

25 September 2019

Solomon Klinger
via Official Information Request site at www.FYI.org.nz

Dear Solomon

Request for Information – Local Government Official Information and Meetings Act 1987

Your request for information regarding Hutt City Council no longer accepting plastics #3-7 at the kerbside has been processed according to the provisions of the Local Government Official Information and Meetings Act 1987 (the "Act").

Your request for information has been granted in part, and each of your questions has been addressed in Appendix A of this letter. We also attach copies of relevant documents as referenced in Appendix A.

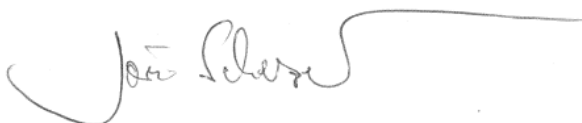
Please note that certain information has been withheld under section 7(2)(b)(ii) of the Act, ie *"withholding of the information is necessary to [...] (b) protect information where the making available of the information [...] (ii) "would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information."*

We consider that the above is a good reason for withholding official information in the circumstances of this particular case and that this withholding of information requested is not outweighed by other considerations which render it desirable, in the public interest, to make that information available.

Pursuant to section 18 of the Act we confirm that you have the right to make a written complaint to the Ombudsman in accordance with section 27(3) of the Act if you are not satisfied with our response regarding information withheld.

If you require any more assistance, please contact me.

Yours sincerely



Jörn Scherzer
Manager Sustainability & Resilience

APPENDIX A

-----Original Message-----

From: "Solomon Klinger" <fyi-request-11100-c9879d60@requests.fyi.org.nz>

Sent: Friday, August 30, 2019 2:45 PM

To: "OIA/LGOIMA requests at Hutt City Council" <Contact@huttcity.govt.nz>

Subject: Official Information request - Types 3-7 recyclable material

Dear Hutt City Council,

Hutt City Council: in response to the December 5th 2018 OIA request by Stephen Hill-Ranger
When the Hutt City Council was requested to provide information regarding processes, checks or balances undertaken to check or verify the quality or success of recycling done by Waste Management NZ (WMNZ) with whom the Council contracted with to provide kerbside collection services for recyclables in the Lower Hutt area, the response was simply: "Hutt City Council has sought assurance from its contractor in terms of the destinations of collected recyclables."

1. We request a copy of this assurance received by the Council from WMNZ any other relevant material.

A copy of the information provided by Waste Management NZ, received on 7 November 2018, providing information on the different markets for collected materials and products, is attached to this email.

Note that it is useful to clarify the roles of different service providers in this context. While Waste Management NZ is contracted by Hutt City Council to collect recyclables, the collected materials take different paths once collected. At the time of the last information request from December, the materials collected by Waste Management NZ took two different pathways. Some of the materials were processed and sorted at its own materials recovery facility, while some materials were processed and sorted at the materials recovery facility operated by OJI, also located in Seaview. Once sorted, materials (in bales) are then on-sold to other companies. For example, clear PET bottles tend to go to Flight Plastics in Lower Hutt, glass goes to Auckland for recycling. Some materials have been shipped overseas, although I note the policy changes overseas, which has reduced the availability of this avenue.

Note that some of the materials or products collected will go to landfill, this can be for several reasons, examples are as follows:

- products may be contaminated (eg containers not sufficiently rinsed, cardboard contaminated by food)
- products or parts of products may be too small to be processed (eg they fall through the sorting line, such as bottle caps)
- there are some products that have never been acceptable for recycling, even before the changes to Lower Hutt's recycling acceptability criteria in May 2019. This includes polysterene products (plastics numbered #6) and soft plastics (regardless of the plastics number code on those soft plastics items).
- residents will have deposited materials or products that are not recyclable, such as nappies.

The Hutt City Council stated in response to this OIA request that they have been assured that recyclables are going to receiving facilities that do indeed recycle and/or manage the materials appropriately.

2. Is this the assurance referred to above?

The information provided by Waste Management in the document received on 7 November 2018, alongside discussions by phone, provided assurance.

3. In regards to the statement “and/or”, if a recyclable is not recycled, we request clarification on how the materials were being managed “appropriately” any other relevant material. Again, if separate to the above communication, I request copies of all communication where such assurances occurred any other relevant material.

As noted in the response to question 1, some materials or products that are collected are waste and go to landfill. Further to this, if no market can be identified for any of the materials collected (eg as a result of policy or market changes), ultimately their final destination will be a landfill. In case of Council's landfill at Silverstream, we have very high certainty that materials received there, are managed appropriately.

The Hutt Council also stated on December 12th in response to the OIA request that they were “currently undertaking a strategic review of its kerbside collection approach, as the contract for its kerbside recycling service is coming up for renewal next year.” Further, that “[a]s part of the next tender process, we will be considering the potential to include additional reporting and assurance requirements regarding the markets and/or receiving facilities of collected materials, in order to have better visibility of the life cycle of collected products.”

4. In light of the fact that less than three months later it was publicly announced the Hutt City Council was choosing to pursue an approach of refusing recyclable materials 3-7, sending these materials to landfill, what strategies were considered in reviewing its approach to kerbside collection? I request copies of all communication surrounding this decision making and any other relevant material.

To clarify, the strategic review into various waste management service areas including our kerbside collection approach, looked at how we collect recyclables and refuse, it did not look in detail at the question of what different types of plastics materials should be accepted at the kerbside. This was considered separately, albeit in parallel to the strategic review, in response to international policy changes, but also in the context of increasing concern and questions about whether there is certainty about where materials go once collected.

Hutt City Council's Strategic Leadership Team was briefed on the issue of what types of materials and products should be accepted in response to these issues and a copy of the briefing that led to the change of what is to be accepted at the kerbside, is attached. (As noted in our letter to you, one cost figure has been withheld under section 7(2)(b)(ii) Local Government Official Information and Meetings Act 1987.)

