

Wellington City Council Certification of Management Plans for the Omāroro Reservoir Development (SR394052)

This document is issued in my capacity as 'Compliance Monitoring Officer' (CMO), as referenced in the Notice of Requirement for this Development issued under SR394052, relating to the certification of management plans for the Omāroro Reservoir Development.

1. The Proposal

By decision dated 11 April 2018 (SR394052) a Notice of Requirement for a designation was granted to Wellington Water Limited (WWL), on behalf of Wellington City Council, in accordance with section 168A of the Resource Management Act 1991. The notices provides for the construction, operation, and maintenance of a 35,000 m³ water supply reservoir within the Prince of Wales Park, Mount Cook, Wellington.

Those works include the associated access, pipework, and tie-ins to the existing network. The reservoir is proposed to be buried upon completion by backfilling the excavation with completed construction to appear as part of the landform. This will also include landscaping of fill batters.

The construction activity for the reservoir is anticipated to take up to 3 years with primary heavy vehicle access being via Rolleston Street.

HEB Construction (hereafter referred to as 'HEB') has been appointed as the principal contractor to undertake the build. The management plans subject to certification were prepared by or on behalf of HEB.

2. Management Plans

Conditions were imposed both by Wellington City Council (under Notice of Requirement SR394052) and decisions of Wellington Regional Council – hereafter referred to as 'GWRC' - (Water Permit WGN1800065 [35008], Discharge Permit WGN1800065[35009] and Land use Consent WGN1800065[35010]).

This document certifies only those management plans arising from or as referred to in the Notice of Requirement issued by Wellington City Council (hereafter referred to as 'WCC') under Notice of Requirement SR394052.

The Notice of Requirement required a number of Management Plans (14 in total) relating to construction of the reservoir, arising from 6 separate regulatory permissions (resource consents/license/designation) and 2 separate regulatory organisations (GWRC/WCC). Those plans included, for WCC:

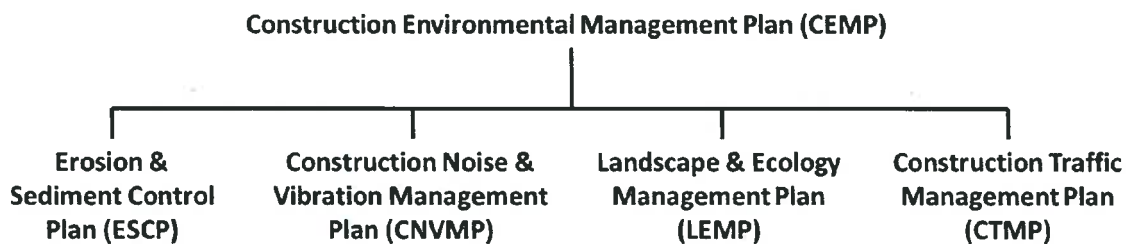
- i) Construction Management Plan (CMP)
- ii) Earthworks Management Plan (EMP)
- iii) Contaminated Soils Management Plan (CSMP)
- iv) Construction Traffic Management Plan (CTMP)
- v) Site Specific Traffic Management Plan (SSTMP)
- vi) Construction Noise and Vibration Management Plan (CNVMP)
- vii) Landscape and Ecology Management Plan (LEMP)
- viii) Construction Site Area Fencing Plan (CSAFP)
- ix) Pedestrian Management Plan (PMP)
- x) Playing Fields Management Plan (PFMP)

and Greater Wellington Regional Council consents:

- xi) Construction Environmental Management Plan (CEMP)
- xii) Erosion and Sediment Control Plan (ESCP)
- xiii) Flocculation Management Plan (FMP)
- xiv) Earthworks Management Plan (EMP)

3. Plan Consolidation

HEB proposed to both WCC and GWRC that the 14 separate management plans be consolidated from 14 down to a 'suite' of 5, as follow:



That proposal was accepted by the Councils on the basis that:

