BEFORE THE INDEPENDENT HEARINGS PANEL
OF AUCKLAND COUNCIL

I MUA NGĀ KAIKŌMIHANA MOTUHAKA
I TE TĀMAKI MAKAURAU ROHE

UNDER	the Resource Management Act 1991 ("**RMA**")
AND	
IN THE MATTER	of an application to Auckland Council by Watercare Services Limited ("**Watercare**") for a resource consent to construct, commission, operate and maintain a wastewater tunnel and associated activities in Herne Bay, Auckland ("**Project**")

STATEMENT OF EVIDENCE OF ANDREW MARTIN DEUTSCHLE ON BEHALF OF WATERCARE SERVICES LIMITED

(CORPORATE)

2 FEBRUARY 2024

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1. SUMMARY OF EVIDENCE

1.1 My name is Andrew Martin Deutschle. I currently hold the position of Manager – Wastewater Planning at Watercare.

1.2 In my evidence, I provide an overview of the history behind this Project relating to the combined stormwater and wastewater network that has historically serviced the Western Isthmus and provide an overview of the key aspects of the Project, including how Watercare determined the proposed alignment for the tunnel. I also respond to various matters raised by submitters on the Project.

1.3 The Western Isthmus Water Quality Improvement Programme ("**WIWQIP**") was established in 2017 as a joint initiative between Watercare and Auckland Council's Healthy Waters to reduce wastewater overflows and improve stream and beach water quality across the City's Central Western Isthmus. As originally planned, WIWQIP aimed to significantly reduce the frequency and volume of overflows through a combination of stormwater and wastewater upgrades, diversion of some of the overflows to the Central Interceptor wastewater tunnel and through separation of the combined network in some areas.

1.4 However, due to a range of factors, WIWQIP has had to be revised. Its aim is still to significantly reduce the frequency and volume of overflows in the Western Isthmus, but it now proposes to do this by extending the Central Interceptor from Grey Lynn to Point Erin Park, and by building a new Herne Bay wastewater pipeline (the Project) to collect combined wastewater and stormwater flows and convey these flows to the Central Interceptor at Point Erin Park, where they can be safely conveyed to and treated at the Māngere Wastewater Treatment Plant ("**WWTP**").

1.5 The proposed new Herne Bay wastewater tunnel (the Project) will run roughly in parallel to the existing Branch 5 sewer, from the western part of the Herne Bay catchment to Point Erin Park. It involves the installation of approximately 1.5km of 2.1m diameter trunk sewer line (which will be constructed via a tunnel boring machine), the installation of four interception shafts, and the installation of eight primary shafts along with intercepting shaft connections to existing engineered overflow points ("**EOPs**").

1.6 The Project will also require two construction support areas ("**CSAs**") – the primary CSA at Salisbury Reserve and another at 94a-94b Shelly Beach

Road. Use of Salisbury Reserve as the primary CSA is particularly important to ensure that the disruption to the community is minimised insofar as is practicable and so that we can avoid compulsorily acquiring any private property. Use of Salisbury Reserve not only minimises the footprint required at each shaft site in the road corridor (which will reduce the need for, and duration of, both full and partial road closures during construction) but also minimises the extent of disruption to residents' access to properties along the tunnel alignment.

1.7 As is set out in more detail in the evidence of Ms Drury, Watercare has proposed a suite of conditions to manage and mitigate the potential effects of the Project ("**Proposed Conditions**").

1.8 Importantly, delivery of the Project and the extension of the Central Interceptor will have comparable water quality outcomes to that originally proposed. Without the Project, there will continue to be overflows from the existing combined network adversely affecting stream and beach water quality, and these will only increase in frequency due to increased growth in the catchment and climate-change related impacts.

2. INTRODUCTION

Qualifications and Experience

2.1 My name is Andrew Martin Deutschle. I currently hold the position of Manager – Wastewater Planning at Watercare Services Limited.

2.2 I have the qualification of a Bachelor of Engineering (Hons) from the University of Auckland. I have been employed by Watercare for 15 years. In my current role I am responsible for the planning of Watercare's water treatment facilities and wastewater networks. Specifically, I oversee and assist with the development of Facility and Network Servicing Plans which are prepared to inform the need for and timing of future wastewater projects across Auckland. I also oversee and assist with the preparation of feasibility studies and concept designs for Watercare-delivered infrastructure.

2.3 This evidence is provided in support of Watercare's application for all necessary consents to enable the construction and operation of the Project.

2.4 I have been involved in this Project since 2022 in varying capacity, Watercare's Wastewater Planning team, which I lead, has contributed to the development of the Project concept design. I am not involved in day-to-day

business, rather I provide management oversight and support on the overall WIWQIP.

2.5 I have a detailed understanding of the Auckland wastewater supply operating environment, its features, and its limitations. This extends to the operating environment for the combined wastewater network. I am very familiar with the need for, and key drivers of, this Project.

Code of conduct

2.6 Although I have set out my academic qualifications and experience above, I am presenting this evidence as a Watercare representative rather than an independent expert witness. However, to the extent that my evidence addresses matters in respect of which I have expertise, I can confirm I have been provided with, and agree to comply with the Expert Witness Code of Conduct set out within the Environment Court Practice Notice 2023.