Note that in order to maintain a clear chain of custody for recycled products, there needs to be a clear and demonstrated demand for each of the products collected. For products where markets are disappearing or are no longer available, then continuing to just collect these materials cannot be considered recycling.

I note that in responding to the information request from 12 December 2018, the strategic waste review was raised in the context of the kerbside collection contract coming up for tender, and that in that context there would be an opportunity to consider including additional reporting and assurance requirements regarding the markets and/or receiving facilities of collected materials, in order to have better visibility of the life cycle (or chain of custody) of collected products.

This is still the intention. However, decisions on the preferred future refuse and recycling kerbside approach have yet to be made, and once made, it will take some time to implement any new approach. As flagged at a Council workshop to discuss the different refuse and recycling collection approaches in May 2019 (copy of workshop presentation is attached), the community could be consulted on the options as part of the next annual plan process in early 2020. If, following this, a decision is made to change to a different collection approach, then a new system could be rolled out toward the end of 2020 following a relevant procurement process and sufficient time for the chosen contractor to prepare for the changes (eg buy new trucks, etc). In light of the time required to make decisions and implement any

changes, we are currently in the process of extending, by one year, the contract that was due for re-tender in September 2019. However, it is not possible to introduce any additional requirements as part of this contract extension.

5. Did the Council, as stated, actually consider the potential of including additional reporting and assurance requirements regarding the markets and/or receiving facilities? If not, why? If so, what conclusions did the Council make in regards to these considerations?

As noted in the response under the above question 4, the kerbside collection contract was due to expire by the end of September 2019. However, as Hutt City Council has yet to make decisions on its future approach to kerbside recycling, work is under way to extend that contract by one year. It is not possible to introduce any additional requirements as part of this contract extension.

In regards to the decision to send 3-7 recyclable material to landfill: It is stated on the Hutt City Council website as a response to why changes are being made to recycling that "there have been changes to the global recycling market with other countries no longer taking plastics for recycling".

6. I request greater clarification behind the reasoning to pursue this approach. Is it that overseas countries won't take recyclable material or that the Hutt City Council is choosing not to? If the latter, please provide more information which speaks to the reasoning behind the decision. Ultimately, why was this approach selected as opposed to others; we request documentation and communication surrounding this decision and any other relevant material.

As noted in the response to your question 4, Hutt City Council's Strategic Leadership Team was briefed on the issue of what types of recyclables should be accepted in response to various challenges, and a copy of the briefing that led to the change of what is to be accepted at the kerbside, is attached.

For some further background information on the changes to the recyclables markets, and implications for New Zealand, can be found at <http://www.wasteminz.org.nz/wp-content/uploads/2018/05/Rebooting-Recycling.-What-can-Aotearoa-do-FINAL.pdf>.

7. Why is the Hutt Council unable to recycle this material when other councils around the country, for example the Wellington City Council, continue to recycle these materials?

Note that Hutt City Council, like many other territorial authorities, does not itself recycle any materials or products. As noted in the response to your question 1, Hutt City Council contracts Waste Management to collect the materials, and Waste Management NZ (or OJI) in turn sell these materials either into the domestic or international market for further processing or actual recycling. We therefore rely on those companies to identify relevant markets for those products that they collect on our behalf.

As to why other Councils (or their contractors) continue to collect certain materials, you may wish to approach Wellington City Council for comment. However, we note that even Wellington City Council does not accept certain plastics materials within the 3-7 range, including polystyrene products (plastics numbered #6) and soft plastics (regardless of the plastics number code on those soft plastics items), as noted on their website at <https://wellington.govt.nz/services/environment-and-waste/rubbish-and-recycling/recycling/sorting-and-preparing-your-recycling>.

On the Hutt City Council website, it states "[w]e are still looking for another recycling option for [3-7] plastic. These plastics only make up around 4% of our recycling, so shouldn't add much to your rubbish." The issue is that this 4% still contributes over 300 tonnes of rubbish that the Council will profit from its disposal in the landfill, as opposed to costs associated with recycling it.

8. What other recycling options are you currently considering for materials 3-7?

We are keeping a watching brief on relevant options as they arise. We are aware that the soft plastics recycling scheme is to return to the Wellington region

(see <https://www.stuff.co.nz/environment/115629908/people-ditching-plastic-a-win-for-soft-plastic-recycling--its-returning-to-hamilton-and-wellington>).

I request documentation and any other relevant material supporting that around 4% of recyclable material previously collected and sent for recycling was recyclables 3-7.

The 4% figure has been provided by WasteMINZ, an example is in this article: <https://www.rnz.co.nz/news/national/382663/cuts-to-gisborne-plastic-recycling-scheme-a-wake-up-call> (see last sentence). You may wish to contact WasteMINZ for a direct reference such as a research report.

9. How much is the Council expected to save annually from sending recyclables 3-7 to landfill?

There is no direct saving, albeit the shift away from accepting these plastic materials will have avoided costs that Council otherwise will likely have incurred, as explained in the attached briefing to Hutt City Council's Strategic Leadership Team.

10. What is the budget allocation for the "Let's sort out waste" campaign?

\$40,000 had been allocated to this new campaign for 2017/18 (from May 2019) and again for 2018/19. Costs for future years have yet to be confirmed.

Total actual spending on the campaign is forecast to be significantly higher than \$40,000 during this financial year. However, this is mainly due to the fact that we are now collaborating with Upper Hutt City Council on this campaign, to achieve higher reach, while sharing costs. The forecast spending for Lower Hutt on its share of the campaign during 2018/19 is, as at 25 September 2019, forecast to be slightly higher than the original budget allocated.