

13 April 2023

File Ref: OIAPR-1274023063-905

Kris Roestenburg

By email: [fyi-request-22095-d535b0fc@requests.fyi.org.nz](mailto:fyi-request-22095-d535b0fc@requests.fyi.org.nz)

Tēnā koe Kris

## **Request for information 2023-051**

I refer to your request for information which was received by Greater Wellington Regional Council (Greater Wellington) on 14 March 2023. You have requested the following:

*1. I'd like a copy of all communications and meeting notes between the GWRC and the following people*

*Christopher Phillip Flavell*

*Hamish Paul Sisson*

*Lincoln Hartley Falconer*

*Kelly Sutton*

*Blair Chalmers*

*Valentin Czibesz*

*And also a copy of all communications between International Waste Ltd otherwise known as Interwaste and the GWRC.*

*2. I'd also like to know if anybody within the environmental team or any of the executives at the GWRC have a special relationship with Christopher Phillip Flavell, Hamish Paul Sisson, Lincoln Hartley Falconer or Kelly Sutton.*

*3. Finally, I'd like to know why the GWRC told Worksafe that the emissions which were in breach of the Discharge Permit coming from Interwaste located at 10 Broken Hill Road is within council spec based on an annual biofilter report that has no bearing on the emissions coming from this property. Who was responsible for this and if you're not willing to name anybody what job title was responsible for making this decision?*

**Greater Wellington responds to your request as follows:**

*1. Correspondence between Greater Wellington and Interwaste*

**Attachments 1-5** contain the information in scope of this part of your request. We require more time to prepare these documents for release and they will be sent to you no later than Friday, 21 April 2023.

We have withheld personal identifying information of InterWaste personnel under section 7(2)(a) of the Local Government Act 1987 (the Act) in order to protect the privacy of natural persons, including that of deceased natural persons.

We have withheld personal identifying information of Greater Wellington personnel under section 7(2)(f)(ii) of the Act in order to maintain the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment.

We have withheld some information regarding InterWaste's commercial activities under section 7(2)(b)(ii) of the Act in order to protect information that would be likely unreasonably to prejudice the commercial position of InterWaste.

We have also withheld 13 documents in full which are in scope of this part of your request under the following sections:

- 12 documents are withheld under section 6(a) of the Act as they relate to an active investigation where the making available of that information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.
- 1 document is withheld under section 7(2)(c)(i) of the Act as this is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.

We have considered whether the public interest in the requested information outweighs Greater Wellington's need to withhold the above information. We do not consider that the public interest outweighs Greater Wellington's reason for withholding the information under the grounds identified above.

*2. I'd also like to know if anybody within the environmental team or any of the executives at the GWRC have a special relationship with Christopher Phillip Flavell, Hamish Paul Sisson, Lincoln Hartley Falconer or Kelly Sutton.*

We have defined "special relationship" as that being one other than a professional working relationship.

Greater Wellington records show no person in the environmental team or any of the Executive Leadership Team having a special relationship with those individuals at Interwaste.

- 3. Finally I'd like to know why the GWRC told Worksafe that the emissions which were in breach of the Discharge Permit coming from Interwaste located at 10 Broken Hill Road is within council spec based on an annual biofilter report that has no bearing on the emissions coming from this property. Who was responsible for this and if you're not willing to name anybody what job title was responsible for making this decision?*

Greater Wellington has no records of this conversation occurring. We are therefore refusing this part of your request under section 17(g) of the Act on the basis that the information requested is not held by Greater Wellington and we have no grounds for believing that the information is held by another local authority or a department of Minister of the Crown or organisation.

However, in 2021 the site's compliance officer reported an incident to WorkSafe after conducting a site visit and having concerns about the exposure of site workers to formaldehyde.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



Al Cross  
Kaiwhakahaere Matua mo te Taiao | General Manager, Environment Management