

**Summary of Significant Issues from
the Hearing of the
Long Bay Structure Plan**

Long Bay – Okura Great Park Society

Tena koutou katoa

This summary has been given the full tautoko of Te Tinana o Ngati Whatua nui tonu and the acknowledgement in tautoko from Ngati Whatua Nga Rima o Kaipara, the five marae of South Kaipara (hapu takiwa authority). In due course, a copy will be sent to Te Runanga o Ngati Whatua (iwi authority) and Ngati Whatua o Orakei (hapu takiwa authority). The kaupapa of Okura Long Bay was presented to nga poupou of the 35 marae of Ngati Whatua in 2004 and 2005 in order to inform them of the kaitiakitanga being exercised collectively by the identified community groups of Okura and Long Bay and nga iwi, hapu that have had association with this whenua.

Noho mai ra i roto i nga manaakitanga katoa

Summary of Significant Issues from the Hearing Long Bay Structure Plan

The hearing brought to light many new issues that when looked at as a whole cast considerable doubt on the wisdom of accepting Variation 66 and Plan Change 6. The evidence presented at the hearing showed that the structure plan area is of such archaeological, ecological and public significance that it should not be developed at this time, rather that it should be preserved for future generations.

This summary covers some of the key submissions presented at the hearing and highlights their salient points. We have organised the submissions into five topics: Heritage Significance, Marine Reserve, Ecological Significance, Visual Disturbance, and Regional Park.

Before we begin however, it is important to understand just how intensive the development proposed for Long Bay is. Despite the Structure Plan referring to 'retaining the semi-rural backdrop to the Park', the Plan calls for urban development of greater density than any in the East Coast Bays. At its densest the plan has large multi-storey apartment blocks, comparable to those at the north end of Takapuna Beach, located within 100m of the Regional Park. The proposed backdrop to this intense urban environment is ridgelines crowned with suburban areas.

As we shall see, submissions to the hearing showed that this density of development is not compatible with an area of such significance to the inhabitants of the North Shore, Auckland, and New Zealand as a whole.

Heritage Significance

The Long Bay Structure Plan area has a unique heritage and archaeological value and considerable spiritual and cultural importance to tangata whenua. The area also has historical European archaeological features.

The Auckland Regional Council, the Department of Conservation, nga iwi, hapu tangata whenua, various environmental groups, and the Great Park Society all impressed on the Commissioners the known archaeological importance of the area and the extent to which there remains much more to be uncovered.

While the Structure Plan proposes the creation of a Heritage Protection Zone over some of the archaeological and historical sites the groups all stated that the extent of the zone and the degree of protection that it offers is insufficient.

This is one of the last remaining substantial area sites of this nature left within North Shore City. To allow the modification and/or destruction of this area without robust investigation into negotiable alternatives proposed to the Hearing Commissioners is considered not in keeping with Section 6e of the Resource Management Act 'Matters of National Importance' Section and other relevant sections pertaining to Maori Interests.

— Jane Sherard, Ngati Whatua Nga Rima o Kaipara in support of Te Tinana o Ngati Whatua Nui Tonu and Okura Environmental Group.

I am of the opinion that even though comprehensive pedestrian surveys have been completed in the Structure Plan area, more archaeological sites are present and will be uncovered as earthworks and other activities proceed.

The archaeological structures and features within the Long Bay Structure Plan area together form a unique complex of layered remains probably spanning the last 800 years of human activity. They are important historic places containing both representative and rare examples. It is my submission that the historic places recorded within the structure plan are worthy of ongoing recognition and every effort should be made to protect and preserve them from inappropriate subdivision use and development. It could be argued that the recorded archaeological remains here form part of a significant heritage landscape that contain both pre-European and historic elements that are rare and unique to North Shore City and the Auckland region.

— Ian Lawlor, Senior Archaeologist, Auckland Regional Council.

The Department of Conservation highlighted concern for one particular settler heritage site.

Historic period ditch and bank farming boundaries are regionally a rare heritage type with few intact examples remaining in the North Shore City area. ... R10/1098 is therefore one of the best preserved examples of its type in the region and has high heritage significance.

It is noted that the locations of the roads and residential blocks as they have been proposed will adversely impact on R10/1098, and it is unlikely that they will be able to be preserved given this layout. Because of their elongated nature, sites such as these tend to be destroyed in an incremental manner. As sections of the site are destroyed the remaining portions are then often deemed less significant because they no longer represent an intact feature.

