

7 March 2025

File Ref: OIAPR-1274023063-36106

By email: [REDACTED]

Tēnā koe [REDACTED]

Request for information 2025-034

I refer to your request for information dated 19 February 2025, which was received by Greater Wellington Regional Council (Greater Wellington) on 19 February 2025. You have requested the following:

“Please provide “all information” regarding Greater Wellington Regional Council enforcement action (ie: abatement /infringement notices/fines, amount of fines, dates, and reason for issuing) relating specifically to the Rukutane Point Pump Station PS35 COP, from 2015 to 2025.”

Greater Wellington’s response follows:

On 26 February 2025 you agreed to clarify/refine your request to “we seek information (ie: abatement/infringement notices/fines) specifically for discharges/overflows from PS35 COP (Rukutane Pump Station) from 2015-2025” and agreed that the table format that I suggested would be an adequate response. As the clarification of your request was done within the statutory seven working day timeframe provided for under the Local Government Official Information and Meetings Act 1987, Greater Wellington restarted the 20-working day timeframe to respond.

You have requested that your request be treated with urgency and have provided the following reasons “our request relates to a current Ombudsman investigation”. Greater Wellington has assessed your request for urgency and has processed your request as soon as is reasonably practicable.

Greater Wellington has issued the following enforcement actions to Wellington Water Limited (WWL) who manage wastewater services in Porirua City, for offences relating to wastewater

discharges / overflows from PS35 COP (Rukutane Point Pump Station) during the period of 2015 to 2025.

Discharge location	Discharge date	Responsible organisation	Enforcement decision	Issue date	Reason for decision
Rukutane Point Pump Station	1-Feb-15	Wellington Water Limited	Formal Warning	23-Apr-15	In this instance, the breakage of the pipe was beyond WWL's control, and the discharge was adequately remedied and mitigated by City Care Limited and Tatana Contractors
Rukutane Point Pump Station	17-Sep-16 to 19-Sep-16	Wellington Water Limited	Formal Warning	19-Dec-16	Greater Wellington is aware that at this time, there is a consenting strategy in place to rectify these discharges and ongoing investigations into the performance of Porirua City Council's wastewater and stormwater network in order to improve the systems performance


Copies of each of these documents have been provided as follows:

- **Attachment 1** – Formal Warning Wellington Water Limited 23-04-2015
- **Attachment 2** – Formal Warning Wellington Water Limited 19-12-2016

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 appropriate. 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

Kaiwhakahaere Matua Rōpū Taiao | Group Manager Environment

File No: ENV/17/15/02
23 April 2015

Wellington Water Limited
25 Victoria Street
Petone
Lower Hutt 5012

Attn: Gary O'Meara [Group Manager Network & Customer Operations]

Dear Gary

Formal warning regarding Rukutane Pump Station Discharge

This letter summarises recent correspondence and communication regarding the discharge of sewage to land which entered the sea, from Rukutane Point Pump Station on 1 February 2015 and concludes the Greater Wellington Regional Council's (GWRC) investigation into the incident.

You have received this letter because you are responsible for wastewater infrastructure and service delivery in the Wellington Region including Rukutane Point Pump Station.

Summary of investigation

On Sunday 1 February 2015, I inspected Rukutane Point Pump Station to investigate a report of a sewage leak at that location and assess compliance with the Resource Management Act 1991. Prior to attending the site I spoke to Derek Mckinon (Wellington Water Limited), on the phone, who stated there was nothing abnormal on the telemetry but he had an operative investigating the report.

Once on site I observed the following:

- A concrete slab, covering the pumping pit, with 5 metal lids – one of which was open
- A concrete seawall, footed by rock rip-rap, approximately 5m north of the concrete slab
- The flat area around the concrete slab, and between the slab and the seawall, (approximately 300m²) covered in sewage solids and liquid
- Sewage solids on the seawall and on the rock rip-rap below the seawall
- Waves breaking over the rock rip-rap
- A large diameter metal pipe in the eastern end of the pumping pit

- A jagged hole, with corroded edges, approximately 10cm in diameter on the bend in this pipe where it entered the pit wall
- Sewage solids plastered around the hole in the pipe

I met with Duncan Jordan (City Care Limited) on site who told me that the sewage had been flowing out of the pit and into the sea when he arrived. He stated he had turned off the pumps to stop the flow. On arrival at site the weather conditions were dry with a northerly wind. By the time I left it had started raining.

These observations provide a statement of fact from my investigation.

Rules and Regulations

This unauthorised discharge of sewage to land where it entered the sea contravenes section 15(1)(b) of the Resource Management Act 1991 which states that no person may discharge any contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

This unauthorised discharge of sewage to land where it entered the sea is not expressly allowed by a national environmental standard, a rule in a regional plan or a resource consent.

Warning

Firstly, thank you for your cooperation with this investigation and the responses you provided to our questions. On this occasion we have decided not to pursue this matter further and issue a **Formal Warning**, because we accept that in this instance, the breakage of the pipe was beyond your control and the discharge was adequately remedied and mitigated by City Care Limited and Tatana Contractors.

