

### **<sup>1</sup>Submission template**

The consultation includes 43 questions divided between three parts. These do not need to all be responded to and more general comments can be entered directly into the additional information section.

Our suggestions below can be copy and pasted to the corresponding questions in the portal or used as a guide for your contributions.

Submissions are made on the following website:

<https://consult.environment.govt.nz/waste/taking-responsibility-for-our-waste/consultation/>

### **Primary recommendations:**

#### **Te Tiriti o Waitangi**

1. Pollution is a cultural wellbeing (identity) issue for Mana Whenua. We advocate that the strategy and WMA reform be grounded in Te Tiriti o Waitangi and represent the responsibilities, rights, and obligations of both parties to Te Tiriti. The Crown–Māori relationship should be integral in the development of all consultations, strategies, legislative reform, and action investment plans.
2. It is through Crown breaches of Te Tiriti that waste has become an environmental threat. The Crown has been a very poor kaitiaki of our taiao and natural resources. The Crown has failed to properly govern the people in a manner that aligns with the wellbeing of our taonga nor has it afforded Māori the 'unqualified exercise of their chieftainship' guaranteed to us in Te Tiriti. It is now time for a balanced approach that recognises Te Tiriti and the values of Māori.
3. We agree in part with the Climate Change Commission's Recommendation that the Government's first emissions reduction plan must commit to developing and delivering a long-term strategy to move Aotearoa towards a circular economy. Development of this strategy must include iwi/Māori as equitable partners in order to give effect to Te Tiriti o Waitangi.
4. This Government is currently undertaking a range of environmental reforms including reform relating to the Resource Management Act 1991, Climate Emissions Reduction Plan and freshwater. It is important that the various strands of reform are coherent and cognisant of one another. This strategy and legislation without regard to Tiriti would undermine the Climate Change Commission's work.

#### **Urgent Action, Acknowledging the Root Cause and Higher Levels of Ambition**

1. The strategy currently proposed by the Government is a catastrophically inadequate response.
2. The actions proposed in the consultation papers must recognise the stark realities of the climate emergency, the scale of the crisis that now besets us and the urgency of the transformation required. Era-scale change is required to safeguard our species and address global heating,

pollution and the imminent destruction of communities, livelihoods, and natural resources.

3. We request that the strategy and WMA reform recognise and explicitly address the roots of the problem: colonisation, capitalism, and consumerism, and recognise the adverse impacts these are having on our environment.

#### An Incredible opportunity

4. We see an incredible opportunity ahead where real systems level change could address past and present issues relating to colonisation, inequity, pollution, climate change and biodiversity loss. We have an opportunity to execute a just transition to a zero waste, net-zero carbon, Tiriti led future.
5. A National Resource Recovery Network built on a partnership between Crown and Māori has the potential to benefit all New Zealanders. Regenerating Papatūānuku, and Tangaroa, holds the potential to preserve our identity as New Zealanders and galvanise us collectively towards a net zero climate neutral Aotearoa.
6. Environmental policy holds the potential for a range of other social, economic, cultural gains for both Māori and Tangata Tiriti. Although waste is a treaty rights matter, resolution of this issues stands to benefit all New Zealanders.

#### Mātauranga Māori Solutions

7. This collective submission acknowledges that the solutions to our waste problems already exist within te ao Māori and our local communities. The waste management space must undergo a paradigm shift towards a te ao Māori understanding of the environment, with notions of whakapapa, environmental interconnectedness and manaakitanga.
8. The capitalist economic system and eurocentric epistemological framework that was established by the colonial government, is the perpetrator of the environmental destruction we seek to address. The structures and values embedded within these are inherently at odds with the changes necessary to prevent further environmental degradation. It is therefore impossible for mātauranga Māori derived solutions to be developed within, and operationalised by, the machinery of the exploitative systems that functionally undermine them. Central government must meaningfully partner with Māori, allowing us to draw on our considerable expertise in waste prevention and management which utilises our mātauranga. We must be afforded the opportunities to develop and enact our strategies outside of existing colonial institutions.

#### Product Stewardship and Extended Producer Responsibility at the Core

9. Responsibility must be at the heart of the sustainable transition. Increased responsibility must be placed on producers, manufacturers, retailers, and industry rather than emphasising actions around consumers. We welcome product stewardship. Aotearoa requires robust product stewardship schemes to ensure effective reduction, reuse, recycling, and recovery.

10. We commend Minister Sage's directives last term to positively set us on the right course, including banning microbeads, plastic bags, declaring priority products and increasing the waste levy.

