

26 April 2023

File Ref: 2023-064-FYI

Kris Roestenburg

By email: [fyi-request-22283-29c9bba2@requests.fyi.org.nz](mailto:fyi-request-22283-29c9bba2@requests.fyi.org.nz)

Tēnā koe Kris,

### **Request for information 2023-064**

I refer to your request for information dated 27 March 2023, which was received by Greater Wellington Regional Council (Greater Wellington) on 28 March 2023. You have requested the following:

- 1. Why did the GWRC not come out and inspect the breaches that were occurring?*
- 2. Has the GWRC ever heard of noise control never coming out? And if not why do they believe that the response to these two discharges are acceptable?*
- 3. (sic) What action has been taken against Interwaste for the constant breaches of their discharge permit over the past 5 years?*
- 4. I'd like a copy of all the smelt complaints made against Interwaste along with the actions that the GWRC has taken against each complaint*

Please be aware that Greater Wellington can only provide you with the official information that we hold. We are also providing relevant contextual information which hopefully provides some assurance to our best practice methods.

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

Your questions are provided below with our answer to each respectively.

#### **1. Why did the GWRC not come out and inspect the breaches that were occurring?**

The Environmental Protection Officer who was on duty at the time of the complaint on 22 March 2023 was unable to attend as they were attending another incident regarding the unauthorised discharge of contaminant, namely hydraulic fluid into Waiwhetu Stream, in breach of Section 15(1)(b) of the RMA.

The Environmental Protection Officer who was on duty at the time of the complaint on 23 March 2023 was unable to attend on site for the required odour assessment, due to being in Kāpiti area, and carrying out an investigation relating to an incident involving the Ōtaki River.

The investigation into such incidents, and the capacity for other officers within the region meant that the odour complaints recorded on the 22 March 2023, and 23 March 2023, could not be attended to readily, and an odour assessment was not conducted as per the complainant's request.

**2. *Has the GWRC ever heard of noise control never coming out? And if not why do they believe that the response to these two discharges are acceptable?***

Greater Wellington does not regulate noise on land, so we are not familiar with noise control officers' attendance.

Greater Wellington understands the responsibility it holds to monitor and assess compliance with the RMA, provided there is the appropriate capacity to carry out such assessments. Given the duty officer at the time was attending other incidents, the odour assessments were not carried out.

The two other incidents which were being investigated at the time, involved the discharge of hydraulic fluid to Waiwhetu Stream, and the unauthorised earthworks within 5m of Ōtaki River were provided priority given the time in which each of the incidents were logged, and of the locations the incidents were occurring.

- Under the proposed Natural Resources Plan (pNRP), for the Greater Wellington Region (Appeals Version), the Ōtaki Stream is considered as Schedule F1, indicating a stream of high character, i.e., the ecosystems habitats to which the stream holds are home to significant indigenous and biodiversity values.
- Under the proposed Natural Resources Plan (pNRP), for the Greater Wellington Region (Appeals Version), the Waiwhetu Stream is considered as a Schedule F1b, indicating a stream which feeds into parts of the coastal marine area, and which contains inanga spawning habitat and holds significant natural character.

The two odour incidents relating to Interwaste were logged at the same time as the two incidents mentioned above. When multiple notifications are received at once, the Environmental Protection Officer on duty must prioritise the notifications and attend the incidents they consider the most significant. On this occasion, based on the importance of the ecological receiving environments mentioned above, the significance of each of the contaminants, and evidence of breaches to Section 9(2)(a) and 15(1)(b) of the RMA, a decision was made to attend the other incidents in the Waiwhetu Stream and Ōtaki River.

**3. (sic) What action has been taken against Interwaste for the constant breaches of their discharge permit over the past 5 years?**

Greater Wellington issued resource consent WGN110357 on 14 July 2011 for the discharge of contaminants to air, namely odour arising from the operation of a waste sterilisation facility, to International Waste Limited.