3. SCOPE OF EVIDENCE

3.1 This statement of evidence will:

(a) Summarise the history behind this Project relating to the combined stormwater and wastewater network that has historically serviced the Western Isthmus;

(b) Provide an overview of the WIWQIP and Watercare's aim to significantly reduce wastewater overflows to the Waitematā Harbour;

(c) Provide an overview of the key aspects of the Project, including how Watercare determined the proposed alignment for the tunnel;

(d) Set out how Watercare identified the areas to be used as CSAs for the Project; and

(e) Address various matters raised in submissions on the Project.

4. THE COMBINED NETWORK

4.1 Auckland's combined wastewater catchments are found within the first areas developed in Auckland. Best practice at that time involved combining wastewater and stormwater flows from internal and external drainage sources and connecting them into the public wastewater network. Other drainage

infrastructure such as road-side catchpits were also connected to the public wastewater network, creating one combined system.

4.2 Within the Western Isthmus, the combined catchments currently drain into one of two transmission sewers that ultimately reach Māngere WWTP. These two transmission sewers are the Ōrākei Main Sewer and the Western Interceptor. These sewers currently have insufficient capacity to convey combined flows during and post wet weather events, leading to wet weather wastewater overflows in the transmission network as well as the local networks, which face similar capacity limitations during and post wet weather events.

4.3 The Herne Bay catchment is located in the northern part of the Western Isthmus area and incorporates the suburbs of Herne Bay, St Marys Bay and Freemans Bay. Wastewater and stormwater in the Herne Bay catchment currently drain via the local wastewater network into the Branch 5 pipe in Herne Bay which runs from west to east through the catchment, conveying flows to the Ōrākei Main Sewer in Freemans Bay. The Ōrākei Main Sewer continues in an easterly direction to Ōrākei, where it is pumped into the Eastern Interceptor via Pump Station 64 in Ōrākei. From this point it gravitates through the Eastern Interceptor in a clockwise direction around the eastern edge of the Central Isthmus and into Māngere where it terminates at Māngere WWTP.

4.4 The combined wastewater network within the Herne Bay catchment is significantly constrained both in the transmission system and local network. As such, Watercare is planning a number of projects which, once delivered, will resolve the pressure on the network and reduce the frequency and volume of overflow events. These projects include:

(a) The new Central Interceptor wastewater tunnel ("**Central Interceptor**"), including the extension to Point Erin Park. The Central Interceptor is necessary to convey and store greater volumes of combined flows and is a fundamental piece of infrastructure that will assist in addressing a number of existing constraints within areas currently serviced by a combined wastewater network.

(b) The proposed Herne Bay wastewater tunnel (the Project) which will collect and convey overflows from the Herne Bay catchment into the Central Interceptor Shaft at Point Erin Park.

4.5 The above projects will significantly reduce the frequency of overflow events in the Herne Bay catchment and are discussed in more detail below in my evidence.

5. WESTERN ISTHMUS QUALITY IMPROVEMENT PROGRAMME

2017 WIWQIP

5.1 The WIWQIP is a joint initiative between Watercare and Auckland Council that was established in 2017 and is aimed at reducing wastewater overflows and improving stream and beach water quality across the City's central western isthmus.

5.2 WIWQIP aims to significantly reduce the frequency and volume of wastewater overflows in the Western Isthmus. Locations where wastewater spills more frequently than two times per year on average will be reduced from 219 to 10 wastewater locations through a combination of stormwater and wastewater upgrades, diversion of some of the overflows to Central Interceptor and separation of the combined network in some areas.

5.3 The WIWQIP previously extended the Central Interceptor from Western Springs to Grey Lynn and included local network upgrades. It also originally included early and widespread catchment-based sewer and stormwater separation projects, including the St Marys Bay wastewater separation project and the Herne Bay stormwater separation project. These proposed works focused on separating the old, combined stormwater and wastewater pipes directing stormwater to the environment and wastewater to the Māngere WWTP via the Ōrākei Main. The Herne Bay stormwater separation project included a new public wastewater network, storage and a new pump station at Point Erin as well as private property drainage separation and connections.

Revised WIWQIP and postponed separation

5.4 Due to a range of factors, the original WIWQIP 2017 programme has had to be revised. In particular, COVID-19 delays, associated supply chain issues, as well as better knowledge of the work arising from detailed design have all contributed to a need to revise the original programme. In addition, experience from other separation projects has shown that they require extensive detailed investigations, the construction work can be very disruptive (requiring work on private property), and achieving full separation can be challenging (which in turn poses the risk of continuing wastewater contamination, albeit at a reduced volume and frequency compared with fully combined networks).

5.5 To achieve WIWQIP aims, along with the wider network benefits, Watercare, along with Healthy Waters proposed an extension of the Central Interceptor tunnel from Grey Lynn to a new terminal shaft in Point Erin (the Point Erin Tunnel) (consent was granted for this extension in September 2023) and proposes the new Herne Bay wastewater pipeline. These projects will ensure that combined overflows are collected and conveyed directly to the Central Interceptor where they can be treated at the Māngere WWTP.

5.6 The proposed Herne Bay Tunnel (the Project), along with the extension of the Central Interceptor is an alternative proposal to the previous separation projects included in the 2017 WIWQIP. The projects together will not achieve separation but will alleviate the existing constraints in the Herne Bay catchment by providing more capacity in the network to accommodate combined flows, which will result in a significant reduction of overflow volume and frequency. The Herne Bay Tunnel will ensure that combined flows are collected and conveyed directly to the Central Interceptor, where they can be treated at the Māngere WWTP.