- similar consolidation processes have been effectively used elsewhere in the country for large scale developments involving multiple plans and more than one regulatory authority
- consolidation eliminates duplication that separate 'stand-alone' plans would usually provide
- consolidation does not dilute the intent, nature, or numbers of conditions imposed
- conditions are more clearly 'bundled' and addressed within the same document
- the plans are 'dual purpose' in that they are also drafted as management documents rather than planning documents with language clear, simple, and concise
- they explain how the contractor will manage on-site construction activities as well as achieve compliance with each condition
- layout is visibly improved to reduce the possibility of overlooking conditions

- they provide transparency and drive down the need for constant and complex cross referencing of multiple plans, and
- Community Reference Group (CRG) members could more easily find the sections that interest them most

4. Effect of COVID19 Lockdown on the Management Plan Review Process

COVID19 and the resultant lockdown had a significant effect on the management plan review and feedback process, and the way in which it was conducted. Management plans were, in the main, received and circulated electronically, with documents lodged and publicly available from the Wellington Water website. Meetings with the Community Reference Group (CRG) and workshops between personnel from the appointed contractor and Council officers were, until lockdown was lifted, conducted audio-visually. Two public workshops, held at the Massey University Campus on 13 and 20 June 2020, were conducted 'in person'. The positive manner in which all parties approached this process, in difficult conditions, is acknowledged.

5. Councils (GWRC/WCC) Plan Reviews and Feedback

The consolidated suite of plans and appendices were received by the Councils (WCC and GWRC) on Monday 4 May 2020. Separate 'scene setting' and introductory workshops for the 5 sets of plans were held between HEB and Council officers over Tuesday 5 and Wednesday 6 May 2020. The Councils then, between 5 and 21 May 2020, reviewed the plans, and provided feedback to HEB. During that period, of the plans reviewed, the ESCP (insofar as it incorporated earthworks) was reviewed by Council's earthworks engineer, the CNVMP by Council's noise officers, the CTMP by Council's traffic and roading officers, and the LEMP (including the PFMP, CSAFP (fencing), and PMP) by Council's Parks, Sport, and Recreation officers.

Further conferencing then took place between HEB and Council officers to discuss matters officers identified arising from their reviews.

Between 25 May and 5 June 2020 HEB then reviewed and, where appropriate, further amended, the draft plans to incorporate additional officer comments. They were then further reviewed by Council officers.

6. CRG Review, Workshops, and Feedback

An introductory explanation as to the proposed management plan consolidation & CRG engagement proposal was tabled at the CRG meeting of Thursday 7 May 2020.

Between 9 June and 6 July 2020 CRG reviewed and provided feedback to HEB on the plans. As indicated, that process also included the two workshops on Saturdays 13 and 20 June 2020. At the first session, attendees were given a high level introduction to the plans and how to navigate them for feedback purposes. The second workshop was a general Q&A session.

Thereafter, until 6 July 2020, further public (including CRG) comment on the plans was provided to HEB via a 'Management Plan Review Comments Form'. HEB then considered those representations, incorporating additional comment into the plans where necessary, or provided reasons why comments would not be adopted.

7. Community Reference Group (CRG) Feedback

The responses were collated into a single document for issue to WCC/GWRC and HEB then prepared 'final' versions of the plans for resubmission back to the Councils for approval. Those plans were received on 20 July 2020. Council officers again reviewed the management plans to ensure suitability for certification.

Feedback of the draft management plans was received primarily from members of the CRG, although a small amount of feedback was received from other submitters. That feedback was assessed in the same way to ensure that it, too, was given full and proper consideration.

HEB, in considering the feedback received, adopted a colour-coded method of assessment and broke feedback down into the following four categories:

Green = HEB supportive - considered the feedback has merit. Some feedback led to changes to the management plan to which it relates, or adopted as a practice.

Orange = HEB 'push back' - these were assessed as sitting outside conditions, or how HEB might otherwise intend to manage compliance within conditions.

Purple = 'beyond HEB responsibility' - the matter(s) raised fell outside HEB Construction's contract responsibilities and/or sphere of influence. (These generally required feedback from Council's Open Space and Recreation Planning Manager)

Blue = Relates to comment requiring follow-up action by Wellington Water Limited

That feedback was again subject to further re-review by HEB and Council personnel. HEB's comments were carefully considered against the feedback to which it related. HEB's 'Response to CRG Feedback' will be available on Wellington Water's website. Where feedback was adopted under the 'Green' or 'Orange' headings, changes were made, where necessary, to the management plans. Where feedback was not accepted, the reasons for not doing so were explained.