Under this consent, monitoring and compliance inspections have been conducted, both from reported odour complaints, and under compliance requirements set out within the parameters/conditions of the consent. Greater Wellington is aware of the responsibilities and actions it must carry out in terms of ensuring that no unauthorised discharge, namely that of offensive and objectionable odour is witnessed beyond the boundary of their property.

In the past year, Greater Wellington has received numerous complaints relating to odour from Interwaste, which Greater Wellington Officers have attended and assessed. On occasions that odour is not smelt by officers, a full odour assessment is not undertaken. If an officer detects odour on attendance, a full odour assessment is completed.

On 12 January 2023 Greater Wellington conducted an on-site investigation to assess compliance with the RMA, and relative resource consent WGN110357. In light of this investigation, offensive and objectionable odour was assessed to be causing an adverse effect, and an infringement notice was issued against the offending party, 'Interwaste' on 10 February 2023 under Section 15(1)(c) of the RMA.

- All recorded odour assessment sheets are attached as **Attachment 1** (three in total).
- Infringement I888 is attached as **Attachment 2**.

**4. I'd like a copy of all the smelt complaints made against Interwaste along with the actions that the GWRC has taken against each complaint."**

On 20 April 2023 clarification was sought from you to ensure that the above question was answered with the appropriate information. As no response providing clarification was received, we provide the following information which we consider falls within the scope of your request:

❖ *"Kia ora Kris,*

*I hope this email finds you well.*

*I have recently been assigned the task of completing your LGOIAMA request, due on 26 April 2023, and currently seek the clarification on the below question,*

*“3. I'd like a copy of all the smelt complaints made against Interwaste along with the actions that the GWRC has taken against each complaint.”*

*By this, are you meaning to state that you wish to obtain all actioned/ completed odour assessments by the GWRC Environmental Regulation Staff, in light of any reported odour complaints made against Interwaste?*

**Or,**

*All the times odour has been reported about Interwaste, to the GWRC, and the records we have of all of these complaints?*

*It would be great to get your clarification on the above, so we are able to provide you with the correct information going forward. However, if I have not heard back from you by the 24 April 2023 COB, I will assume that you are referring to all conducted odour assessments carried out by our Environmental Regulation Department, in light of each recorded odour complaint made against Interwaste. All other relevant information will be supplied as per your relevant questions”.*

Provided there was no response to our email seeking clarification (above), all odour assessment sheets where the odour was ‘smelt’ are attached within Attachment 1, together with the Infringement Notice (Attachment 2).

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 Taiao | General Manager Environment Management

Encl: Attachment 1 and 2

# Attachment 1

## Data record sheet for odour measurements

## 10705

greater WELLINGTON  
REGIONAL COUNCIL  
Te Pane Matua Taiao

Site being monitored: INTEGWASTE Assessors name: Nikki FENN  
 Location of assessment: VACC CANYON Date: 14.12.2022  
 Reason for investigation: COMPLAINT/PROACTIVE Consent no. \_\_\_\_\_

INITIAL IMPRESSIONS  
 Initial character: Organic / kind of rubbishy  
 Time of the initial impression: 2:59 VC door Initial general hedonic tone: -2  
 Initial odour intensity: 3 Plume width (if known): 5 metres from Area boundary

Odour samples every 10 seconds. The time between the 10 seconds is disregarded (interval method). Breathe normally rather than sniffing.