5.7 The extension of the Central Interceptor to Point Erin Park and the Herne Bay Tunnel will provide the same benefits as separation in terms of overflow reduction and water quality improvements within the immediate Herne Bay and St Marys Bay catchments. Importantly, the delivery of the Project does not preclude separation of the combined network in Herne Bay in the future if it is required.

6. THE HERNE BAY TUNNEL

6.1 The proposed new Herne Bay wastewater tunnel will run roughly in parallel to the existing Branch 5 sewer, from the western part of the Herne Bay catchment to Point Erin Park. Its purpose is to collect overflows and convey them to the Central Interceptor shaft at Point Erin Park. The Project will support the extension of the Central Interceptor wastewater conveyance and storage tunnel from Tawariki Street to a new drop shaft in Point Erin.

6.2 The proposed new pipeline is primarily 2.1 metres in diameter and will be constructed via a tunnel boring machine beneath the road. From Watercare's perspective, tunnelling is the preferred construction method for the new main pipelines, primarily because trenched construction of these larger diameter pipelines would result in substantially greater disruption to the community. Eight shaft locations are required to enable the main tunnels' construction.

6.3 The proposed alignment for the tunnel has been designed to follow the road corridor where possible to avoid traversing beneath private property, while still passing near to the existing EOPs to enable their connection to the tunnel.

6.4 For the small diameter pipelines (600mm in diameter) that are proposed along Marine Parade and for local connections to the existing EOPs (300m – 450mm in diameter), those pipelines will need to be constructed via open trenching and trenchless excavation. Construction will occur sequentially over different road sections, with the total construction period taking no more than 24 months.

7. CONSTRUCTION SUPPORT AREAS

7.1 As has been addressed by Mr Webster, Watercare has sought resource consent to construct the pipeline within the road corridor in Herne Bay to avoid the need for construction activities within, and beneath private property.

7.2 To reduce the construction footprints within the road corridor (and therefore number and duration of required partial and full road closures during construction as well as impacts to residents' access to their properties), two CSAs are required to support the Project:

(a) a portion of Salisbury Reserve as the primary CSA (noting the majority of the Reserve including the pétanque court, club room, playground and two smaller open grassed areas will remain unaffected); and

(b) 94a-94b Shelly Beach Road.

7.3 The two CSAs above will act as hubs for the satellite construction sites at each shaft and will enable short term storage of materials and plant which will reduce the size of vehicles and number of truck movements on the local road network. If all required materials and plant were stored at each shaft construction site, Watercare would need to occupy a much greater footprint in the road corridor which would cause significantly more adverse environmental effects and associated disruption to the local community. We would also potentially need to compulsorily acquire private property around shaft construction sites.

7.4 The Project team considered a range of sites for use as CSAs to facilitate the construction of the Project and initially looked for a single CSA that could provide all the functions required. The alternative locations are detailed in

Attachment 1 to my evidence. The Project team considered the following criteria when selecting our CSAs:

(a) Distance from the work – a reasonable distance from all the individual worksites in the Project from Bella Vista Road to Point Erin.

(b) Workable area – gives a minimum area suitable for use as a CSA (2000-2500m² based on similar projects in an urban setting).

(c) Transport links – access to roads for logistics of deliveries to maintain supply to worksites while maintaining traffic management requirements.

(d) Traffic impacts – impacts to traffic in the overall Project area as well as local to the CSA considering truck travel routes and number of movements. Also includes minimising disruption due to satellite construction area size, diversions, and road closures.

(e) Impacts on neighbours – noise, dust, vibration, loss of amenity impacts to those immediately surrounding the CSA. Particularly for the road corridor, maintenance of vehicle access was considered.

(f) Reinstatement – works needed to return site to condition and amenity at least as good as prior to use as CSA.

(g) Amenity – disruption to site users during construction and post construction benefits from the Project.

(h) Availability – after discussions with owners, where held, availability of the CSA.

7.5 Salisbury Reserve was considered appropriate for use as the primary CSA in terms of these criteria. In particular, Salisbury Reserve (amongst other things):

(a) is well positioned at the centre of the Project with easy access to all of the shaft construction sites along the length of the Project;

(b) has suitable access and a large flat area (the disused bowling green) that can be used without significant additional earthworks and can be reinstated easily on completion; and

(c) has natural screening of properties to the southeast of the site due to the raised ground that surrounds the disused bowling green.

8. RESPONSE TO MATTERS RAISED BY SUBMITTERS

8.1 Twenty-two submissions were received in relation to the Project. I have reviewed all of the submissions in preparing my evidence. Two late submissions were also received, and I have considered the matters raised in those late submissions below as well.

8.2 The majority of the matters raised by submitters will be addressed by Watercare's expert team in their evidence and I do not repeat their evidence here. However, some submitters have raised matters which I need to address on Watercare's behalf. I respond to these below by topic.

Condition amendments proposed by the Ministry of Education

8.3 The Project will result in a temporary increase in traffic on Curran Street and this traffic will pass Ponsonby Primary School. Given this potential effect, Watercare engaged early with the Ministry of Education ("**Ministry**") and Ponsonby Primary School to ensure that school students' safety was prioritised and appropriately addressed in any mitigation proposed. The Ministry has submitted on Watercare's application and has expressly acknowledged the effort Watercare has made to engage with the Ministry and the school to address and actively manage the Ministry's concerns relating to construction traffic from the Project.

