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**The submission of the Maungakiekie-Tāmaki Local Board on the *Point England Development Enabling Bill***  
31 January 2017

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This submission is from the Maungakiekie-Tāmaki Local Board ('the board'). It contains the board's views on the Point England Development Enabling Bill ('the Bill') for consideration by the Local Government and Environment Select Committee ('the Committee').

1.1 The Maungakiekie-Tāmaki Local Board welcomes the opportunity to submit on the the Bill.

1.2. This submission presents the specific views of the board in addition to the submission made by Auckland Council. The board wishes to be heard in relation to this submission, and requests that the board and council submissions are heard concurrently by the Committee.

1.3. The board supports Māori social and economic development, and in particular Treaty settlements. It acknowledges that the Tāmaki area, comprising the modern-day suburbs of Panmure, Tamaki, Point England and Glen Innes, is historically and culturally significant to Ngāti Paoa. The historical grievances of Ngati Paoa should be addressed and remedied and, therefore, the Local board supports a Treaty settlement with the Crown and supports Ngati Paoa's right to use their land as they see fit.

1.4. The board submits that it opposes the Point England Development Enabling Bill as the mechanism for achieving increased housing development and is deeply concerned that this Bill:

- Sets a dangerous precedent by cutting across the existing requirements of the Resource Management Act and the Reserves Act
- Fast tracks development and avoids a robust public consultation process including a right of appeal
- Does not specifically reference Treaty settlements

1.5. If the Crown pursues the course of action proposed by the Bill we require:

- Reinvestment of 100% proceeds back into the local Tamaki community for development and enhancement of public open space.
- The proposed development land, if sold, should only be sold to Ngāti Paoa as a component of their Treaty settlement or otherwise remain as reserve land
- Good faith negotiations to enable the footprint of the current sportsfields to be retained
- Measures to protect the endangered dotterels, other shorebirds and their habitat.
- Measures to address the impact of the development on the environment in particular water quality.

1.6. We are disappointed about the lack of public consultation and the release of the Bill over the summer holidays.

1.7. We held a public meeting on Friday 28 January 2017 and attach the notes from the meeting.

1.8. We respectfully request that the hearings of the Select Committee be held in Auckland to allow for our community to attend.

# Minutes

NOTES of the Maungakiekie-Tamaki Local Board Community Meeting held on Friday, 27<sup>th</sup> January 6.00pm in the Pt England School Hall, 130 Pt England Road, Pt England.

## Present:

Josephine Bartley (Chair, Maungakiekie-Tamaki Local Board)	Bernie Diver ( Maungakiekie-Tamaki Local Board member)
Chris Makoare (Maungakiekie-Tamaki Local Board member)	Councillor Denise Lee
Nerissa Henry (Maungakiekie-Tamaki Local Board member)	Apologies: Don Allan, Alan Verrall, Debbie Burrows

## 1. Welcome:

Chair Bartley welcomed the community to the meeting with the purpose of sharing information on the Point England Development Enabling Bill and providing an opportunity for the community to share their thoughts on the Bill to help inform the Maungakiekie-Tāmaki Local Board's preparation of a submission.

## 2. Karakia was said by Kaumatua T Whittaker

## 3. Purpose of meeting

The chair summarised the main points of the Bill and the process taken by the government to date.

The floor was open to the public to ask questions. A lengthy discussion took place the main points of the Bill, with the following strong concerns being raised by those present:

- that the Point England Reserve not be taken away and used for housing
- that once this land is lost you could not get it back
- that the playing fields should not be taken away – without the fields, where will the children play?
- that the council should hold onto the reserve and not make a deal to accept financial compensation from the government
- that even then, the Bill does not state that the proceeds of the land would come back to be used in the area
- that if any money was received, it should come back and be used for parks in the area.

Clarification was sought about the use of the reserve land being used for housing. Has this been done elsewhere before to such a great extent?

Strong concerns were raised around the way special legislation was being used to get around the Reserves Act and the Resource Management Act.