Start time: 15:10

| Time | 1st min   |                 | 2nd min   |                   | 3rd min   |                     | 4th min   |                 | 5th min   |                 | 6th min   |                 | 7th min   |                 | 8th min   |                 | 9th min   |                 | 10th min  |                 |   |  |
|------|-----------|-----------------|-----------|-------------------|-----------|---------------------|-----------|-----------------|-----------|-----------------|-----------|-----------------|-----------|-----------------|-----------|-----------------|-----------|-----------------|-----------|-----------------|---|--|
|      | Intensity | Character/notes | Intensity | Character/notes   | Intensity | Character/notes     | Intensity | Character/notes | Intensity | Character/notes | Intensity | Character/notes | Intensity | Character/notes | Intensity | Character/notes | Intensity | Character/notes | Intensity | Character/notes |   |  |
| 0    | 0         | Faint IW        | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 10   | 1         |                 | 3         | Organic / Rubbish | 0         |                     | 0         |                 | 2         |                 | 0         |                 | 1         | Wind swirling   | 0         |                 | 2         |                 | 1         |                 | 1 |  |
| 20   | 0         |                 | 0         | Smell             | 0         | Wind blowing behind | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 30   | 2         |                 | 2         |                   | 1         |                     | 2         |                 | 1         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 40   | 0         |                 | 1         |                   | 0         | Wind swirling       | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 50   | 3         |                 | 0         |                   | 0         | Wind blowing behind | 0         |                 | 3         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 0    | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 10   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 20   | 0         |                 | 1         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 30   | 0         |                 | 2         |                   | 0         |                     | 2         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 40   | 0         |                 | 2         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 50   | 0         |                 | 3         |                   | 0         |                     | 3         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 0    | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 10   | 2         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 20   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 30   | 1         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 40   | 0         | Wind behind     | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 50   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 0    | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 10   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 20   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 30   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 40   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |
| 50   | 0         |                 | 0         |                   | 0         |                     | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0         |                 | 0 |  |

**Scale of intensity**

|   |                    |
|---|--------------------|
| 6 | Scale of intensity |
| 5 | Very strong        |
| 4 | Strong             |
| 3 | Distinct           |
| 2 | Weak               |
| 1 | Very weak          |
| 0 | No odour           |

**Weather data (see over)**

Wind direction: NWS / WNW  
 Wind velocity: 6 km/h  
 Cloud cover: 10%  
 Temperature: 25°

**General hedonic tone**  
 Record at the end of the survey as an overall impression

|      |                      |
|------|----------------------|
| [-4] | Extremely unpleasant |
| [-3] |                      |
| [-2] |                      |
| [-1] |                      |
| [0]  | Neutral              |
| [1]  |                      |
| [2]  |                      |
| [3]  |                      |
| [4]  | Extremely pleasant   |

Based on your assessment on this occasion, which of the following applies:

I did not detect any odour

I did detect odour and consider it would not be objectionable at any location for any duration or frequency

I did detect odour and consider it would be objectionable, if it became continuous

I did detect odour and consider it would be objectionable if it occurred on a regular or frequent basis

I did detect odour and consider it to be objectionable even in periods of short duration.

**FINAL CHECKLIST**

Upwind assessment completed. Record details below. If not, detail reason: No odour to the east

Aerial photo/sketch showing location of assessment and upwind assessment attached No odour south

Are there potential witness statements to obtain YES/NO (VC) - odour is very localized to front of IW

**REMARKS:**

Iw. smell at 15:25 odour is distinct in a burst at 15:24 & 15:28 x 15:29

# Data record sheet for odour measurements

10707

Site being monitored: Interwatts Assessors name: Callum Hawthorne  
 Location of assessment: Broken Hill pariva Date: 12/1/23  
 Reason for investigation: COMPLAINT/PROACTIVE Consent no. \_\_\_\_\_

INITIAL IMPRESSIONS Initial character: strong, thick  
 Time of the initial impression: 12:34 Initial general hedonic tone: rotting  
 Initial odour intensity: 4 Plume width (if known): \_\_\_\_\_

Odour samples every 10 seconds. The time between the 10 seconds is disregarded (interval method). Breathe normally rather than sniffing.