8.4 The Ministry is neutral on the application, provided minor amendments are made to the proposed consent conditions. I can confirm that Watercare has accepted and incorporated those minor amendments in the Proposed Conditions appended to Ms Drury's evidence. In my view, our engagement with the Ministry has resulted in excellent outcomes for both parties, and I am proud of the Project team's efforts to ensure students' ongoing safety is a top priority in the construction of the Project.

Separation and resilience of the wastewater network

8.5 A number of submitters have pointed to the previous planned separation projects for the St Marys Bay/Herne Bay catchments and consider that separation should still be progressed.[1] The St Marys Bay Association's ("**SMBA**") submission states that the long-term resilience of wastewater

[1] Submission by the St Marys Bay Residents Association; Submission by Robin Scholes.

infrastructure and consequent water quality improvement will only be achieved by completing separation of the combined system.

8.6 As set out in my evidence at paragraphs [5.4] to [5.7], the original WIWQIP (which included the original St Marys Bay and Herne Bay separation projects) has had to be revised due to a range of factors. In addition, experience from other separation projects has shown that they require extensive detailed investigations, the construction work can be very disruptive (especially where it is required on private land), and achieving full separation can be challenging. This in turn poses the risk of continuing wastewater contamination, albeit at a reduced volume and frequency compared with fully combined networks. In short, separation projects are expensive, difficult to construct, more disruptive to the community and do not necessarily achieve materially better environmental outcomes (at least over the short-to-medium term).

8.7 In any event, the Project, along with the extension of the Central Interceptor to Point Erin Park, will have comparable water quality outcomes to that originally proposed.

8.8 The approach also provides wider network benefits which separation by itself would not provide and increases the overall resilience of the wastewater network. In particular, the diversion of flows into the Central Interceptor has important benefits in terms of addressing existing capacity constraints, particularly in the Ōrākei Main Sewer and Eastern Interceptor, and increasing overall network resilience. The total annual overflow volume from St Marys Bay and Herne Bay is approximately 250ML/year. Capturing up to 80% of the overflow volume from St Marys Bay and Herne Bay at Point Erin does not increase the peak flows to the Māngere WWTP beyond that considered in the application material and evidence presented for the Central Interceptor.

8.9 Over the longer-term separation of stormwater and wastewater networks may remain an important tool to protect the capacity of the Herne Bay tunnel and Central Interceptor. Importantly, the delivery of the Project does not preclude separation of the combined network in Herne Bay in the future. In fact, it is a step towards effecting separation in that a separate wastewater tunnel like the Herne Bay tunnel would be required regardless.

Peer review from Dr Ian Wallis

8.10 When Healthy Waters and Watercare decided not to progress with the original separation projects within the timeframes originally outlined by WIWQIP, it was agreed with SMBA that an independent peer review would be undertaken of the proposed revised approach.

8.11 The submissions from the SMBA and the Herne Bay Residents Association ("**HBRA**") refer to the peer review which was still being undertaken by Dr Ian Wallis at the time the submissions were lodged. Dr Wallis' peer review has since been completed and provided to Watercare and the Associations.

8.12 The HBRA allege that there was a delay in the peer review due to ongoing design changes from Watercare. I do not consider that to be correct, rather I understand Dr Wallis was focused on other work for the Associations and was not prioritising the peer review for that reason. In any event, as I have mentioned, Dr Wallis' report has now been provided to the parties.

8.13 Of particular relevance to this Project, Dr Wallis's report supports the approach taken by Watercare to date with this Project and concludes (amongst other things) that the extension of the Central Interceptor to Point Erin will provide extra capacity to handle flows to the tunnel and flows from the future Herne Bay tunnel.

Design and operation of the proposed Herne Bay Tunnel, relative to the St Marys Bay Tunnel and Central Interceptor

8.14 The SMBA's submission raises a number of concerns relating to the operation of the proposed Herne Bay Tunnel as part of the St Marys Bay Tunnel and Central Interceptor system. In particular, the SMBA submission considers there is insufficient information about the design of the connections between the tunnels and how they will operate, including whether there is capacity within the infrastructure to handle stormwater.

8.15 By extending the Central Interceptor tunnel to Point Erin, this will add an additional approximately 10% to the overall Central Interceptor tunnel length. This will allow for additional wet-weather storage. Central Interceptor utilises Real Time Control gates to manage the incoming flow into the tunnel at several locations. Central Interceptor will typically take the “first flush” of wet-weather overflows which represents the more concentrated discharges.

Availability of community liaison person

8.16 The HBRA's submission has raised a concern in relation to the original proposed condition 4 (Community Liaison and Communications condition). Proposed condition 4 required a liaison person be appointed by the Consent Holder (Watercare) for the duration of the construction phase of the Project. In accordance with that condition, the liaison person is to be the main and readily accessible point of contact for persons affected by the construction

work and must (amongst other things) be "reasonably available". The HBRA submission seeks that the liaison person be available at all times.

8.17 The planning evidence will explain why having a liaison person available at all times is neither practicable, nor necessary from an effects management perspective.

8.18 Despite this, Watercare has a call centre available 24 hours, 7 days a week for faults and emergencies, which I consider addresses the concerns raised in the submission by the HBRA.

Liability for any damage arising from construction

8.19 As part of the consent application for the Project, a number of properties near to the Project works are, under the Proposed Conditions, required to be offered pre- and post-construction condition surveys. The requirement for these surveys to be offered is a precaution, and such surveys are commonly offered by Watercare and carried out across our tunnelling projects throughout Auckland. In this regard, I want to be clear that Watercare does not expect any structural damage to result to any private property from the proposed construction works required for the Project, and this is confirmed in the technical assessments submitted with our application.

