

## Chairman's Report to Annual General Meeting

15 June 2024

I tend to have two conflicting views of Annual General Meetings. First, that they are a chore which most people would prefer to avoid, and which should be over and finished as quickly as possible. Secondly, that when used properly they are an important accountability mechanism that can be used by members and participants to judge the performance of the organization over the preceding 12 months, and to help define priorities for the next 12 months or longer.

I think the second view should predominate. So a warm welcome to all attendees. Please use the occasion to achieve the second of these 2 conflicting objectives! Also a warm welcome to our guests, in particular Damian Light from the Howick Local Board and Maria Utting and Moana Williams from Watercare, who I will introduce properly later in the meeting.

### 1 Finance and Membership

So to follow my first objective of a speedy completion of the meeting, let me start by looking "internally" at CBRRA and our membership and finances. Most of these comments will also be on behalf of our Treasurer, Maja Heiniger, so you won't have to listen to it twice.

A bit more background: we aim to operate on a breakeven basis, or to accumulate a small level of reserves for emergency situations. In addition to receiving subscriptions we also receive some donations, sometimes tagged for things like the beach restoration project, and sometimes for use as required. We make sure we ring-fence the former and use them for the intended purposes.

Key financial indicators are:

- 1 Paid up membership on 31 March: 115 members/families - marginally higher than the previous year.
- 2 Total Income for 2023/24: \$8348, - which was \$1287 less than the previous year. But a grant from HLB was \$1500 higher than for the 2024 year, so in effect we are ahead.
- 3 Donations, at \$1060, were \$105 higher than the \$955 received in the 2022/23 financial year. Some of this is tagged for walkway restoration work; and some were general donations.
- 4 Total Expenditure was \$6433. This was \$1676 higher than 2022/3 financial year, but all of this was attributable to work on the walkway restorations and the remaining expenditure from the previous year's grant.
- 5 Operating surplus \$1915. This was \$2963 less than the surplus in 2022/23. However, this is more than accounted for by expenditure on the beach restoration project. A lot of this expenditure, in turn, was funded by the 2022/23 HLB grant.
- 6 The 2023/24 bank balance at the year end was \$11386 - \$1915 higher than the balance for the 2022/23 financial year. However, this is not as encouraging as it appears at first sight, since we had not commenced expenditure from the \$6000 HLB grant, whilst we waited for Landowner Approval.
- 7 If we deduct our liabilities (grant money received but not spent by the end of the financial year) the comparative figures are a year end balance of \$5386 for 2023/24 compared to \$4735 for 2022/23. At the 31 March 2024 we also planned on making a financial contribution if required to legal costs relating to the Sandspit Road building consent application. We have actually since made a contribution of \$1000 towards these costs, and are holding a further \$1000 towards additional costs if required.

I have attached the Summary Financial Statement to this report. If anyone wishes to study the more detailed 4 page Performance Report submitted to the Incorporated Societies Registrar then a limited number of copies were available at the entrance table, or I can email a copy.

## 2 Sandspit Road Apartments Consent Application

I had hoped we would by now have known the decision on this consent application. However, the hearing is still suspended.

This is now getting a long history! To summarize very briefly, Box Properties Investments Ltd, which owns the old Steward Motors site and adjacent properties opposite Cockle Bay School and Howick College, applied in 2018 to construct about 71 apartments on the sites. There was what is called limited notification of the application, meaning that only nearby property owners were allowed to make submissions on the application. The application was refused by an Independent Hearing Panel in 2019. An attempt at mediation before the Environment Court made no progress.

The applicant then applied directly to the Environment Court for consent to construct 54 apartments. The initial hearing process involved substantial legal research with the barrister, Stuart Ryan, retained by Reydon Place Residents Society Incorporated (RPRSI); a number of court appearances, and substantive expert conferencing on stormwater calculations and the interpretation of both legislative and Auckland Unitary Plan specifications and calculations. These were undertaken on a pro bono basis by a good friend Yuva Adhikary, an experienced and well qualified water engineer. He achieved some successes, but other matters remained undecided. These were to be referred for a decision by the Environment Court.