Start time: 12:34

| Intensity    | Character/notes     | Intensity     | Character/notes        |
|--------------|---------------------|---------------|------------------------|
| 1st min 0: 4 | thick heavy         | 6th min 0: 2  |                        |
| 10: 3        |                     | 10: 1         |                        |
| 20: 2        | wind blowing        | 20: 1         |                        |
| 30: 1        | pushing scent away. | 30: 0         |                        |
| 40: 0        |                     | 40: 4         | Chemical smell, mixing |
| 50: 0        |                     | 50: 4         | resolving? wet rain    |
| 2nd min 0: 0 |                     | 7th min 0: 2  |                        |
| 10: 3        |                     | 10: 1         |                        |
| 20: 2        |                     | 20: 0         |                        |
| 30: 0        |                     | 30: 0         |                        |
| 40: 3        |                     | 40: 3         | Thick charred          |
| 50: 2        |                     | 50: 2         |                        |
| 3rd min 0: 3 | Door open           | 8th min 0: 2  |                        |
| 10: 2        | Briefly             | 10: 1         | vape smell             |
| 20: 2        | truck leaving       | 20: 2         | Burning smell          |
| 30: 1        |                     | 30: 3         | more cleaning          |
| 40: 6        | Noxious bad         | 40: 3         | of rotten meat         |
| 50: 6        |                     | 50: 2         | smell.                 |
| 4th min 0: 6 | domest              | 9th min 0: 1  | like bleach            |
| 10: 6        | Door still open     | 10: 0         | over dead              |
| 20: 5        |                     | 20: 2         | meat.                  |
| 30: 4        | truck leaving       | 30: 2         | Door open              |
| 40: 4        |                     | 40: 1         | cigarette              |
| 50: 3        | Door closed         | 50: 4         | from coal              |
| 5th min 0: 3 |                     | 10th min 0: 6 | Door closed            |
| 10: 5        | off meat            | 10: 1         | Truck arriving         |
| 20: 4        | off meaty smell     | 20: 0         | Diesel                 |
| 30: 4        |                     | 30: 1         | Door open              |
| 40: 3        | rotting             | 40: 6         | feces smell            |
| 50: 3        | thick wet           | 50: 4         | truck leaving          |

Scale of intensity

|   |                    |
|---|--------------------|
| 6 | Scale of intensity |
| 5 | Very strong        |
| 4 | Strong             |
| 3 | Distinct           |
| 2 | Weak               |
| 1 | Very weak          |
| 0 | No odour           |

Weather data (see over)

|                 |                        |
|-----------------|------------------------|
| Wind direction: | <u>South</u>           |
| Wind velocity:  | <u>34 km/h</u>         |
| Cloud cover:    | <u>very cloudy 90%</u> |
| Temperature:    | <u>cold - 15°C</u>     |

General hedonic tone

Record at the end of the survey as an overall impression

|    |                      |
|----|----------------------|
| -4 | Extremely unpleasant |
| -3 |                      |
| -2 |                      |
| -1 |                      |
| 0  | Neutral              |
| 1  |                      |
| 2  |                      |
| 3  |                      |
| 4  | Extremely pleasant   |

- Based on your assessment on this occasion, which of the following applies:
- I did not detect any odour
  - I did detect odour and consider it would not be objectionable at any location for any duration or frequency
  - I did detect odour and consider it would be objectionable, if it became continuous
  - I did detect odour and consider it would be objectionable if it occurred on a regular or frequent basis
  - I did detect odour and consider it to be objectionable even in periods of short duration.

FINAL CHECKLIST

- Upwind assessment completed. Record details below. If not, detail reason: WAS UP WIND
- Aerial photo/sketch showing location of assessment and upwind assessment attached
- Are there potential witness statements to obtain YES/NO

REMARKS: Door open briefly - TRUCK leaving really accentuated the smell. would consider objectionable in the short periods i smell it. Doors not open for more than 20secs at a time.