8.20 Further, in direct response to submissions, we also engaged a structural engineer (Mr Clarke) to specifically assess the potential for structural damage to the townhouses at 92 Sarsfield Street, 94 Sarsfield Street, 96 Sarsfield Street, 98 Sarsfield Street, and 51 Wallace Street (1930s two-storey terraced housing) ("**Townhouses**"). Mr Clarke has confirmed that that there is the potential for some cosmetic damage only to the Townhouses, not structural damage, resulting from our construction of the Project.[2] Watercare has offered pre- and post-condition surveys to these properties and will remedy any cosmetic damage that may occur post completion of the relevant works.

8.21 Several submitters seek that Watercare take responsibility to pay for any damage arising from the construction of the Project.[3] In my view that is an entirely reasonable request and is standard practice for Watercare. Watercare and its consultant contractors responsible for constructing the Project have insurance policies in place to cover damage to property in the unlikely event that eventuates.

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2 Evidence of Mr Clarke dated 2 February 2024 at [1.5].

3 Submission by Josephine Fila Yelavich; Submission by Herne Bay Residents Association; Submission by Marissa Fong; Submission by Rowena Joan Roberts; Submission by Helene Brownlee.

Use of Salisbury Reserve

8.22 A number of submitters oppose the use of Salisbury Reserve as the primary CSA for the Project.[4] As I have set out above, the use of Salisbury Reserve as the primary CSA has been carefully thought through and alternative locations were considered early on. In my view, use of Salisbury Reserve as a CSA for the Project is entirely appropriate given it is located within Herne Bay and the community that will therefore directly benefit the most from the Project.

8.23 Use of Point Erin Park was ruled out almost immediately given the park is already being used to construct the extension of the Central Interceptor from Tawariki Street to Point Erin Park. It would be very challenging to coordinate two contractors needing to occupy the same space. Use of other locations (ie on the north shore) was also quickly ruled out on the basis that it would be inequitable to locate a CSA in a catchment that was not benefiting from the proposed work. We also did not have support from the Kaipātiki Local Board for this very reason.

8.24 Overall, it was determined that Salisbury Reserve was the most convenient to the construction site, avoids the need for additional construction traffic movements, and was situated in the community that would most directly benefit from the new infrastructure. In addition, the technical assessments submitted with our consent application collectively consider that the potential temporary adverse effects of locating the CSA in Salisbury Reserve can be appropriately managed via the Proposed Conditions.

8.25 In any event, and in direct response to submissions, Mr Bishop will explain how the proposed land requirement for use of Salisbury Reserve has been further revised to minimise the extent of the Reserve required insofar as that is practicable, and to move the proposed activities away from planting that exists already within the Reserve.[5]

Alternative locations to Salisbury Reserve

8.26 The late submission from the Salisbury Reserve Residents' Group seek that Watercare consider occupying other locations in the vicinity of the Project. These alternative locations include:

4 Submission by Herne Bay Residents Association; Submission by Gary Lane; Submission by Simon and Paula Herbert; Submission by Dale Smith; Submission by Niksha Farac; Submission by Salisbury Residents' Group.

5 Evidence of Mr Bishop dated 2 February 2024.

(a) Utilising streets and berms for site office, storage of pipes, machinery;

(b) The site adjacent to the second CSA at 105-125 Curran Street;

(c) Point Erin car park at the corner of Sarsfield Street/Shelly Beach Road;

(d) The large green space west of the Point Erin car park - Point Erin Park;

(e) The area to the east of Westend Tennis Club; and

(f) Part of Victoria Park.

8.27 Following receipt of this submission, Watercare has looked carefully at these alternative locations suggested and the evidence of Mr Bishop sets out why the alternative sites are either not supported or not appropriate from a construction perspective.[6] I agree with Mr Bishop's expert evidence in this regard.

Proposed works to connect to EOP1019

8.28 Three submitters (the owners of 15 Cremorne Street, 3 River Terrace and 6 River Terrace) have raised concerns with Watercare's application, which stated that EOP1019 was located on 6 River Terrace when in fact it is located on 15 Cremorne Street. Those same submitters have also raised concerns as to whether resource consent was therefore actually sought for works within their private properties to connect to EOP1019 on 15 Cremorne Street.

8.29 I acknowledge that there was a minor error in Watercare's application documents, and that the EOP1019 is in fact located on 15 Cremorne Street. To address this issue, Watercare has amended its consent application and confirmed to Council that it is no longer seeking resource consent to authorise works to connect to EOP1019 as part of this application.

8.30 Watercare will, however, need to connect to EOP1019 in the future, and will seek the necessary approvals to authorise that essential connection in due course. Direct engagement with the landowner is ongoing in this regard.

Andrew Deutschle

2 February 2024

6 Evidence of Mr Bishop dated 2 February 2024 at Attachment 2.

Attachment 1 – Alternative CSA options considered

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22 December 2023

Jane Dent
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Dear Jane and Peter

Response to your presentation made to Watercare's Board Meeting of 12 December 2023

Thank you for taking the time to attend the Watercare Board meeting on 12 December 2023 and for your presentation on Watercare's resource consent application for the Herne Bay Trunk Sewer Upgrade.

