



Submission of Civic Trust Auckland

Point England Development Enabling Bill

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Civic Trust Auckland

Civic Trust Auckland (CTA) is a non-profit public interest group, incorporated in 1968, with activities and interests throughout the greater Auckland region.

The aims of the Trust include:

- Protection of natural landforms
- Preservation of heritage, in all its aspects
- Encouragement of good planning for the city and region.

CTA opposes the Point England Reserve Enabling Bill as proposed.

Reasons

In our view, the loss of 11.69 hectares of recreational reserve land at Point England Recreation Reserve to enable housing development is undesirable. While we understand the need for housing, there are other measures that may help solve the housing shortage without the need to remove reserve land from the public realm. For example, many houses in Auckland are empty due to their treatment as investments, without recognition of their primary purpose for providing housing.

The Purpose of Reserve Land

The land at Point England Reserve was designated recreational reserve land for good reason, with the intention that it would not be built on in the future, and that it be set aside for the purpose of, as per the Reserves Act 1977,

“(1) ... providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.”

(2)(1)(b) states that: “where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife

are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:

(c) those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved:

(d) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.”

The Ministry of Business, Innovation and Employment (MBIE) draws attention to several salient points in its Regulatory Impact Statement (RIS).

It notes that “*reserve lands are held for the benefit and enjoyment of the public. Even where the land does not have any significant reserve values, revocation will not necessarily follow. It must be clearly established the land is no longer required for its present purpose or any other reserve purpose.*”

Glen Innes, Point England and Panmure are areas designated for housing intensification in the Unitary Plan, so with an increase in population, more rather than less open space should be provided for these communities. To this end, CTA takes the view that the land currently designated as Point England Reserve is still required.

Indigenous and other Fauna

The proposed bill does not specifically refer to particular wildlife in the area. However, the proposed housing development of 300 houses would destroy the primary roosting habitat of 50-90% of the remaining wild shorebirds in the Tāmaki Estuary. It would cover 50% of the endangered New Zealand dotterel nesting ground, and would bring people and probably domestic animals into the nesting ground, which would serve to drive the birds out.

The NZ dotterel is an endangered species that has been nurtured by Auckland Council staff and volunteers for a number of years. This valuable work has also led to regular visits from the shore plover, one of New Zealand most critically endangered birds.

Migratory birds such bar-tailed godwits come to feed in the mud flats of the Tamaki Estuary. When the tide comes in, the wading birds seek refuge in the paddocks of Point England Reserve, as there are few other options in this area. The development is likely to see the end of shore birds in the Tamaki Estuary.

These concerns about loss of open space and habitats for birdlife are expressed in the Herald article below dated 12 January 2017.

Housing bill upsets bird fans

Hundreds speak up urging end to plans for development on an East Auckland reserve

Corazon Miller

Plans to use an East Auckland reserve for housing are being opposed by people worried about local wildlife.

So far 561 people have signed an online petition calling for an end to a bill before Parliament that could see hundreds of homes and a marae built on the Pt England Reserve.

The Pt England Development Enabling Bill passed its first reading last month and is open for submissions before a second reading in April.

The bill would pave the way for 300 homes – 20 per cent social housing and 20 per cent affordable – and a marae to be built on 13ha, or a quarter of the park's land. The

project would be headed by Ngati Paoa and Tamaki Redevelopment.

Those behind the petition say the buildings could endanger birds nesting and roosting by the estuary.

"The development will destroy the primary roosting habitat of 50-90 per cent of the remaining wild shorebirds in the estuary," the petition read.

Although its organisers acknowledged the number of birds in the area was relatively small compared with elsewhere in the country, it said some of those roosting in the area were species in decline or endangered.

Birds spotted recently included the northern New Zealand dotterel, caspian terns and red-billed seagulls, all of which were endangered.

"This intensive housing develop-

ment will bring cats and dogs and people into the nesting ground, evicting the birds. Ask for a better development proposal."

Comments from signatories echoed concerns the plans would destroy the balance of biodiversity.

"Auckland needs a plan that goes up not out, especially if it risks destroying a major dotterel habitat," wrote one.

Another feared there'd be no going back once the bill was signed.

"Reserves critical element for an intensified Auckland. Once they are gone they will never be reinstated."