— Andrew Dodd, Technical Support Officer for Historic Heritage, Auckland Conservancy, Department of Conservation.

Te Tinana o Ngati Whatua Nui Tonu also expressed concern that the Council is looking at the sites individually and not as part of an archaeological landscape, and that this approach would severely limit the future spiritual, cultural, historical and educational value of these sites.

We submit the creation of a limited Landscape [Heritage]Protection Zone around one site only (namely 201) together with a 30 metre buffer zone around other identified sites does not give effect to the Heritage Landscape concept. The effect would be to fragment the landscape and is entirely inadequate for the protection of this unique archaeological treasure.

— Te Tinana o Ngati Whatua Nui Tonu and Okura Environmental Group.

The Te Hao o Ngati Whatua report also provides a compelling assessment of the regional and national importance of the area archeologically and culturally, especially to tangata whenua. In particular I suggest the defining of the location of the ara or pathway Pukekauere leading to the Waitemata, Manakau and Kaipara and protecting it is of special importance. It does not appear on any of the archaeological maps we have seen to date. We suggest this is a 'significant trail' under the Historic Places Act and requires recognition and protection.

— Te Tinana o Ngati Whatua Nui Tonu and Okura Environmental Group.

The proposed Structure Plan does not take into account the existence of the historic ara or pathway through the area. It is premature to approve development in this area without extensive further research and discussion with local iwi and full consideration of other ways to use this land that are more in harmony with its archaeological value.

Hapu, iwi Ngati Whatua, Ngapuhi, Ngati Paoa, Kawerau-a-Maki and others in support, could be resourced to expand further on the cultural heritage aspects of Maori village living in the area. This could be done via several methods e.g. headland 'soft natural indicator' walkways, linkages down to Okura River tracks (both sides) and the established coastal ARC tracks, native plantings to protect the various clusters of sites, informative plaques of recognition, carving of pouwhenua and various other restricted roading and tourism activity that can be connected to Auckland Regional Council and North Shore City Council tourism initiatives.

— Jane Sherard, Ngati Whatua Nga Rima o Kaipara in support of Te Tinana o Ngati Whatua Nui Tonu and Okura Environmental Group.

Marine Reserve

Perhaps the area of greatest ecological significance and most ecologically at risk is the Okura Long Bay Marine Reserve. Urban development produces a high increase of sediment run off and toxic discharge, both during the earthworks phase of development and afterwards when dwellings have been erected. Development also creates vast tracts of impervious surfaces. Water that would otherwise have been absorbed into the land washes off down streams increasing erosion and carrying sediment with it into the sea.

The Marine Reserve adjoining the Park is the outlet for Vaughans and Awaruku Streams. If development goes ahead there is a high risk of increased sedimentation and toxic pollution of the sea bed and surrounding waters.

Sediment runoff modelling results indicate that sediment loads will increase during earthworks and subsequent site works, particularly during storm events.

— Shane Kelly, Marine Science Project Leader, Auckland Regional Council.

Experts from Department of Conservation, Auckland Regional Council and environmental groups expressed concern for the future health of the Marine Reserve as sediment will have an injurious effect on marine life.

Terrestrial sediment is a highly significant contaminant in the coastal marine environment. It can have both direct effects due to the deposition of material on the seabed or elevated suspended sediment concentrations. In fact, the

hydrodynamic information for the area, presented by Green et al. (2000), indicates that sediments are likely to remain in the near shore zone and be transported along the coast. This creates the potential for the repeated resuspension and deposition of sediments resulting in impacts in multiple locations. This further emphasises the potential for the often subtle but ecological significant effects such as the loss of sensitive species that change biodiversity and ecological functioning of the coastal community.

— Simon Thrush, Principle Scientist, Benthic Ecology, Science Leader (Coastal Ecology), National Institute of Water and Atmospheric Research for Auckland Regional Council.

These intertidal surveys indicate that some intertidal areas within the Marine Reserve may already be affected by sedimentation. This effect is likely to increase if sediment controls in the Long Bay structure plans are not sufficient.

It is widely recognised that the ecological role of sedimentation in rocky coasts is one of major significance as sedimentation is an important factor of stress and disturbance for hard bottom organisms.

— Kalayarasi Sivaguru, Technical Support Officer (Marine Environment), Department of Conservation.

Many of these marine communities are at risk from the effects of sedimentation.

— Shona Myers, Team leader of the Natural Heritage Section, Auckland Regional Council.

