Submission on

Assessment of Environmental Effects
Omāroro Reservoir
Notice of Requirement February 2020

To:

From: Frank Cook

Date: 19 March 2020

1. Wellington Water Ltd proposes a 'minor' adjustment to the Designation boundary to allow for works to take place that cannot be contained within the existing Designation footprint.

2. The work must be considered 'minor' to conform with the Resource Management Act

3. The proposed changes as written in the NoR are:

   This alteration proposes a minor adjustment to the Designation boundary to allow for works to take place where they cannot be contained within the existing Designation footprint. These works comprise:

   - Works to strengthen the existing access from Dorking Road to allow emergency and infrequent vehicle access to the reservoir once constructed
   - Construction of two buried flow meter chambers and one buried control valve chamber and realignment of the existing water mains
   - Relocation of the existing stormwater inlet

4. This submission focuses on the first bullet point above; that is, the proposal to strengthen existing access from Dorking Road.

5. In examining this 'adjustment' one must focus primarily on the stated need which is not met in the currently approved Designation.

6. The original NoR stated, on a number of occasions, and in particular under section 1.2:

Prince of Wales/Omāroro Reservoir

Notice of Requirement: Assessment of Environmental Effects

1.2 Purpose and scope of this report

This AEE and supporting appendices have been prepared in support of the Notice of Requirement that would authorise, under the RMA, the construction, operation, and maintenance of the Project.

This includes all activities associated with the construction, operation, and maintenance of:

- The Omāroro Reservoir structure and pipe tunnel
- Access to the reservoir and pipe tunnel
- Associated connections to the bulk water supply, local water supply, and local stormwater networks

7. Of particular relevance to the current proposal is the assertion of the previous NoR, the one leading to the Designation and which the current NoR proposes to amend, that it included ALL activities associated with the construction, operation, and maintenance of the reservoir and access to the reservoir once constructed. We are now being advised that it did not include all such activities but the documentation for that position is not provided.

8. The two reasons given for the Dorking Road access are as given in Section 3.1, copied below:

   It is anticipated that access will only be rarely required in the following instances:

   - Emergency chemical dosing to disinfect stored water on an as needed basis
   - Emptying and cleaning the reservoir. This is envisaged to occur very occasionally (anticipated to be once every 10 years or less) as and when required

9. The first reason, chemical dosing, was raised at the Hearing and dismissed as unnecessary in the closing submissions made on behalf of Wellington City Council, as follows:

   Closing legal submissions for Wellington Water Limited on behalf of Wellington City Council as requiring authority

   Dated 14 March 2018

   3.5 Mr Cook was also concerned that 48 hours storage would create a risk to water quality. In regards to this, WWL is confident that water quality will not be adversely affected by 48 hours of in zone storage provided by the reservoir.

10. The WWL confidence in water quality has apparently taken a hit, but no reason for that has been advanced.

11. However even if chemical dosing is needed the NoR has failed to establish the associated need for the upgraded Dorking Road access and is bound to propose reasons before proper consideration can be given to this justification. Just saying chemical dosing may be required

is of itself no justification for the upgraded Dorking Road access. In fact, current practice would suggest such upgrade quite unnecessary for such dosing.

12. The second reason involves a maintenance activity which was completely covered by the existing Designation. The NoR under consideration proposes no reason why all maintenance activities are now not covered by the existing Designation and NoR. There must have been some change since that Designation which renders the original maintenance plans no longer functional. That information is not provided in the current NoR. It needs to be before serious consideration can be given to the variation.

13. The second reason also involves access to a so called 'soft spot' or 'emergency access hatch'. Appendix 1 gives some details of this 'soft spot'. An email from Richard Hickman is unsure whether this soft spot was or was not part of the original design.

    > I believe the soft pot was also proposed previously as part of the preliminary design, but I'm not certain on that.

    However there is no doubt provision had been made for emergency access, for emptying and for cleaning of the reservoir. That is clearly fundamental to maintenance requirements, <u>all</u> of which were met according to the original NoR. An explanation is required explaining why those earlier provisions are no longer adequate.