After the bill passed its first reading former Housing Minister Nick Smith said a significant portion of the reserve would remain.

"The plan is about replacing the cows with homes and enhancing the balance of the reserve with improved recreational and cultural facilities.

"This initiative will give more families a warm, dry, affordable home, improve amenities in the area and help to resolve Ngati Paoa's Treaty settlement," Smith said.

Yesterday afternoon another opponent of the plans alerted the Herald to his petition on change.org.

Tsz Ho said it was one of the last pieces of open space in the area.

"Given the intensification that is planned for Glen Innes it seems absurd to lose any green space, as once it is built on there is no getting it back."

Ho's petition has so far gathered 750 supporters.

The Value of Open Space

Department of Conservation

The value of open space is described well on The Department of Conservation website, as follows:

"Exposure to our natural environments provides positive effects on human health and wellbeing. DOC is promoting the connection between the health of our environment and our people through Healthy Nature Healthy People. It aims to encourage us to use New Zealand's natural spaces to maintain and improve our health and wellbeing. These spaces include land and water from our urban parks and beaches to our national parks, seas, lakes and wild rivers ...

Our natural environment already provides so much; from protecting natural processes and features to providing clean air and water; underpinning tourism to preserving culture and heritage. Nature is also a source of inspiration, excitement, refreshment, relaxation and solitude ...

The movement seeks to reinforce and encourage the connections between a healthy environment and a healthy society. The principles are:

- *the wellbeing of all societies depends on healthy ecosystems*
- *parks nurture healthy ecosystems*
- *contact with nature is essential for improving emotional, physical and spiritual health and wellbeing, and*
- *parks are fundamental to economic growth and to vibrant and healthy communities.*

DOC and the Mental Health Foundation have partnered to raise awareness about the positive effects of getting out into nature for your mental health and wellbeing.

The Healthy Nature, Healthy People movement is about promoting and strengthening the connection between health, wellbeing and nature ... Personal experiences and connection with nature on a regular basis provide, amongst other things, powerful benefits for people's health and wellbeing. Connecting with nature has been shown to improve concentration, attention and emotional functioning as well as buffering against stress, lowering cortisol levels (flight or fight response) and improves the immune system. It significantly improves mood, enhances wellbeing and provides greater life satisfaction."

Auckland Council

We would also like to draw your attention to the following from **The Auckland Plan**, with regard to open space.

Chapter 5, Priority 2 [pg 144]

349_ Our marine environment, regional and local parks, and Department of Conservation sites offer an abundance of public open space. There are physical and mental health benefits to having open space in the form of our natural environment, dedicated sports fields, parks and other areas where we can simply sit or walk in peace. Recognizing the value of this open space is the first step towards protecting, promoting and improving access to it.

350_ Quality public open space is a critical component for healthy lifestyles in an urban environment.

352_ Access to public open space will be maintained and improved as Auckland grows, so that recreation remains an easy option. ...

Directive 5.3 [pg 145]

Ensure recreation and sport facilities keep up with the needs of a growing population.

354_ Auckland's growing population and increasing diversity requires community infrastructure (parks, sports grounds, swimming pools) to meet a wide range of needs. There is an increasing shortage of sports fields and facilities ...

Chapter 10 [pg 241]

556_ Urban Auckland is characterised by its outstanding coastal and harbour settings, its narrow isthmus, volcanic landscape and rural surroundings. The natural environment has provided communities and neighbourhoods with unique character and amenity.

[pg 243]

Planning for intensification will focus on the areas most suited to it, and be developed in consultation with local communities, taking into account their aspirations for an area (including character, heritage, transport and environmental considerations).

Directive 10.4 [pg 246]

Locate and develop greenfield areas as sustainable liveable neighbourhoods in a way that:

demonstrates the most efficient use of land, protects and enhances biodiversity, air quality, water quality, and heritage values

[pg 247]

Auckland Council will lead the development of an Auckland Design Manual, which will expand on these principles and provide acceptable solutions and best practice associated with Auckland's unique landscape and natural values, landform, climate, local context, historic heritage and public open space qualities.

