

TAKEAWAY THROWAWAYS'

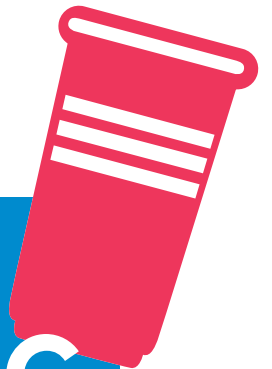
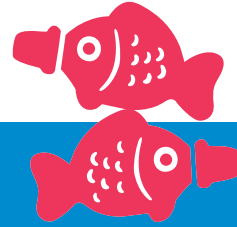
FULL SUBMISSION

ON THIS

**GOVERNMENT
PROPOSAL:**

**'REDUCING THE
IMPACT OF PLASTIC
ON OUR ENVIRONMENT -
MOVING AWAY FROM
HARD-TO-RECYCLE
AND SINGLE-USE ITEMS'**

#TakeawayThrowaways



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 phase-out of single-use items. The consultation document even refers to the Takeaway Throwaways campaign, yet states we're calling on the Government to ban single-use plastic 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 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.

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 single-use 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) [*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); A Lendal and S Wingstrand (2019) [*Reuse: Rethinking Packaging*](#) (Ellen Macarthur Foundation and New Plastics Economy); Eilidh Robb and Grainne Murphy (eds) [*Moving Away from Single-Use: Guide for National Decision Makers to Implement the Single-Use Plastics Directive*](#) (Report by Rethink Plastic alliance and Break Free From Plastic, 10 October 2019).

2. The full text is available here: <https://www.ellenmacarthurfoundation.org/assets/downloads/13319-Global-Commitment-Definitions.pdf>.

3. Department of Communications, Climate Action and Environment (2020) [*A Waste Action Plan for a Circular Economy: Ireland’s National Waste Policy 2020-2025*](#) (Government of Ireland).

materials not proposed for phase-out.

- 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 legislation. 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 phase-outs 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) [Single Use Foodware and Litter Reduction](#) (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 phase-out 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 [the reduction of the impact of certain plastic products on the environment](#) [2019] L 155/1.

6. Department of Communications, Climate Action and Environment (2020) [A Waste Action Plan for a Circular Economy: Ireland's National Waste Policy 2020-2025](#) (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) "[Breaking the Plastic Wave: A comprehensive assessment of pathways towards stopping ocean plastic pollution](#)."

9. EU Directive 2019/904 on [the reduction of the impact of certain plastic products on the environment](#) [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 Takeaway Throwaways, 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 long-term 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 single-use 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 interventions and investment are required to level the playing field between single-use 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 in certain situations, and reuse quotas/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 co-design 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 phase-out 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/one-way 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 to solutions for further development (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, pro-voluntary, 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-to-recycle 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” (i.e. reusable/refillable packaging 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.

We otherwise support the proposed list

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: <https://takeawaythrowaways.nz/reuse-schemes-at-home-and-abroad>

12. Find out more about the SUCFree Wanaka campaign here: <https://www.facebook.com/sucfreewanaka>

13. See the search list on the Use Your Own Aotearoa Café Directory website: <https://www.uyo.co.nz/search?name=&feature%5B%5D=ndc>

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 volunteers were 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) [A Waste Action Plan for a Circular Economy: Ireland's National Waste Policy 2020-2025](#) (Government of Ireland), p.33.

15. City of Berkeley (2019) [Single Use Foodware and Litter Reduction](#) (Ordinance No 7639-N.S).

16. See, for example, www.plasticfreeplaces.org; <https://www.greenindustries.sa.gov.au/plastic-free-precincts>.

17. For example,

- <https://source.wustl.edu/2016/04/water-bottle-ban-success-bottled-beverage-sales-plummeted/>;
- <https://phys.org/news/2017-05-students-plastic-bottles-campus.html>;
- <http://www.msnbc.com/msnbc/san-francisco-bans-sale-plastic-water-bottles-climate-change>;
- <https://edition.cnn.com/2019/08/02/business/plastic-water-bottle-ban-sfo-trnd/index.html>
- <https://australianfoodtimeline.com.au/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 is mitigated depends 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 phase-out, 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-the-go 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 '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.

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 producer fee 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 serviceware (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 a more welcoming 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 to develop specific food safety guidelines for reusable and refillable packaging systems (not to create onerous 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 single-use. 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) [A Waste Action Plan for a Circular Economy: Ireland's National Waste Policy 2020-2025](#) (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 supportive regulatory measures and infrastructural investment.
- Exploring the feasibility of a scheme to collect and recycle or compost single-use 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 reuse schemes and developing 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 goals.

The growth of reuse schemes will also lead to a reduction in single-use/one-way 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 non-compliance 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 beyond the plastic bag ban, we support the appointment and resourcing of enforcement officers, alongside relying on community members to report breaches.

...

That's it?

That's it.

