

11 July 2023

File Ref: OIAPR-1274023063-3343

Tēnā koe [REDACTED]

### **Request for information 2023-159**

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

- *“Is the Greater Wellington Regional Council aware of consent conditions being broken relating to a flocking substance used in containment ponds that contains Aluminium by the road's builder?”*
- *If so how many consents were broken relating to this substance?*
- *What are the concerns the regional council has about the impact Transmission Gully has had to the environment and the waterways?*
- *How many regional council consents have been broken in relation to the project?*
- *What monitoring has taken place to ensure that the flocking agent hasn't been getting into nearby waterways?*
- *Is the regional council aware of these containment pools with this flocking agent substance overflowing during high rainfall events?*
- *If so do they know how many times this would have happened?*
- *Is there a legitimate concern that this flocking agent which contains aluminium has got into the waterways as a result of the construction of Transmission Gully?”*

### **Greater Wellington's response follows:**

- *Is the Greater Wellington Regional Council aware of consent conditions being broken relating to a flocking substance used in containment ponds that contains Aluminium by the road's builder?*

No we are not aware of this.

- *If so how many consents were broken relating to this substance?*

We are not aware of consent conditions being broken relating to a flocking substance used in containment ponds that contain Aluminium by the road's builder.

- *How many breaches of consent conditions has the regional council been made aware of during the construction of Transmission Gully, and what are the environmental impacts, if any, these breaches have had on nearby waterways?*

Greater Wellington has recorded 260 incidents/failures, consent breaches and/or unconsented activities associated with physical works or activities undertaken. Of these, 190 involved the discharge of sediment to water or land which may enter water.

There have been individual breaches that have resulted in environmental impacts to waterways, mostly consisting of sediment discharges. Sediment discharges to water can impact the quality of water for drinking and for wildlife within those waterways.

- *How many regional council consents have been broken in relation to the project?*

Greater Wellington has recorded 260 incidents/failures, consent breaches and/or unconsented activities associated with physical works or activities undertaken. Of these, 190 involved the discharge of sediment to water or land which may enter water.

- *What monitoring has taken place to ensure that the flocking agent hasn't been getting into nearby waterways?*

Monitoring was undertaken by the road builder in accordance with the methodologies in the certified Chemical Treatment Plan (CTP) and Erosion and Sediment Control Monitoring Plan (ESCMP), which were requirements of the Board of Inquiry consent conditions.

These plans outline all procedures for both routine and rainfall event-triggered management and maintenance of their chemical treatment systems. This includes the procedures for maintenance checks/monitoring and requirements for recording and reporting monitoring results.

If poly-aluminium chloride (PAC) was utilised, discharge and receiving environment pH levels were tested during discharge events as per the ESCMP and where visual site indicators require additional pH testing.

The CTP also addresses onsite storage of chemicals based on Material Safety Data Sheets (MSDS), and outlines procedures for dealing with chemical spills to land and/or water. These include requirements to notify Greater Wellington in the event of any chemical spill to water.

- *Is the regional council aware of these containment pools with this flocking agent substance over flowing during high rainfall events?*

The "containment pools" are compliant sediment retention devices (CSR D's), primarily in the form of sediment retention ponds (SRPs), used to treat sediment-laden water during earthworks. This

treatment includes rainfall-initiated dosing of chemical flocculant using methods and rates based on a variety of factors such as the contributing catchment and soil type.

If a rainfall event exceeds the design capacity, then the ponds are designed to “overflow” - discharge through the emergency spillway. The council is aware that this would have occurred at some locations during significant rainfall events.

- *If so do they know how many times this would have happened?*

We are not aware of how many times this has occurred. The consent holder was not required to inform Greater Wellington of overflow events of compliant sediment retention devices.

- *Is there a legitimate concern that this flocking agent which contains aluminium has got into the waterways as a result of the construction of Transmission Gully?”*

Greater Wellington Regional Council does not have concerns on the discharge rates above what was deemed appropriate during consenting and certification of the Chemical Treatment Plan, the Erosion and Sediment Control Plan and the Erosion and Sediment Control Monitoring Plan.

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



Lian Butcher  
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