SN FILE

# Data record sheet for odour measurements

10713

Site being monitored: interstate Assessors name: Kallum Hawthorne  
 Location of assessment: Uaia canyon driveway Date: 9/2/23  
 Reason for investigation: COMPLAINT/PROACTIVE Consent no. WGN110

INITIAL IMPRESSIONS  
 Time of the initial impression: 12:01 Initial character: \_\_\_\_\_  
 Initial general hedonic tone: Rotting eggs  
 Initial odour intensity: 3 Plume width (if known): 50m down drive

Odour samples every 10 seconds. The time between the 10 seconds is disregarded (interval method). Breathe normally rather than sniffing.

Start time: \_\_\_\_\_

| Time    | Intensity | Character/notes | Time     | Intensity | Character/notes |
|---------|-----------|-----------------|----------|-----------|-----------------|
| 1st min | 0         | 3               | 6th min  | 0         | 1               |
|         | 10        | 3               |          | 10        | 0               |
|         | 20        | 3               |          | 20        | 0               |
|         | 30        | 2               |          | 30        | 0               |
|         | 40        | 1               |          | 40        | 0               |
| 2nd min | 0         | 2               | 7th min  | 0         | 0               |
|         | 10        | 1               |          | 10        | 0               |
|         | 20        | 1               |          | 20        | 0               |
|         | 30        | 1               |          | 30        | 2               |
|         | 40        | 1               |          | 40        | 1               |
| 3rd min | 0         | 2               | 8th min  | 0         | 0               |
|         | 10        | 0               |          | 10        | 2               |
|         | 20        | 1               |          | 20        | 2               |
|         | 30        | 1               |          | 30        | 0               |
|         | 40        | 2               |          | 40        | 0               |
| 4th min | 0         | 2               | 9th min  | 0         | 1               |
|         | 10        | 0               |          | 10        | 0               |
|         | 20        | 1               |          | 20        | 0               |
|         | 30        | 1               |          | 30        | 0               |
|         | 40        | 2               |          | 40        | 2               |
| 5th min | 0         | 1               | 10th min | 0         | 0               |
|         | 10        | 0               |          | 10        | 2               |
|         | 20        | 2               |          | 20        | 0               |
|         | 30        | 2               |          | 30        | 1               |
|         | 40        | 1               |          | 40        | 0               |
| 50      | 0         | 50              | 0        |           |                 |

Scale of intensity

|   |                    |
|---|--------------------|
| 6 | Scale of intensity |
| 5 | Very strong        |
| 4 | Strong             |
| 3 | Distinct           |
| 2 | Weak               |
| 1 | Very weak          |
| 0 | No odour           |

Weather data (see over)

|                 |        |
|-----------------|--------|
| Wind direction: | SE     |
| Wind velocity:  | 20km/h |
| Cloud cover:    | 60%    |
| Temperature:    | 15°C   |

General hedonic tone  
Record at the end of the survey as an overall impression

|    |                      |
|----|----------------------|
| -4 | Extremely unpleasant |
| -3 |                      |
| -2 |                      |
| -1 |                      |
| 0  | Neutral              |
| 1  |                      |
| 2  |                      |
| 3  |                      |
| 4  | Extremely pleasant   |

Based on your assessment on this occasion, which of the following applies:

- I did not detect any odour
- I did detect odour and consider it would not be objectionable at any location for any duration or frequency
- I did detect odour and consider it would be objectionable, if it became continuous
- I did detect odour and consider it would be objectionable if it occurred on a regular or frequent basis - Not prominent or often enough to determine as offensive.
- I did detect odour and consider it to be objectionable even in periods of short duration.

FINAL CHECKLIST

- Upwind assessment completed. Record details below. If not, detail reason: \_\_\_\_\_
- Aerial photo/sketch showing location of assessment and upwind assessment attached
- Are there potential witness statements to obtain YES/NO

REMARKS: Noticeable when detected, distinct from vapour and other tones. But not prominent - no doors open. often mostly / veggie fermenting odour mixed w/ human waste.