiry date, weight, country of origin, harvest date, or other relevant Traceability and inventory management information.

This Traceability information is important, as it enables rapid tracing of product through a supply chain in the event of a food safety incident, and to prevent the spread of foodborne illness. Missing Traceability information can hinder, slow down, or prevent parts of a response to foodborne illness outbreaks, and reduce consumer and Government confidence in our industry.

Least, but not last, in support of our argument that produce labels have a critical function in the supply chain, we wish to note that new technologies being available are also changing the data and information carried by produce labels. In order to improve produce traceability and authenticity, larger produce marketers such as Zespri and Mr Apple have started working with serialised codes on produce labels (QR Codes) and are also starting to include micro text security symbols on fruit labels.

The Impact Of Removing Labels

All these labels serve a variety of purposes throughout the produce supply chain, and help the produce industry to meet its legal requirements, while maintaining the large selection of produce varieties that the consumer has come to expect. Any impact to our ability to use produce labels risks the industry being unable to meet legal requirements, both domestically and internationally, as well as risking the choice and price stability of produce available to the consumer.

In the event of being unable to label loose produce, the supply chain risks having to re-evaluate both the range of produce offered,⁴ and its inventory management systems that maintain a supply of produce to the consumer.

Supermarkets may be forced to only sell a limited range of certain types of produce, e.g. red apples, and to sell all red apples at the same price, calculated on averages. This would have the consequence of value distortion. Commodity varieties such as Red Delicious would end up being more expensive than they ought to be, and licensed varieties such as Jazz would not be able to generate the value both growers and retailers could reasonably expect, given their development costs.

In addition, such an approach would create a fair amount of chaos for supermarket inventory systems, and the ability for produce category and buying teams to understand the movement of, for example, red apples through the supply chain by variety.

We note that previous research and trials into lasering product information onto fruit encountered physical issues with lasering the information on, maintaining the lasered information through the whole of the supply chain to the consumer, and being rejected by consumers over concerns of lasering affecting quality, and potentially compromising Food Safety.

Compostability

Our comments in this section have, to this point, not focused on the whole argument of compostability. Instead we have discussed functionality and essential supply chain requirements.

United Fresh represents the New Zealand produce industry in the International Federation for Produce Standards (IFPS). The Chair of the United Fresh Technical Advisory Group, Dr Hans Maurer, is the New Zealand Director on the Board of IFPS. Dr Maurer currently also chairs the IFPS Information Management and Standardisation Committee.

IFPS has a strategic interest in the future of produce labels, as it sees these to being instrumental in supporting efficient and effective global trade in the produce category. This has already been discussed in the paragraphs above with regards to the domestic situation.

⁴ This is often referred to as the number of Stock Keeping Units (SKUs) on offer.

United Fresh Response to The Ministry for the Environment on "Reducing The Impact of Plastic On Our Environment" December 2020 Page 10 of 15

Due to IFPS' strategic interests in this area, IFPS has, for some time now, paid attention to the sustainability issues related to produce labels. We therefore note that the European Union differentiates not just between compostable and non-compostable produce labels, but further differentiates between industrially compostable and home-compostable produce labels.

It is United Fresh's understanding that there are no home-compostable produce labels available worldwide, although advances have been made in the development of industrially compostable produce labels. The differences between these categories relate to the selection of label material, food safe glue, and the way selected glues and label material interact with each other. Then, there is the relationship between the selected glue and the skin of the fruit. The surface of an orange has different skin characteristics to that of a banana or a kiwifruit, for example.

A further consideration is that the limited number of industrially compostable label alternatives are noticeably more expensive than the conventional versions they are expected to ultimately replace. This is not produce label specific, but a typical phenomenon when a system operating at optimum economic scale is facing replacement by an alternative that has yet to achieve a degree of scale.

United Fresh understands there to be some reluctance of take up of the industrially compostable label option, due to higher costs.

17. Do the proposed definitions in Table 7 make sense? If not, what would you change?

Produce Labels

United Fresh, as a matter of principle, does not agree with the inclusion of the item "*non-compostable* produce stickers" in Table 7, regardless of the definition. We have presented our rationale for this already in our answers to the previous questions, and in particular the answer to Question 16 above.

Our argument being that the phasing out of produce labels, that do have an essential supply chain function, will cause significant disruptions with financial consequences, for both the industry, and consumers.

Should Government go ahead and include non-compostable produce labels in the list of plastics for phasing out, then the alternative offered, the "compostable stickers" is an over-simplified solution. Compostable produce labels, as discussed above, break into two categories: industrially/ commercially compostable and home compostable. Whilst significant progress has been made in producing industrially compostable PLU labels for produce, with Zespri being one of the early adopters globally, there is no market ready home-compostable solution in sight.

In summary, United Fresh therefore suggests that produce labels be removed from the suggested phase-out item list, until such time as adequate alternatives become commercially available.

Single-use Plastic Produce Bags

Your question concerns itself specifically with the proposed definition, but the issue related to the proposed phase-out of single-use produce bags is more complex than getting the definition right.

It is common practice that produce departments and greengrocers/fruit stores offer consumers a choice of purchasing loose and prepacked produce. In some instances, the driver is customer convenience and time saving. In other instances, differentiating between a loose and prepack offer will allow the retailer to offer different product sizes at different price points.

Customers who purchase loose produce, and use a bag to place it into once selected, transport their produce in the shopping basket or trolley to the checkout. Containing loose produce in a bag, regardless of type, ensures that this produce stays together, and is weighed at checkouts as one item, consisting of everything in that bag.

Some produce can be placed into a trolley or shopping basket without any consequence, e.g. corn cobs or a head of cabbage. Others, such as oranges, apples, and tomatoes, should by preference, not be able to escape from a bag, or escape and roll loosely around in a trolley, because this can either lead to double handling at checkout, or damage if inadvertently heavier items are placed on top of the loose items that have rolled around. Other produce, for example loose cherries, brussels sprouts, mushrooms, yams, apricots, etc., comes with a barrier in the consumers mind when it comes to placing the product loose into the shopping basket or trolley. They would rather not buy the product in this instance.

Obviously, if shoppers were to remember their own multi-use bags as identified in your Alternatives, then, a new set of challenges arise.

The produce may well have been transported to the checkout in a way that satisfies consumer quality aspirations, but weighing the produce now becomes a problem. The Consumer Guarantees Act 1993, as well as the Weights and Measures Act 1987, provide assurance to the consumer that they only pay for the product when purchasing variable weight product, and not for any packaging. The currently in use single-use plastic bags are either so light they do not register when placed on the scales on their own, or, if they are an older type of single-use product bag, these bags have been tare weighted within the retailer system so that the weight of the bag can be excluded automatically from the weight the consumer is charged for.

"Reusable bags, made from e.g., hessian, hemp, and cotton", weigh more than the current singleuse plastic bags in circulation. And, every customer presenting at checkouts with a reusable bag will have to be afforded an individual solution, because every reusable bag will have a different empty weight.

The only plausible solution at checkouts therefore is, when a consumer presents a volume of produce in a reusable bag s/he entered the store with, is to remove the produce from the bag, weigh the loose produce on its own, and then repack the bag with the produce. Clearly a more complex and time-consuming process than the one currently in place; a process that takes more time and costs more money; a process retailers are less than keen to pursue for all the reasons mentioned; and, a process that does not sit well with consumer perception about food safety and hygiene issues, as they really do not want the produce they have selected being handled by others even before they leave the store.

What are the Alternatives then?

Having single-use plastic bags withdrawn in the way that is contemplated, will lead supermarket retailers to either replace the current plastic bags with paper bags, similar to the mushroom option, and/or, increase the percentage of supplier prepacked options available to avoid the deterioration of checkout logistics described above.

It really comes down to what is the lesser of four evils:

- The existing single-use plastic bag?
- A stronger plastic bag at a higher micron level, already in use at many stores (bakery departments) with a stronger chance of being re-used?
- A paper bag, that will obviously result in the need for more trees to be cut down and processed?
- A significant shift in the amount of loose vs prepacked produce being offered to the consumer, in order to avoid this argument altogether, generating additional plastic packaging potentially in excess of what is being removed?

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

2020 has not been a normal year. COVID-19 has had significant impacts on supply chains, as well as the technologies and systems used by these supply chains. Return to full service of some supply chain aspects could take 2-3 years, or longer.

With supply chains so severely impacted by the fallout of COVID-19, United Fresh questions whether the timelines suggested in the consultation are adequate. Industries recovering from COVID-19 will not have the full length of the phaseout period to appropriately respond. Significant efforts over the next 1-2 years will be focused on trying to return industries towards normality and sustainability of processes. Attempting to restructure international supply chains to source new plastics is likely to be even more problematic than in non-pandemic affected years, and will result in a reduced capacity of industry to meet the phase-out targets.

In addition to challenges directly impacting on our industry as a result of COVID-19, consideration needs to be given to the fact that many of the country's international supply chains are no longer functioning adequately as a result of air-freight and sea-freight capacity reductions, which are not in industry's capability envelope to repair.

United Fresh suggests considering adding an extra year to the first stage of the Phaseout, and 18 months to the second, to allow for global recovery to a state where the plastics industry, as well as users of plastics, are most effectively able to transition.

This would mean the Phase 1 date would be late-2024, and the Phase 2 date mid-2026 to mid-2027, dependent on the starting date.

Specifically excluded from our view in this area are produce labels, which we do not wish to see phased-out in any event, until realistic home-compostable alternatives are available on the market.

Should the Ministry insist on the need to include produce labels in the phase-out of the other plastic items identified, we request that a separate timeframe is put in place for produce labels. This timeframe should be a viable timeframe to enable the switch between the current labels and alternatives to be implemented.

A viable and appropriate timeframe enables our industry to transfer to alternatives in partnership with produce label manufacturers, at a speed which does not cause supply shortages of produce labels or labelled fruit, and prevents extreme cost increases to the produce industry. Discussions with produce label manufacturers have suggested that this process could take 5+ years under normal circumstances to appropriately switch labels.

Under the current COVID situation described above, and with the timeframe to effectively switch labelling, we therefore suggest a timeframe of 6+ years would be required to prevent severe damage or collapse of parts of the produce label supply chain, that could in turn result in significant problems in the supply of fresh fruit to New Zealand consumers.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

United Fresh and the produce industry do not manufacture or use single-use coffee cups or wet wipes, and therefore cannot comment on this.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

United Fresh and the produce industry do not manufacture or use single-use coffee cups or wet wipes, and therefore cannot comment on this.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

United Fresh and the produce industry do not manufacture or use single-use coffee cups or wet wipes, and therefore cannot comment on this.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

We believe the general costs and benefits have been covered in the consultation.

23. How should the proposals in this document be monitored for compliance?

United Fresh is not experienced with the waste management enforcement system, and cannot comment further here.

Concluding Comments

United Fresh agrees with the general direction that MfE is taking in this consultation. Plastics harm our environment, and microplastics can harm human health. Phasing these out will bring significant benefits to New Zealand.

United Fresh also agrees with the consultation document, in that a likely side-effect of the phase-out of hard to recycle plastics is a possible change in plastic balances in waste streams and environmental pollution, not necessarily a reduction. The use cases for plastics, the volumes required, and consumer behaviours are not being directly affected by this transition, and the overall waste generated is therefore unlikely to change.

When systems for use and collection are correctly implemented, plastics are a highly valuable tool for the produce industry. The produce industry has used recyclable and reusable Returnable Plastic Crates (RPCs) for more than 25 years now to help reduce our environmental impact from packaging and transport of produce, and to help minimise the use of non-recyclable or hard to recycle packing materials.

United Fresh notes that single-use plastics are predominantly customer/consumer focused, and that the overall use of single-use plastics, including hard-to-recycle plastics, is in the main, demand driven. Changing consumer behaviours will also need to be a vital part in helping to reduce plastic waste.

Regardless of consumer demand for packing and packaging material to maintain product quality, there is also likely to be an ongoing need for packaging of produce after the phase-out. In the produce industry, packaging is not just driven by the consumer, but also by regulations surrounding labelling and quality/Food Safety management. Therefore, even in phasing out hard-to-use plastics, our industry will still have to maintain a level of plastic packaging and labelling, to meet regulatory requirements.

United Fresh requests that produce labels be considered separately to other plastics during the decision-making process. While the industry is prepared to transition to non-compostable plastic label alternatives, these are not yet available at sufficient quality, volumes, regulatory acceptance, or consumer acceptance, for the industry to utilise. An unwavering requirement to prevent their use could well see our industry stuck between multiple conflicting regulatory requirements, and be banned from importing, exporting, or selling our product, if the regulations are not carefully considered. This ban could have impacts potentially measured in the hundreds of millions of dollars, if produce labels are regulated identically to the other hard-to-recycle plastics considered in this consultation.

United Fresh and the New Zealand produce industry are well aware of the damage caused by plastics, and would already have switched to alternatives, if these were commercially available and acceptable. However, consistent outcomes from alternatives is not yet on the horizon, and the industry therefore uses the current labels out of necessity.

United Fresh acknowledges that the organisation is not appropriately qualified to comment on all questions posed, which is why we have limited our response to the questions within our direct scope. United Fresh has provided answers in the areas where it does have knowledge, to assist MfE in understanding the impact of the proposed regulations from a produce value chain's perspective, and a consumer point of view.

United Fresh would like to thank MfE for considering our submission.



Submission

of the

Victoria University of Wellington Students' Association

on

Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items (ME 1520)

Prepared by Sophie Dixon Max Salmon

Victoria University of Wellington Students' Association (VUWSA) Level 4, Student Union Building, Kelburn Parade.

VUWSA also wishes to present an oral submission.

Contact Sophie Dixon Wellbeing & Sustainability Officer wellbeing@vuwsa.org.nz



| То | Ministry for the Environment |
|---------|---|
| From | Victoria University of Wellington Students' Association (VUWSA) |
| Date | 4 December 2020 |
| Subject | Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items |

| Introduction | p | g.2 |
|--------------|---|--------|
| Proposal 1 | p | g.3-6 |
| Proposal 2 | | g. 7-8 |

Introduction

Victoria University of Wellington Students' Association (VUWSA) advocate for and represent the 22,000 students of Te Herenga Waka- Victoria University of Wellington. Our students and recent graduates, as predominantly under 35-year-olds, are a significant portion of the urban population. They interact with plastics, and single-use items on a daily basis. Anxiety about climate change, a desire for a sustainable future and the proactive nature of students compel us to put forward this submission. VUWSA supports the proposals put forward, as we feel they take steps in the correct direction and address some of the concerns expressed by students and young professionals. However, VUWSA considers it essential that we prioritise accessibility and social equity in implementing these changes. Therefore, taking steps to ensure prices of fresh fruit and vegetables and other staple goods does not rise substantially if the packaging has to be changed. For us, this also means supporting the mandate of groups such as CSS Disability Action and not banning plastic straws, despite them being a single-use item. Other areas such as cigarette butts do not carry similar disability implications and would go further to protect our environment.



Proposal 1

Question 1:

We broadly support the Government's description of the problem. We would support broadening the definition of hard-to-recycle plastics to include plastics that are hard-to-recycle practically. This includes PET products, recycling of which can be affected by the current recycling systems and specific product design.

Question 2:

The identified objectives form one part of a larger status quo. We would urge policymakers to not consider the mandatory phase-out in a vacuum, and have regard to the need to prioritise and promote reuse alternatives. We support ambitious policies that drive Aotearoa forward to a circular economy.

Question 3:

We think these are the correct options to consider.

We have no comments on Question 4.

Question 5:

We agree with Option 6, the mandatory phase-out. However, we consider this option could be introduced with options four and five. This also means we think the options under Q3 could have been combined or blended to create further options. We note product stewardship especially could help ensure applicable products are kept within a circular economy, and allow for



interaction with schemes such as Resource Recovery Centres. We support the phasing out of soft plastics with greater speed, bearing in mind the importance of shifting to a circular economy. We would urge a ban to be combined with other regulatory options.

Question 6:

Bearing in mind the unique anxieties and pressures climate change and environmental degradation create for students, we do not consider the two-stage timelines to be reasonable. The Government has just declared a climate emergency at the time of submission. We do not consider a phase-out in five years' time to align with the understanding of emergency. We would support bringing the ban timeline forward significantly, while still maintaining a two-stage approach for best compliance and uptake. This could look like December 2021 and June 2023, or similar timeframes.

Question 7:

Yes. We support the comprehensive nature of the list.

Question 8:

We would support a consistent phase-out of all identified hard-to-recycle plastics but would balance this consideration with ensuring construction materials are still available and economically viable, as we want the Government to be prioritising the housing crisis also, especially in Wellington.



Question 9:

EPS is a dangerous environmental containment, and banning this would protect our natural world, especially the birds and sea creatures who mistake the litter for food. We would encourage this to be included in an earlier timeframe also, aligning with our response to Question 6.

Question 10:

We see the use of PET and other like alternatives as being a viable solution in the medium term. Uptake of these alternative solutions would require greater investment in local recycling facilities and waste education. We embrace the sentiment of page 39 of the Consultation document of "more reusable or refilling alternatives to single-use plastics". Designing innovative use models will require investment and promotion. We consider an example of this to be dairy milk alternatives. Many students prefer to use milk alternatives. This is for both practical and environmental reasons. Firstly, soy milk can often be cheaper and lasts longer if unopened, and is also a good alternative for lactose-intolerant individuals. Additionally, many students have responded to the messaging that dairy-free alternatives such as oat milk are to be preferred for their environmental impact. However, the consistent use of hard to recycle Tetra Pak packaging around these milks complicates this environmental benefit, and is a source of confusion for students, with many people attempting to recycle Tetra Paks. This then contaminates waste streams. Providing better alternatives for this common product is something that should be given specific attention. There are also many other examples in this vein.

Question 11:

We fully support this proposal, but would encourage thinking in line with further and faster- the EU is banning oxo-degradable plastics by July 2021. This does not need to align with Stage 1 but



could align with a compressed Stage 1 timeline, as supported in our answer to Question 6. Again, we emphasise that plastic straws be fully exempted.

Question 12:

This analysis addresses key stakeholders. We would have liked to see a greater diversity of societal groups within the "Public", to include specific groups who may be affected in different ways from the general public. This could have included Māori, disabled people, and young people.

Question 13:

We would urge decision-makers to balance high levels of increased consultation with the real need to implement these measures with a degree of haste. We believe these could be balanced with effective consultation and increased resources to speed that process.

Question 14:

We would consider the benefit of "doing the right thing" to not be understated as impacting positively on the mental health of students, and others who feel burdened by the climate crisis. We would encourage decision-makers to consider the job and market opportunities of resource recovery centres and reuse initiatives.