While experts acknowledged that the North Shore City Council has developed a structure plan that proposes many controls aimed to reduce sedimentation, they voiced doubt as to whether these controls would be enough to prevent increased sedimentation of the Marine Reserve.

What should be noted is that, even with the precautionary approach in place, some uncertainty about impacts on the marine environment exists. This stems from uncertainty about whether measures put in place are going to be effective. ... any uncertainty regarding the effectiveness of the precautionary approach taken in the Structure Plan is risky.

— Rachel Treston, Planner, Auckland Conservancy, Department of Conservation.

Reservations were also expressed as to whether the council had the ability to regulate and manage water quality and sedimentation through the proposed controls as its past track record of policing its environmental regulations was poor. With this in mind the experts requested additional strengthened controls be added to the structure plan. One example of a strengthened control requested by the Auckland Regional Council was “*that enhancement planting is undertaken to an adequate standard before subdivision consent is granted.*”

Even if the controls proposed by objectors were adopted by Council these regulations may not be enough to stop the degradation of the Marine Reserve. Experts repeatedly stressed that it only takes small sediment deposits to detrimentally affect marine life. It is extremely difficult if not impossible to conduct an urban development without increased levels of sedimentation.

In a repeated additions experiment we added 3mm thick deposits of terrestrial sediment once a month for 6 months. Our results demonstrated that the macrobenthic community within our experimental plots were not able to fully recover between terrestrial sediment additions. While thin deposits of terrestrial sediment are more likely to occur than a thick deposit, they are also more likely to occur more frequently.

While deposits greater than 2-3cm thickness may generally be a rare event, they can occur and have a catastrophic effect on the smothered benthic community. ... nearly all the macrofauna die. ... We have monitored some of our experimental plots with greater than 2 cm thick deposits for about 2 years and have not seen complete recovery of the benthic community.

Modelling of potential sediment runoff and dispersal, combined with the characteristics of the receiving environment, suggest to me that catchment development in Long Bay poses a significant risk to coastal ecology.

—Simon Thrush, Principle Scientist, Benthic Ecology, Science Leader (Coastal Ecology), National Institute of Water and Atmospheric Research for Auckland Regional Council.

Placing an urban development adjacent to a marine reserve poses grave environmental risks. Conducting what would amount to an urbanisation experiment without a full understanding of the actual consequences on the Okura Long Bay Marine Reserve brings with it the distinct danger of destroying a precious and sensitive ecology permanently. What could be another Goat Island on Auckland's doorstep could disappear for ever. Given the injurious nature of sediment to the marine life of the area, it is worth noting the provisions and intent of the Marine Reserves Act.

The Marine Reserve is governed by the Marine Reserves Act which requires the Marine Reserve to be protected and preserved as far as possible in its natural state, and the marine life of the reserve to be protected and preserved as far as possible. It also makes it an offence under Section 18I Offences, to discharge or deposit any toxic substance or pollutant or other substance or article of any kind injurious to marine life into a marine reserve without lawful authority or reasonable excuse.

—Dr Keith Corbett, MBE, Hibiscus Coastal Environment and Lifestyle Protection Society

Ecological Significance

Not only is the Long Bay area of considerable marine value, it is also home to a wide variety of rare and endangered wildlife and examples of natural habitats fast disappearing from the Auckland region.

Okura River Estuary and Long Bay Beach are identified as an 'Area of Significant Conservation Value' and a Coastal Protection Area. ... A number of remnants of native vegetation and wetlands in the structure plan area would meet the criteria for regional ecological significance ... The proposed protection of remaining native vegetation, and the restoration of ecological linkages and riparian corridors is important in terms of meeting the purpose and matters of national importance in sections 5, 6, and 7 of the Resource Management Act

...given the extent of loss of wetland eco systems within North Shore City and the wider region (over 90% loss), this area of wetland would be ecologically significant.

— Shona Meyers, Team Leader, Natural Heritage Section, Auckland Regional Council

The ecological importance of the structure plan area is acknowledged by North Shore City Council in its creation of Landscape Protection Zones. However submitters stated the importance of greater protection than that currently offered.

Restoration of wetlands and riparian vegetation in an intact ecological corridor from the vegetated upper catchment to the lower flood plain will be critical for maintaining and improving the habitat in streams and of downstream water quality. ... Vegetated wetland systems are recommended and preferred from an ecological point of view ... While the area is zoned 'Stormwater Management' there need to be assurances that this restoration will be appropriate to achieving the ecological outcomes of the structure plan.