Concerns were raised around why a change to the reserve had not been part of the Unitary Plan process, which had just been gone through.

It was suggested the former Tāmaki Girls College land could be given to Ngata Paoa (this was later clarified as being in private ownership).

One speaker described the reserve as the finest reserve on the Tāmaki River, which could become the “Cornwall Park of Tāmaki”. The speaker questioned whether there would really be benefits for the Glen Innes community, as most of the housing in the reserve would unlikely be affordable to local residents.

A member of the community spoke about his ancestral connections to the area and how Treaty settlement is achieved for addressing past wrongs, and that they are supportive of Ngata Paoa’s ability to reconnect with a piece of land that is dear to them.

Various speakers acknowledged that the community needs to work together to oppose the Bill.

One speaker stated he was undecided on the Bill – that he could see benefits in it, and also negative effects on the reserve.

A motion was put from the floor to the meeting, and passed by a show of hands (59 in support):

### **Motion**

1. This meeting strongly rejects the use of part of Point England Reserve for housing and asks the Maungakiekie-Tāmaki Local Board and Auckland Council to convey this objection to the government.
2. The meeting thoroughly supports Treaty settlement with Ngāti Paoa and requests the Crown through consultation with the Maungakiekie-Tāmaki Local Board and Auckland Council, explain other causes of achieving financial settlement with the Iwi.

### **Summary from the local Board**

- This is a Crown process – it is a Bill of government. The Board can only put in a submission
- The government has put the Bill forward in a clumsy manner
- The timing for submissions and public consultation is terrible, being December 2016 to January 2017. We are however time-bound by this process
- The Board’s submission will relay what is said at this meeting
- We will ask for hearings on submissions to be held in Auckland

- We encourage you all individually to make a submission on this Bill. Submissions close Tuesday, 31st January 2017.

Those that attended the meeting asked that the Maungakiekie-Tāmaki Local Board and Auckland Council make their submission publicly available when they are lodged. Board members present agreed they would do this.

## 5. How to submit

Chair, Bartley encouraged everyone to submit. The Glen Innes and Panmure Library can help you put in your submissions. Copies of the Bill and also the process on how to submit were available at the front and back of the room.

## 6. Closing Prayer

## 7. Meeting closed approximately 8.20 pm

### Discussion Notes

Public 1	Grew up in area and now has children growing up in the area. Recalls using the park when young and now children are doing the same thing. Question was asked around whose land was being chopped up.
Chair	Gave an explanation around the ownership of the land. The Treaty Settlement Manager provided the history and the technical aspects around the use of Crown land.
Public 2	Question was asked around the proceeds to be used from the sale of the land will they be held in a Special Trust. Will the proceeds come back and be used in other parks in the area.
Chair	Would like to see 100% proceeds come back to the community. Councillor Lee stated was also on the same page.
Public3	Question was asked around the ownership of the land and also what the local board can do.
Public 4	Strong concern was raised around getting rid of the playing fields where the children currently play. The local board was asked to explain how they have gone back to the Crown
Public 5	Strong concern was raised around the loss of greenspace. The pot of money offered is not going to work. This is a major greenspace area. The plan needs to be modified as once the greenspace has gone you cannot get it back.
Public 6	Walks dogs daily on the reserve and has lived in area for a long time. A question was raised around clause 8 of the Bill and also the process and the timing of this Bill i.e December through to submissions date Tuesday, 31 January 2017.
Councillor	Raised treaty settlement negotiation. What we need is your support if the Bill does go through how the proceeds need to come back into the area.
Public 7	Raised the Unitary Plan. Wanted clarity around whether Ngata Paoa are they going to buy the land or are they going to sell the land.
Chair	Responded going to sell 60%
Public 8	A question was raised around the sale proceeds and the reinvestment into greenspace. It was noted that the Tamaki Regeneration have on their website further development.
Public 9	Question raised around where is the other greenspace you are going to