Proposal 2

Overall, we support the majority of this proposal provided that the alternatives are made accessible to students with a lowered environmental cost than their predecessors. Instead of simply stating our endorsement of this proposal which it does largely have, we thought it more prudent to concentrate on where we believe the proposal is lacking.

Firstly, it is remarkable that given the wide-sweeping reforms this government would support, single-use coffee cups have somehow failed to be included. The issue is clearly not a fiscal one. Students (historically both limited in funds and consumers of coffee) tend to be greener than the rest of society by a significant margin, and have successfully addressed the issue through at least two methods. First the use of keep cups. Keep cups are reusable glass or ceramic cups of regular size that students across the nation already use to reduce waste when having coffee to take away. They are accepted by all cafes and coffee shops in urban settings and I see no reason that their use could not be nationalised, in the same way, that we now use Tupperware instead of disposable paper or plastic bags. It seems this transition would be even easier with a minimum of government support behind it. Second, through 'boomerang' schemes run by the cafes themselves. These involve the cafe providing a supply of reusable mugs that are returned after use or when the customer returns to refill their cup. Given both of these existing options and the others that could doubtless be thought up, we see no reason why single-use coffee cups should not be banned alongside the other products already listed for banning. Additionally, we would embrace the work of many zero waste organisations in this space, and urge the Government to rely on their educational tools and experience in phasing out coffee cups. This item should not be taken off the table.

Cigarette butts are poorly disposed of, unattractive and harmful to the environment. At a time where healthier and more environmentally conscious alternatives are becoming readily available (e.g. vaping), given the health implications of cigarettes and the fact that the government has traditionally taken an active stance against their use, it seems strange that they would not be



included among the other single-use items currently up for ban. VUWSA would support their inclusion on the ban list and does not understand why they are not already present.

It is the opinion of VUWSA that the issue of compliance should not present much difficulty at all. In July 2019 the Government banned the most ubiquitous plastic item- plastic bags. Whilst these had been until then an almost essential and commonplace household item, New Zealand business and households were able to adapt rapidly. Violations of the plastic bag ban could be reported to MfE and subsequently enforced. Given the apparent effectiveness of this approach, we perceive no major issues of compliance arising from the adoption of either of the two proposals. We would consider that compliance can be enhanced through collaboration with stakeholders and zero-waste organisations, and through focusing on doing the "right thing", rather than prioritising short -term economic interests.

In conclusion, we welcome these proposals and celebrate the potential positive impact they could have. The Consultation document is ambitious and comprehensive, and we urge that this not be watered down in the process of implementation. These reforms are critical in shifting to a low carbon future, and we want to see them implemented sooner rather than later.

File No: Document No: Enquiries to: Valerie Bianchi

25 November 2020



Private Bag 3038 Waikato Mail Centre Hamilton 3240, NZ

waikatoregion.govt.nz 0800 800 401

Ministry for the Environment PO Box 10362 WELLINGTON 6143

Email: Plastics.Consultation@mfe.govt.nz

Dear Sir/Madam

TA Waste Liaison Group Submission to Reducing the impact of plastic on our environment

Thank you for the opportunity to submit on the proposed Reducing the impact of plastic on our environment. Please find attached the Waikato and Bay of Plenty Waste Liaison Group (the TA Waste Liaison Group's) staff submission regarding these documents.

Should you have any queries regarding the content of this document please contact Valerie Bianchi, Education Projects Advisor, Education Team directly on (07) 859 0515 or by email Valerie.bianchi@waikatoregion.govt.nz.

Regards,

Valerie Bianchi Education Projects Advisor Waikato Regional Council

 HE TAIAO MAURIORA
 HEALTHY ENVIRONMENT

 HE ÕHANGA PAKARI
 STRONG ECONOMY

 HE HAPORI HIHIRI
 VIBRANT COMMUNITIES

Submission from the TA Waste Liaison Group on the Reducing the impact of plastic on our environment

Summary

- 1. We appreciate the opportunity to make a submission on the **Reducing the impact of plastic on** our environment.
- 2. We support the work MfE is doing in transitioning New Zealand toward a circular economy. The Ministry for the Environment's waste work programme has signalled progress towards waste minimisation and transition to a circular economy. The TA Waste Liaison Group continues to support this work.
- 3. We agree that we must put mechanisms in place to support moving up the waste hierarchy to focus on reuse systems that do not create waste in the first instance. Recycling is one step above landfill and focus should be on enabling actions higher up the hierarchy that incentivise waste prevention.
- 4. Overall, we recommend:
 - The greatest change in waste prevention will be derived from a transition to a circular economy model including priority for locally based reuse systems;
 - That to see the benefit of a plastic ban, a blended approach should be used including:
 - Phasing out problem plastics
 - Putting mechanisms in place to ensure one single use item is not being replaced with

 a) another single use item that is equally as problematic; or b) another single use item,
 deemed to be more "environmentally friendly" but lack adequate regulation and
 infrastructure;
 - Introducing improved recycling labelling and eliminating confusing packaging claims such as "biodegradable" and "compostable";
 - Standardising recycling;
 - Mandating recycled content;
 - Supporting the design out of hard to recycle packaging (coloured plastics, nonrecyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches);
 - A system change is required to shift financial and other responsibility of waste disposal from ratepayers and councils to producers, which will incentivise redesigning products for reuse;
 - Mandatory economic instruments, such as deposit refund or product stewardship schemes (for plastics, aluminium and glass), will encourage circular business practices for problem waste items;
 - National strategies should support waste prevention, including infrastructure to support reuse, repair, repurposing before recycling;
 - Comprehensive data should be collected to drive and monitor progress; and
 - additional levy funding should be dedicated to behaviour change/education, programming, monitoring, enforcement; as well as for other infrastructure that will support transition to the circular economy.
- 5. We look forward to future consultation processes to incorporate the proposed amendments into relevant statutes and would welcome the opportunity to comment on any issues explored during their development.

Submitter details

Waikato Regional Council Private Bag 3038 Waikato Mail Centre Hamilton 3240

Contact person:

Valerie Bianchi Education Projects Advisor, Education Team Email: Valerie.bianchi@waikatoregion.govt.nz Phone: (07) 859 0515

Introduction

Established in 1992, the purpose of the Waikato & Bay of Plenty Waste Liaison Group (now referred to as the TA Waste Liaison Group) was originally to provide a forum for local government from the Waikato and Bay of Plenty regions to come together. Since being established, the TA Waste Liaison Group has been expanded to include councils beyond the two regions. This includes members from Gisborne, Ruapehu, Taranaki, New Plymouth and South Taranaki. The primary focus of the group is to discuss shared waste minimisation objectives and achieve waste minimisation, recycling and better management of solid waste through the sharing of information and experiences between local government officers, and to coordinate activities between councils and external organisations where appropriate. The TA Waste Liaison group comes together in recognition that there is great opportunity between the regions of the North Island to prevent waste and minimise the environmental and social harm from waste through partnership.

The objective of this group is, in part, to advocate, prepare recommendations and submissions that reflect the collective agreement of the Waste Liaison Group regarding significant waste minimisation, management and recycling issues.

Contributors to this submission include:

Brent Aitken (Asset Manager Solid waste & Stormwater, Taupo District Council)
Emily Jasmine (Waste Minimisation Educator, Ruapehu District Council)
Ilze Kruis (Resource Recovery & Waste Team Leader, Western Bay of Plenty District Council)
Louisa Palmer (Solid Waste Officer, Matamata-Piako District Council)
Nigel Clarke (Manger Solid Waste, Whakatane District Council)
Parva Zareie (Manager - Waste Minimisation, Waitomo District Council)
Pat Cronin (Waste Minimisation and Resource Recovery, Waikato District Council)
Phil Burt (Infrastructure and Maintenance Operations Manager, South Waikato District Council)
Renee Wentzel (Project Manager, Hauraki District Council)
Ronnie Tuiavii (Shared Services Eastern Waikato Councils)
Sally Fraser (Waste Minimisation Officer, Waipa District Council)
Valerie Bianchi (Education Projects Advisor, Waikato Regional Council)

Commentary

The overarching objective guiding our submission is to support actions which transition us to a circular economy where our current systems and products are redesigned to prevent waste. We see the discussion

around regulating low quality plastics as a step towards preventing waste in the first instance and encourage operating a mentality where the end of life is considered in the design phase. We have raised the call to phase out problem plastics in previous submissions, so are elated to see that Government is initiating this work. The world is watching Aotearoa in terms of our Covid-19 response, showing that even as a small country we can be world leaders. We should utilise our kaitiaki culture as an example of how other nations can establish a circular economy for our people and Papatūānuku.

Under the current linear model, local government, and as a result the ratepayer, pays the bill of a linear system. As LGNZ has noted, many product producers claim recyclability when processing is only possible through reliance on rate and taxpayer funded infrastructure¹. This system negatively effects ratepayers now, as well as passing the cost of mitigation and emergency response on to a generation that did not create the waste, as is the case in the Fox River disaster. Therefore, we raise that many underlying problems stem from the wider economic and regulatory system through which these and other materials flow. Considering these systemic problems is useful when determining regulatory responses, such as the present proposal.

We call for a broader framing of the problem which will require more than a ban. The present proposal should be part of comprehensive Government policy targeting reliance on both single-use products in general and on virgin plastic resin. This would include specific regulatory, policy and investment initiatives to create a reuse culture. Secondly, it would also include legislation to increase the quality of recycling, including appropriate collection methodologies, mandatory minimum recycled content legislation and a cap and levy on virgin plastic.

Consultation questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

The TA Waste Liaison Group agrees the current state of plastic production and usage has severe negative cultural, social, economic, and environmental implications. The document includes an overview of the pervasive and penetrating nature of plastics which are causing harm to our natural resources, including in the marine environment and in air, as well as killing taonga seabird species, and moving up the food chain into human consumption. We also highlight there is emerging research on microplastics in soil which Ministry and local government will be required to address soon.

There are additional issues which should be noted. Firstly, there is a culture of dependence (economic and social) on the convenience of single-use items. Our continued reliance on single use products will perpetuate resource extraction, pollution and climate implications. This poses a risk to the successful implementation of a plastic ban as banned products may be replaced by another single use item that is: single use, hard to recycle or process and/or has a higher carbon footprint.

We also add the price of virgin plastic can create an economic barrier to utilising recycled resin and product design flaws (coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches) make recycling unviable in many cases.

Finally, the carbon footprint of plastic has significant implications for climate change at every stage of life, from fossil fuel extraction to importing, manufacturing as disposal. For example, plastic refining is noted as one of the highest greenhouse gas creating industries².

2. Have we identified the correct objectives? If not, why?

¹ <u>'Hidden story' of industrial-sized plastic bladders going to landfills | Stuff.co.nz</u>

² https://talking-trash.com/chapter/executive-summary/

Yes, however we think there should be three main objectives:

- 1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy.
- 2. Minimise the environmental impact of single use items which are littered and make their way into our oceans and streams.
- 3. Reduce the current level of contamination in kerbside recycling

The following list expands on the three main objectives rather than being secondary objectives.

- lower risk of environmental damage including through litter and poor resource management
- decreasing the risk of wildlife consuming plastic and plastic entering our food chain
- less PVC contamination in the high value PET recycling stream, ensuring PET can be recycled rather than sent to landfill
- fewer unrecyclable plastics in our recycling stream such as plastic cutlery and plates etc leading to lower contamination
- less contamination of plastic in both home and commercial composting
- increasing the uptake of high-value packaging materials including PET, HDPE (2) and PP (5)
- improving the recyclability of plastic packaging
- reducing public confusion and making it easier for New Zealanders to recycle right
- reducing carbon emissions associated with the manufacture, distribution and disposal of single use plastic items.

3. Do you agree that these are the correct options to consider? If not, why?

Yes, however we believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. For example, an approach that combines the proposed bans with levies/fees, ecolabelling, measurable targets, depositreturn, take back schemes, and community engagement. We also support the use of additional regulations such as mandatory minimum levels of recycled content to ensure that we do in fact recycle all the 'easier-to-recycle' plastics still permitted after the proposed bans. The EU Directive on Single-Use Plastics, and the plastics and packaging and single-use plastics chapters of the recently released Irish National Waste Policy, provide useful examples of blended approaches.

In addition to the options listed, we would support including additional measures to support the uptake and scale of reuse, e.g.

- mandatory targets for reuse/refill on specified items
- deposit return systems for takeaway serviceware
- mandating reusables in dine-in settings (as done through phase 3 of the Berkley Single Use Foodware and Litter Reduction Ordinance³)
- levies on targeted single-use items
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for cleanup and disposal of items not proposed for a ban, but are still problematic, such as cigarette butts, takeaway packaging, wet wipes and disposable nappies. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA.

³https://www.cityofberkeley.info/Public_Works/Zero_Waste/Berkeley_Single_Use_Foodware_and_Litter_Reducti on_Ordinance.aspx

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No. We think that separate tables, weighting and criteria should be used to evaluate pvc and polystyrene; oxo-degradable plastic and single use plastics as these product categories are distinct from each other and there are different issues with each of them.

There should be a criterion around technical feasibility. Currently there isn't rpvc or rpolystyrene on the market so mandatory recycled content is technically not feasible. Whereas there are labelling schemes such as the Australasian Recycling Label, so this option is technically feasible.

We also think that there should be criteria around willingness of the public to embrace the change and readiness of business – what shifts have businesses already made in this space - not to eliminate changes but to help prioritise those to work on first.

Note with regards to the criteria the alignment of strategic direction this should also include legislation such as the Zero Carbon Act

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

We support a mandatory phase-out, however we caution that supporting legislation needs to be put in place to ensure packaging is not migrated to other problematic single use or unregulated materials, such as plastics number 7s or other products that would require their own collection such as "compostable" products. To achieve the objective, set out in question 2, further mechanisms need to be put in place to ensure perverse outcomes are not seen. In conjunction with supportive legislation and restrictions, we also call for mandatory labelling requirements and regulation on product claims such as "biodegradable", "natural", "green", "sustainable" and "eco" which are confusing to consumers.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Overall, we are very supportive of the move to ban unrecyclable packaging in conjunction with actions and legislation that are designed with the waste heirarchy in mind. We thus are supportive of a two phase roll out under the timeframes suggested as long as this can be acheived without perverse outcomes. This means incentivising reusables and ensuring PVC and polystyrene are not replaced with materials that have bad or worse end of life options. As discussed, we need to consider reusability and recyclability in order to ensure that measures to reduce PVC/PS/EPS packaging don't lead to an increase in packaging coded as plastic #7 or compostable packaging where there is no infrastructure in place to collect, transport and process it. Finally, it is also important to have a carbon footprint lens to ensure where possible alternatives use less resources in production, transport etc.

Secondly, we acknowledge both food safety and shelf life need to be considered. We need to balance the desire to reduce use of hard-to-recycle plastics with the potential for inferior packaging choices leading to increased food loss and waste. Given that approximately one-third of all food produced for human consumption globally is already lost across the supply chain it is critical not to increase this. One way to address these problems is to support locally based food systems designed to increase community resilience while reducing food packaging and transport costs/emissions.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Yes.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phaseout (eg, not just food and beverage and EPS packaging)? Please explain your answer.

PVC and PS/EPS are used for packaging for medications and to ensure products are kept at suitable temperatures for transportation. It may be possible that exemptions might be needed for medical use if suitable alternatives are not available.

We recommends that more research is undertaken to determine whether there are suitable replacements for these materials and to investigate where reusable or refillable options may be possible. We recommend that the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

We believe that there would be the following benefits:

Environmental

- There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- There will be less contamination in council recycling streams which means more products can be effectively recycled
- It will encourage the transition away from non-renewable oil-based products which are resource heavy in their production
- It will reduce waste sent to landfill which poses environmetnal hazards for future generations

Social

- It will be easier for people to understand what plastics can be recycled
- There will be amenity improvements due to less litter in the environment.
- There is opportunity for product innovation in alignment with a circular economy model, creating meaningful participation in solutions
- It will speak to the public's concerns about plastic pollution and make it easier to "do the right thing"

Economic

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs.
- If combined with improved labelling, ease of communication about what plastics you can and can't recycle, saving TAs time and money for communications and advertising services.
- Cleaner, higher value recycling streams, assuming materials are swapped out for domestically recyclable plastics 1, 2 & 5.
- Increasing the viability of domestic recycling opportunities for 1, 2 & 5s due to higher volumes and increased quality.
- There will be lower collection and disposal costs for litter collection.

- Businesses that produce products for export may gain a competitive advantage by using more recyclable packaging
- It would create a level playing field for all businesses which would provide certainty and fairness.
- With many of the alternatives fibre or wood based there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

We believe that there would be the following costs:

- Potential for higher environmental costs depending on new packaging choices. We believe that
 this is the greatest risk. A ban on PVC/PS/EPS could end up with these materials being replaced
 with something as bad or worse from an environmental/waste perspective e.g. a composite
 material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home
 compostable and also unlikely to reach a commercial composting facility which is able to
 process it. There is a risk of creating yet another contaminant in kerbside recycling or in
 commercial composting processes, or at best the use of additional materials whose only option
 is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but
 ensure the transition to PET/ HDPE/ PP_
- Industry will need to develop new processes and alter production lines to accommodate different packaging materials.
- Higher cost of alternative material types for packaging, especially for takeaway containers. While a significant % increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ and Colmar Brunton has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by the long lead-in time.
- Inferior-quality packaging could result in increased food loss and waste.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Given the complexities involved in determining which plastics are used in food packaging, ranging from ensuring plastics are food safe, to offering physical protection and providing adequate oxygen and moisture barriers where required, this is a very technical and specialised area and so not a question that Territorial Authorities are necessarily best placed to answer.

Alternatives are already available for some food and beverage packaging items e.g. PVC meat or biscuit trays where PET is proven to be effective as a packaging material, acceptable in kerbside recycling and with a domestic market for reprocessing (Flight Plastics).

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes, degradable plastics of all types should be phased out. This includes both oxo degradable and photo degradable plastics. We need to ensure that these will be replaced with a quality product and not another problem product. This is why it will be essential when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break more quickly down into microplastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and the deceptive nature of the advertising for many of these products. Many of these products imply that they are greener and more environmentally than conventional plastic.

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

NA

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes, although if the proposed ban contributes to the transition to a circular economy we see high benefit to local government and the public as waste avoided will reduce ratepayer cost, will alleviate stress over pollution and enable people to "do the right thing".

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

The additional costs and benefits will result from the associated mechanisms that are put in place with the phase out. If the replacement for targeted plastics are other unregulated plastics and single use items, we will continue to have environmental and economic costs associated with a linear system. We support mechanisms to migrate to reusable options and that encourage locally based circular economy solutions that no not create waste in the first instance.