As discussed, the Board has consulted with Management and, as at the date of this letter, we can provide the following information in response to your deputation.

Once you have had a chance to consider this additional information, please let us know if you have any further questions.

Background to the project

The Herne Bay Sewer Upgrade Project (Project) represents critical community infrastructure required to reduce persistent wet weather wastewater overflows into the receiving environment around local beaches while also providing capacity for future growth. In doing so, it utilises Watercare's significant investment in the Central Interceptor (CI) project by connecting to the CI wastewater tunnel (via the proposed extension to Point Erin Park) and diverting wastewater and combined water flows away from existing coastal discharge points to the Māngere Wastewater Treatment Plant.

Watercare has lodged a resource consent for the entire Herne Bay Sewer Upgrade project, and this includes a request to use approximately 40% of Salisbury Reserve as a Construction Support Area (CSA). We plan to use this Salisbury Reserve CSA together with a second CSA on Shelly Beach Road.

The use of public space for CSAs is not uncommon and Watercare has active works and support areas located on many parks and reserves across the city. While there is often a short-term inconvenience, they enable us to achieve broader community outcomes. In all cases the sites are only selected after an options assessment process and our contractors and stakeholder teams work closely with neighbours to keep people informed during construction. Our proactive approach means we encounter very few issues.

The two CSAs for this project will act as hubs for the eight satellite construction sites at each shaft and will enable short term storage of materials and plant. This will enable a reduction of materials and equipment stored at each shaft location and will reduce the size of vehicles and number of truck movements on the local road network. If materials and plant were stored at each satellite construction site, Watercare would need to occupy a greater footprint in the road corridor which would cause significantly more adverse environmental effects and associated disruption to the local community.

Watercare wishes to start work on this project in late 2024 or early 2025 and to utilise Salisbury Reserve for construction support for a period of up to 2 years.

Once the CSAs are no longer required, they will be remediated back to at least their original condition. This will be a requirement of the conditions of consent (if granted).

Watercare lodged the resource consent application for the Project with Auckland Council on 30 June 2023. Watercare requested that Auckland Council publicly notify the application to do so in the interests of full public disclosure and transparency. The application was notified on 5 September 2023 and was open for submissions until 3 October 2023. Several submissions were received from residents in the Herne Bay area before the 3 October deadline, including from the Herne Bay Residents Association. Several of those submissions received before the deadline raised concerns with the required use of Salisbury Reserve as a CSA.

CSA selection criteria

The Project team considered a range of sites to be used as CSAs to facilitate the construction of the Project (these are set out below) and initially looked for a single CSA that could provide all the functions required.

The project team considered the following criteria when selecting our CSAs:

1. Distance from the work – a reasonable distance from all the individual worksites in the Project from Bella Vista Road to Point Erin.
2. Workable area – gives a minimum area suitable for use as a CSA (2,000-2,500m² based on similar projects in an urban setting).
3. Transport links – access to roads for logistics of deliveries to maintain supply to worksites while maintaining traffic management requirements.
4. Traffic impacts – impacts to traffic in the overall Project area as well as local to the CSA considering truck travel routes and number of movements. Also includes minimising disruption due to satellite construction area size, diversions, and road closures.
5. Impacts on neighbours – Noise, dust, vibration, loss of amenity impacts to those immediately surrounding the CSA. Particularly for the road corridor, maintenance of vehicle access was considered.
6. Reinstatement – works needed to return site to condition and amenity at least as good as prior to use as a CSA.
7. Amenity – disruption to site users during construction and post construction benefits from the Project.
8. Availability – after discussions with owners, where held, availability of the CSA.

The Salisbury reserve was considered to be the best CSA option, based on these criteria and Watercare's goals; to water quality improvement in the Herne Bay area and providing value to our customers. We do acknowledge that there are constraints/restrictions associated with the use of Salisbury Reserve, but recognise that this option provides us with the best opportunity to ensure successful outcomes delivery.

A part of our approach consideration was given to other areas and options for CSAs including the following locations.

- **Road Corridor (i.e. using residential roads and having the materials / offices immediately next to the shaft locations):** This option was discounted due to the large amount of space required in the road corridor, the number of driveways likely to be blocked, the amount of on-street parking that would need to be removed, the need to move the CSA several times (i.e. from shaft to shaft), and the overall level of significant adverse environmental effects and associated disruption this would cause to the entire Herne Bay community.
- **Cox's Bay Reserve:** This option was discounted due to the high use of the sports ground and the extra distance from the construction area. This would result in more adverse effects associated with construction traffic and disruption to the surrounding roads.