#### Equity

11. Any solution to waste problems needs to deliver equitable access to services for people across all demographics.

#### **Secondary Recommendations**

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| In place of action investment plans, we recommend local, regional and national transition plans based on oranga taiao. These must be locally responsive and actioned through a Māori and Crown partnership.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Increase Regional Council mandate by having a dedicated position for waste prevention strategy and coordination across the region. Increase Māori participation in this process through distinct consultation with Iwi and hapū.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Increase the waste levy to \$140/tonne by 2030 to match international best practice and incentivise designing waste out of the system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Apply a regulatory approach to design out all single-use products including single use compostable products whilst incentivising reuse.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Ban organics from landfill, safeguard the quality of compost to ensure the product can be returned to the earth as part of a positive biological system. Standards need to be set to ensure contaminants (such as plastic, PFAS and broadleaf herbicides) are eliminated or mitigated from compost. Support TAs and the community to develop local or regional processing options through capital and operational funding and subsidy.                                                                                                                                                                                                                                                                           |
| Regulate and restrict categories of plastic additives and monomers such as bisphenols, phthalates, per- and polyfluoroalkyl substances PFASs, and styrenes. Producers should then be required by law to prove their products are: <ul style="list-style-type: none"><li>● free of endocrine disrupting chemicals</li><li>● will not contaminate nor degrade soil health</li><li>● will not prove hazardous to wildlife</li><li>● will not degrade into problematic micro- and nano-plastics</li><li>● will not raft pathogens and invasive species in marine/freshwater ecosystems</li><li>● will not contaminate other waste streams, and will not emit methane when poorly managed post-consumption.</li></ul> |
| Standards of durability should be applied to necessary plastics such as car tyres.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Right to repair and remanufacture should be incentivised.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Regulate product design to align with the waste hierarchy. Ensure that it does not undermine recycling systems such as the case for plastic sleeves and lightproof bottles which reduce recyclability.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| Ban the production, importation and use of materials that are not one hundred percent fully recyclable within sustainable systems already present in Aotearoa.                                   |
| Investigate, create and implement a nationwide recycling system that is clear, easy for the public to understand and work within and that eradicates all current issues with recycling failures. |
| Subsidises capital and operational expenses for services TAs can deliver that will support transition to a circular economy, such as kerbside organics collection.                               |
| Further explore the possibility of Regional Council mandate in enforcement, compliance and licensing.                                                                                            |

## Part one: Why we need to transform our approach to waste

### 1. Do you think changes are needed in how Aotearoa New Zealand manages its waste?

Āe.

The majority of the waste-related issues that we currently face in Aotearoa stem from deep systemic failures related to the way our society functions. The ongoing process of colonisation, consumerism, non-recyclable and disposable products, and profit-driven exploitation of the environment has no regard for environmental health. These systemic issues require systemic solutions that will bring about systemic change.

The socio-political context of waste in Aotearoa must be understood to provide context of systematic changes that are needed to impactfully and radically decrease waste. Māori have many of the solutions to the problems that have been created through the process of colonisation and capitalism, and recognising this is the critical starting point in this kaupapa.

(short answer template)

Māori have been excluded from formal input and decision-making in legislation, policy making, strategy and planning related to the environment since Te Tiriti o Waitangi was signed. Te Tiriti assures Māori the right to exercise chieftainship over their taonga which, at the very least, means Māori should be included equally in decision-making over any laws and regulations related to the environment. To address this, we support development of an equitable Māori- Crown partnership to transition Aotearoa to a system that acknowledges and restores our inseparable whakapapa connections to Ranginui and Papatūānuku.

### 2. Do you support tackling our waste problems by moving towards a circular economy?

Āe.

Prior to colonisation, te ao Māori functioned as a fully circular economy. Principles of reciprocity, interconnectedness, reuse and recycling were the norm, and 'waste' as we know it today was non-existent, as all rubbish returned to where it came with only a minimal, short-term impact on te

taiao.

We support a return to the way our ancestors managed natural resources, and we believe this is key to achieving our goal of a world without waste. Aotearoa is in a unique situation because the ancient principles of a 'circular economy' are already deeply embedded in this country's indigenous knowledge. This knowledge was developed over centuries of observation and designing systems to ensure the people were able to live in balance with the environment. Thus, mātauranga Māori represents a deep understanding and respectful coexistence with te taiao that is rohe-specific and tuned to address issues at a local level. Our people have been fighting to retain and preserve this knowledge for hundreds of years, fighting for tino rangatiratanga despite the attempts of colonisers to destroy it. For this reason, We support the concept of a 'circular economy' when it is espoused from a te ao Māori world view - a model that ensures principles such as mātaranga and tikanga are embedded. Logically, this can be the only relevant interpretation of a circular economy in Aotearoa - one that draws on a deep understanding of the environment and all species that live there.

We firmly reject alternative notions of a 'circular economy' as espoused from other worldviews, and when it is imposed on Māori without Māori being involved at both co-design and decision-making levels. We assert that waste problems must be tackled through the establishment of a Crown-Māori partnership that is based on Te Tiriti o Waitangi and that returns ownership, management and kaitiakitanga responsibility for taonga to Māori.