Other measures which could assist would be standardising kerbside recycling and introducing compulsory labelling for recyclability and compostability. To avoid getting into a similar position we have created with plastics, we need regulation around compostable products to ensure the end product will not pose harm to the environment or shift the burden on to other resources. In addition, the Ministry of the Environment needs to assist industry to develop the appropriate processing and collection infrastructure whether that be through funding or designating compostable packaging a priority product. Alternatively, a clear signal is needed that compostable packaging is a not an appropriate alternative to PVC and EPS.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

Many campaigns place the onus of plastic pollution and landfill use on the individual/ratepayer, while producers have not been held accountable for the pollution their products generate. Regulation and banning certain products are part of a broader system change which will further enable both ratepayers and businesses toward a circular system, including:

- extended producer responsibility
- locally based resource recovery reflecting the community and geography (different solutions for different densities of population)
- standardisation where appropriate (national recycling standards)

- accurate and clear labelling restrictions on "green" claims
- education to empower consumers
- actions that support shifting culture toward reuse and a service economy

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

• Please specify any items you would leave out or add, and explain why.

There are numerous specific items that should be banned or regulated, including:

Coloured plastics

Dyed and pigmented plastics have a lower market value as there are limitations on what they can be recycled in to. Clear plastics are preferred by recyclers, followed by white plastics. Coloured plastics should be banned in order to enhance the recyclability of plastics.

Drink sleeves

Drink sleeves and wraps should be phased out as they contaminate and complicate recycling⁴. Drink sleeves and wraps pose issues for recyclers as they disguise the underlying plastic material type and create difficulty for optical and manual sorters. Some bottle wraps have instructions for removal, but it is not realistic to expect consumers to do this.

Cigarette butts

Cigarette butts account for 78% of all litter items found in Aotearoa NZ⁵. All-natural food grade fibre cigarette butts are available on the market⁶. At a minimum, suggestions made in the Rethinking Plastics report⁷ to change the culture and infrastructure around butt littering should be actioned.

Glitter

Plastic based glitter is made of PET⁸ and would be impossible to collect for reprocessing. This is a form of microplastic that is entering into our environment. For example, glitter has been found to break down in wastewater treatment plants⁹.

Tea bags

Premium nylon or PET tea bags have been found to leak billions of plastic particles¹⁰. Many paper-based tea bags contain thermoplastics such as PP or PLA. These products are confusing to consumers as they would assume these are plastic free and safe to compost. Tea bags should be regulated for plastic alongside fruit stickers to improve the quality of composting systems. At a minimum, mandatory labelling should be put in place so consumers can make an informed choice.

Glossy and receipt paper

Glossy mailer paper, receipts and parking ticker paper are all recycling contaminants that are significant for TAs trying to increase the quality of recycling. These products should be further investigated to see if

⁴ Drink sleeves and wraps should be phased out as they contaminate and complicate recycling.

⁵ https://www.knzb.org.nz/wp-content/uploads/2020/04/KNZB-NLA-report-Online_020420.pdf

⁶ https://www.green-butts.com/faq

⁷ https://www.pmcsa.ac.nz/2019/11/06/reducing-cigarette-butt-litter/

⁸ https://www.massey.ac.nz/massey/about-massey/news/article.cfm?mnarticle_uuid=620D35A0-8897-46B0-9317-367CE309555F

⁹ https://onehealth.org.nz/wp-content/uploads/2019/01/Pantos-OHA-2018.pdf

¹⁰ https://pubs.acs.org/doi/abs/10.1021/acs.est.9b02540

phasing out is a viable option or in the case of advertising mail, that households need to "opt in" to receive mailers.

Kitchen scrubs and sponges

Kitchen scrubs and sponges release microplastics into the wastewater system with each wash. Viable plastic free alternatives are already on the market.

Textiles

Rayon, Polyurethane (Lycra), Nylon and Polyester fibres can all be found in wastewater treatment effluent from simply washing clothing¹¹. In Europe it was found that 35% of primary microplastics were from laundering clothes¹². It is feasibly unlikely to ban these products. However, other regulation can reduce the impact that these products have. The first step is through redesigning the products themselves. Textile manufactures should be incentivised to design fabrics that shed less through a producer responsibility scheme. Secondly, washing machines need to be designed to reduce emissions of fibers to the environment.

Fishing gear

The United National Environment Programme estimates that between 600,000-800,000 metric tonnes of ghost gear is lost in the marine ecosystem every year. In New Zealand, commercial fishing nets cause significant environmental harm and are a threat to endangered and nationally significant species such as the yellow-eyed penguin and Maui dolphin. Seabirds, such as the Northern Royal Albatross, gather pieces of netting to make nests and can then become entangled. Similar to clothing, it is unlikely that fishing gear will be banned, however, these products should be part of a producer responsibility scheme.

Chewing gum containing plastic

Most large branded chewing gum contains plastic and causes up to 100,000 tonnes of plastic pollution globally every year¹³.

Complementary plastic toys on children's magazines and with fast food.

Plastic lollipop sticks and wrappers: These present a similar hazard to plastic cotton buds and can easily be replaced by cardboard sticks.

Single-serve pottles, sachets & containers for condiments and toiletries

For example, soy fish, pottles with peelable plastic lids for jam, butter and other condiments, sachets of sauces, condiments, sugar and toiletries. One of the items commonly picked up by volunteers cleaning up after the Fox River landfill disaster were single-use sachets from the accommodation and hospitality providers in this popular tourist destination. Some hotels are already voluntarily phasing out these single-serve items. These types of products have been earmarked for banning by the Irish Government in their recently released National Waste Policy (p.33).

Coffee pods containing plastic

Single-serve coffee pods made of any material are hard-to-recycle because each pod contains coffee grinds that must be removed before recycling is possible. We would support a phase-out of all single-use

13 https://www.sciencefocus.com/science/what-is-in-chewing-gum/

¹¹ https://onehealth.org.nz/wp-content/uploads/2019/01/Pantos-OHA-2018.pdf

¹² https://www.europarl.europa.eu/news/en/headlines/society/20181116STO19217/microplastics-sourceseffects-and-solutions

coffee pods (reusable pods exist), but for the purposes of this consultation we call for those containing plastic to be included in this mandatory phase-out list.

Balloons and balloon sticks¹⁴

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Whether a piece of cutlery or a drink cup is single use or reusable isn't always clear cut. Microns were used as the differentiating measure for the plastic bag ban to distinguish between reusable or single use bags. Single use can be subjective so further clarity is needed for the definitions of single use plastic tableware and cutlery and single use plastic cups and lids.

For clarity we would encourage all the definitions to include the terms plastic including both degradable and biodegradable plastics.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Plastics New Zealand has noted that many businesses import these products in bulk and often have inventory sufficient for a number of years. However the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling. Wellington City Council estimates the costs of dealing with contamination in recycling at \$300,000 per annum. Therefore the TAO Forum is supportive of a ban being implemented as early as possible to reduce the impact on the environment and the financial burden of councils whilst ensuring that the financial impact on businesses is mitigated. The TAO Forum is supportive of a well signalled phase out within two years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

The waste caused by New Zealand's coffee drinking culture and the associated costs are significant. The Rethinking Rubbish and Recycling research found that 1,288 tonnes of single use cups are disposed of via councils household kerbside rubbish collections with a further 851 tonnes contaminating household recycling bins. 1.24 million coffee cups used per annum in New Plymouth (as a conservative estimate), and it costs \$230,000 to dispose of these cups per annum. Therefore, the aim should be to move up the waste hierarchy, supporting systems that reduce the number of single use cups used. This requires systematic change and incentives that establish a dominant culture of avoidance or reuse.

Reusable cups

If more people use reusable cups there will be savings for businesses and less waste and therefore less burden on territorial authorities who bear the cost of a linear system. In alignment with the waste hierarchy, the focus should be on reuse rather than recycling or disposal for both waste and carbon reduction. In its simplest form, the best option to address coffee cups is through incentivising reusables. We support investment into reuse systems such as cup-lending schemes, but recognise that this type of scheme acts primarily as a backup for the personal choice consumers make to bring their own cups. Therefore, supporting the creation of a 'bring your own cup' norm should be the focus area. There are

¹⁴ Wilcox, C., Mallos, N. J., Leonard, G. H., Rodriguez, A., & Hardesty, B. D. (2016). Using expert elicitation to estimate the impacts of plastic pollution on marine wildlife. Marine Policy, 65, 107-114; Gilmour, M. E., & Lavers, J. L. (2020). Latex balloons do not degrade uniformly in freshwater, marine and composting environments. Journal of Hazardous Materials, 123629;

Mellish, S., Pearson, E. L., McLeod, E. M., Tuckey, M. R., & Ryan, J. C. (2019). What goes up must come down: an evaluation of a zoo conservation-education program for balloon litter on visitor understanding, attitudes, and behaviour. Journal of Sustainable Tourism, 27(9), 1393-1415.

also community-led approaches such as cup libraries which could be supported, for example by providing 'how-to's' and health and safety guidelines as an educational package to guide the hospitality sector.

Single use cups

In New Zealand coffee cups contaminate kerbside recycling and in the case of compostables, New Zealand lacks both the collection infrastructure and sufficient composting facilities with the resource consent to accept them. There are also issues raised with the proposed 100% cardboard cup mentioned in the consultation. For these to be accepted in kerbside, unanimous acceptance would need to be procured from the recycling industry otherwise these will be another contaminant. We note that single-use cups are not considered in the upcoming mandatory product stewardship scheme for beverage containers, although they do meet the criteria in the potential scope. We suggest that inclusion in this scheme should also be investigated when identifying the most effective method to reduce/eliminate use of these items.

One way to stimulate reuse is through strategic use of taxation. A 2019 study¹⁵ showed that people are inclined to use a reusable coffee cup if they see other people doing this or if they are charged extra for a disposable cup. This aligns with the theory of loss aversion in which people experience the negative feeling of a loss more strongly than a positive sense of a gain, even if it is the same size. This means that cafes voluntarily giving a discount for a reusable cup is not as effective in changing behaviour as putting a levy on a disposable cup. To incentivise reuse most effectively, Ireland has committed to introducing a \pounds .25 tax on coffee cups in 2021 and the Californian city of Berkeley has already put a "latte levy" in place. This tax could be potentially used to fund the collection infrastructure required for single use cups to be collected and composted.

The main barrier for composting facilities to be able to process compostable cups is the commercial requirement to product organically certified compost. Products containing compostable plastics cannot be processed at these facilities. For single use cups to become part of the circular economy all cups on the market would need to be made from the same material as the cost involved in sorting compostable from non-compostable products would be prohibitive. The material used would need to be certified compostable and the cup would need to be fibre based with no plastic films or additives.

Overall, the TA Waste Liaison Group recommends:

- promoting reusable cups and cup loan schemes in the first instance;
- a ban on coffee cups with plastic linings of any type;
- or in place of a ban, a levy on disposable coffee cups and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.
- Standardisation of any single use cups available on the market (addressing composability and contamination issues)
- Mandatory reusables for dine-in customers
- Well-publicised disposable cup-free zones (e.g. university campuses & Govt buildings, museums and galleries, coasts and national parks)

Wet wipes

Wet wipes are a significant issue for TAs, who spend thousands of dollars undoing blockages in wastewater systems. For example, Gisborne District Council estimate wet wipes are costing roughly \$100,000 per year due to complications they cause for the wastewater network's operation and maintenance costs. In addition to that, GDC estimate a spend of about \$43,500 pa for disposal at their wastewater treatment plant due to wet wipes, which would be set to rise under the new waste levy increases. South Taranaki District Council spends approximately \$20,000 annually unblocking pipes due

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https://www.researchgate.net/publication/334850791_Coffee_on_The_Run_Cultural_and_Institutional_Factors_in_Waste_Behaviors

to wet wipes. Wet wipes are another case of local government and thus rate payers footing the bill for industry's poor product design choices.

Reusable wipes

In alignment with the waste hierarchy, we see the best option to promote reusable wipes as a simple return to squares of cloth. It is noted that building acceptance of reusable wipes as an alternative to wet wipes connects closely to the promotion of reusable nappies –trialling alternative approaches in the early childhood sector is the type of activity which could be considered. Developing a culture of reusable wipes poses a potential use for unwanted textiles, contributing to a circular solution.

It is important to recognise the access to time and washing facilities required for reusable wipes may present a barrier for some. Disposable wipes are flushed because consumers are reluctant to place smelly used wipes in the trash. The only fibre item which can be flushed is toilet paper, and for this reason education around replacing wipes with moistened toilet paper could be considered.

Single use regulation and action

In conjunction with promoting a reusable option or an option that can be flushed (toilet paper), we support requirements and action which will help consumers make an informed choice. Wet wipes resemble tissues and lack any mandatory plastic content disclosure, which is confusing to consumers. We call for a requirement to state the content of plastic in wipes so that the consumer is aware they contain plastic.

Ideally, industry would be required to transition away from plastic based wipes through a mandatory phase out. This should include products that are currently toted as biodegradable as they do not break down in a timely enough manner to avoid blockages. We support mandatory prominent labelling 'do not flush' messaging for all wipes regardless of plastic content. It is also worth noting that research has identified that placing a 'please don't flush wipes' message close to public toilets has proved effective, and campaigns such as this to create new social norms should be considered¹⁶. In conjunction with educating around reusable options, Ministry should continue to support behaviour change around flushing wipes.

Finally, there are other products entering the wastewater system which are also responsible for nonbiodegradable items introducing plastic and causing blockages. These include sanitary products (the average pad can contain up to 90% plastic, and there is a significant amount in most tampon products as well), facial tissues and kitchen paper which often contain bonding agents – this can slow their break down and add to the blockage problem as well as introducing more chemicals to the wastewater system. We therefore call for funded behaviour change campaigns that can raise awareness of these issues and promote alternatives and subsidies for reusable products for low income communities.¹⁷

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

NA

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We support the goal of transitioning to reusable products as part of a circular economy, including a phase out of problematic single use items. We are cognisant of pressures on the sector, however, note that

¹⁶ https://www.citysmart.com.au/news/wet-wipes-dont-flush-that/

¹⁷ https://www.theecosociety.co.nz/blogs/journal/united-sustainable-sisters

there are greater pressures on our environment that cannot be ignored. We advise working with industry on these issues over the timeframes noted below.

Coffee cups

Much of the work around coffee cups should centre on education and behaviour so that single use phase out can be effective. We support a gradual phase out of single use cups over the course of five years.

Wetwipes

The key outcome is that these products should not be flushed, but it is likely there will still be a market for this product, based on transitioning to lower carbon and lower environmental impact materials. Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from areas such as single use packaging to reusable resources. We support a transition time of three years for a wet wipe ban due to the issues these pose and the urgency with which we should address them.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

We agree with all the benefits listed but there are also additional benefits. The benefits are environmental, social and economic.

Environmental

- 1. It will encourage the use of reusable options
- 2. There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains. It will also reduce the amount of plastic in compost and therefore in soil.
- 3. It will encourage the transition away from non-renewable oil-based products
- 4. Many of these items are imported from overseas so it would reduce carbon emissions

Social

- 1. It will support new social norms for reuse and foster a culture of reuse and recycling, rather than landfilling single use items.
- 2. There will be amenity improvements due to less litter in the environment.
- 3. There could be new job creation as we migrate to a circular economy.

Economic

- 1. There will be less contamination in recycling services resulting in lower sorting and disposal costs.
- 2. There will be significantly less contamination in organic waste collections, particularly if single use produce bags and non-compostable fruit stickers were banned resulting in lower sorting costs and the ability to make a higher grade of compost.
- 3. There will be lower collection and disposal costs for litter collection.
- 4. Businesses that manufacture, import and supply reusable items would benefit.
- 5. Some businesses would save money by no longer supplying these items to their customers e.g. single use produce bags
- 6. It would create a level playing field for all businesses would provide certainty and fairness.
- 7. There would be economies of scale for alternatives which would help to lower costs and drive innovation.
- 8. With many of the alternatives fibre or wood based there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

We agree with the costs listed but note that most of these single use items are currently imported from overseas rather than made in New Zealand so the cost of complying with this ban is likely to be less significant than the ban on PVC and polystyrene packaging.

23. How should the proposals in this document be monitored for compliance?

We recommend that the proposals be monitored for compliance but also evaluated to see whether the aims of the legislation be achieved.

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors. At its simplest form this could be a hotline where members of the public can email if they see a business selling a non-compliant product. This was used when the plastic bag ban was introduced with 375 alleged breaches of the ban reported in the first six months.¹⁸ Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging e.g. sushi stores; \$2 shops for example.

Many councils and businesses undertake waste audits so asking these organisations to keep aside any branded examples of banned packaging so that businesses could be followed up is also an option.

It is also important to see if the legislation has achieved its desired aim. We have identified three main aims.

1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy. Both supermarket chains have completed inventories of the types of plastic packaging in their brands. Funding a repeat of these audits after the ban has been implemented would determine to what extent the amount of hard to recycle plastics had been reduced.

2. Minimise the environmental impact of single use items which are littered and make their way into our oceans and streams. Monitoring the amount and type of litter in the environment to see whether the rate at which these products have been littered has decreased.

3. Reduce the current level of contamination in kerbside recycling

If Flight Plastic is able to accept PET trays a larger number of councils that would also be a clear indication that the legislation had achieved its aim to reducing contamination in recycling. Council waste audits would also provide evidence that contamination had decreased. The Rethinking Rubbish and Recycling Project has benchmarked contamination and use of plastics and this audit could be repeated once the ban is in place with future MfE funding support.

Any evaluation could also include changes in public attitudes towards plastic products, packaging, litter and the general acceptance of these policies.

¹⁸ <u>https://www.newshub.co.nz/home/politics/2019/12/almost-400-alleged-breaches-of-plastic-bag-ban-but-no-prosecutions.html</u>

To the Ministry for the Environment

Submission by Waimakariri District Council

In the matter of the Reducing the impact of plastic on our environment: moving away from hard-to-recycle and single-use items consultation document

> 3 November 2020 Person for Contact: Geoff Meadows, Policy Manager



SHW-23 / 201001130899
Introduction

The Waimakariri District Council (WDC) considered the *Reducing the impact of plastic on our environment* consultation document at a Council briefing session on 13 October 2020, and approved this submission to the discussion document at a Council meeting on 3 November 2020.

WDC acknowledges the ongoing and complementary work programmes being undertaken by the Government to tackle a burgeoning waste and waste plastic problem including single-use plastic bags, the six priority products (including plastic wrapping) and raising the landfill levy. WDC also recognises efforts being made in transitioning the country's waste management system within a circular economy.

