Joint 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 on **4 November 2020**, jointly by the below organisations.

If your organisation would like to sign on too, please email your logo to hannah@takeawaythrowaways.nz by 5pm on 2 November 2020.

If you are an individual wishing to submit, visit zerowaste.co.nz for submission resources.

zero waste NETWORK

wastebusters

THE RUBBISH TRIP
Two No-Waste Nomads Talk Trash with People

Better Futures Forum
Towards a More Resilient Aotearoa

New Zealand Product Stewardship Council

refillnz
@RefillNZ

#TakeawayThrowaways

GREENPEACE

Waste-ed Conversations

PARA KORE
working towards zero waste

Aotearoa Plastic Pollution Alliance

ENVISION

xtreme ZERO WASTE
community recycling solutions

WRT WAIHEKE RESOURCES TRUST

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

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 appreciate 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 (Ross & Evans 2003).

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 non-recyclable 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 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' in a closed loop packaging system, which brings into focus the environmental harm caused by our continued reliance on virgin plastic (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.

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, policy and investment to level the playing field between single-use and reuse, and support infrastructure and community engagement necessary for reuse i.e. accessible, reusable alternatives and 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-to-recycle 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"[1]. 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 the New Plastics Economy commitments (including reuse and recycled content targets) mandatory, not voluntary.[2]

[1] Full text: ellenmacarthurfoundation.org/assets/downloads/13319-Global-Commitment-Definitions.pdf.

[2] 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.

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

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 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 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 by the Berkeley 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).

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?

☑ Yes in part

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).

However 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.

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,[3] and for the flow of plastic into the ocean to triple by 2040.[4] 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.

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.

---

[3] 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.

[4] 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.

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 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.

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 which 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?

☑ 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 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 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 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 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 *s*ignificant, 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 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.

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 reuse systems produce far more jobs than systems based 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,[5] 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 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.

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

[5] 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.

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 barriers, such as cost or disability).

Question 16. What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)?

☑ Agree in part

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).
- **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.
- **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 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, but we need to see Government leadership in banning or at least imposing 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**.[6]
- **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, early childhood centres admitted to using kilos every year. Similarly, mardi gras and music festival organisers 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 (although its sharp edges may cause more physical damage to smaller creatures when ingested) and 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.[7]

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 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.[8] 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

---

[6] 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.

[7] https://www.sciencefocus.com/science/what-is-in-chewing-gum/;
http://justoneocean.org/chewing-gum

[8] Office of the Prime Minister's Chief Science Advisory (2019) *Rethinking Plastics in Aotearoa New Zealand*, p.95.

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 appropriate means of disposal, 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.
- **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), public recycling bins are often heavily contaminated, 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, 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

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 will safely 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 & 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
- 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 ss 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 ban on branding of disposable cups (under s 23(1)(d))
- 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. 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 & 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’s related 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.

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 'fat bergs') 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 & 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 discriminaton 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, 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.