While this is not a new system for Māori (it is a return to a system they have been using for centuries), it poses a threat to our current economic model that favours investment, business, and profit over environmental health. As an indication of the type of backlash that we may face against implementing a new system, the oil and gas industry currently face a \$2.3 trillion loss if we are to maintain climate-related global temperature increase to 2°C. To mitigate a portion of these losses, petrochemical companies are planning to grow the plastics industry by an estimated \$400 billion between 2019-2025. Obviously, growth can only occur if plastic is being sent to landfills and plastics lobbyists will be working hard to undermine any progress that might transition our society away from this linear model. It is crucial that the government shows solid leadership to prevent us being overwhelmed with a flood of plastic for disposal.

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

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

Kāo. We cannot accept any strategy that has been developed outside a Crown-Māori partnership. The strategy needs to be co-designed and co-created with Māori at the helm, with the principles of Te Tiriti o Waitangi firmly embedded and be the result of shared decision-making. We support the themes of care, responsibility and zero waste presented in the vision, without inclusion of the core concepts of whakapapa and interconnectedness, without deep appreciation of kaitiakitanga, and without rooting the strategy in a Māori world view supported by mātauranga and bound by the rules of tikanga, it will lack the appropriate frameworks to support the holistic and integrated action that is required.

The proposed strategy, and Aotearoa environmental policy generally, fails to acknowledge the deep value encompassed by mātauranga Māori. This immeasurably valuable resource would become available to all of Aotearoa if the Crown could bring itself to acknowledge its Treaty partnership obligations and stop

excluding the Māori cultural context from legislation and policy design and development. Principles of kaitiakitanga, tikanga, mātauranga and all other cultural elements could then be used to provide powerful tested and trusted responses to our issues with waste and other wider environmental problems. Para Kore believes attempting to adopt the principles of a circular economy in isolation to a cultural framework on which to hang those principles presents a lost opportunity and may doom to failure any and all attempts to fix the waste problems that currently exist throughout Aotearoa.

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

Kāo. The Collective Submitters do not support the six core principles because they are eurocentric and developed by Crown agents in isolation to the Crown's Treaty partners. Fascination with the principles of the circular economy framework developed on the other side of the world over local knowledge highlights the Ministry's preference for a eurocentric approach over our own Indigenous Māori worldview. Idolisation of the knowledge of international 'experts' and their solutions should not be given prominence over the locally grounded and highly relevant mātauranga of the Indigenous population of Aotearoa. This failure ensures that the core principles do not represent a Māori world view of the waste problem in Aotearoa or of the steps required to fix the problem.

*5. Do you support the proposed approach of three broad stages between now and 2050, and the suggested timing and priorities for what to focus on at each stage?*

Kāo. The Collective Submitters does not support the proposed three broad stages approach to 2050. This approach has been developed in exclusion of Māori input and should have been co-designed within a partnership between Māori and the Crown. The approach makes no mention or reference to the Māori-Crown partnership or to decolonisation of our environmental systems and processes. The approach also makes no mention of the stages or political structures required to create a minimum power-sharing arrangement to ensure Māori regain chieftainship over their taonga as set out in Te Tiriti.

Additionally, the Collective Submitters believe that 'bringing resource recovery systems up to global standards' represents a eurocentric approach to achieve the status quo. It idolises eurocentric knowledge bases and benchmarks at the expense of local and Indigenous knowledge and represents and accepts a low level of ambition and confidence. Aotearoa has a myriad of world class resource recovery centres located throughout the country that are achieving significant diversion of waste from landfill (70%+) in almost complete absence of any legislation, policy, incentives or infrastructure support from central government. The Collective Submitters recommends using these centres as a source of invaluable local knowledge and experience combined with wealth of knowledge within te ao Māori to build a network of community resource recovery centres in every suburb and rural location throughout the whenua.

*6. Looking at the priorities and suggested headline actions for stage one, which do you think are the most important?*

The Collective Submitters believe that none of the suggested headline actions in stage one are more important than our preferred first step: the establishment of a Crown-Māori partnership model focussed on decolonisation and the obligations of Te Tiriti. This joint partnership would set the vision, objectives and priorities for the future restoration of ecosystems throughout Aotearoa from both a Crown and te ao Māori world view. This can be the only first step towards setting the foundations for transformational change.

*7. What else should we be doing in stage one?*

The Collective Submitters believe the essential first step must be the establishment of a Māori-Crown partnership National Agency. Once established the agency should be tasked to work on strategy, legislation reform, transition plans and operational plans within a co-design framework and where all decision-making is shared.