This Council supports action being taken to address the problems associated with single-use plastics, particularly with regard to plastic products labelled or described as 'biodegradable' or 'compostable'. As many of the claims for degradability amount to little more than greenwash, we welcome the proposal to phase out (most of) these items until such time genuine (aqueous) degradable and <u>household</u> compostable items are available.

WDC also suggests the Government give consideration to align with European Union directive 2019/904 which requires member states to extend producer responsibility, noting the increasing momentum internationally toward measures that target single-use plastic items. This helps increase producer responsibility through product stewardship, and create economic incentives for the use of recyclable plastics. We anticipate that this will also reduce public confusion and make it easier for Waimakariri communities to make good recycling choices.

In general, the Council remains in support of regulatory intervention to support mandatory phase-out of hard-to-recycle and single-use plastic products utilising provisions within the *Waste Minimisation Act 2008* (WMA). WDC supports the use of Section 23(1)(b) for making further regulations to *control or prohibit the manufacture or sale of products that contain specified materials* as was used to phase out single-use plastic shopping bags in 2018.

Consultation Document - Questions

1. Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes. The Council agrees with the description that reducing hard-to-recycle plastic packaging and single- use plastic items in the environment presents significant challenges within the waste management system.

2. Have we identified the correct objectives? If not, why?

Yes. The Council agrees the correct objectives have been identified. It is vital that the impact on WDC's recycling system and environment from no. 3, no. 4 and no. 7 plastic streams are reduced. With investment in education programmes, e.g. for littering, this will aid the freeing up of resources for other waste management priorities in the District.

3. Do you agree that these are the correct options to consider? If not, why?

The Council agrees these are the correct options. WDC notes the mention of a project to codesign a container return scheme (CRS), p. 9. This initiative being introduced is supported whereby behaviour of recycling and refilling of containers in WDC's communities can be induced to become the new norm.

The refilling of containers appears to work very well in the alcohol industry (e.g. via neighbourhood filleries), especially for beer products. By extension, there is no reason to believe that the scheme won't succeed for a much wider range of products, once hygiene and other protocols are sorted out.

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

Yes. The Council agrees that effectiveness (triple weighting), cost (double weighting), alignment with strategic direction, achievability are the correct criteria (and weightings) to evaluate the eight listed options.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

The Council agrees that Option 6, mandatory phasing out of the identified problem plastic streams, is the correct option. It is only through applying stringent controls on plastics that any change can be made to the import and use of problem plastics, as has been proven through the ban on single use plastic shopping bags.

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Yes. The Council agrees this is the right approach, using Section 23 of the WMA to control and gradually prohibit PVC and polystyrene packaging.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

The Council agrees that the right packaging items have been identified.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Not in the case of PVC. PVC is extensively used by the building and construction industry and is mostly utilised in places where it remains largely inert and has a long-life cycle. This should not hinder on-going investigation into substitute products within the building and construction industry.

The Council has concerns about the environmental effects from lack of correct management of polystyrene foam on active building sites, the long-term environmental effects of the use of polystyrene in the construction industry, and the end of life disposal options for polystyrene.

The Council would support either including polystyrene in stage 2 of the phase-out, or a signal that this would be further investigated to identify substitute products for expanded polystyrene foam within the building and construction industry.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

The largest proportion of the benefits would be experienced by the environment. This Council will also welcome much less potential for contamination at the kerbside and in the waste stream. There are also lower costs for a Council like ours in diverting materials from landfill and increasing the lifetime of the Canterbury region's prime landfill site at Kate Valley.

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

There currently are viable and higher-value alternatives to most current no. 4 and no. 5 hard-to-recycle plastic products.

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

The Council supports the mandatory phase-out of all oxo-degradable plastics and makes reference to the Parliamentary Commissioner for the Environment's 2018 report 'Biodegradable and compostable plastics in the environment' where it is noted that oxo-degradable plastics typically result in a large number of micro-fragments or micro-plastic pieces and the concern that oxo-degradable plastics may be contributing to micro-plastic pollution in the marine environment.

WDC also concurs with the PCE observation that:

'The evidence suggests that oxo-degradable plastic is not suitable for any form of composting or anaerobic digestion and will not meet the current standards for packaging recoverable through composting in the European Union.'

12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A.

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

While the analysis in Table 6 notes local government may incur costs from changing communications about kerbside recycling, we don't believe this will be negligible. WDC is already actively managing the phase out of targeted plastics through its kerbside recycling operations, however, we will have to work more closely in this case with its communities to promote reusable alternatives and make the transition successful.

In WDC's experience, there needs to be increased funding to allow this council to undertake 'new' public education campaigns. What is being proposed in this consultation is not an insignificant step.

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

As described in Q 13, the move away from targeted plastics may not be as 'low cost' as suggested. In this Council's experience with change proposals like this, there will likely be the need to run more intensive investigations or audits to ensure compliance – actions which bear increased costs.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

While WDC only takes no. 1, no. 2 and no. 5 plastics at the kerbside, additional resourcing from the government dedicated to public and business education would be welcome to reinforce (in an increasingly 'busy' waste management landscape) messaging around other recent waste management approaches including elimination of single use plastic bags and addressing priority products (which includes plastic wrapping).

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

The Council would like to see Tetra Pak (both aseptic and gable top types) long-life product containers also considered for phase-out. These are problematic in the waste stream as these containers are not typically composed of single constituents. They often contain at least two layers of polyethylene, paper and (if it's aseptic) a layer of aluminium. Aseptic varieties also often come with an attached (plastic) straw.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

The Council considers these definitions are appropriate.

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

a) 12 months?
b) 18 months?
c) 2 years?
d) 3 years?
e) Other?

If you think some items may need different timeframes, please specify.

The Council considers 12 months is appropriate for single-use plastic bags, cotton buds, drink stirrers and straws as alternatives are readily available for these items.

For non-compostable produce stickers, a longer 18-month timeframe is appropriate as more investigation is likely required to find either alternative stickers or to develop alternative marketing approaches.

WDC believes <u>three</u> years is appropriate for single-use plastic cups and lids to allow time for suitable substitutes to be found or approaches to be developed.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

As the public gets used to the plastic paradigm shift in place since the removal of single use plastic bags, anecdotally it is observed that increasing numbers of people are taking their own bags to supermarkets. By extension, given time it is reasonable to expect that people will increasingly begin to carry with them (or have close at hand, say in their car) reusable glass or plastic coffee cups - or be offered a recyclable cup by the vendor whose purchase surcharge is then refundable.

Wet wipes are a more difficult proposition because their use is so widespread. WDC suggests that further analysis be done around reusable cloths vis-à-vis undertaking a life cycle assessment comparing them with both plastic based and non-plastic based wet wipes.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

N/A.

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

See the response to Q18 with regard to coffee cups. There are no particular comments to make regarding substitutes for wet wipes.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

The Council has commented on costs in its response to Q13

23. How should the proposals in this document be monitored for compliance?

Additional resources for local government would very likely be required, and costs incurred to ensure compliance with the proposed measures.



WasteMINZ Product Stewardship Sector Group: Submission on ban on single use plastic items and PVC and polystyrene food and beverage packaging 2020

About WasteMINZ

WasteMINZ is the largest representative body of the waste and resource recovery sector in New Zealand. Formed in 1989 it is a membership-based organisation with over 1,000 members – from small operators through to councils and large companies.

We seek to achieve ongoing and positive development of our industry through strengthening relationships, facilitating collaboration, knowledge sharing and championing the implementation of best practice standards.

About the Product Stewardship Sector Group

The Product Stewardship Sector Group was established in 2018 to advance the member priorities established through this research, primarily advancing mandatory schemes for the priority products announced by the Minister in July 2020.

This submission was written by a working group of Product Stewardship Sector Group members: a manufacturer, a recycler, a sustainable packaging consultant and a community organisation.

Question 1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

Yes we agree. These plastics cause problems for recyclers as well as for the environment. Single-use plastic items can be convenient to use, but the impact of them at their end of life far outweighs their convenience.

Other design issues make recyclable plastics harder to recycle such as PVC shrink wrapped labels that cover more than 2/3 of the packaging.

Creating a demand for plastics can enable them to be more easily recycled. Creating such a demand would need to go alongside the development of the redesign of products to be reused or refilled, as well as alongside a business case for like-for-like recycling of plastics 2 and 5, and potentially for coloured PET. Amber coloured PET is sometimes used by manufacturers to protect a product from light. At the moment, coloured PET is most likely being landfilled. However, product stewardship for coloured PET could potentially enable the collection and recycling of amber coloured PET and ensure it can be recycled back into the same coloured PET product.

Sometimes packaging made of easy to recycle plastics like PET or HDPE have fixings, such as pumps for janitorial products, which are not easily recycled. The Government could investigate the options for these to be collected in kerbside recycling receptacles *in the future*, so long as they are made from the same plastics as the container and do not include metal springs. In Australia the small piece of plastic that cannot be recycled with the container and rest of the pump is sorted out at the chipping part of the process. If this is not an option for Materials Recovery Facilities (as is currently the case) other collection options should be encouraged such as drop off points at Mrfs and Transfer Stations.

Question 2. Have we identified the correct objectives? If not, why?

Yes.

Question 3. Do you agree that these are the correct options to consider? If not, why

We agree with the options considered and would also like to see a greater range of policy options that emphasise measures that target the top of the waste hierarchy such as re-use and refill and mandatory recyclability and compostability labelling.

Question 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

More weight should be given to how well each option aligns with strategic direction. This would ensure that the highest ranking outcomes are higher up the waste hierarchy e.g. reduction and reuse solutions. We would also support criteria that assesses how well an option protects against unintended outcomes (such as for example, a switch to even harder to recycle plastics rather than those that are easy to recycle).

The alignment of strategic direction should also include legislation such as the Zero Carbon Act.

Question 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes, a mandatory phase-out sends a clear signal to manufacturers about expectations for packaging fast moving consumer goods and creates an even playing field.

Our reservations would be that a 'ban only' approach can sometimes lead to the swapping of one single-use material for another. Therefore, alongside the phase out approach we would recommend mandatory recyclability and compostability labelling and investigation into the feasibility of food grade wash plants so that plastics 2 and 5 can be recycled onshore back into food grade packaging. If food grade wash facilities for plastics 2 and 5 were established then procurement policies that reward a shift to using packaging made from these onshore recycled polymers would encourage a transition to a circular economy and make harder to recycle packaging a less desirable option.

Educating the public and gaining support through the labelling system needs to be done in conjunction with mandatory labelling.

Question 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Question 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

We think the phase out of PVC packaging should apply to all consumer facing packaging not just food and beverage (i.e packaging used for hardware goods etc).

Question8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Yes, the scope should be all consumer PVC packaging (not limited to food and beverage) to be phased out as alternatives exist for all applications.

EPS packaging used for medical purposes should not be phased out as we believe it is useful for insulation, keeping organs cool for transplants and can be recycled onshore.

We would like to see regulated product stewardship used to address the environmental impact of EPS used in non-packaging applications, such as in the construction industry (along with the polyethylene wrap used around buildings when they are being painted or renovated) or for fillers in products like beanbags.

We also think there should be a penalty (such as a fine) for anyone found releasing EPS beads or otherwise into the environment during storage, transportation or recycling process (whether intentionally or unintentionally). This could include someone taking a load of rubbish on a trailer to landfill and accidentally releasing polystyrene packaging or beads along the way.

Question 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Post-consumer PVC needs to be sent offshore for recycling. As this is becoming an increasingly rare practice, in reality it is often landfilled. Whether used for food and beverage packaging or other types of packaging it is a contaminant in the recycling stream as it is easily mistaken for PET and can ruin a batch of PET recycling. Phasing it out for all packaging applications will assist in the ongoing drive to provide high quality recycling materials to onshore reprocessors.

EPS, which becomes litter in the environment, creates lasting damage to our soil, waterways and marine environment. Phasing out EPS for all consumer packaging would therefore better protect ecosystems than limiting the phase-out to food and beverage packaging only.

A small quantity of higher quality EPS is being collected for recycling - and is reprocessed either overseas or onshore into insulation. However, due to the harmful properties of plastic in the environment, we would support it being replaced as a packaging material.

Hard polystyrene (6) packaging cannot be recycled as there is no market for it. Phasing it out as a packaging material in all contexts would allow for its replacement with a recyclable material, or ideally a reusable packaging option, which would shift us closer to a circular economy.

Question 10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Yes. We fully support the vision on P40 of "more reusable or refilling alternatives to single-use plastics. There is an opportunity for New Zealand to rethink the use of some plastic packaging altogether, and to design innovative reuse models." We also support the statement that "packaging with recycled content is preferable to new plastic (where feasible)".

We would like to see additional policy to explicitly support the scale and uptake of reusable alternatives, mandatory recycled content and sustainable product design where designing out waste is top priority.

There are alternatives to these materials and if no one is able to use them then it provides an even playing field where one company does not benefit from the cheaper price of these materials over another company who uses more sustainable packaging.

Question 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

We think the phase out should be sooner (January 2022) as this type of plastic serves no benefit and the advertising and labelling of them causes confusion through false claims that they are better for the environment than traditional plastics. This phase out should include any plastic with any type of pro-degradant, e.g. those labelled photo degradant (which can include paper made from rock that includes HDPE and a degradant), oxo-biodegradable and degradable in landfill etc.

Question 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

NA

Question 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

We would think it would be of high benefit (not medium) to councils not just medium as they are responsible for reducing household waste to landfill. It will also be of high benefit (not medium) to the public as it will reduce confusion.

Question 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer

As above – higher benefit to councils.

One benefit currently missing is the opportunity for businesses and community enterprises to develop reuse schemes and reusable packaging systems to replace the targeted plastics. This would have a positive job creation impact, as well as reducing waste. Preliminary studies indicate that reuse systems produce far more jobs than systems based on disposal or recycling.¹

The growth of reuse schemes and shifting social norms will also lead to a reduction in other singleuse packaging (not just targeted plastic), which will further reduce costs for local authorities and ratepayers.

Question 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

If it was easier to refill a range of everyday essentials at supermarkets rather than needing to go to specialty shops to do so. Pharmacies could also include cosmetic refill options – a lot of cosmetics come in hard to recycle packaging, eg creams, foundations, all come in packaging that is often hard to clean for recycling.

¹ https://www.epa.gov/sites/production/files/2017-05/documents/final_2016_rei_report.pdf

However, phasing out these difficult to recycle plastics would definitely make it easier to recycle, as would mandatory labelling. Government policy designed to incentivise retailers and businesses to opt for reusable and refillable packaging options would help to level the playing field between single-use and reuse and therefore lead to more accessible and affordable reuse and refill options in more mainstream locations.

The standardisation of materials collected at kerbside recycling collections would also send a signal to manufacturers and producers about which packaging types are best to use for recyclability, and this in turn would help the public move away from hard-to-recycle packaging and use higher value materials.

Question 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add, and explain why.

It's a great start and we think it should also include lollipop sticks made from plastic. These present a similar hazard to plastic cotton buds and can easily be replaced by cardboard sticks.

It is not clear if plastic produce bags over 70 microns would be able to be used. No plastic produce bags would be the preference.

We would also like to see future work investigated around small packets of condiments (ie tomato sauce, soy sauce, spreads, butter) and toiletries in hotels. The Fox River incident highlighted the pervasiveness of these and the environmental impact if they are released from a landfill or don't make it into one in the first place.

Would there be some criteria for what makes plastic tableware reusable? As a potential danger could be that people remarket their disposable plastic tableware (that doesn't last very long, is not designed for more than single use) as reusable.

Single-use disposable coffee cups and their lids should also be included in the proposed phase-out list as the proposed timeframe for implementation could stretch as far as 2025. A single-use coffee cup ban can certainly be achieved within that timeframe as businesses and consumers will have plenty of preparatory time to transition to reusable alternatives.

Question 17. Do the proposed definitions in table 7 make sense? If not, what would you change?

It needs to be clear that this includes all biodegradable / degradable plastics that are not certified compostable.

We also suggest altering the proposed definition to include paper bowls and containers with plastic or wax linings (similar to the plastic cups and lids definition).

We also suggest that single-use plastic produce bags include plastic net bags that fruit and vegetables are commonly pre-packed into (which as far as we know cannot be included in the soft plastic collection bins).

We also query whether lids for disposable cups made of plastics 1, 2 and 5 are included within the scope of the exemptions? We propose they not be exempt from a ban as their size effectively makes them 'hard-to-recycle' items in most kerbside systems that rely on automated MRFs for sorting. Furthermore, they are detachable so can easily be lost to the environment.

Question 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where

possible. a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.

It might depend on how much is in stock. It might be preferred that all remaining stock is used up before phaseout so that unused items doesn't just go straight to landfill? Unless a takeback scheme is offered for unused stock?

Some items could potentially be phased out sooner than 2025 such as drink stirrers, for example.

Question 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

In some areas small cafes without ability to have a commercial dishwasher can only sell coffee in disposable cups. This is to do with local government bylaws. However, work could be done to make it difficult to sell coffee if reusable / washable cups are not an option, along with a sinking lid policy on licenses for cafes and eateries without washing facilities. Moving to no single use coffee cups for coffee unless they are plastic free (including planted based plastics) *and* are home and industrially compostable certified could be an option. Alternative ways of tackling the issue of single use coffee cups could include:

- Mandatory reusables for dine-in customers
- Updating food safety legislation to require outlets to accept clean BYO cups.
- A levy on disposable coffee cups and or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.
- Inclusion of disposable coffee cups in the proposed mandatory phase-out list as this will stimulate solutions.

Local community engagement and collaborative solutions are more impactful in terms of creating lasting behaviour change than high level national education. A good example is SUC Free Wānaka's flaxroot campaign. Funding support to NGOs and community groups already working to educate and engage on the ground would be the most efficient way to invest in behaviour change.

Wet wipes

Wet wipes are a significant issue for councils, who spend thousands of dollars undoing blockages in wastewater systems.

We support investment in community engagement around reusable alternatives and the problems associated with wet wipes and **compulsory labelling requirements** to inform users of how to dispose of them correctly and to **prohibit use of the word "flushable**" on the product packaging (these labelling requirements should be mandated through regulation under s 23(1)(f) of the WMA).

Before a ban is phased in, we would also **support fees being attached to wet wipes to cover the clean-up costs** (which can be considerable when they block pipes and form fatbergs).

Question 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

Question 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Coffee cups

With formal Government support for reuse systems and community engagement, we believe individual towns can meet their goal of being single-use cup (SUC) free by 2022. Replicating the successes of those towns could lead to a SUC free Aotearoa by 2025.

Wet wipes

We would support transitioning from wet wipes containing plastic to those not containing plastic (and that will not block sewers and form 'fat bergs') as soon as practicable.