- **Pt Erin pool carpark:** This option was discounted as there would be too much interference between the different contractors working on the Pt Erin extension/Central Interceptor project, and this Project. Both projects will be underway at the same time. The cumulative effects of increased construction traffic in this area, in addition to effects on the use of the Pt Erin pool, were also considered too significant for this option to be viable. For the assessment of this option, we were also informed by the assessment undertaken within our Central Interceptor project, which resulted in the decision not to use the Pt Erin pool carpark. Instead, the CSA was proposed and consented in the grassed area within Pt Erin Park itself. The Point Erin Pool carpark is also a considerable distance from the western end of the Herne Bay construction area.
- **Little Shoal Bay and Stafford Park:** These were both not viable options due to natural hazards, logistical challenges on narrow streets, and the considerable distance from the Herne Bay construction area. Also, these sites were primarily considered as an alternative to 94 Shelley Beach Road, rather than an alternative to Salisbury Reserve as the primary CSA.
- **Onepoto Domain:** This option was discounted following feedback from the Kaipatiki Local Board. In any case it was too far away from the Herne Bay construction area and would and require vehicles to travel over the Auckland Harbour Bridge when moving between the Domain and the construction area. Furthermore, it was primarily considered as an alternative to 94 Shelley Beach Road, rather than as an alternative to Salisbury Reserve as the primary CSA.
- **105-125 Curran Street:** Initial feedback from Eke Panuku was that it needed the whole of this site for their own project which was on a similar trajectory to this Project. However, more recently Watercare has been advised that Eke Panuku's project is on hold as it has not received the necessary funding to enable it to continue. Despite this, Eke Panuku is still indicating that they will need the site from the end of 2025 which does not align with the timeframes for the Herne Bay Sewer Project. In any event, Curran Street was primarily considered as an alternative to 94 Shelley Beach Road, not an alternative to Sailsbury Reserve as the primary CSA, and even if Eke Panuku were to make it available to Watercare now (despite its current advice to the contrary) we would still require Salisbury Reserve.
- **Victoria Park:** This was not considered a viable option due to the distance from the construction area and the high traffic volume during peak hours.

Background as to why Salisbury Reserve is one of our preferred CSAs

Watercare is proposing to use a section of land at 94 Shelly Beach Road and the northern section of Salisbury Reserve as CSAs for the Project. The map below outlines the area of Salisbury Reserve requested as the primary CSA (in blue) which represents just under 40% of the Reserve.

This CSA is to be used for:

- Storage of materials for constructing the new pipes, some of which are very large like the new 2.1m diameter pipes.
- Storage of materials to support the tunnel boring machine and other works. This includes storage of fuel lubricants and spare parts.
- Assembly of equipment to support the tunnel boring machine operation.
- Site office and worker welfare facilities.
- Space for trucks and a crane to unload materials.

Key points about the use of Salisbury Reserve are:

- Watercare is only planning to use just under 40% of the Reserve. The pétanque court, club room, playground and two smaller open grassed areas will remain unaffected.
- Pedestrian access to both Salisbury Street and Argyle Street will be maintained.

- Noise levels will be mitigated with a 2m high solid hoarding around the site boundary.
- The CSA is planned to be operating during construction times, between 7am and 6pm, Monday to Friday and 8am – 6pm on Saturdays.
- When construction is complete, Watercare is committed to completely restoring the Reserve to its original condition.

Since the resource consent submission Watercare has further refined the area required at Salisbury Reserve, bringing in the boundaries of the site away from plantings and giving more of a buffer to users of the remaining areas of the park. The proposal is shown below.

Background to the Curran Street site

105-125 Curran Street is owned by Auckland Council and managed by Eke Panuku.

94C Shelley Beach Road is owned by the New Zealand Transport Agency and a portion of this is currently leased to Eke Panuku.

The Project team did consider using Curran Street as an alternative to the Shelley Beach Road CSA that we have proposed in our consent application. However, we did not consider Curran Street to be the only CSA area for the Project. This is because Curran Street is too far away from the western end of the Herne Bay Sewer Upgrade Project construction areas to be of practical use, when compared to Salisbury Reserve. In other words, even if Curran Street were available to us, we always also needed Salisbury Reserve.

We have had various discussions with the Eke Panuku's project manager for various projects we are doing in the area (i.e., Herne Bay Sewer Upgrade, and the Westhaven Booster Pumping Station project).

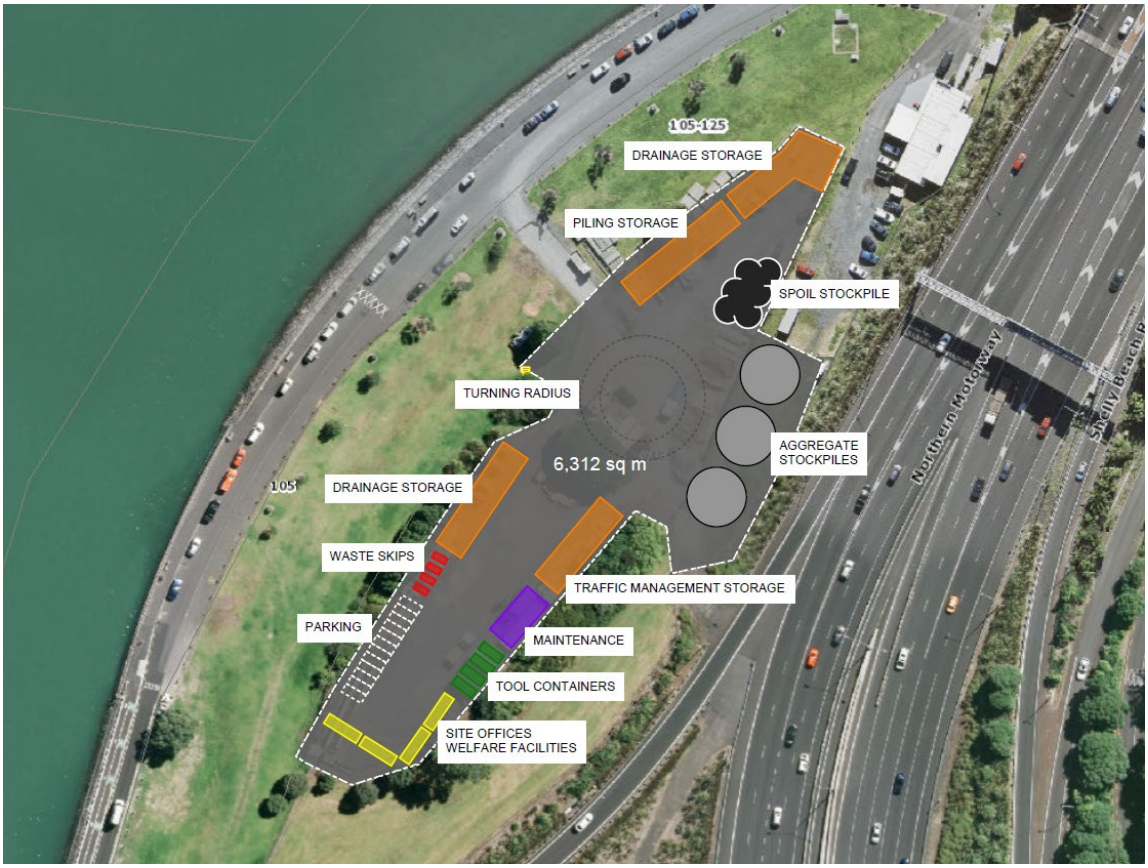
Prior to lodgement of the consent application, the last time we had discussions with Eke Panuku was whilst we were developing the construction methodology for the Herne Bay Sewer Upgrade, back in February 2023. At that time, we were told that Eke Panuku was proceeding with its project (the Harbour Bridge Park Project) and the site was not available to us. However, since those discussions in early 2023, we have become aware that Eke Panuku's project is on hold due to funding not being available.