14. It is also the case that the 'soft spot' will be buried. This means that access involves major works within the Town Belt – the removal of the 600mm minimum covering, the securing of an area to prevent public access, and the subsequent reinstatement of the covering. An estimate of the minimum amount of material to be removed is around 10 m^3. The Requiring Authority needs to explain why this now require upgraded Dorking Road truck/crane access when previously it did not.

15. An email from Richard Hickman of Beca has suggested that if approved, the Dorking Road access upgrade will be done early on.

    "In terms of construction timing for the scope outlined in the consent change application, that is a hard one to answer. I would anticipate the Dorking Rd work occurring very early, possibly Sept 2020, but they could be done anytime in the next 3 years. Similarly out tenderer has suggested they will not undertake the connections with the pipelines from Bell Rd as an early activity – but I think they may change their mind. It really comes down to whether leaving the works for a later date will impede their construction access."

16. One needs to ascertain whether it is the intention to use the Dorking Road access for other purposes associated with the construction of the reservoir. It is useful to bear in mind that at the time the POW site became the preferred site no consideration at all was given to the two streams. In fact one of the reservoirs options, option R1.1, involved completely filling in the 'gully' and by implication piping the Western stream over its entirety. That indicates the thinking at the time the site was chosen. The original NoR made it clear that the strictions the subsequent recognition of the streams has placed on the design and construction had <u>all</u> been overcome.

17. The RMA precludes public notification of 'minor' changes. Because of this all submitters to the previous hearing should have been notified as well as a leaflet drop of Dorking Road residents. That would be a minimum action in terms of fairness and a openness. I understand this has not been done.

18. My remarks concerning the need to explain thoroughly those changes which have taken place since the Designation also apply to the construction of the two buried chambers and the relocation of the stormwater inlet. In terms of the buried chambers the NoR indicates that no location had been set at the time of the Designation. This therefore does not represent a change more a complete oversight. That is just not acceptable and raises the obvious question how many more variations will be sought, and at what cost to both the environment and to the residents.

19. I am aware others are addressing these changes. Time precludes me from addressing this issue.

20. I would note however the remarks of the Hearing Panel

> - The footprint of the proposed construction can be contained within an area that avoids the Papawai and unnamed tributary of the Waitangi Streams.

21. Appendix 2 contains a copy of the Designations being amended along with the associated comment from the new NoR. The proposal to add a 78 page new document, AEE report of 27 February 2020, is hardly a minor variation. At the time of writing this comment AEE Report is not even in its finished state, with section 6 to be updated. It is also likely that other sections will be amended following this consultation. The date of 27 February 2020 will certainly not be the appropriate date.

22. Furthermore submitters may not be able to view the finished document before it is presented and possibly agreed to by Wellington City Council. Additionally the limited time for consideration has not been sufficient to determine further internal conflicts between the two AEEs and NoR referred to in the modified DC.1.

23. These are serious issues and need far greater consideration than has been possible to date. Council must be aware that it is highly likely further 'minor' changes will be sought as design investigations proceed, suggesting a longer consultation stage at this point would be productive.