8. Management Plan Certification

Works must not commence until certification of the management plans is received in writing and certification must be on the basis that they are consistent with the conditions of the Notice of Requirement. I am satisfied that the following management plans, as submitted and reviewed, and

subject to my further comments below as they relate to the EMP, ESCP, and LEMP, are consistent with the Notice of Requirement:

- i) Construction Management Plan (CMP)
- ii) Earthworks Management Plan (EMP) - (insofar as it relates to the Wellington City Council issued Notice of Requirement – see further below) **
- iii) Contaminated Soils Management Plan (CSMP)
- iv) Construction Traffic Management Plan (CTMP)
- v) Site Specific Traffic Management Plan (SSTMP)
- vi) Construction Noise and Vibration Management Plan (CNVMP)
- vii) Landscape and Ecology Management Plan (LEMP) *
- viii) Construction Site Area Fencing Plan (CSAFP)
- ix) Pedestrian Management Plan (PMP)
- x) Playing Fields Management Plan (PFMP)

as consolidated into the following management plans:

- Construction Environmental Management Plan (CEMP)
- Construction Traffic Management Plan (CTMP)
- Construction Noise and Vibration Management Plan (CNVMP)
- Landscape and Ecology Management Plan (LEMP) – incorporating the Playing Fields Management Plan (PFMP)*
- Erosion and Sediment Control Plan (ESCP)**

9. 'Qualified' Certification of the LEMP and the ESCP

The management plans identified:

* relating to the Landscape and Ecology Management Plan (LEMP), also incorporating the PFMP, and

** relating to the Erosion and Sediment Control Plan (ESCP) are subject to 'qualified' certification, the basis for which is explained below.

***Landscape and Ecology Management Plan (LEMP)**

'Qualified' certification of the LEMP has been agreed following discussion with Council's Open Space and Recreation Planning Manager. It takes into account the criticality of timing in respect of the project start date, and that the LEMP is unable to be fully certified because it still lacks some detail and documentation arising from a variation to the designation area approved on 3 July 2020. The timing of the wider project, including the proposed start date, provided insufficient time to incorporate the variation area into the LEMP (and the PFMP combined with it) and allow for CRG review and feedback on the changes prior to this certification process being concluded. Accordingly, 'qualified' certification of the LEMP, to allow works to start, is on the basis described below.

DC.13 of the Notice of Requirement states "The management plans are not required to include all details for every stage of Work at the time the plan is submitted for certification to the CMO. If further details are to be provided for later Stages of Work, the management plan shall specify which Stages require further certification at a later date. Further details shall be submitted to the CMO for certification prior to construction commencing in the relevant Stage. (and work on each stage shall not commence until the relevant management plans are certified)."

LC.52 also anticipates, as here, potential for later variation to an approved LEMP. In this instance, it is considered reasonable to adopt such an approach given the nature and scale of this project, the timeframe over which it will be delivered, where it is reasonable to expect changes in the final detail on what the site will look like, and how it will function on completion.

Management Plans are also treated as 'living' documents in that unforeseen or unanticipated matters will arise, and provide the ability for amendment to deal with those eventualities.

Such a process, as DC.13 and LC.52 allow, is to be adopted for the LEMP (incorporating the Playing Fields Management Plan), where, although Council's Open Space and Recreation Planning Manager is satisfied that the LEMP contains the bulk of the information required, it still requires on-going design detail, and the provision of further information, before it can be fully certified.

The project team has commenced, but not yet completed, the study into feasible options to mitigate the flood risk arising from the Papawai Stream required under LC.62. It is noted the outcome of this study may give rise to a need to revise the LEMP in the future. Additionally, the contractor has proposed to lower the roof of the reservoir and is currently revising the detailed design for the reservoir.