While the standards in the variation relating to enhancement planting are supported, I recommend that these need to be strengthened to ensure long-term survival of the plantings. They should include, for example, timeframes for the maintenance of the revegetation projects (at least 3-5 years).

— Shona Meyers, Team Leader, Natural Heritage Section, Auckland Regional Council

Dr Corbett went on to explain that the only relevant environmental assessment of the structure plan area fails to mention the existence of some rare, endangered and protected species.

There has been a complete failure to assess the field status or particular needs of protected reptiles and their habitats. These include a notable regional assemblage of Geckos, and individually declining, threatened, and endangered Skink and Gecko species. ... These taxa are all legally protected and as such demand attention within planning in terms of RMA requirements and via local authority responsibilities to safeguard local, regional, and national Biodiversity.

— Dr Keith Corbett, MBE, Hibiscus Coastal Environment and Lifestyle Protection Society

The ecological significance of this land combined with its unique location beside the Long Bay Regional Park makes it worth protecting and enhancing. The area provides examples of rare and important habitats, flora and fauna but its value becomes exceptional when its role in the ecological corridor to the Okura Estuary and Scenic Reserve and over to Tiritiri Matangi Island is considered. No other site within the city boundaries, easily accessible by public transport, has the same

extraordinary potential to create an ecological and marine treasure of great educational and tourism value.

Visual Disturbance

At present visitors to the Long Bay Regional Park enjoy a beautiful rural backdrop which contributes to the on-going mental wellbeing of the citizens of North Shore City, greater Auckland, and New Zealand.

Many experts presented statements at the Hearing stressing the adverse visual effects that the development would have on the Long Bay Regional Park.

Visitors approaching the structure plan area from the south along Beach Road will see the current green fields of Awaruku ridge replaced by 30 to 40 houses on large sections on the slopes (Zone 1B, pale green on the map) and a further 60 or more close-packed houses along the skyline with 269 more behind on 600m² sections (Zone 2A, dark orange on the map). While walking along the southern end of the beach, they will see these houses poking up along the western skyline that is the existing park hillside. These same houses will also be visible from the middle of the beach, even at high tide. At low tide, they will be visible from almost any point on the waterline. If the Heritage Protection Zone is subsequently developed (as permitted by the Structure Plan), then urban development will further encroach into the visual landscape of the park. The Auckland Regional Council also drew attention to the fact that developers can artificially modify the landscape.

It will however be necessary to ensure subsequent development does not result in a wall of buildings along these interfaces or modifications to the land contours, such as terracing resulting in the development being artificially elevated to overlook the park.

— Neil Olsen, Senior Recreation Advisor, Auckland Regional Council.

As the visitor swings their gaze north from the centre of the beach, they see Vaughans Road on the ridge above. Here the view is dominated by 193 suburban houses packing the ridgeline (Zone 2B, pale orange). 60 to 80 houses will cover the slope below on larger sections (Zone 1B, pale green).

Blair Firmston, Policy Analyst from the Auckland Regional Council, stated in respect of the ridgeline development (Zone 2B, pale orange):

The adverse environmental effects created by this zoning are - landscape and visual effects on the viewing audience of the Long Bay Regional Park.

He requested:

That Suburban Neighbourhood 2 zone in proximity to Vaughan's Road ridgeline be reviewed to include larger lots, to achieve a less intensive vista.

This view was supported by Okura residents concerned about the visual disturbance when the 193 suburban ridge-top houses are viewed from the environmentally important Okura catchment.

We contend that the ridge line between the Okura and Long Bay catchments that supports Vaughan's Road [Zone 2B, pale orange] must be considered as a natural part of the protected Okura Catchment, visually, as a watershed, and for

its noise footprint. Consequently it is entirely reasonable that a transition boundary should exist on the south side (that is the Long Bay side) of the boundary. The transition zone could be a ribbon of countryside living lots, having a minimum size of 5000 square meters, with access from Vaughan's Road, but buffering the areas of intensification to the southern area.

— Keep Okura Green.

A short walk inland to Vaughan Homestead, the car parks, or the Wetland Trail reveals the full extent of development as the north side of Awaruku Ridge comes into view revealing more than 500 urban units reminiscent of the densest of Albany's latest developments (Zone 3 in pink on the map) crowned with 100 more densely-packed suburban houses (Zone 2A, dark orange, viewed from behind) along the skyline. Due east however, the view looks more like central Takapuna with 190 units in 5 to 6 storey apartment blocks covering 2 hectares (Zone 4 in dark pink).