Concerns have been raised in relation to the monitoring and maintenance of the pump station. Given that it is a major piece of infrastructure in a high risk environment, the fact you do not know when the pipe breakage occurred is worrying. It is acknowledged that all the rising mains have now been replaced and recommendations have been made for improvements to the inspection and monitoring regime. GWRC would encourage you to implement these as soon as practical.

Please be aware that the Greater Wellington Regional Council has a responsibility to enforce the Resource Management Act 1991. Failure to comply with the Act can result in an infringement notice with a maximum fee of \$1,000 or prosecution with a maximum fine of \$600,000 for a company or \$300,000 or two years imprisonment for an individual. Accordingly, all necessary steps must be taken to ensure you comply with your obligations under the Resource Management Act 1991.

If you have any questions about this matter please call me on 04 8304146.

Yours sincerely

James Snowdon
Environmental Protection Officer
For Manager, Environmental Regulation

Proactive Release

File No: ENV/17/03/04
19 December 2016

Wellington Water Limited
Private Bag 39804
Wellington Mail Centre 5045

Shed 39, 2 Fryatt Quay
Pipitea, Wellington 6011
PO Box 11646
Manners Street
Wellington 6142
T 04 384 5708
F 04 385 6960
www.gw.govt.nz

Attn: Erin Ganley (Manager Risk & Assurance)

Dear Erin

Formal warning for overflow of wastewater pump stations

I am writing to inform you of a recent investigation I undertook and provide advice. The Greater Wellington Regional Council (GWRC) is responsible for investigating breaches of the Resource Management Act 1991 (RMA) and the Wellington Regional Plans. I wrote to you regarding five overflows from pump stations within the Porirua City Council (PCC) area and one overflow within the Wellington City Council (WCC) area from discharges during 17-19 September 2016.

Thank you for your letters dated 8 December 2016, detailing your explanation of events that surrounded the wastewater discharges from the pump stations. The information you provided was considered in reaching a decision on the outcome of the incident. This letter concludes the Greater Wellington Regional Council's investigation into the incident. You have received this letter because you are contracted to Wellington City Council and Porirua City Council to manage the Wellington wastewater network.

On this occasion we have decided to issue you with this formal warning alerting you to the breaches of the Resource Management Act 1991 (RMA) that you are responsible for. We are not pursuing this matter further because we are aware that there is a consenting strategy in place to rectify these discharges and ongoing investigations into the performance of PCC's wastewater and stormwater network in order to improve the system's performance.

Summary of investigation

During the weekend of 17-19 September 2016 emails were received to advise GWRC that overflows were occurring throughout the region at pump stations and sewer manholes due to heavy rain. Of the number of notifications received, GWRC chose to write to WWL and request explanation regarding six particular discharges from pump stations, which were considered to be excessively long in duration. These were the following pump stations which were recorded as discharging for 12 hours or more.

The pump stations I wrote requesting a response regarding were:

- Postgate Pump Station

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- City Centre Pump Station
- Rukutane Point
- Brandon Pump Station
- Paremata Crescent 6B Pump Station
- Houghton Bay Pump Station

In your response letter received on 8 December 2016 and in a follow up phone conversation with Paul Winstanley of WWL on 19 December it was confirmed that the reading of an 18 hour discharge from the Houghton Bay Pump Station was incorrect and the discharge had been approximately 4.5 hours in duration.

Regarding the discharge from the Rukutane Point pump station, you have noted that the size of the catchment was a likely cause in this overflow.

Regarding the four other PCC pump station discharges you outlined that due to the systems design the pump stations are interlinked which caused all stations to have an ongoing discharge.

Breaches of the RMA

These discharges and the discharges of short duration (to which we did not request specific written explanation) all contravene section 15 (1)(b) of the RMA which states no person may discharge any contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water unless the discharge is expressly allowed by a national environmental standard or other regulation, a rule in a regional plan as well as a rule in a proposed regional plan for the same region or a resource consent.

These discharges of wastewater were not expressly allowed by a national environmental standard, a rule in a regional plan, a rule in a proposed natural resources plan or a resource consent.

Formal warning

Please be aware that Greater Wellington Regional Council has a responsibility to enforce the RMA. Failure to comply with the RMA may result in enforcement action including formal warnings, infringement notices or prosecution. More information on potential penalties is available online at <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM239042.html> and <http://www.legislation.govt.nz/regulation/public/1999/0359/latest/whole.html#DLM300060>

Please ensure that you take all necessary steps to comply with your obligations under the RMA as we may not be so lenient if a further breach of the RMA occurs. This includes continuing to prioritise the works programmes to upgrade the network in order to prevent these sorts of discharges in future. Please also note that this warning letter will form part of your compliance history and will be considered in the event of any future incidents.

If you have any questions about this matter please call me on 04 830 4175.

Yours sincerely

Rose Morris
Resource Advisor
For Manager, Environmental Regulation

Proactive Release