That, in turn, may result in further amendments to the LEMP and PFMP to ensure the site design, layout, soil build-up, and associated landscaping treatment is sensitive to, and incorporates, those changes.

Condition LC.4 of the Licence also states:

“Wellington Water will return the licence area to Wellington City Council to manage with no outstanding work to complete and no increase in level of service....All areas disturbed by the project will be reinstated to function as intended as Wellington Town Belt reserves.”

To ensure the information still to be provided for the LEMP (including the PFMP) is subject to the same level of scrutiny, Wellington Water Limited intends to provide Council a revised draft LEMP in accordance with LC.52 of the license agreement by December 2020. The revised LEMP will then be subject to CRG feedback in accordance with LC.38(c) of the license agreement around late March 2021, prior to approval by the Manager Open Space and Recreation Planning in accordance with LC.54 of the license agreement, by May 2021.

It will also provide, in the context of LC. 4 above, that the necessary assurance and ability to require areas that unexpectedly, or as a result of further detailed design iteration and/or construction on site, need redesign or additional work, are completed to the satisfaction of Wellington City Council.

The revised LEMP is expected to include:

1. Landscape treatment details arising from the variation to the licence approved on 3 July 2020. The LEMP & PFMP will be updated with information and detail as required in the variation application and conditions of the approved licence agreement. Specific requirements are outlined in both the Wellington City Council Designation alteration and the Greater Wellington Regional Council consent for the culvert extension. Issues include (but are not limited to), Waitangi Stream off-set planting, planting around valve chambers and reinstated steps, and planting at Dorking Road/Asquith Terrace road entrance.
2. Landscape treatments for additional vegetation removal areas adjacent to the upper field. Areas are being cleared to allow secondary access to the reservoir site during construction/earthworks and these areas will need a full reinstatement plan.
3. Detailed information to cover LC. 62 and incorporate any required design change in that area. This could include changes to both the LEMP and PFMP as this issue relates to drainage, ecology, and landscape treatment.
4. Updating the location of the pump station to the garage of the pavilion. The plan provided has the pump station currently sitting outside the garage.
5. A detailed plan of the Hargreaves Street entrance that provides for sensible footpath connection to the new walkway and reinstatement, tidy up of the planting area at the street end and suitable curb treatments to accommodate the pedestrian movements in this area.

The matters yet to be finalised in the proposed revised LEMP are not considered to be such as to impede Stage 1, or any other programmed works in the immediate future.

****Erosion & Sediment Control Plan (ESCP)**

The ESCP consolidates and contains the following additional plans:

- a. Flocculation Management Plan (FMP) – via GWRC consents
- b. Earthworks Management Plan (EMP) – via WCC Notice of Requirement
- c. Earthworks Management Plan (EMP) – via GWRC consents
- d. Contaminated Soils Management Plan (CSMP) – via a WCC National Environmental Standards consent.

The Erosion and Sediment Control Plan (ESCP) arises from a consent issued by Greater Wellington Regional Council. Under the plan consolidation process, it also incorporates, to the extent necessary, an Earthworks Management Plan required as a condition of the WCC issued Notice of Requirement, and a Contaminated Soils Management Plan (CSMP), also via a WCC issued National Environmental Standards consent.

That means, within the ESCP to be certified, there will be two separate EMPs (one from each Council's decision, and each with its own specific requirements). To the extent that Wellington City Council's EMP and CSMP are contained within the wider GW issued ESCP they will be certified by me. Greater Wellington Regional Council will separately certify its own EMP and the remainder of the ESCP as arise from that Council's consents.

10. Certification

Accordingly, **I hereby certify** the consolidated 'suite' of management plans comprising the CEMP, CNVMP, and CTMP. The ESCP and the LEMP are also **certified** to the 'qualified' extent indicated.

A copy of this certification shall be posted on the Requiring Authority (Wellington Water Limited) website.

Pursuant to condition DC.11g) of the Notice of Requirement, a copy of every management plan subject to this certification shall also be posted on the Wellington Water Limited website.

Dated at Wellington this **13th** day of **August 2020**



Robert Barber
Team Leader
City Consenting and Compliance
Wellington City Council