We met with the Eke Panuku Harbour Bridge Park project manager on Monday, 4 December 2023, ahead of meeting the Herne Bay residents opposed to the use of Salisbury Reserve. The purpose of this meeting was to further understand Eke Panuku's current plans for the site. At that meeting, Eke Panuku confirmed that while the Harbour Bridge Park Project was on hold, they hoped to obtain the necessary funding and commence the project in late 2025.

Watercare aims to start the Herne Bay Sewer Upgrade in early 2025 and it will take up to 2 years to complete. Therefore, it became evident at that recent meeting there would be a clash over the project duration.

The Watercare Project team has since spoken to Gareth Wilson, the Westhaven Marina Manager. From our conversation with him, we understand that the Marina Manager does not have operational control over the Curran Street site. However, he would be willing to raise it within Eke Panuku Management as to whether we could use the site.

Watercare has asked for clarification from Eke Panuku as to who has the authority to give permission to use the Curran St site and, when we could have it, along with any restrictions. Further to this, Watercare has directly written to Eke Panuku asking for use of the site as a CSA from a specific date, for a period of two years. A copy of this letter is attached (Attachment 1). As at the date of this letter, we are still waiting to hear back. Watercare has also indicated to Eke Panuku the preferred area of land and the proposed site layout as below. Even if Eke Panuku is able to allow Watercare to use the Curran Street site, this will be used as a CSA in addition to the CSA at Salisbury reserve.



Management, however, has advised me that even if Eke Panuku confirms that Curran Street is available for Watercare to use as the only CSA for the project, then it is relevant to note that this would have other impacts. In particular, the change in approach (i.e., using one CSA at Curran Street, rather than the current proposed two CSAs in Shelly Beach Road and Salisbury Reserve) would result in the following:

- Watercare incurring an additional $2m cost, at a minimum. This extra cost is related to the cost of time and transport for the contractor because the site is so far away from the western end of the Project, and their trucks would be travelling along residential routes that would likely upset other St Mary's Bay and Herne Bay residents.
- We would need to lodge an amendment to our Resource Consent application, and we may end up in litigation with other St Mary's Bay and Herne Bay Residents opposed to our planned use of Curran Street – resulting additional delay and expense.
- Any additional consent costs, and litigation costs, would be passed on to Auckland Watercare customers, and/or result in the deferral of other important capital projects.
- The eight Satellite Construction Sites will still be required. These are set out in Appendix J of the Resource Consent application. All these Satellite Construction Sites are in residential roadways, including Hamilton Road, Marine Parade, Sarsfield Street, Cremorne Street, Stack Street, Waitangi Street, Argyle Street and Bella Vista Road. Using two CSAs, including Sailsbury Reserve, minimised the footprint at these roadside Satellite Construction Sites. However, if we only had one CSA at Curran Street, these eight Satellite Construction Sites would need to expand in area to accommodate plant and machinery that needs to stay on, or near, sites during certain stages of the project. This would necessarily involve our contractors taking up longer sections of residential roadway and blocking more driveways. The roadway work areas would then have a greater impact on more residents at each site in

Herne Bay. These impacts would primarily change the effects on noise, vibration, traffic and potentially tree cover.

Next steps

From the information provided, I trust we have provided assurance that Watercare has considered a range of options in respect of the CSA requirements for the Herne Bay Sewer Upgrade Project, including Curran Street. As set out earlier in the letter, a response from Eke Panuku is awaited in respect of Curran Street.

Once received, Management will consider whether to continue with the current plan or amend the resource consent application, noting that the use of Curran Street is not without challenges and complications.

We will revert once a response has been received from Eke Panuku. In the meantime, should you have any questions in respect of the information provided, please do not hesitate to contact me.

Yours faithfully,

Margaret Devlin
Chair – Watercare Board
Watercare Services Limited