Question 22. Have we identified the right costs and benefits of a mandatory phase-out of singleuse plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

As well as the recognition of the potential cost savings for retailers if more reusables are used, and the cost savings for the wider community from reduced waste and litter, we believe there are additional benefits. For example, the opportunity for businesses and communities to develop reuse schemes and reusable alternative products to replace the items that have been phased out.

Reuse schemes reduce waste, costs for local government and ratepayers, and create more jobs than recycling or landfilling packaging. These jobs are also dispersed across the country, which meets provincial development goals.

Question23. How should the proposals in this document be monitored for compliance?

The community will assist in monitoring if they are able to report breaches of the mandatory phaseout to MFE, similar to the plastic bag ban. A hotline could be set up to report breaches – however, the public needs to be sure that these complaints are followed up and businesses fined if found to be in breach. Reporting breaches would deter other businesses from making similar breaches.

In light of the wide scope of this particular phase-out proposal and the breadth of actors in our economy and within our communities who are likely to be affected, we support MfE creating a compliance, monitoring and enforcement strategy. We also believe that appointment of enforcement officers under s 76 would be appropriate in this case.

Manufacturers, retailers, importers etc could be required to publish their plastic "footprint" by eg end of 2021 with a roll out plan to showing how they plan to reduce this and minimise unintended consequences by replacing with alternatives.

WasteMINZ TAO Forum: Submission on ban on single use plastic items and pvc and polystyrene food and beverage packaging 2020

About WasteMINZ

WasteMINZ is the largest representative body of the waste and resource recovery sector in New Zealand. Formed in 1989 it is a membership-based organisation with over 1,000 members – from small operators through to councils and large companies.

We seek to achieve ongoing and positive development of our industry through strengthening relationships, facilitating collaboration, knowledge sharing and championing the implementation of best practice standards.

WasteMINZ Territorial Authorities Officers Forum (TAO Forum)

The TAO Forum is a WasteMINZ sector group. The vision of the forum is to facilitate a clear and cohesive voice for the local government sector in relation to waste issues in order to influence and shape the future direction of the waste industry.

This is achieved by advocacy on behalf of the local government sector, leading strategic thinking on the future of the waste industry and encouraging information and knowledge sharing.

The TAO Forum is overseen by an elected Steering Committee consisting of the following council officers.

- Andre Erasmus Kawerau District Council
- Angela Atkins Hastings District Council
- Donna Peterson Invercargill City Council
- Eilidh Hilson Christchurch City Council
- Jennifer Elliot Wellington City Council
- Kimberley Hope New Plymouth District Council
- Kirsty Quickfall Hamilton City Council
- Parul Sood Auckland Council
- Sophie Mander Queenstown Lakes District Council

The steering committee is a representative mix of councils from throughout New Zealand, including small to large councils representing:

- North Island
- South Island
- City
- District
- Unitary

1. Do you agree with the description in this document of the problems with hard-torecycle plastic packaging and single-use plastic items? If not, why?

The TAO Forum agrees with the description but think a broader framing of the problem would allow for wider issues to be considered and tackled, which will likely require more than a simple ban. Firstly, there is a culture of dependence (economic and social) on the convenience of singleuse plastics. Secondly, we note the following issues which could be a barrier to the objectives outlined below:

- The price of virgin plastic can create an economic barrier to utilising recycled resin
- Product design, such as the use of coloured plastics, non-recyclable labels, tear off tamper wraps, multipack composite products and soft plastic pouches, can still limit a product's recyclability

The present proposal should be part of a comprehensive Government policy targeting reliance on both single-use products in general and on virgin plastic resin. This could include specific regulations and investment to disincentivise single-use and create a reuse culture.

Finally, overreliance on offshore markets increases our carbon footprint through importing fossil-fuelled plastic resin or manufactured plastic products. There is a need to develop zero or low-carbon alternatives where single-use is necessary and encourage onshore manufacture where possible.

2. Have we identified the correct objectives? If not, why?

Yes, however, we think there should be three main objectives

- 1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to material management and reflect the waste hierarchy.
- 2. Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams.
- 3. Reduce the current level of contamination in kerbside recycling

The following list expands on the three main objectives rather than being secondary objectives.

- lower risk of environmental damage including through litter and poor resource management
- decreasing the risk of wildlife consuming plastic and plastic entering into our food chain
- less PVC contamination in our recycling stream, so high-value materials like PET can be recycled rather than sent to landfill
- fewer unrecyclable plastics in our recycling stream such as plastic cutlery plates etc leading to lower contamination

- less contamination of plastic in both home and commercial composting
- increasing the uptake of high-value packaging materials including PET (1), HDPE (2) and PP (5)
- improving the recyclability of plastic packaging
- reducing public confusion and making it easier for New Zealanders to recycle right
- reducing carbon emissions associated with the manufacture, distribution and disposal of single-use plastic items.

3. Do you agree that these are the correct options to consider? If not, why?

Yes, however, we believe these options could be blended to support a long-lasting and effective move away from reliance on all single-use items and to avoid unintended outcomes from a ban. We recommend an approach that combines the proposed bans with levies/fees, labelling, measurable targets, deposit-return, take back schemes, and community engagement. The EU Directive on Single-Use Plastics, and the plastics and packaging and single-use plastics chapters of the recently released Irish National Waste Policy, provide useful examples of blended approaches.

In addition to the options listed, we would support the consideration of additional measures to support the uptake and scale of reuse, e.g.

- mandatory targets for reuse/refill on specified items
- deposit return systems for takeaway service ware to ensure that they are in a recyclable condition (i.e., clean) and put in the correct recycling bins
- mandating reusables in dine-in settings (as done through phase 3 of the Berkley Single Use Food ware and Litter Reduction Ordinance)
- levies on targeted single-use items
- guidelines for the durability, repairability or modularity of products.

The Government could also consider the further option of applying fees to cover estimated costs for clean-up and disposal of items not proposed for a ban, but which are still problematic, such as cigarette butts, takeaway packaging and wet wipes. These types of fees to cover clean-up and disposal costs differ from a levy and should be possible under s 23(1)(d) of the WMA).

4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

No. The TAO Forum thinks that separate tables, weighting and criteria should be used to evaluate pvc and polystyrene; oxo-degradable plastics and single-use items as these product categories are distinct from each other and there are different issues with each of them.

There should be a criterion around technical feasibility. Currently, there isn't pvc or polystyrene on the market so mandatory recycled content is technically not feasible. Conversely, there are labelling schemes such as the Australasian Recycling Label, so the option of mandatory labelling requirements is technically feasible. The TAO Forum also thinks that there should be criteria around willingness of the public to embrace the change and readiness of business – what shifts have businesses already made in this space?

Note with regards to the criteria, the alignment of strategic direction should also include legislation such as the Zero Carbon Act.

5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why? Yes

6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Whilst the TAO Forum is very supportive of moves to ban unrecyclable packaging, there is a need to carefully consider what the viable packaging alternatives are. A ban on PVC/PS/EPS packaging could result in their replacement with packaging materials as bad, or worse, in terms of environmental effects.

Firstly, both food safety and shelf life need to be considered. We need to balance the desire to reduce use of hard-to-recycle plastics with the potential for inferior packaging choices leading to increased food loss and waste, given that approximately one-third of all food produced for human consumption globally is already lost across the supply chain.

Secondly, we need to consider recyclability and how to ensure that measures to reduce PVC/PS/EPS packaging don't lead to an increase in packaging coded as plastic #7 or compostable packaging where there is no infrastructure in place to process it.

Finally, it is also important to have a carbon footprint lens to ensure, where possible, that alternatives use less resources in production, transport etc.

Therefore, the TAO Forum is supportive of a ban for products where known recyclable alternatives are available e.g. products which can be made out of plastics #1, #2 and #5. However, the TAO Forum notes that there is a risk that products could move from plastics #3 and #6 and switch instead to equally unrecyclable plastics.

The TAO Forum is supportive of a ban in two stages. Stage 1 should only include those products where there are known recyclable alternatives available. In particular, banning pvc and polystyrene trays would ensure that valuable PET trays, which are currently being landfilled, can be sent to processors such as Flight Plastics for recycling and could prevent some councils from needing to purchase costly optical sorters. EPS containers (eg, clamshell takeaway containers) and EPS and polystyrene cups cause contamination in kerbside recycling and once again there are suitable alternatives on the market.

The TAO Forum thinks that more research needs to be undertaken to ensure that the proposed 2025 timeframe for Stage 2 is sufficient to ensure recyclable alternatives to pvc and polystyrene.

7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

A blanket ban may not necessarily be the most appropriate measure at this stage for PVC and PS rigid packaging. It may be better to focus on specific items within these packaging types where appropriate alternatives are readily available, particularly around supermarket food packaging and takeaway items that can easily be swapped out e.g. meat trays, sushi containers, and PS takeaway containers. This would place the focus on specific items that prevent the effective recycling of other recyclables e.g. pvc trays.

The TAO Forum notes that EPS packaging for homeware and whiteware can't be collected at kerbside due to its size, but can be collected through store takeback schemes. Plastic NZ has already begun work on voluntary product stewardship for pre-consumer eps packaging and several large retailers offer takeback schemes, but these aren't widely promoted.¹ Designating packaging for homeware and whiteware as a priority product and setting up a product stewardship scheme for this type of packaging to encourage industry-led innovation such as a redesign of packaging materials may also be a suitable option.

8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

PVC and PS/EPS are used for packaging for medications and to ensure food products are kept at suitable temperatures for transportation. It is possible that exemptions might be needed for medical use if suitable alternatives are not available. PVC is also used in the construction industry for a variety of materials. The TAO Forum recommends that more research is undertaken to determine whether there are suitable replacements for these materials and to investigate where reusable or refillable options may be possible. The TAO Forum recommends that the next funding round of the Waste Minimisation Fund encourages applications to undertake this research.

9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

The TAO Forum believes that there would be the following benefits

Environmental

- There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains.
- It will encourage the transition away from non-renewable oil-based products

Social

- There will be amenity improvements due to less litter in the environment.
- Reducing plastic waste in our environment contributes to improving the mauri of our environment.

¹ E.g. Harvey Norman

Economic

- Reduction in use of hard-to-recycle plastics, leading to less contamination at kerbside, and a reduction in hard-to-recycle plastics going to landfill. This will result in lower sorting and disposal costs.
- Cleaner, higher value recycling streams, assuming materials are swapped out for domestically recyclable plastics #1, #2 & #5.
- Increasing the viability of domestic recycling opportunities for #1, #2 & #5s due to higher volumes and increased quality.
- Businesses that produce products for export may gain a competitive advantage by using more recyclable packaging
- It would create a level playing field for all businesses which would provide certainty and fairness.
- With many of the alternatives being fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.

The TAO Forum believes that there would be the following costs:

- Industry will need to develop new processes and alter production lines to accommodate different packaging materials.
- Higher cost of alternative material types for packaging, especially for takeaway containers.
 While a significant % increase, this is a matter of cents per item. The cost is likely to be passed on to the consumer. Research by both WasteMINZ² and Colmar Brunton³ has shown a willingness by consumers to pay higher prices for more sustainable packaging choices.
- Large quantities of unused PVC/PS/EPS packaging going to landfill once the ban takes effect. This could be mitigated by a long lead-in time and liaison with recyclers as clean EPS is recyclable.
- Inferior-quality packaging could result in increased food loss and waste.
- Potential for higher environmental costs depending on new packaging choices.

The TAO Forum believes that the last point noted above is the greatest risk. A ban on PVC/PS/EPS could end up with these materials being replaced with something as bad or worse from an environmental/waste perspective e.g. a composite material whose only option is landfill, or a compostable plastic #7 which is unlikely to be home compostable and also unlikely to reach a commercial composting facility which is able to process it. There is a risk of creating yet another contaminant in kerbside recycling or in commercial composting processes, or at best the use of additional materials whose only option is landfill. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging but also ensure a simultaneous transition to PET/ HDPE/ PP.

² WasteMINZ Plastic Bag Charges and Beverage Container Deposits Study 2016

³ https://static.colmarbrunton.co.nz/wp-content/uploads/2019/05/Colmar-Brunton_Better-Futures-2020-Presentation.pdf

10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Given the complexities involved in determining which plastics are used in food packaging, ranging from ensuring plastics are food safe, to offering physical protection and providing adequate oxygen and moisture barriers where required, this is a very technical and specialised area and so is not a question that Territorial Authorities are necessarily best placed to answer.

Alternatives are already available for some food and beverage packaging items e.g. PET meat or biscuit trays where PET is proven to be effective as a packaging material, acceptable in kerbside recycling and with a domestic market for reprocessing (Flight Plastics).

There may not be practical replacements readily available for all PVC/PS/EPS food and drink packaging items, for example flexible PVC which is often used to package fresh pasta or ham, and PVC-related plastics which are used for barrier coatings.

Therefore, at this stage the TAO Forum believes that for the purposes of this consultation, in the short term, the scope must stay focused on single-use packaging where there are known viable alternatives and that further research and innovation may be needed for other packaging types

11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Partially

Yes, degradable plastics of all types should be phased out. This includes both oxo-degradable and photo-degradable plastics. The TAO Forum notes that it is important when defining this ban to ensure that the definition can cover the wide range of existing degradable products and any future degradable products.

Degradable products cannot be recycled or composted and are a contaminant to both industries. As they are designed to break down more quickly into microplastics when littered, they are a greater source of environment harm than conventional plastic. A shorter phase out period for these plastics is recommended due to both the harm they cause and also the deceptive nature of the advertising for many of these products. Many of these products imply that they are greener and more environmentally friendly than conventional plastic, see image below.

Due to the issues caused by these types of plastic and the deceptive nature of how some of these products are advertised, the TAO Forum believes they should be phased out over a shorter time period by January 2022.



12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

n/a

13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes, the TAO Forum agrees that correct costs and benefits have been identified

14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

As mentioned previously, the greatest risk is if a ban on PVC/PS/EPS ends up with these materials being replaced with something as bad or worse from an environmental perspective. This would increase the costs but also reduce the benefits of the ban. Consideration needs to be given as to how to not only ban PVC/PS/EPS packaging, but ensure the simultaneous transition to PET/ HDPE/ PP. Other measures which could assist would be standardising kerbside recycling and introducing compulsory labelling for recyclability and compostability. In terms of compostable packaging, the Ministry for the Environment needs to assist industry to develop the appropriate processing and collection infrastructure, whether that be through funding or designating compostable packaging a priority product. Alternatively, it could be clearly signalled that compostable packaging is not an appropriate alternative to PVC and EPS. The TAO Forum prefers this option.

15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

n/a

16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

The TAO Forum is supportive of a ban of all the items proposed in Table 7. In additional to causing issues when littered, none of these items are accepted for kerbside recycling but they contribute to contamination in recycling. A 2019 national waste audit⁴ found that an estimated 851 tonnes of paper cups⁵ are disposed of in kerbside recycling comprising 1.3% of all contamination. Soft plastics, which would include plastic produce bags, makes up 3,754 tonnes of contamination – 5.7%. Plastic straws and plastic cutlery were found in the top 20 most common types of contamination by frequency.

These items also cause contamination for those councils who offer food and green waste collection services and there is strong support for the proposed ban on plastic fruit stickers.

The TAO Forum notes the concerns raised by disability groups on the proposed ban on plastic straws, but also notes that Auckland District Health Board has moved to providing paper straws only in their hospitals without incident.

17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Whether a piece of cutlery or a drink cup is single-use or reusable isn't always clear cut. Microns were used as the differentiating measure for the plastic bag ban to distinguish between reusable or single-use bags. Single-use can be subjective, so further clarity is needed for the definitions of single-use plastic tableware and cutlery and single-use plastic cups and lids.

For clarity, we would encourage all the definitions to include the following description:

plastic including both degradable and biodegradable plastics.

⁴ Rethinking Rubbish and Recycling 2019 Sunshine Yates Consulting

⁵ Paper cups is defined as all cups made from fibre products, including single use soft drink cups, coffee cups, takeaway noodle bowls etc

18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible.

Plastics New Zealand has noted that many businesses import these products in bulk and often have inventory sufficient for a number of years. However, the longer these items remain in circulation the more likely they are to be littered or to contaminate recycling. Wellington City Council estimates the costs of dealing with contamination in recycling at c\$300,000 per annum. Therefore, the TAO Forum is supportive of a ban being implemented as early as possible to reduce the impact on the environment and the financial burden of councils whilst ensuring that the financial impact on businesses is mitigated. The TAO Forum is supportive of a well signalled phase out within two years or less.

19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Only 56% of councils support the decision not to ban coffee cups at this stage with 44% of councils in favour of a ban.

The waste caused by New Zealand's coffee drinking culture and the associated costs are significant. The Rethinking Rubbish and Recycling research found that 1,288 tonnes of single-use cups are disposed of via councils' household kerbside rubbish collections with a further 851 tonnes contaminating household recycling bins. In addition, there would be a significant number that are disposed of via public place and commercial collection systems. 1.24 million coffee cups are used per annum in New Plymouth (as a conservative estimate), and it costs \$230,000 to dispose of these cups per annum. Therefore, the aim should be to move up the waste hierarchy, supporting systems that reduce the number of single-use cups used. This requires systematic change and incentives that establish a dominant culture of avoidance or reuse.

Reusable cups

If more people use reusable cups, there will be savings for businesses and less waste and therefore less burden on territorial authorities who bear the cost of a linear system. In alignment with the waste hierarchy, the focus should be on reuse rather than recycling or disposal for both waste and carbon reduction. In its simplest form, the best option to address coffee cups is through incentivising reusables.

We support investment into reuse systems such as cup-lending schemes, but recognise that this type of scheme acts primarily as a backup for the personal choice consumers make to bring their own cups. Therefore, supporting the creation of a 'bring your own cup' norm should be the main focus. There are also community-led approaches such as cup libraries which could be supported, for example by providing 'how-tos' and health and safety guidelines as an educational package to guide the hospitality sector. Behaviour change programmes using tools such as prompts, and commitments should be built into the support for wider use of reusable cups.

Single-use cups

In New Zealand coffee cups contaminate kerbside recycling and in the case of compostable cups, New Zealand lacks both the collection infrastructure and sufficient composting facilities with the resource consent to accept them. We note that single-use cups are not considered in the upcoming mandatory product stewardship scheme for beverage containers, although they do meet the criteria in the potential scope. We suggest that inclusion in this scheme should also be investigated when identifying the most effective method to reduce/eliminate use of these items.