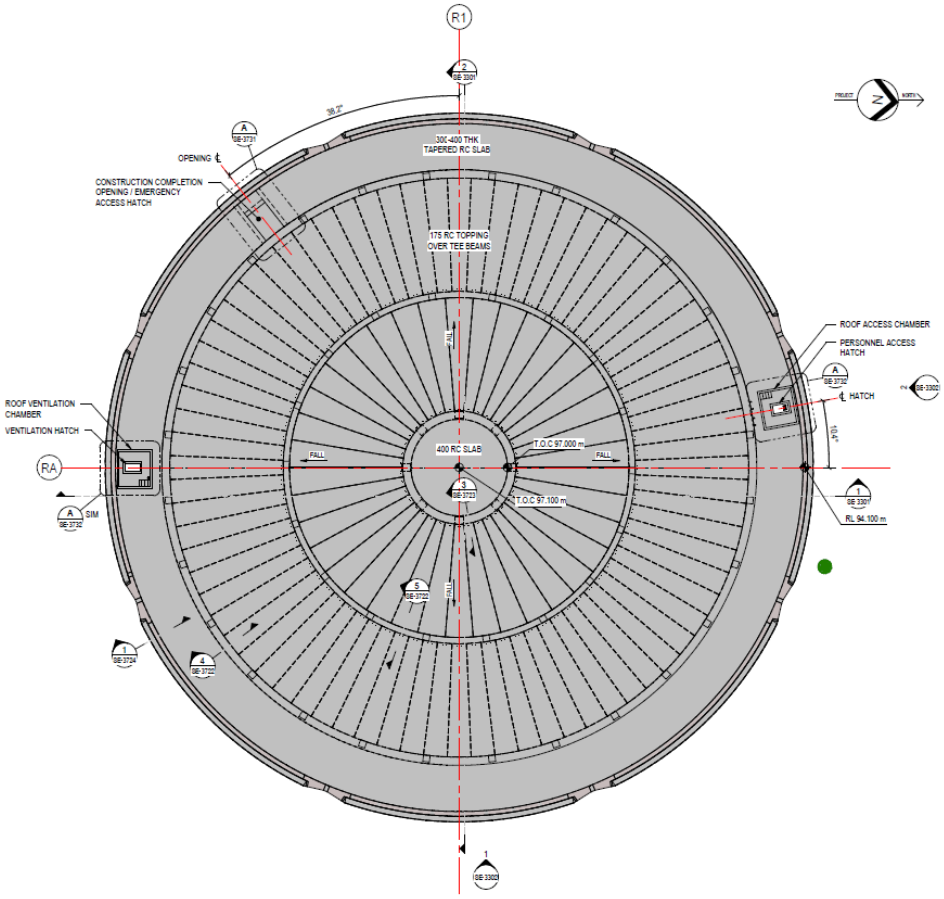
24. In summary I oppose the changes and recommend a more thorough investigation with missing explanations provided together with the opportunity for longer and wider community consultation.