Stage One should also include aligning government procurement policies to support indigenous and social outcomes for local, regional and national outcomes. All government procurement should be filtered through the waste hierarchy.

*8. What are the barriers or roadblocks to achieving the stage one actions, and how can we address them?*

The Collective Submitters believes the key barriers to achieving our recommended Stage One actions are:

- Unwillingness by Crown to enter into a partnership with Māori and uphold Te Tiriti o Waitangi obligations
- Unwillingness by Crown to acknowledge and then address the root cause of the waste problem in Aotearoa
- Unwillingness by Crown to include a te ao Māori perspectives. This strategy is almost completely devoid of te ao Māori or mātauranga Māori perspectives except in sections where concepts have been cherry-picked to suit.
- Unwillingness by Crown to use product stewardship to regulate manufacturers, producers and retailers to reduce waste.
- Inadequate resourcing and lack of ongoing political will to mobilise legislation that supports a transition to a circular economy.
- Ineffective distribution of waste levy funding. The distribution of waste levy funding does not fund iwi and urban Māori participation in waste minimisation.
- Lack of capability to fulfil te ao Māori based roles in this new low waste, low carbon future.
- Lack of understanding of circular economy and how to apply the principles.

9. *Do the strategic targets listed in Table 1 focus on the right areas?*

kāo.

- Priorities relating to taonga over which Māori have kaitiaki status (air, lands, seas) should be decided on and timeframes set by Māori and with Māori concerns responded to first and foremost.
- Priorities relating to failures of Crown obligations under Te Tiriti (regulation of industry, behaviour of Tangata Tiriti, etc) should be decided on and timeframes set by the Crown and then agreed to or re-negotiated by Māori as the Crown seeks to fix the problems. Māori should retain authority to decide if solutions are appropriate.
- Management of targets needs to be set by Māori (Tangata Tiriti should clean up their mess and fix problems they have created.)

10. *Where in the suggested ranges do you think each target should sit, to strike a good balance between ambition and achievability?*

We would support a Māori-Crown partnership National Agency setting highly ambitious targets and progress markers for the public sector, households, businesses, and industries to match the urgency of the impending collapse of the extractive, linear economy and the climate emergency.

We support local iwi and hapū led by Māori, for Māori, equitable and just infrastructure and systems, as well as behaviour change, to meet targets set by the Māori-Crown partnership.

### **Part three: Legislation**

Given the large number of questions in this section we have included answers to the questions that we believe are most directly related to Tiriti and Te Ao Maori matters.

We suggest that answers emphasise the following point - which we encourage you to paste wherever you think appropriate within this section:

**All elements of the strategy, its design, implementation and review procedures must be based on Te Tiriti o Waitangi and reflect a Maori-crown partnership. The strategy must accommodate the inclusion of Maori philosophies, practices, and self-determination.**

11. *Do you think new legislation should require the government to have a waste strategy and periodically update it?*

We welcome the review and inclusion of Te Tiriti as the foundation for the revised Waste Minimisation Act. A stand-alone agency based on the Tiriti partnership should be established to operationalise the strategy and revised Act. This agency would lead and operationalise the comprehensive waste strategy, reviews, updates and tools within the Act.

Local Māori - Crown partnerships would collectively create and set a vision, objectives and targets for local transition plans. These transition plans would ensure direction to local communities, businesses and local government. The plans would also ensure responsiveness and investment in opportunities on the ground within local communities.

*12. How will the strategic documents be designed?*

While we support a mandatory national strategy and more detail and direction, we are acutely aware that a lot of the expertise about what is needed to transition to a circular economy sits outside central government, in the wider community. We wish to avoid a situation where government produces unhelpful strategies that take New Zealand off course. MAIN POINT NEEDS TO BE PARTNERSHIP WITH MAORI

*14. What public reporting on waste by the central and local government would you like to see?*

A centralised waste strategy that has been developed through a meaningful Te Tiriti based partnership will be important in ensuring consistency across local authority actions around waste management. A reporting system can be used to verify that each local authority is acting quickly and drastically to address waste issues within their locality and that these actions are enacted through power sharing with mana whenua.

*15. Do you agree with the suggested functions for central government agencies?*

Kao. We acknowledge that central and local governments have a role to play in implementing the legislative framework around waste management and, through such legislation, ensuring businesses operate sustainably. However the suggested functions for central government agencies do not feature a seat at the decision making table. We emphasise the need for a Maori-crown partnership throughout the design, implementation and review of the strategy, as is afforded to us by Te Tiriti.

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

We reject the use of the word *participation* in this question as it does not denote the level of power sharing that we are entitled to under Te Tiriti .Legislation must set out a model of co-governance between Maori and the government which demonstrates meaningful power sharing. The legislation must incorporate knowledge from within Te Ao Maori and include ways of understanding and relating to the environment that fit within a Maori worldview.