One way to stimulate reuse is through strategic use of taxation. A 2019 study showed that people are inclined to use a reusable coffee cup if they see other people doing this or if they are charged extra for a disposable cup. This aligns with the theory of loss aversion in which people experience the negative feeling of a loss more strongly than a positive sense of a gain, even if it's the same size. This means that cafes voluntarily giving a discount for a reusable cup is not as effective in changing behaviour as putting a levy on a disposable cup. To most effectively incentivise reuse, Ireland has committed to introducing a €.25 tax on coffee cups in 2021 and the Californian city of Berkeley has already put a "latte levy" in place. This tax could potentially be used to fund the infrastructure required for single-use cups to be collected and composted.

The main barrier for composting facilities to be able to process compostable cups is the commercial requirement to produce organically certified compost. Products containing compostable plastics cannot be processed at these facilities.

For single-use cups to become part of the circular economy through composting, all cups on the market would need to be made from the same material as the cost involved in sorting compostable from non-compostable products would be prohibitive. The material used would need to be certified compostable and the cup would need to be fibre based with no plastic films or additives. Notwithstanding, this does not resolve the issue of resource consumption and carbon emissions.

Overall, the TAO Forum recommends that a suite of actions is needed to tackle the prevalence of singe-use coffee cups.

- promoting reusable cups and cup loan schemes in the first instance
- investment to scale up re-use systems like Again and Again
- standardisation of any single-use cups available on the market (addressing composability and contamination issues)
- improved labelling requirements to make it clear whether a cup is compostable or not
- encouraging the development of well-publicised disposable cup-free zones (e.g. university campuses & government buildings, museums and galleries, coasts and national parks)
- a ban on coffee cups with plastic linings of any type; or in place of a ban, a levy on disposable coffee cups and/or producer fees under s 23(1)(d) to cover the estimated costs associated with disposal or clean-up.

Wet wipes

73% of councils would like to see wet wipes banned with only 26% of councils supportive of the decision not to ban them.

Wet wipes are a significant issue for TAs, who spend thousands of dollars undoing blockages in wastewater systems. For example, Gisborne District Council (GDC) estimate wet wipes are costing roughly \$100,000 per year due to complications they cause for the wastewater network's operation and maintenance costs. In addition to that, GDC estimate a spend of about \$43,500 p.a. for disposal costs at their wastewater treatment plant due to wet wipes, which would rise under the new waste

levy increases. South Taranaki District Council spends approximately \$20,000 annually unblocking pipes due to wet wipes.

The Watercare-operated Mangere Wastewater Treatment Plant screens out substantial volumes of single-use plastics and wet wipes on a daily basis. On average, the total single-use plastics component of the screenings are around 500 – 1600kg per day, or 350 – 600 tonnes per year. It is estimated that almost half of this quantity is wet wipes.

Wet wipes are another case of local government and thus rate payers footing the bill for industry's poor product design choices.

Reusable wipes

In alignment with the waste hierarchy, we see the best option being to promote reusable wipes as a simple return to squares of cloth. It is noted that building acceptance of reusable wipes as an alternative to wet wipes connects closely to the promotion of reusable nappies –trialling alternative approaches in the early childhood sector is the type of activity which could be considered. Developing a culture of reusable wipes may also provide a potential use for unwanted textiles, contributing to a circular solution.

It is important to recognise that time and access to the washing facilities required for reusable wipes may present a barrier for some. Considering the reasons why consumers choose to flush these products should also be part of any programme, for example disposable wipes may be flushed even when consumers are aware of the problem, because they are reluctant to place smelly used wipes in the rubbish.

Single-use regulation and action

In conjunction with promoting a reusable option, we support requirements and action which will help consumers make an informed choice. Wet wipes resemble tissues and lack any mandatory content disclosure, which is confusing to consumers. We call for a requirement to state the content in wipes so that the consumer is aware they contain plastic.

Ideally, industry would be required to transition away from plastic-based wipes through a mandatory phase out. This should also include products that are currently touted as biodegradable as they do not break down in a timely enough manner. This would avoid blockages and contribute to minimising plastic pollution of waterways and marine environments. We support mandatory prominent labelling 'do not flush' messaging for all wipes regardless of plastic content. It is also worth noting that research has identified that placing a 'please don't flush wipes' message close to public toilets has proved effective, and campaigns such as this to create new social norms should be considered . In conjunction with educating around reusable options, the Ministry should continue to support behaviour change around flushing wipes.

Finally, there are other non-biodegradable products entering the wastewater system which are also responsible for introducing plastic and causing blockages. These include sanitary products (the average pad can contain up to 90% plastic, and there is a significant amount in most tampon products as well). Facial tissues and kitchen paper often contain bonding agents – this can slow their breakdown and add to the blockage problem as well as introducing more chemicals to the wastewater system. We, therefore, call for funded behaviour change campaigns that can raise awareness of these issues and promote alternatives and subsidies for reusable products for low-income communities.

20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

n/a

21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

We support the goal of transitioning to reusable products as part of a circular economy, including a phase out of problematic single-use items. We are cognisant of pressures on the sector, however, we note that there are even greater pressures on our environment that cannot be ignored. We advise working with industry on these issues over the timeframes noted below.

Coffee cups

Much of the work around coffee cups should centre on education and behaviour so that single-use phase out can be effective. We support a gradual phase out of single-use cups which contain plastic linings or additives over the course of five years.

Wet wipes

Industry may have to take an innovative approach to how these products are made, not only in terms of materials, but in terms of moving away from single-use items to reusable resources. We support a transition time of three years for a wet wipe ban due to the issues these pose, in particular the blocking of wastewater pipes and the urgency with which we should address them. Our aim is to encourage industry to take an innovative approach to better solutions for this product by suggesting a shorter transition time.

22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

The TAO Forum agreed with all the benefits listed, but there are also additional benefits. The benefits are environmental, social and economic.

Environmental

- 1. It will encourage the use of reusable options.
- 2. There will be less plastic litter in the environment (streets, parks, streams, oceans) resulting in less harm to wildlife and fewer plastic particles within food chains. It will also reduce the amount of plastic in compost and therefore in soil.
- 3. It will encourage the transition away from non-renewable oil-based products which are responsible for carbon emissions from manufacture, freight and disposal.

Social

- 1. It will support the strengthening of social norms for reuse and foster a culture of reuse and recycling, rather than disposing of single-use items.
- 2. There will be amenity improvements due to less litter in the environment.
- 3. There could be the opportunity for new job creation or migration to circular jobs.

Economic

- 1. There will be less contamination in recycling services resulting in lower sorting and disposal costs.
- 2. There will be significantly less contamination in organic waste collections, particularly if single-use produce bags and non-compostable fruit stickers were banned resulting in lower sorting costs and the ability to make a higher grade of compost.
- 3. There will be lower collection and disposal costs for litter collection.
- 4. Businesses that manufacture, import and supply reusable items would benefit.
- 5. Some businesses would save money by no longer supplying these items to their customers e.g. single-use produce bags
- 6. It would create a level playing field for all businesses providing certainty and fairness.
- 7. There would be economies of scale for alternatives which would help to lower costs and drive innovation.
- 8. With many of the alternatives fibre or wood based, there may be an opportunity to produce more of these items on-shore in New Zealand using waste products from the timber industry.
- 9. Reuse options may eventually result in cost savings for consumers.

The TAO Forum agrees with the costs listed, but notes that most of these single-use items are currently imported from overseas rather than made in New Zealand so the cost of complying with this ban is likely to be less significant than the ban on pvc and polystyrene packaging.

23. How should the proposals in this document be monitored for compliance?

The TAO Forum recommends that the proposals be monitored for compliance, but also evaluated to see whether the aims of the legislation will be achieved.

It is important to monitor the level of compliance for target business sectors such as manufacturing, retail and hospitality sectors. At its simplest form, this could be a hotline where members of the public can email if they see a business selling a non-compliant product. This was used when the plastic bag ban was introduced with 375 alleged breaches of the ban reported in the first six months.⁶ Spot audits could also be undertaken in stores or businesses where compliance is likely to be more challenging e.g. sushi stores; \$2 shops for example.

Many councils and businesses undertake waste audits so asking these organisations to keep aside any branded examples of banned packaging so that businesses could be followed up is also an option.

It is also important to see if the legislation has achieved its desired aim. The TAO Forum identified three main aims and includes suggestions below as to how these could be evaluated.

1. Reduce the amount of hard-to-recycle plastic in use to enable a circular economy approach to waste management and reflect the waste hierarchy. Both supermarket chains have completed inventories of the types of plastic packaging in their brands. Funding a repeat of these audits after the ban has been implemented would determine to what extent the amount of hard-to-recycle plastics had been reduced.

⁶ <u>https://www.newshub.co.nz/home/politics/2019/12/almost-400-alleged-breaches-of-plastic-bag-ban-but-no-prosecutions.html</u>

2. Minimise the environmental impact of single-use items which are littered and make their way into our oceans and streams. Monitoring the amount and type of litter in the environment to see whether the rate at which these products have been littered has decreased.

3. Reduce the current level of contamination in kerbside recycling

If Flight Plastic is able to accept PET trays from a larger number of councils, that would also be a clear indication that the legislation had achieved its aim to reducing contamination in recycling. Council waste audits would also provide evidence that contamination had decreased. The Rethinking Rubbish and Recycling Project has benchmarked contamination and use of plastics and this audit could be repeated once the ban is in place.

Any evaluation could also include changes in public attitudes towards plastic products, packaging, litter and the general acceptance of these policies.

3 December 2020

Absolutely Positively Wellington City Council Me Heke Ki Pöneke

Plastics Consultation Ministry for the Environment PO Box 10362 WELLINGTON 6143

Via email: plastics.consultation@mfe.govt.nz

Wellington City Council Submission on phasing-out more single-use and hard-to-recycle plastic items

Wellington City Council (the Council) thanks you for the opportunity to provide feedback on the proposals to phasing-out more single-use and hard-to-recycle plastic items.

Through the Wellington Region Waste Management and Minimisation Plan 2017-2023, Wellington City Council, along with the seven other councils in the region, has committed to reducing waste to landfills by one third over the next seven years. To realise this objective, it will be necessary to utilise all available tools for waste minimisation.

As such, the Council has been a strong advocate for a clear central Government direction on achieving waste minimisation outcomes. In previous consultations we have supported recommendations for the declaration of priority products and establishment of stewardship schemes. In 2018, Wellington City Council was a key proponent of the Local Government New Zealand remit that sought regulated schemes specifically for tyres, e-waste, agri-chemicals and plastics. The Council also contributed significantly to the development of the Local Government Waste Manifesto, which further advocated for mandatory product stewardship for these waste streams. It is encouraging that central Government has taken these calls for action into account and is considering the timely enactment of the provisions for priority product declaration and product stewardship set out in the Waste Minimisation Act 2008 (WMA).

The Council also submitted on the first stage of consultation on the proposed priority products and priority product stewardship scheme guidelines. In that submission we raised a number of issues for further consideration, particularly regarding PVC and polystyrene. Regarding the matters raised in this consultation, the Council contributed to and supports the submission from the WasteMINZ TAO Forum. Please refer to that submission for detailed comments.

Should you have any queries regarding matters affecting the Council please contact Jennifer Elliott, Waste Minimisation Manager, directly on 021 542 738 or by email Jennifer.elliott@wcc.govt.nz

Yours sincerely,

Barbara McKerrow Chief Executive

Wellington City Council

PO Box 2199 Wellington 6140 New Zealand Phone +64 4 499 4444 Fax +64 4 801 3138 Wellington.govt.nz

Submission on MfE consultation document Reducing the impact of plastic on our environment Moving away from hard to recycle and single use items

Zero Waste Network Aotearoa New Zealand

Level 1, 26 Egmont Street Te Aro, Wellington 6011 Prepared by Sue Coutts <u>sue@zerowaste.co.nz</u> ^{s 9(2)(a)}

Members of the Zero Waste Network Aotearoa NZ have been working towards zero waste and a low waste, low carbon future since 1989. Our work is guided by the waste hierarchy which defines priorities for action. In simple terms it is good to recycle, better to reuse and best to reduce waste by designing it out of the system in the first place.

While recycling has been getting most of the attention lately, making a shift to a low waste, low carbon circular economy requires us to focus our energy and investment on reuse and reduction. Building a circular economy means using reuse systems and closed loop recycling to keep things in circulation for as long as possible and designing waste and pollution out of the economy all together.

Making the shift to a circular way of thinking is a work in progress for all of us. The proposals in this consultation are one piece of the puzzle. Across Aotearoa NZ our members are working hard to bring the circular economy to life in their communities. We welcome the support being shown by the Government as you step up to mark and take responsibility for establishing the regulatory framework our country needs to be effective in this space.

Iwi, hapu, whanau, industry, SMEs, local government and other organisations, communities, households and individuals are working together to shift to more circular operating models. The recent focus on Plastics shows increasing awareness of the problems being caused by our single use, disposable lifestyles. The myth of 'convenience' has been exposed as the environmental costs become more and more obvious. A clear and stable regulatory framework will underpin the work we are all doing and enable us to work across the supply and recovery chain to change the game.

Our members run community recovery centres across the country and engage in behaviour change work that shifts people, enterprises and communities to new ways of thinking, being and doing. The changes outlined in this proposal will support us in our work by eliminating some unnecessary plastics, reducing confusion and misinformation and making reuse and recycling systems more effective.

Thank you for the opportunity to contribute our thoughts to the process.

Question 1 Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

Yes

The consultation document gives a good overview of the current situation in relation to hard-to-recycle plastic packaging and single-use disposable plastic items. We agree with the points outlined in relation to understanding the problems with plastics, issues with design and recyclability and the issues associated with single use disposable plastic items.

We understand that this consultation relates specifically to plastic products. We are clear that the proposals to phase out hard to recycle plastics and some single use plastic items are one part of a comprehensive suite of actions that will enable New Zealand to transition to a low waste, low carbon circular economy.

We appreciate the commitment that has been made by the Government to allocate resources to this work programme to address the issues raised in the 2019 Rethinking Plastics report. Implementing these changes will bring us alongside our trading partners who are already moving in a similar direction. It will also help build a regulatory framework that enables business, communities and local government to work together to make the shift to more circular operating models.

We accept that over the last 70 years plastic has become embedded in modern life, and that it has qualities that make it useful to us. We think we should see plastics as a precious resource to be used for the highest and best end use rather than used to fuel a cheap single use, disposable culture.

We see four 4 obvious problems with the status quo.

- Plastic is escaping from the economy into our environment which causes long lasting damage to ecosystems, wildlife and humans.
- Supply chain is well developed and resourced but the recovery chain is not. Decisions made about supply of goods, products and packaging do not consider the recovery side of the equation.
- The cost of recovery chains and clean ups are not fairly allocated. Councils, communities and our environment are paying while those that benefited from the sale of the product contribute, at best, a token amount towards the recovery chain.
- Confusing claims are being made about plastics and recyclability. Wishcycling, lack of transparency about outcomes, greenwashing, design flaws, ineffective collection systems make it difficult to make good decisions about what packaging to put on the shelves and what to put into the recycling bin.

Question 2. Have we identified the correct objectives? If not, why?

Yes

We support the main and secondary policy objectives as outlined on p 31 in general. We suggest amending the main objective to read Significantly reduce the amount of hard to recycle plastic packaging and single use disposable plastic items in use in order to:

- Support the transition to reuse systems
- Make our resource recovery systems more effective
- Protect our environment

Add to secondary objectives list

• Increase recycled content and improve recyclability of plastic packaging

We think it is important to set the objective in the broader long term context of a shift to a circular economy. This requires:

- Designing out waste and pollution
- Keeping products and materials in use
- Regenerating natural systems.

The two proposals outlined in the consultation document form one piece of the puzzle in the Government's response to the 2019 Rethinking Plastics report. Which in turn is a small part of the work being done by the Government to create the regulatory framework we need to make a just transition to a low carbon, low waste circular economy. This regulatory framework will create a supportive operating environment for enterprises and organisations, communities, households and local government as they work together to make the transition.

These proposals are a step in the right direction. They design out waste and pollution by eliminating problem plastics like PVC packaging, polystyrene food and beverage containers and unnecessary single use disposable plastic items like cotton buds. Taking them out of the system will help protect our environment and regenerate natural systems.

Making the shift to a circular economy for plastics means keeping materials in circulation for as long as possible. To do this we need to:

- 1. Shift to reusable solutions wherever possible
- 2. Move to closed loop recycling options for materials like PET, HDPE and PP
- 3. Phase out products that cannot be effectively recycled or reused.

These proposals have the potential to keep products and materials in use if the right drivers are in place to grow reuse systems and increase recycled content. Phasing out hard to recycle plastics and some single use plastic items will only enable this shift if users move to reusable or closed loop recycling alternatives. Benefits won't be maximised if users just switch from one type of single use

disposable item to another. For example shifting from polystyrene packaging for consumer goods to expanded foam LDPE which is not recyclable.

Question 3. Do you agree that the options listed for shifting away from hard to-recycle and single-use plastics are the correct options to consider? If not, why?

Yes

Phasing out hard to recycle packaging and some single use disposable items is just one piece of the puzzle. This needs to be supported by a comprehensive package of measures that support the development of reuse systems and effective closed loop recycling systems.

Useful examples of work being done in this space in other jurisdictions include the EU directive on single use plastics and the Irish National Waste Policy.

Question 4. Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why? Yes

We support aligning with strategic direction to design waste and pollution out of our economy and keeping materials in circulation for as long as possible by developing effective reuse systems and closed loop recycling. We think this should be higher weighting than the cost of the transition from old liner models to more circular ones. Cost of transition from one model to another is a constant in business and happens in all industries.

We acknowledge that plastic fuels a sector of the economy and changes will create winners and losers. This is the way of the world. Economies morph and change over time and fortunes are made and lost. We need to use public value as the lens we focus through to consider the impacts of the changes we make in the shift to a low waste, low carbon economy. Government needs to consider net cost and benefit across society and our environment rather than focusing on the winners and losers at the short term micro level.

In relation to cost, the status quo often has a significant cost. It is not clear how this has been taken into account in the assessment. Eg contamination of PET recyclables with PVC can mean materials don't meet market specifications and can't be sold. The collection, sorting and baling costs can't be offset against material sales. If this was taken into account the positive cost implications of the change may offset the cost of implementing the solution especially over time.

Question 5. Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes

A phase out is the best option for the materials and products on the current list. We support the assessment of options and the description of what this would achieve on pp35-36

We consider there are practical alternatives, either materials or systems, to materials and products on the current list. The benefits to society, our environment and impetus to support our transition from a wasteful linear economy to a low carbon, low waste circular economy outweigh the costs. These changes are in line with those being made by our training partners around the globe.

The phase outs are consistent with the WMA 2008 as they serve its purpose: reduce waste in order to protect the environment from harm and to generate social, environmental, cultural and economic benefits. They also support a long term shift towards resource efficiency and a circular economy which will make our economy more productive.