Frank Cook

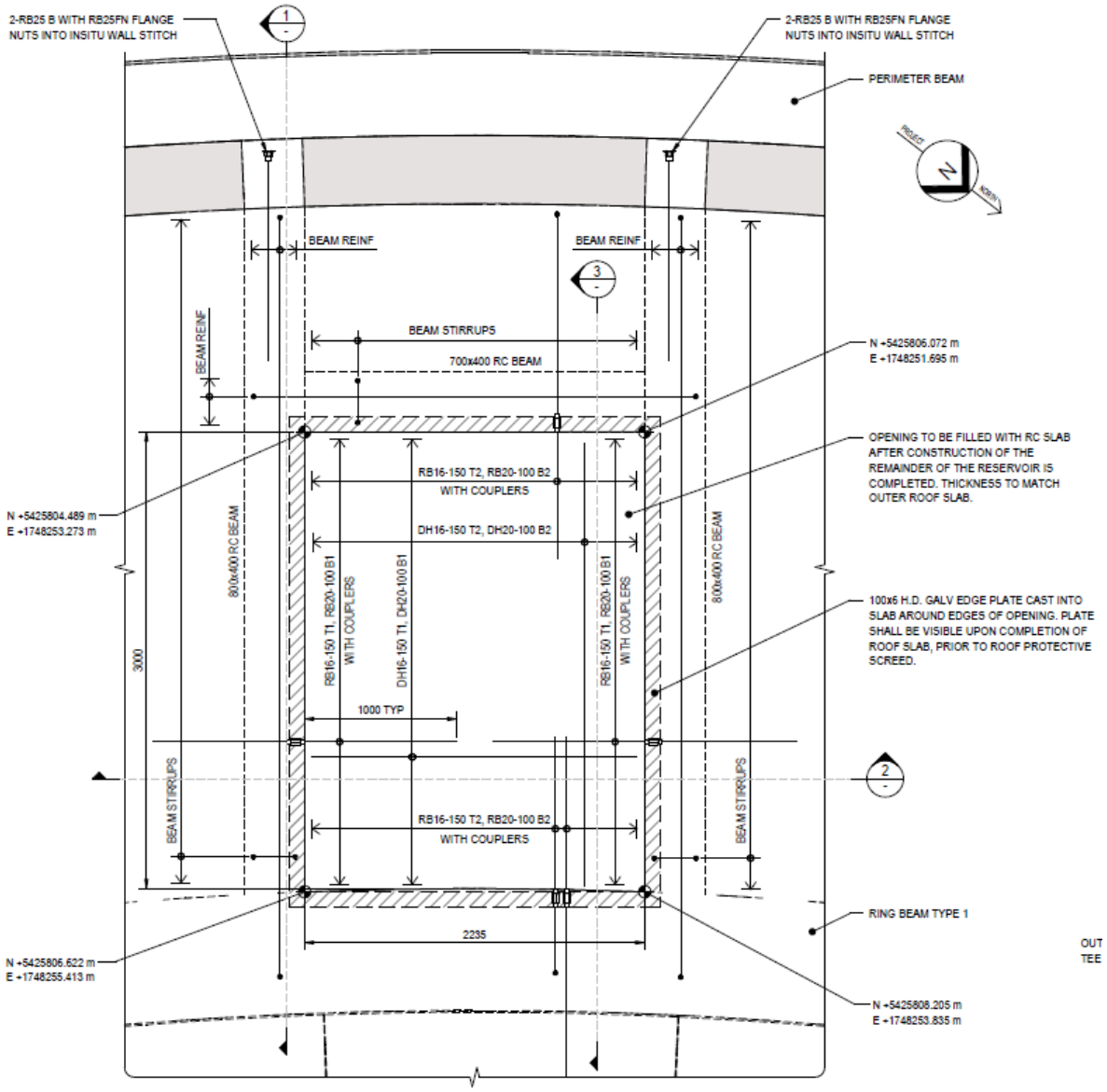
APPENDICES

Appendix 1

Roof showing Soft Spot and exposed hatches.



PLAN - ROOF TOPPING SLAB



A SE-3121 PLAN - CONSTRUCTION COMPLETION OPENING / EMERGENCY ACCESS HATCH
1 : 20

Appendix Two

Designation Conditions amended, together with NoR comment

3.4 Proposed Change to Condition DC.1

It is proposed to amend Designation Condition 1 (DC.1) as follows (insertions are underlined):

a) Except as modified by the conditions below, and subject to final design and Outline Plan(s), the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement and supporting documents being:

i. AEE Report, dated 15 September 2017

ii. Notice of Requirement Update, dated 29 January 2018

iii. <u>AEE Report, dated 27 February 2020</u>

b) Where there is conflict between the documents listed above and these designation conditions, these conditions shall prevail.

No.	Proposed designation condition
	General conditions and administration
DC.1	a) Except as modified by the conditions below, and subject to final design and Outline Plan(s), the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement and supporting documents being: i) AEE Report, dated 15 September 2017 ii) Notice of Requirement Update, dated 29 January 2018 b) Where there is conflict between the documents listed above and these designation conditions, these conditions shall prevail. *NOTE: The conditions of this designation have been specifically prepared to manage the construction of the Project. With the exception of DC.1 a) all conditions will expire, and may be removed from this designation in accordance with s182 of the RMA, upon completion of the Works.*

This NoR also provides for a change to Designation Condition 33 (DC.33) to allow for construction works to encroach within 5m of the Waitangi Stream tributary. These construction works include the construction of chambers and stormwater inlet (referred to above) and the construction access route.

The purpose of this report is to provide a description of the proposed alterations required to allow the construction, operation and maintenance of the Reservoir and provide an assessment of the effects on the environment.

DC.33	The purpose of the LEMP is to outline the methods and measures to be implemented

	prior to the Works, during the construction phase, and for a defined period thereafter to avoid, remedy, and mitigate adverse effects of the construction and the Project on landscape amenity, use and function. The LEMP shall document the permanent mitigation measures, as well as the necessary monitoring and management required to successfully implement those measures during construction and the transition to the Operational phase of the Project. The LEMP shall, as a minimum, address the following: a) Final landscape strategy b) Confirmation of an appropriate buffer between the earthworks and waterways including confirmation of waterway location by longitudinal and cross-section survey. In the case of the Papawai Stream the buffer shall be no less than 10m on the stream's west bank (hillside). In the case of the Waitangi Stream Tributary, to the west of the Project site, no buffer shall be less than 5m. c) How the final reservoir backfill design will support a smooth integration with