And it must be recognised that the frontage of apartments would be in full view across the wetland flat—the urban centre itself and the village would be visually prominent.

— Dr R E White, Chairperson, East Coast Bays Coastal Protection Society.

By no means can the Structure Plan be considered as preserving the semi-rural backdrop to the Regional Park. The proposed Structure Plan will be an unpleasant visual intrusion on the Long Bay Regional Park and its visitors. To fully acquaint yourself with the visual effect of urbanisation on the Park, we invite you to tour the site with the attached map (Appendix 9 in Part One of the Hearing Report) before considering the Commissioners' recommendations.

Regional Park

A large park within the city is essential to the health of residents of the North Shore as a place of relaxation away from the constant stresses of city life. Its location makes it accessible to all walks of life, while its large size means that there is space to 'get away' for an hour, an evening, or a day.

The Long Bay Regional Park has long been recognised as being of local, city-wide, and regional importance as the only large semi-rural coastal park in the metropolitan area of Auckland. For almost as long, its ability in its current form to continue to fulfil the demands on it has been recognised as limited.

A large coastal site in the north of the city is also needed (as well as large garden parks) as the ability of Long Bay Regional Park to meet neighbourhood, metropolitan and regional needs on an ongoing basis is not sustainable.

— North Shore City Council, 1994 Park Land Strategy, Section 2.4, Page 14.

Since 1994 when this statement was made, the number of visitors to the Park has increased 50% to 1.5 million per annum (by the Regional Council's estimates to Great Park members). This can be expected to exceed 2 million visits per annum long before the end of the next decade.

The residents of the North Shore recognise that the only viable solution is to significantly increase the size of the Regional Park to include the coastal end of the

structure plan area to allow expansion of park activities over a greater area. 57,642 people signed a petition to this effect in 2003 (approximately a third of the adult population of North Shore City at the time, allowing for non-residents that signed) and 10,840 submitted demanding the creation of a Great Park in response to the proposed structure plan.

While Council has approved the Great Park in principle, the response of the planning officers to these 10,840 submissions (99.9% of all submissions received) has been to reject them. They gave five reasons why they could not consider a larger Regional Park:

1. That the Environment Court decision required them to develop the area.
2. That the Environment Court ruled that zoning was not an appropriate way to achieve this end.
3. That Council could not afford to purchase the land.
4. That providing a larger Regional Park would not allow the equitable provision of parks and reserves in the city.
5. That rejecting the proposed Structure Plan would result in uncontrolled development of the area.

Starting with the first reason, study of the Environment Court decision of 1996 reveals that while it certainly *permits* increased development, it clearly did not *require* the urbanisation of the Long Bay area. The Court's ruling was simply that Council has sufficient powers (including zoning) to protect the environment as necessary without the additional protection of excluding the area from the metropolitan urban limits.

On the second point, the court ruling did not exclude zoning as a means of expanding the amenity of the Regional Park.

Likewise, it is also appropriate for the Regional Council to seek to influence the detail of zoning and any structure and neighbourhood planning of that area, to mitigate adverse effects on the regional park, particularly if the land comes within the metropolitan urban limits.

— Decision A86/96 in the matter of the Resource Management Act 1991

We would agree with the third point, that North Shore City Council can not afford to purchase the land on its own, but point out that it need not do so. The Park has been acknowledged as being of regional significance, and considering that in 15 years, nearly 50% of New Zealand's population will live in the Auckland region, of national importance. There are numerous possibilities of funding Park expansion from central, regional, and local government sources, as well as support from businesses and individuals in the manner of the similar Karori Sanctuary in Wellington.

The fourth point ignores the fact that a large Regional Park is explicitly not about the equitable distribution of parks and reserves, in the same way that the North Harbour Stadium is explicitly not an equitable distribution of sporting facilities. A Great Park in Long Bay is an exceptional facility that derives its greater community value by virtue of its greater size.

Finally, this is not the only possible structure plan. Rejecting this structure plan does not mean rejecting all structure plans, and thereby accepting uncontrolled development. It simply means taking another look at the best way to ensure a healthy, prosperous and happy future for the residents of and visitors to North Shore City.

Conclusion

Bearing in mind the previous evidence, we recommend rejecting the proposed Structure Plan and that council officers draft a plan that meets the current and future requirements of the people of their city in the form of a Great Park. Alongside this action, a coalition of interested parties should be established to fund necessary land acquisition. By these measures North Shore City Council will continue to create a city that maintains a standard of living which matches its on-going growth, while protecting its environmental heritage.