

This is a reminder that further submissions on Auckland Council Plan Change 78 must be made by Friday 20 January 2023. We believe it is particularly important to include a reference to Box Properties request that the Water and Wastewater constraint be removed from the properties they own in Sandspit Road and Reydon Place.

Your Committee will be making a submission on this point, and some supplementary points. We attach a copy of what we will include in our submission. Members are welcome to copy and paste it into their own submission, or modify it as they see fit. We encourage you to make a submission. Submissions must be made on the prescribed form, which you will find at:

<https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/pc-78-form-6.pdf>.

Council has also issued a correction to their earlier notice about the Plan Change proposals. This provides some additional information and it also appears to increase the scope of those permitted to make submissions. Details of additions can be found at: <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/proposed-plan-changes/Pages/default.aspx>

Supplementary Submission to Auckland Council from Cockle Bay Residents and Ratepayers Association

Thank you on behalf of the Cockle Bay Residents and Ratepayers Association, for the opportunity to make further submissions, and to provide feedback on other submitters commentaries.

The limited time frame allowed, over the Christmas holiday period, means we have not had sufficient time to examine all submissions. This supplementary submission focuses on what we have reviewed, and takes advantage of the opportunity to provide supplementary topics we would like to include in our presentations to the Independent Hearings Panel.

Box Properties Investments Ltd. Submission

We oppose the proposal by Box Property Investments Ltd that their specific sites at 30 & 40 Sandspit Road and 2 & 4 Reydon Place be removed from the Water and / or Wastewater Constraints Control. We say this for a number of reasons:

- 1 The sites are not self-contained. They rely on the area-wide network for potable water supplies and wastewater disposal. Stormwater discharges are connected to the stormwater network and local streams.
- 2 Therefore any additional dwellings will impose further capacity utilization on the area network as a whole. This must be managed from the perspective of the whole network. Having recently withdrawn their application for a Resource Consent from the Environment Court to construct 54 apartments, because it "is no longer viable", one assumes the developer is thinking along the lines of a development that imposes much more capacity utilization than would occur for the 9 houses permitted under the earlier Single House Zoning for these locations.
- 3 When discussing local development plans with local residents' Associations, Watercare indicated that there are capacity constraints within the Cockle Bay network, and that these are not priorities for remediation in their short term workplan. A prerequisite to increasing capacity for the Cockle Bay network is the "Howick Diversion". This is a substantial capital investment, and is not programmed to be undertaken for some years.
- 4 It is disingenuous to argue that an additional financial contribution can be made by the developer towards the costs of the required infrastructure upgrade. If a 54 apartment development "is no longer viable" then it will surely be beyond the scope of any development to cover the cost of expediting a major capital investment that is not programmed to occur for

some years into the future. Any such change in priorities has a major impact on capital investment programs and could disadvantage other areas where the needs are higher.

- 5 Equally, we find it misleading to state that there is no trade competition advantage. If the Box Properties development sites are excluded from the qualifying matters, but all other sites within the area are subject to this constraint, then any other developer is put at a disadvantage – the more so if the unconstrained Box Properties development uses up a significant proportion of any remaining spare capacity.
- 6 We submit that the sites in question must remain subject to the water and wastewater qualifying matter.

Coastal Protection

Section 771 (b) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 specifies compliance with the New Zealand Coastal Policy Statement 2010 as presenting the basis for a qualifying matter. This is of particular relevance to a coastal area such as Cockle Bay, where the beach is suffering from increased sedimentation. The location also suffers from a risk of pollution and erosion.

Our presentation to the Independent Hearings Panel will propose a series of protections that incorporate the Coastal policy safeguards, for immediate implementation.

Stormwater, Flood Plains and Flow Paths

Our submission to the Independent Hearings Panel will again emphasize the importance of expanding the scope of stormwater as a qualifying matter. The underlying objective of this requirement is to minimize the risk of damage to homes that would otherwise occur from water damage at times of unusually heavy rainfall, bearing in mind that such events are becoming increasingly common.

Additional Matters

Our original submission was constrained by the scope of qualifying matters set out in Section 771 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. With the knowledge that Councils' are empowered to identify additional qualifying matters, we wish to expand the scope of our original submission to include the geology of the area, in order to prohibit intensification in areas where land is potentially unstable.

We would also like to see increased protection for mature trees, especially native trees.

These issues will be included in detail in our presentations to the Independent Hearings Panel.