[pg 249]

572_ As Auckland grows, the amenity of the public realm (social and recreational spaces) will become more important. Such areas must be designed with an underlying structure that accommodates how people (of all age groups) will use these spaces. Our public spaces must therefore be designed to enable more Aucklanders to use and enjoy them. Where appropriate, public spaces must also cater for special occasions, such as the events held in the new shared spaces around the Central City, the Pasifika Festival at Western Springs, the Kowhai Festival in Warkworth, and Santa Parades across Auckland.

Finally, from the Auckland Plan, Box 10.2 Environmental Design Principles (on pg 250) include the following: *"Habitat and biodiversity protection and enhancement should occur across all new development,"* and Directive 10.7 is that *"All urban development should take into account the environmental design principles outlined in Box 10.2."*

In relation to 572 in the Auckland Plan, we note that Music in Parks, Movies in Parks and the WeetBix Kids TRYathlon are scheduled to be held in February 2017 at the Point England Reserve. It would seem that holding these popular events in the future in a reduced size reserve with 300 or so houses on it would not be so feasible.

We note that a third of the playing fields on the Point England Reserve would be taken for the proposed development. The playing fields are regularly used for cricket and soccer games not only by local schools but other members of the local community, and the fields are also used for family and social gatherings.

Proposed Marae

In principle, CTA does not object to 2ha of the reserve being provided for the development of a marae as part of the cultural redress of the Treaty settlement, as long as the location of the marae is in a part of the reserve where adverse effects on the environment are nil or minimal according to the ecological assessment. This is assuming that the marae itself includes open space and that its design and operation would be in accordance with responsible management and sound environmental practices.

Summary

As noted in the East and Bays Courier dated 25 January, 2017 (below), In discussing the development, Ngati Paoa iwi Trust chief executive, Hawauru Rawiri states "Our objective is to have a conversation with the community and see how we can maximise their use.

Iwi reject petition concerns

TOM CARNEGIE

An iwi which will develop hundreds of houses on an east Auckland reserve has poured cold water over residents' concerns.

In December last year the Government announced it would take steps to sell almost 12 hectares, or about a quarter of Point England Reserve to Ngati Paoa iwi.

The sale is part of a Treaty of Waitangi redress and would result in 300 new houses and a marina being built on reserve land.

Under the redress 20 per cent of the houses will be social housing, 20 per cent will be sold as affordable, and 60 per cent will be sold on the open market.

Two online petitions have been started by concerned residents opposing the sale.

One petition opposes the development due to the impact it will have on local wildlife.

Patrick O'Meara, chair of the Tamaki Estuary Protection Society, said the proposed development would destroy a nesting

site for endangered New Zealand dotterels.

"Houses would literally be built right on top of where they currently nest," O'Meara said.

Ngati Paoa iwi Trust chief executive Hauauru Rawiri said the wellbeing of the birds was a priority.

"The dotterels moved to the reserve land in recent times, originally they were on a shell bank of the Tamaki river. We would look to repatriate the place they are originally from through resto-

ration and revitalisation," Rawiri said.

Another online petition, started by Tsz Ho, has currently received 1517 signatures.

"The Auckland City Unitary plan already earmarked Glen Innes, Pt England and Panmure for housing intensification."

"There will be a significant increase in population. Therefore it is illogical to cut down on open spaces in an area that needs it most," the petition states.

Ho said the petition does not

have a specific signature target.

The petition highlights that under the proposed plan houses will be built on two of the six sports fields at the reserve.

Rawiri said the iwi will be putting an emphasis on quality over quantity when it comes to the fields. "Our argument is those sports fields are underdeveloped and underutilised," Rawiri said.

"Our objective is to have a conversation with the community and see how we can maximise their use."

Government recognises a multiplicity of objectives, one of which is the protection of reserve values.

Relief sought:

CTA seeks an independent ecological impact assessment before the bill proceeds any further. In what would seem the likely event that some development occurs, CTA would like to see a better development proceed that optimises the public's ability to enjoy the remaining reserve land. In particular, this would involve the development:

- providing for a new recreation route alongside the existing ecological corridor beside the Omaru Creek, shown in green below (this was simply a possibility in the RIS, pt 32). This would link up with the existing walkway, denoted in black below.
- providing visual links through the new development towards the reserve land (denoted in blue below). These visual links could coincide with the provision of roading infrastructure.



Date of submission: 31 January 2017

Signature:



Audrey van Ryn
Secretary, Civic Trust Auckland