	replace with this greenspace. You cannot get rid of this greenspace.
Public 10	Further concern around the greenspaces. With all this development where are the children going to go to school. Moving mass problem everywhere. Just keep getting more people in New Zealand going to be know greenspaces left.
Public 11	Question raised around the Bill and where it says in the Bill that the money will go back into the area.
Chair	Reserve Act 1977 says money goes back this bill circumvents this
Public 12	Why don't you scrap the Bill?
Public 13	Why was this not part of the Unitary Plan process? Concerns around the use of legislative changes used.
Public 14	Treaty Claim Ngata Paoa. Partnership post treaty settlement. Have been displaced for too long. Social affordable housing. 120 homes belong to Mana Whenua
Public 15	Why are you taking the playing fields? Tuesday night 300-400 people use the fields you should not be taking land away from the children.
Public 16	Have grown up and lived in the area. Played hockey for the Marae. Why are you taking away the playing fields?
Public 17	Lived in area for 40 years. Suggested could Tamaki Girls College land could be given to Ngata Paoa.
Public 18	Has reserve land been taken for housing before? Give an example of where it has been cut up for housing?
Public 19	Live in area. Understand about progress. Concerned about playing fields. Where are the children going to be playing? Are Sport Clubs involved. We are all about fit and healthy lifestyles. Where are the children going to play where are they going to go. Is this pot enough money to buy more land? Is this going to happen around Auckland?
Chris	Submission strong clauses about playing fields. Is a collective member. As and team will put through view of community. Encourage you to put in your individual submission. Say you want to speak to it. What we have in Auckland currently have a lot of space not utilised Public Where: Chris Maybury Reserve, Bagnal Ave.
Public 20	What stops them from taking other land?
Chair	Other areas around Auckland are also concerned that their reserve land will be taken.
Public 21	If Bill goes through technically could government grab land in say Hagley Park
Public 22	Concern about the reserve being used for housing. Cannot replace reserve once it has gone. This reserve is the Cornwall Park of Tamaki This project leaves know benefit for the people. Real benefit retention of the reserve.
Public 23	Echoed comments about the loss of the reserve land. With the Unitary Plan high intensification housing would make a public reserve more of a likelihood to hold on to so the people have a space to go to.
Public 24	Concern around the increased housing and the impact on the current sewage and storm water systems
Public 25	Grown up on the area. Don't think it would be a good thing to lose. It would be a great loss once gone you cannot get it back. We need to do as much as we can to stop the Bill. We cannot do much once it has gone.
Public 26	Would like to see how the Treaty Settlement narrative being communicated along the way to the community.
Public 27	Live across the road. A profound sense of loss with the development that is going to take place. Acknowledgement to Mana Whenua and their loss. It is

	most important that the community tries to find common ground because change is happening. Look at positive ways.
Public 28	Grew up in area left and came back. Big thing when returned to NZ was the colour of the ground it was green. We don't want to be like England. Keep reserve.
Public 29	Lived in area 20 years. Questions raised: Is Ngata Paoa going to buy land is that usual? Is that why it has to be 60%? In 10 years will they still be able to retain the land?
Public 30	Question around all the land eventually being private land not just 60%
Public 31	Question raised about the reserve land being used for housing. Question around the proceeds going back to the community. Reference given to Riccarton Board of Trustee and how they put it to the Crown that the purpose must be to the benefit of racing. Concern was raised to other local boards and all New Zealand?
Public 32	Concern about the reserve land going. Area has changed and is changing rapidly. Once the land is gone cannot get it back. Question: Local Board What can you do for us? We want land don't want the money?
Public 34	Question around housing development as not in Bill?
Public 35	Lived in area over 20 years. Question. When council puts through submission are you going to say we don't want it or how much money you want?
Chair	Responded submission will be informed by this meeting
Public 36	Resident born and raised in area. A long history of struggle this settlement does not take back what was taken. In the area a lot of archaeological sites.
Public 37	Resident lived in area 20 years Acknowledge Ngata Paoa getting land back. Would not like to see the area go the way England has with gated communities. Suggested Tamaki Old Girls land could be given for Ngata Paoa to develop. Question asked around doubling the social housing.