



13 September 2024

OIAD-1213

9(2)(a)

Dear 9(2)(a)

Thank you for your email of 19 August 2024 requesting the following under the Official Information Act 1982 (the Act):

*I am working on a research project to convert waste clays to cement. I would like to have the available data on the amount of Class 5 wastes stored in clean fills across New Zealand. If you can provide a breakdown of the data for different regions in the country, that would be great. I understand that virgin excavated natural material (VENM) are classified as Class 5 waste.*

The Ministry for the Environment (the Ministry) has collated information in scope of your request in the document titled *OIAD-1213 Information*, which is being released to you in full. Please note the following terms to aid in using the information contained in the spreadsheet:

- **Period** is the first day of a given period for which tonnages have been reported. Reporting is quarterly in the case of class 5s. For example, the period labelled “Apr - 2024” indicates tonnages for April, May, and June 2024.
- **Total Gross Tonnage** is the tonnage of material received at the facility from all sources.
- **Total Net Tonnage** indicates the total amount of material disposed of at site (minus the tonnage diverted).
- **Diverted tonnage** is not shown in the table (calculated by Gross – Net) but is the portion of the Gross Tonnage received at the facility, which is diverted for reuse, recycling, recovery, or otherwise removed from the facility within six months of it arriving.
- **Area** is the island where facilities are geographically located. Note that Chatham Island is incorporated with the South Island tonnages.

Please note that the Ministry does not hold information about the capacity of facilities (either total consented or stored/disposed at site). The Ministry only holds data on the volume of waste disposed since the sites were required to report under the waste levy expansion. More information is available on the Ministry’s website, here: [Waste disposal levy expansion | Ministry for the Environment](#)

Therefore, we are refusing this point of your request under section 18(g) of the Act as the information requested is not held by the Ministry, and we have no grounds to believe it is held by any other central government agency. While we do not hold this information, it may be held by individual regional councils for sites within their jurisdictions that have obtained resource consents. You may wish to contact a specific regional council directly to request this information.

Furthermore, please note that we are unable to disclose data for individual regions as this could lead to the identification of individual operators. As such, information in-scope of this point of your request is being withheld under section 9(2)(b)(ii) of the Act, to protect information where the making available of the information would likely unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information. That said, we have provided you with the total tonnage data for the North and South Islands.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: [ministerials@mfe.govt.nz](mailto:ministerials@mfe.govt.nz).

Yours sincerely

A handwritten signature in black ink that reads "Glenn Wigley". The signature is written in a cursive, flowing style.

**Glenn Wigley**  
General Manager – Waste & HSNO Policy  
Ministry for the Environment | Manatū Mō Te Taiao