The phase outs also come in behind the packaging industry to support their efforts in relation to the New Plastics Economy Global Commitment, manifest in NZ as the New Zealand Plastic Packaging Declaration. The industry has been working since the first NZ Packaging Accord in 1996 to increase the sustainability of packaging.

However despite it's best efforts over the last 25 years the problems associated with single use disposable packaging have increased steadily as outlined in the recent reports by the PM Chief Science Advisor in Rethinking Plastics 2019 and the Royal Society in Plastics in the Environment 2019. It would appear that the industry needs all the help it can get to resolve the issues plastics, when unwisely used, have created for people and our environment.

Voluntary measures have been ineffective in tackling these issues and we welcome the Government stepping up to create a comprehensive regulatory framework that will help resolve the problems and set us on a more circular path. We support the Government using all the tools they have available to address these issues.

Question 6. Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

Yes

We note that the dates for regulation to come into force state 'no later than', we would like to see progress on this made as soon as possible

Stage 1 by Jan 2023

We agree with the concept of removing the PVC #3 and polystyrene #6 containers described from the system because in many cases the extra layer of packaging is unnecessary, reusable alternatives are available for takeaways and PVC packaging contaminates PET streams.

Theoretically compostable alternatives eg cardboard boxes, paper wraps around burgers or sandwiches are available but the method for harvesting these may need to be developed. Composting is not available on a comprehensive scale yet.

Consolidating the types of plastic used for any particular application makes it more likely that it will be able to be recycled. Eg Clear LDPE #4 film can be recycled. It is easily contaminated by PVC wraps and sleeves. If everyone uses clear LDPE it is much easier to manage collections and processing to deliver quality to market.

Polystyrene food and beverage packaging is very fragile and breaks down quickly if it becomes litter, the small pieces are very hard to clean up, blow about in the wind and

Stage 2 Jan 2025

As above support and would like to see progress made as soon as possible.

We support the phase out of all food and beverage polystyrene items not already captured.

Polystyrene packaging for consumer goods and bins for transporting cold foodstuffs are more complicated. The focus needs to be on identifying;

- which applications can be replaced with a recyclable alternative eg. polystyrene packers around electronics and whiteware replaced with molded card
- which applications might need to become reusable options eg. polystyrene chiller bins for transporting food to market do a useful job but need to shift away from single use disposable approach to a reuse methodology for these bins if they are going to remain in play.

Perhaps the phase out would be on all single use disposable EPS packaging? Would need to have a clear description of how many uses constitute 'reusable' and a reverse logistics process in place for returning these.

We see two grades of polystyrene coming through our recycling centres: high density packing around consumer goods and chiller bins, and low density polystyrene sheets that come with imported consumer goods. These usually come in a cardboard box with low density polystyrene sheets and soft plastic foamed LDPE wrap. The cardboard boxes can be recycled in an OCC grade. The low density polystyrene cannot be mixed with high density polystyrene for recycling. It is treated as a contaminant. The LDPE foam sheets are not recycled.

The low density polystyrene collected by some of our members goes to EXPOI to be included as recycled content in their insulation board products. It meets their current specs. We think only a very small proportion of the low density polystyrene coming into NZ ends up being recycled. Our guess is most goes direct to landfill.

High density polystyrene packaging including chiller bins are compacted and recycled by some of our members. However if this material could be avoided where it is unnecessary or replaced by cardboard molded packaging that is high enough quality to be included in the OCC stream this would be a better outcome. Molded cardboard items like egg boxes and trays are not included in OCC specs as the fibres are very short so we treat these as contamination. It would be useful to explore whether the molded card that would replace the polystyrene would be able to go into recycling streams.

The high density polystyrene chiller bin are generally treated as single use disposable objects. It would be useful to explore options for a reuse system. If industry does not have a viable alternative for these bins it may be useful to declare them a priority product so that the true cost of their use can be considered across the supply and recovery chain and revenue attached to the work associated with recovering, processing and recycling them.

Question 7. Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Yes

Question 8. Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (eg, not just food and beverage and EPS packaging)? Please explain your answer.

Yes we think this should be carefully considered. We support a shift away from single use disposable packaging in general and away from hard to recycle materials like PVC and EPS in particular.

PVC and PS are used in consumer packaging in non food and beverage contexts. Any PVC or hard polystyrene packaging can become a contaminant in the 'easy-to-recycle' plastic streams, so it's better to be consistent and phase-out all hard PVC and PS packaging. Molded plastic packs for hardware, toys etc are often made from PVC, rarely labelled by plastic type and treated as contaminants in recycling streams.

Question 9. What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

Benefits - Supports a move to a circular system in which packaging materials can be either reused or effectively recycled in closed loop systems. These materials are not usually recycled now.

Costs - Would require a significant shift away from single use disposable packaging retail systems eg in hardware and electronics stores where most items are encased in molded plastic packaging. It would require a change to retail packaging and display systems so would need to be clearly signalled well in advance. Likely that trading partners will make a similar shift before we do so may be driven by larger forces in global economy.

Question 10. Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

Yes

We think there are either alternative materials or different systems that can be put in place. The general principle is to move away from single use disposable packaging and other items. Requiring recycled content is also important. Options include: choose not to use or replace the packaging or item eg no straw with drink, reusables and refillables eg reusabowl or cup, compostable alternatives eg cardboard 'plate', establishing a reuse system for chiller bins made from high density polystyrene.

Question 11. Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

Yes

We would prefer to see them phased out by June 2021 which would bring us into line with the EU.

We consider oxo-degradables a 'monstrous hybrid' as described in Cradle to Cradle. The basic idea is that the plastic item is designed to rapidly disintegrate into micro plastic particles. This is promoted as a benefit.

People are confused as they think that the disintegration process is the same thing as natural decomposition into organic elements that can safely be taken up by the environment. Oxo degradables are not bioplastics and the micro plastic particles persist in the environment long term.
Designing items to rapidly disintegrate makes them unsuitable for reuse. Oxo-degradables are a contaminant in recycling streams but are very difficult to tell apart from standard plastics.

We are satisfied that alternatives to oxy-degradables exist.

Question 12. If you manufacture, import or sell oxo-degradable plastics, which items would a phase-out affect? Are there practical alternatives for these items? Please provide details.

N/A

Question 13. Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

Yes

This is a good summary of costs and benefits in relation to the hard to recycle plastics and single use items covered in the consultation.

Question 14. How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Phasing out the targeted plastics has a practical and symbolic benefit in that it signals the Government's intent to create a regulatory framework that supports a shift to a low waste, low carbon circular economy. These proposals are a step in that direction. Taking this step creates momentum by making it easier for recyclers to deliver clean product to market and more likely that businesses will think about the consequences of their packaging decisions.

In the medium to long term this step helps develop reuse culture and supports all those businesses and individuals that are already on this journey. Reuse and closed loop recycling systems create more jobs and local economic development than sending material to landfills as waste does.

Question 15. What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

As a family

Useful to have clear statements about what happens with the items that go into the kerbside bin. It is easy to wishcycle and put it in the bin in the hope it will be recycled if information isn't' shared about the real situation. Many households are willing to put time and effort into separating materials and thinking about what we buy but are dependent on having good information to be able to make wise choices.

It is great to see a shift towards packaging 1, 2 and 5 so its easy to get the products you like in recyclable packaging and you don't have to spend a lot of time searching for numbers. It would be amazing not to have to worry about this and to be able to take for granted that food and grocery items are in recyclable packaging as a matter of course.

We use reusables where we can and would love to see reusables become more widespread. For example our reusable water bottles, coffee cups, stainless steel straws, cutlery/chopstix, shopping bags etc have been used pretty much every day for many years. The originals have a few bumps and dents but are still going strong.

We would love to see reusable bottles for wine, beer and softdrinks become commonplace. A container return scheme for any single use containers so there is a real incentive to return them for recycling. We could drop off any reusables at the same depot to go back to be refilled.

As an SME

Good to have a level playing field. Event organisers, cafes, food stalls etc that do the right thing and support reusables, don't use gimmicky plastic stuff to dress up drinks etc often do this at their own cost. Early adopters have to put up with some flak from others for being out there.

Good to not have to deal with confusing promotions from packaging and single use product sales people about the benefits of their oxo-degradable and other unhelpful 'solutions'. It can be very confusing trying to sort the actual solutions from the greenwash versions so appreciate any help the government can give on the best options.

As recycling collectors and processors

Our members already sort plastics into a number of different streams, phasing out products that cannot be recycled like PVC trays and punnets and polystyrene yogurt pots makes their job easier on the sort line. That means it is more efficient to get high quality recyclables to market.

Container return scheme would enable a much higher percentage of the recyclable materials to be recovered in good condition so we can feed high quality raw materials into closed loop systems. At the moment a lot of the recycling we do is downcycling.

A container return scheme would also create a revenue stream on the recovery side of the value chain to cover the real cost of this work taking the burden off ratepayers. Cost pressures on councils have led to cheap collection systems like commingling being put in place that mix all the materials together and struggle to sort them back out into high quality streams that can be sold into global or onshore markets. Once the Container return scheme is in place to collect recyclable containers, it could be used to manage flows of reusables which has a better emissions and materials efficiency profile than recycling

Phasing out PVC trays would make it more likely that we could sell PET meat trays to onshore reprocessors like flight as the risk of PVC contamination would be gone. At the moment these go to landfill as we can only sell PET bottles to Flight Plastics, any PET trays even those they make themselves are treated as contamination by them at the moment unless they have come through an optical sorter.

Question 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (table 7)?

To shift to a circular economy we need to design out waste and pollution, and keep products and materials in use so we can regenerate natural systems.

We support the proposed mandatory phase out of all the single use disposable plastic items listed. There are less harmful alternatives to some of these items and we consider others are unnecessary. The phase out is in linie with action being taken around the globe by our trading partners.

A phase out under s 23(1)(b) of the WMA is a useful mechanism for removing unnecessary plastic waste from the system. However it is important that the phase out process is supported by other mechanisms that encourage elimination or a shift to reusable options rather than a simple replacement with a non plastic, single use, disposable alternative.

There are other products which need to go through the same assessment process to determine the best tools for managing their impacts. These include:

Single use, disposable

- Coffee cups and lids
- Plastic lollipop sticks and wrappers
- Single serve pottles and sachets eg soy fish, sauce sachets
- Single use mini bottles and sachets toiletries
- Tea bags containing plastic
- Plastic coffee pods
- Single use water bottles
- Balloons and balloon sticks
- Glitter and plastic confetti
- 'Complimentary' plastic toys fast food and kids magazines
- Chewing gum that contains plastic
- Wet wipes
- Cigarette butts
- Shrink wrap, plastic wrap from building materials and strapping

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While we support the proposals to shift awesome single use plastics there are many large flows of plastic through our economy that need to be looked at and shifted to reusables, closed loop recycling or phased out eg. single use Ag and hort plastics, shrink wrap, plastic wrap on building materials. It would be good to see effective mandatory product stewardship schemes in place for these. Textiles generate a significant proportion of the micro plastics found in waterways and this is another materials category that deserves attention.

Question 17. Do the proposed definitions in table 7 make sense? If not, what would you change?

Yes

We support the exemption in relation to plastic straws where they are necessary for particular circumstances for physical or medical reasons.

We support the intention to include items on the list made from degradable and oxo-degradable plastics.

We agree that biodegradable and compostable 'plastics' rarely end up in a suitable composting facility. There is very limited capacity in New Zealand to accept and process compostable and or biodegradable packaging and other items. There is a lot of work to be done to develop a network of local, and regional composting facilities that can accept separate streams of organic material and compostable packaging. It is likely that compostable packaging will need to be processed separately from higher quality organic ingredients so that it can be fed into appropriate end uses.

The single use, disposable plastic items on the list are not compatible with the shift we need to make to a low carbon, low waste circular economy which is based on reuse and closed loop recycling of materials with a high percentage of recycled content.

With regard to single use plastic cups and lids we agree that the items listed should be included in the phase out.

We note that most takeaway single use drink containers are consumed away from home, are contaminated by their contents and generally end up in rubbish bins, as litter or as contaminated items in public space recycling bins. We suggest including 1, 2 and 5 cups in the phase out as they are rarely recycled.

Events have been common users of single use disposable drink containers however reusable solutions like 'Globelet' which meet this demand without generating large volumes of waste are coming on stream . Many events nowadays have a zero waste policy and most are actively working to reduce the amount of single use disposable packaging and serving ware that comes on site. Zero Waste Events are becoming good practise and innovations are readily shared across the sector.

We suggest excluding lids made from 1, 2 or 5 plastic from the exemption even if cups made from 1, 2 and 5 are exempt, they are small and hard to recycle, often unnecessary and easily become litter if they come off.

It is not clear to us why single use plastic cups and their lids as well as paper cups with plastic or wax liners are included for phase out while disposable coffee cups and their lids are not. They seem to be the same category to us. We support including disposable coffee cups and their lids in the phase out.

Question 18. What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter time frame, versus a longer timeframe, and provide details where possible.

12 months for single use plastic: straws, stirrers, cotton buds, tableware and cutlery, produce bags, produce stickers.

2 years for single-use plastic cups and lids so there is time to engage with communities and households, grow and develop reuse infrastructure, work with industry, Small to Medium Enterprises and events organisers.

Question 19. What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic?

Coffee cups

We support a shift away from single use disposable coffee cups to reusable options. Grass roots initiatives and community enterprises are making headway in this space. Resources to support development of infrastructure as well as the training, communications and engagement required to get people onboard are a limiting factor. Investing in behaviour change work at this level would be more effective than top down 'advertising style' communication strategies.

We suggest making single use cups of all sorts a focus in the same way plastic bags were for a time. With Government support households, communities, SME's industry and other organisations will be able to make a fast transition to a reusable culture that is in line with our self image and our NZ Inc brand.

Ticking off reusable cups and glasses would step us closer to a circular economy and set us up to tackle reusable beverage containers when the Container return scheme comes on stream in 2022 - 2023

Ways Government could help: Create boundaries

ZWN Submission Reducing the impact of plastic on our environment 4 December 2020

- Set a date for phasing out single use coffee cups to drive change and innovation in this space.
- Require all hospitality outlets to fill clean BYO reusables supplied by customers.
- Require all coffee sales outlets to offer reusable cups for consumption on site. (Wellington Airport most sell only in single use disposable cups)
- Require reusable cups in all government workplaces and public facilities.
- Establish single use cup free zones in public areas, national parks and conservation estate, universities etc.
- Require 'warnings' about waste and emissions consequences associated with single use cups to be printed on them (like cigarette packets)
- Levy on single use disposable cups to cover costs associated with servicing public space bins, litter clean up etc.
- Require events to use reusable cups

Invest in behaviour change to grow a reuse culture

- Support the development of reuse options at the regional, local and national levels
- Support the expansion of deposit return schemes for reusables eg again again that use a universal cup/ system design so they can scale across the country
- Invest in behaviour change programmes happening at the local level to encourage reuse, BYO, and slow coffee consumption (take breath and drink it on site. In a rush knock back an espresso.)
- Support SME initiatives to develop collective reuse and BYO capacity.
- Encourage collaboration and ideas sharing on the effectiveness of strategies to shift to reuse discounts, retail of reusables etc
- Support towns with an ambition to become single use cup free via a pool of money carved out of the WMF eg. Wanaka cafes making good progress towards being single use cup free by 2022.
- Make support of reusables part of all hospitality and barista training.

Invest in the establishment of reuse infrastructure

- Map out and install what's needed to make reusables work at events and in public spaces.
- Explore reverse logistics needs to facilitate the development of collections and return for a range of reusable containers
- Explore options for centralised washing and sterilisation facilities, could be associated with Community Recovery Centres which already collect a range of bottles and jars for reuse.

Compostable cups are not a useful alternative. They are still a single use disposal item with the associated emissions, water and waste profile. Composting infrastructure for compostables is not operating at scale yet and there is no effective collection system in place either. We are not aware of many coffee cups that are truly compostable despite the claims being made by some suppliers.

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Wet wipes

We support transitioning from wet wipes containing plastic to those not containing plastic as soon as possible. This is in the public interest as the cost to ratepayers associated with unblocking drains and pipes is already significant. In the meantime it would be useful to promote the issues associated with flushing wet wipes, the fact that they are plastic, clear labelling to show they are not flushable, charge a fee to cover the clean up costs associated with wet wipes in waterways and clearing blocked drains.

Question 20. If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

There are a number of social and community enterprises, SMEs in the hospitality sector and collaborations between various organisations working in this space. They have a lot of knowledge to share about how local businesses are making the transition to single use cup free, the issues they face and whats working for them.

These include: <u>UYO</u> <u>SUC Free Wanaka</u> <u>Again Again</u> <u>Cupcylcing</u> <u>Good to Go Waiheke</u> <u>Takeaway Throwaways</u> <u>Wanakup</u>

Question 21. What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

Coffee cups

2021

Build on the success of local initiatives to get strong models in place for single use cup free towns. Resource local organisations to speed up this process. Make Government single use cup free (coffee and other drinks) to model this change, normalise reuse and lead the way.

2022

Roll these models out across New Zealand to underpin the culture and business changes required to make a smooth transition once regulation is put in place. By July 2023 a single use coffee cup free New Zealand.

Wet wipes

Transition away from disposable wet wipes containing plastic as soon as possible eg. within 12 months of notification. The cost to Councils of clearing blockages, the pollution of waterways when sewage overflows justifies this. Ensure that wet wipes that do not contain plastic are fit for purpose and clearly labelled regarding suitable disposal options.

Question 22. Have we identified the right costs and benefits of a mandatory phase-out of single-use plastic items? If not, why? Please provide evidence to support your answer and clarify whether your answer applies to a particular item, or all items.

Yes

We agree that the benefits of phasing out these single use items will outweigh the costs associated with going through the regulatory process. Shifting to a low waste, low carbon circular economy requires that we move up the waste hierarchy to eliminate unnecessary single use, disposable items and transition to reusable options wherever possible.

Enterprises that focus on reuse and closed loop recycling are becoming more common and this sector has significant potential for creating meaningful work and local economic activity that will support New Zealand's post covid recovery. The transition to

Additional benefits

The phase out may encourage producers, retailers and consumers to eliminate unnecessary plastic use. While reuse is a much better option than single use disposable items, elimination is the best option if it is practical to do so.

Importers - suppliers of single use plastic packaging and other items will be able to free up working capital and capacity to invest in more productive and satisfying lines of work. This is a benefit for themselves and a public good if they invest in ways that deliver more public value than their previous enterprises. This would offset costs associated with the transition and may be better reflected as a low cost.

Retailers - those already offering sustainable alternatives and minimising the use of unnecessary plastic items are supported in their efforts.

Events can be a significant source of single use disposable items. Event organisers and stall holders walk through a minefield as they consider the claims of different packaging suppliers. Conflicting and in some cases misinformation mean it is hard to make good choices about what to use. Phasing out some of the more problematic items simplifies this decision making process. This is a benefit for the retailer/hospitality/event organiser line. Local Government bears the cost of picking up litter and servicing public space recycling and rubbish bins. This can be a substantial cost especially in areas with high visitor numbers. The contents of many public space recycling bins go directly to landfill as they are contaminated with single use disposable cups. Many single use packaging items are put into public space recycling and rubbish bins. The benefits associated with not having to pay for the collection and disposal or the collections and sorting of these materials would be a medium benefit for councils collectively rather than a low benefit.

Local government - Confusion over what is recyclable and what happens to items put into Public space recycling bins can cost Council comms teams time and energy dealing with complaints, queries, challenges etc. There is a significant risk to both Councils, and the public space recycling scheme itself if the reality that much of the material placed into public space recycling bins is landfilled due to contamination by non recyclable single use disposable items becomes common knowledge.

Government will bear a short term cost to establish the new operating framework and the associated compliance, monitoring and enforcement costs. This will resolve in the medium term as society adjusts to the new normal. Avoided future costs eg. exposed landfills leaking like Fox River etc

Public - opinion surveys show people are concerned about waste, climate change, plastic pollution etc. Positive action to shift towards avoiding creating single use disposable plastic waste and support for the development of a reuse culture will have a positive impact that more than outweighs any change on cost of alternatives.

Public - those involved in advocating for a shift away from single use disposable items will be able to take a breath and move onto the next thing. Satisfaction associated with making progress on this is a benefit.

Question 23. How should the proposals in this document be monitored for compliance?

We support MfE taking responsibility for compliance, monitoring, auditing, investigation and enforcement of regulations developed to implement the phase outs. We agree that a clear strategy for compliance and enforcement work will be necessary given the scope of the changes. We understand that MfE has a CME team and consider this a good home for the work.

Transition support.

We expect that MfE will invest in dedicated staff to support the transition, answer questions, deal with concerns, handle complaints etc. It would be useful to have a clear point of contact for people from all walks of life to call or email with any questions, comments or issues. We suggest that MfE consider investing in comms and education support at the local and regional level through existing behaviour change channels to flag the changes coming up, explain the benefits and to support people to make the shift. This will be particularly important for SMEs who may have limited capacity to adapt to regulatory change.

Local environmental and recycling organisations field a large number of enquiries every year from the public, SME and events organisers about the costs, benefits and recyclability of various packaging options and they are a useful channel for communications and engagement. It is important that they are kept in the loop and have access to relevant materials so they can respond to queries and issues at the local level.



4 December 2020

RE: ZESPRI SUBMISSION ON MFE PLASTICS PROPOSAL

Thank you for the opportunity to contribute to the Ministry for the Environment's consultation on proposals to eliminate some types of plastics and ban seven single-use plastic items.

This submission covers:

- 1. An overview of the NZ kiwifruit industry and Zespri
- 2. Zespri's sustainability commitments
- 3. Packaging and the NZ kiwifruit industry
- 4. Zespri's response to MfE's proposal to phase out some hard-to-recycle plastics
- 5. Zespri's response to MfE's proposal to phase out fruit labels

1. Overview of the New Zealand kiwifruit industry

There are 2,800 kiwifruit growers with 14,830 hectares of orchard. The industry employs 10,000 permanent employees and up to 22,000 jobs at the peak of the 2020 season. New Zealanders fill most of the permanent roles.

Around 80 percent of Zespri Kiwifruit is grown in Bay of Plenty but is increasingly spreading around New Zealand as higher-returning SunGold kiwifruit grows profitably in a wider range of locations. Kiwifruit is among the highest returns in the primary sector - \$67,295/hectare for Green and \$161,600/hectare for SunGold in 2019/20 (before on-orchard costs are deducted).

What is Zespri

Zespri is proudly 100 percent owned by New Zealand kiwifruit growers. We export, distribute and market premium Zespri kiwifruit to over 50 countries around the world, as well as setting and monitoring quality standards. Orchards and postharvest are independently owned and managed.

In the 2019/20 season, Zespri directly returned almost \$2 billion to the New Zealand economy, in direct payments to growers in rural communities around New Zealand. Zespri is NZ's largest horticultural exporter with over \$3 billion in export revenue last season and is on track to grow sales to \$4.5 billion by 2025.

- Northland \$76M
- Auckland \$66M
- Bay of Plenty \$1.55B
- Waikato \$66M
- Poverty Bay
 \$57M
- Hawke's Bay \$34M
- Lower North Island \$6M
- South Island \$63M

Zespri hit \$3.36 billion in operating revenue in 2019/20 – our target is \$4.5 billion by 2025. Our purpose is to help people, communities and the environment around the world thrive through the goodness of kiwifruit.

Our strategy is to supply the world's leading portfolio of kiwifruit for 12 months of the year. To do this, we have long term partnerships with growers in the Northern Hemisphere to provide Zespri Kiwifruit to market in the three-to-four months when NZ kiwifruit isn't available.

The Zespri brand – refreshed and launched in 2020 – is the byword for premium, healthy fruit. We will invest around \$196 million in marketing in 2020/21 to drive sales and build the Zespri brand, arguably New Zealand's leading international consumer brand. We also invest around \$37 million each year in innovation, with over half dedicated to the new varieties breeding programme, which saw the recent commercialisation of Zespri Red.

2. Zespri's sustainability commitments

Sustainability is a major focus for us at Zespri – it sits at the heart of **our purpose to help people**, **communities and the environment around the world thrive through the goodness of kiwifruit**. Over the past 18 months, we've consulted extensively with growers in NZ and offshore, packhouse and coolstore representatives, Māori Kiwifruit Growers, Zespri's global distribution partners and Zespri employees to develop the industry's sustainability framework which is summarised below.



Guided by the sustainability framework, the kiwifruit industry committed to ambitious targets in February 2020 after an extensive consultation process. These 11 targets focus on creating a more sustainable future for our industry.

| OUR KIWIFRUIT | HEALTH | · We will offer over 6 billion healthy eating occasions to people around the world by 2025 |
|--------------------|-------------------|--|
| OUR ENVIRONMENT | PACKAGING | Our packaging will be 100% recyclable, reusable or compostable by 2025 If we use plastic packaging, it will be made from at least 30% recycled plastic by 2025 We will reduce our packaging footprint, per kg of fruit, by 25% by 2030 (footprint means carbon impact [Global Warming Potential] as defined by a lifecycle assessment) |
| | CLIMATE Change | We will work with our partners to be carbon positive by 2035, including the key milestones of: Zespri corporate will be carbon neutral by 2025 Our industry will be carbon positive to our retailers by 2030 We will report on our climate risks and opportunities by August 2021 and will build an industry wide adaptation plan by 2022 |
| | WATER | By 2025, Zespri growers are: Protecting water quality by demonstrating alignment of nutrient inputs and losses to good practice limits Using monitoring technology to actively manage and demonstrate efficient use of our precious water resources |
| OUR Communities | GROWERS | · People want to work in the kiwifruit industry and every employee will be valued, safe and supported in their jobs |
| | WORKFORCE | We will attract talent and continue to build a thriving workforce amongst our value chain by 2030 (thriving means continually improving social practices in relation to working conditions, pay, health & safety, development, and diversity and inclusion) |
| | MARKETS | · We will partner within communities on healthy lifestyle programmes in our major markets by 2022 |

3. Packaging and the kiwifruit industry

We're seeing around the world that consumers expect more from businesses in terms of sustainability — they care about what their food is wrapped in and want to know more about where it comes from and that it has been grown in a way that enhances the environment and supports livelihoods. The packaging targets outlined below come from that wider industry conversation and consultation.

Creating a circular economy for our packaging: unpacking our industry targets

- 1. Our packaging will be 100% recyclable, reusable or compostable by 2025*
- 2. If we use plastic packaging, it will be made from at least 30% recycled plastic by 2025*
- 3. We will reduce our packaging footprint**, per kg of fruit, by 25% by 2030

* Aligned with the New Plastics Economy Global Commitments

** footprint means carbon impact (Global Warming Potential) as assessed by a lifecycle methodology

The first two targets are aligned with commitments made by leading global retailers and brands, many of whom are our customers. They support the shift towards a circular, 're-use' of materials economy, moving away from a 'take, make, throw' economy. It recognises the need to ensure that the harmful environmental effects of packaging disposal, including plastic, are reversed and avoided. New Plastics Economy Global Commitment is considered the leading packaging coalition globally and is made up of more than 300 global brands, packaging companies, non-government organisations and governments (including the NZ government) who are working towards these targets. The targets will ensure we look beyond the materials we use to the entire supply chain. It helps us focus on fit-for market solutions that mean we can reuse, recycle or compost the packaging we use, allowing us to meet customer (i.e. retailer, importer, distributor) and consumer (people who buy our fruit) expectations and reduce our environmental impact.

Our efficiency target aims to reduce our packaging footprint per kg of kiwifruit by 25% by 2030, measuring this in terms of a reduction in environmental impact of our packaging. We will do this using lifecycle assessment, prioritising carbon as the measure of impact.

All Zespri's targets are aligned with the principles set out by the Office of the Prime Ministers' Chief Science Advisor in the <u>Rethinking Plastics Report</u> as well as the other role of <u>lifecycle assessment</u> in rethinking plastics.

As we learn more and understand better our sustainability requirements, we may add additional targets or modify targets.

Packaging Zespri Kiwifruit

NZ-side transport packaging

Kiwifruit exported from NZ has a very challenging and complex supply chain. Zespri markets two main varieties of kiwifruit – Green and SunGold – with different supply chain requirements. Green is typically stored at 1°C for up to six months while SunGold is stored around 2.5°C for up to four or even five months. The packaging we use has to cope with extended periods in coolstores with very high humidity, over 90 percent.

NZ packhouses can only use packaging suppliers approved by and registered with Zespri. This is to ensure that all the food safety regulations are adhered to; and that we have consistent presentation of our product which adds to the brand value. The registration process takes place annually – as do the audits for food safety compliance. Random samples are taken of packaging components and they are tested for strength / material composition against specifications.

Kiwifruit in NZ is packed into cardboard boxes of varying sizes between 3.5kg and 10kg, wrapped with a polyliner which helps to protect the fruit and slow ripening en route to market. These boxes are then stacked into pallets (usually around 1 tonne in weight) to be stowed on board a reefer ship or refrigerated container and shipped to market. On arrival in market, fruit is either sold loose instore or in the 3.5kg tray its packed in, or else repacked into customer-specific packaging by importers, distributors or retailers.

Approximately 88 percent of our packaging (by weight) in the 2019/20 season was fibre, with the remaining 12 percent plastic.

In-market packaging

While Zespri sets the standards for the packaging used in NZ postharvest, we do not always have direct control over the in-market consumer packaging given the complex distribution relationships across the more than 50 markets we sell into. However recent research shows when it comes to packaging, the retail pre-packs are top of mind for our global consumers. Taking this consumer sentiment into account, we're working to increase our influence in this area and our goals above encompass in-market packaging.

This season Zespri developed a consumer packaging toolkit to set the standards for in-market packaging including specifications, materials and manufacturing with a sustainable focus, backed up with an annual review process for all parties involved in our consumer packing and packaging supply. This also encompasses food safety and handling requirements. There is the potential to adopt this for fruit sold in NZ.

Zespri is also working with postharvest in NZ to share best practice on running coolstores and postharvest supply chains to get the most of the packaging materials used across the industry, including how best to dispose of them.

Work underway to reduce our packaging footprint

On packaging, we've invested in understanding what matters to our customers and to consumers in our key markets around the world, as well as assessing the environmental impacts of our packaging as it moves through our supply chain. We're trialling fibre-based solutions and implementing improved recycling options, and we're aligning our packaging solutions with our targets. For example, in North America we've introduced a clamshell pack for Zespri SunGold made from 100 percent recycled plastic, which is fully recyclable and uses eight percent less plastic than the older designs.

4. Zespri's response to MfE's proposal to phase out some hard-to-recycle plastics

Zespri supports initiatives to increase the use of recyclable or compostable material for packaging, in line with our sustainable values. As such the proposal to phase out PVC and polystyrene packaging, oxo-degradable plastics aligns with this direction.

Given that the NZ kiwifruit industry doesn't use the hard-to-recycle plastics mentioned in the MfE consultation document, we haven't specified a view on which regulatory or voluntary option MfE should take. We support MfE's moves towards product stewardship and look forward to working with the Ministry on developing these schemes.

We note the following.

- Around 88 percent of Zespri's packaging by weight in the 2019/20 season was cardboard which is recyclable in almost all markets.
- We do not use the plastics which MfE is proposing to phase out for use in NZ in our packaging.
- **Polyliners** (thin plastic film in either a bag or sheet form used inside boxes) are made from high density HDPE, which is named in the consultation document as a preferred plastic for use in NZ.
 - We are trialling home compostable polyliners this season and working to understand customer acceptance across our markets.
 - We're also trialling making the liners 25-30 percent lighter, reducing resources used.
- **Pocket packs** the smaller 3.5kg trays use pocket packs to hold fruit in place and these are either made of polypropylene (PP) or PET, both of which are named in the consultation document as a preferred plastic for use in NZ. We're working to rationalise the plastic materials used as well as investigating rPET and fibre options.

While the product stewardship scheme is part of a different process, we note Zespri and the NZ kiwifruit industry has long supported the Agrecovery schemes to recycle agchem containers and drums. There

are arrangements with three manufacturers – Nufarm, Grochem and Grosafe – to collect some product containers directly from orchards. Where a collection and disposal service for used containers is provided, growers are required to use it as part of the compulsory conditions of ZespriGAP, which brings together GlobalGAP and customer requirements for growers.

5. Zespri's response to MfE's proposal to phase-out plastic fruit labels in New Zealand

Why we use fruit labels

The Zespri brand is well recognised by our consumers so it is important to us that they can easily recognise and access our premium quality kiwifruit. Zespri provides information on average premium pricing on Green kiwifruit to New Zealand Kiwifruit Growers Inc each year – for 2019/20 the average premium earned over other green kiwifruit is provided below, with the full report available on NZKGI's website <u>here</u>. Comparable information for Zespri SunGold isn't available as there are few other gold varieties commercially available to compare with.

| | 2010 |
|---------------|------|
| | 2019 |
| Europe | 69% |
| Japan | 139% |
| Korea | 98% |
| China | 76% |
| North America | 47% |

Zespri typically earns a significant premium in over other kiwifruit, with around \$1.5 billion invested in marketing over the past 20 years. This premium is returned to the New Zealand economy and to grower communities throughout New Zealand.

Fruit labels play an important role in this along with our in-market promotional materials. Many of our consumers look out specifically for the Zespri brand on their fruit, as we have invested for many years in developing a reputation for best tasting kiwifruit and trusted food safety. Independent research shows consumers in China, Zespri's largest market, increasingly rely on the fruit label to verify the authenticity of the Zespri brand.

Fruit is often sold loose in market and the fruit label is the only piece of Zespri branding that many of our consumers see, helping to guide them to choose our premium product over others. While this proposal does not apply to fruit for export, an unintended consequence of banning plastic labels on fruit before a home compostable option is available could be to encourage more in-store packaging (which could be made from plastic) to get brands in front of consumers, with a far greater environmental impact.

Fruit labels also have a role to play in helping combat fraud. Like other well-known and respected brands, counterfeiting is an issue we face across our markets. Fruit labels have a role to play in helping

us confirm our brand authenticity, with special printing solutions which help us to easily sort the genuine fruit labels from the fakes.

All Zespri Kiwifruit that we export from New Zealand is required to be labelled and these labels have a legal and functional role too. Fruit labels contain a Price Look-Up (PLU) code and a scannable barcode for use at the point of sale.

Increasingly supply chains are introducing traceability components onto food labels to ensure food safety and authenticity. If there is no fruit label applied due to a lack of home-compostable options, this could significantly affect the ability of Zespri and the fruit industry to verify the safety and authenticity of the fruit.

Selling Zespri Kiwifruit in NZ

Under the Kiwifruit Regulations 1999, Zespri is the single point of export for NZ kiwifruit past Australia which is governed under CER, with the exception of collaborative marketing.

Zespri is permitted to sell 300,000 trays in NZ, with the overwhelming majority of Zespri Kiwifruit sold in NZ not sold under Zespri sales programmes but rather by distributors. To put this in context, Zespri sold 145m trays of NZ kiwifruit and 19m trays of Northern Hemisphere fruit in the 2019/20 season.

Segregating inventory for NZ sale with an industrially-compostable label would add significant complexity and cost into the kiwifruit industry supply chain, which operates under the philosophy of setting standards to allow fruit to be allocated across markets.

Our target: a home compostable label

Zespri's target to move away from non-home compostable fruit labels to ones which are home compostable.

We note the following.

- Our preference is for a home-compostable label for Zespri Kiwifruit over an industriallycompostable one for two main reasons: firstly, the lack of industrial composting infrastructure in our markets and secondly, research shows consumers generally don't understand the difference and inadvertently put industrially-compostable labels in their home composting.
- However there is no certifiable home compostable label option commercially available at present globally , with the challenge being that we are not aware of any commercial certified home-compostable glue exist.
- Zespri is investing in development and blue sky work to address this challenge. We continue to assess the latest technology for fruit labelling.
- In 2013 we were the first produce company in the world to put an EcoLabel on our fruit and we
 have continued to invest in with Sinclair Labels over many years to develop the industriallycompostable EcoLabel fruit label, which meets European bioplastics standards and is
 independently certified by TUV Austria under OK compost and Seedling certification.
- Plastic doesn't necessarily mean non-compostable. Some plastics are compostable, e.g. PBAT.

Zespri's position

We support the direction of the government in addressing problem waste, while acknowledging fruit labels have a value as the brand marker which helps our consumers chose our premium Zespri Kiwifruit over competitors.

We acknowledge fruit labels are a challenge and we've committed to developing a home compostable label as the most effective environmental solution. Work is underway now to develop a commercial certified home compostable label.

Zespri supports MfE's proposal to transition from a plastic fruit label to a more environmentally friendly option by 2025. Given the lack of industrial composting facilities in NZ and the additional complexity, supply chain disruptions and cost of replacing plastic labels with industrially-compostable labels for the very small amount of product sold in NZ, our preference and commitment is to develop a home-compostable label for Zespri Kiwifruit rather than a blanket ban on plastic fruit labels.