While all this was going on the government, with support from both the Labour and National parties, passed the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021. In essence this provided for intensification across many areas of Auckland City and other cities throughout the country. I will talk about this later when discussing intensification and what is termed Plan Change 78. Armed with this new opportunity, the developer then applied under the Covid-19 (Fast Track Consenting) Act 2020 for consent to construct about 70 apartments on these sites. David Parker, the Minister in charge, agreed that the application could be considered by the Environmental Protection Authority. The developer then withdrew his Environment Court application for 54 apartments. Parties to the Environment Court application were to have an opportunity to make submissions on the revised application. Some costs were awarded to RPRSI, who had also received some financial support from the Environmental Legal Assistance Fund. I am sure their barrister had provided very concessional rates, but nevertheless they remained out of pocket.

The EPA received some 24 submissions on the application. Some, like that from CBRRRA, were very substantial (from memory, 39 pages). They traversed a range of objections, including the earlier decision on the Independent Hearing Panel that considered the first application, with particular reference to the decision on whether the application was a genuine Integrated Development; questions on the calculations on stormwater, based on the earlier work of Yuva Adhikary; compliance with coastal policy legislation; the ambiguity of assurances about solutions to prevent wastewater (or sewage) overflows; and inconsistencies in traffic projections (for instance, the miraculous disappearance of vehicles on Sandspit Road somewhere between Reydon Place and Trelawn Place, or the appearance of heavy vehicles on Reydon Place, but never arriving on Sandspit Road). The upshot of all the submissions was that the developer requested a suspension of the hearing to enable him to respond to all the points raised. He was then asked by the EPA to provide further information on other points raised in submissions, in particular around risks raised relating to increased sewerage overflows. The legal status of Medium Density Residential Standards was also questioned, given that the National party had indicated it was no longer insistent on these being introduced. A further suspension of hearings was requested by the developer. That is the current situation.

Some people have said to me "when will this ever end, and a decision be made?" My response is along the lines that "if a decision is made soon it means we have lost the case". The developer has sunk a lot of money into these sites. Realistically he needs to recover it. My hope is that he loses the application for 70 apartments reaching up 3 storeys across this whole frontage, and that he is prepared to start talking about a solution that is within the current planning rules; that does not represent a threat to the environment, and that is acceptable to those who live adjacent to these sites.

For anyone interested in the more detailed responses from submitters, the developer and other institutions such as Watercare and Auckland Council, I am happy to provide the web site links. I am not prepared to talk publicly about specific statements since I am not sure of the extent to which the matter might be considered sub judice.

Let me also mention that we have had a Working Group who have spent many hours on the subject of the proposed apartments, and intensification. So thanks to Selwyn Pratt, Chair of Reydon Place Residents Society; Yuva Adhikary, the water engineer I mentioned earlier; Julie Mitchell and Raquel Francois from the CBRRA, and more recently Fiona Rankin, who has been able to re-join the Working Group. They have all made valuable contributions.

### **3 Intensification**

I talked last year about how the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021 passed with support from both the Labour and National parties required intensification across many New Zealand cities, but that so called qualifying matters could potentially limit intensification where there was inadequate infrastructure capacity. I also talked about the submissions we had made on your behalf in relation to insufficient infrastructure within the Cockle Bay area, and the need for more stringent constraints on developments in areas defined as flood plains or where there was a risk of stream erosion. Because none of the Committee are considered to be experts in the various aspects of infrastructure or geology we are excluded from subsequent discussions on these subjects. I am pleased to say that Yuva Adhikary, our ever-helpful water engineer, continues to liaise with us on these subjects and is involved in expert conferencing on some of these subjects.

I am also pleased to say that the National party are now taking a more flexible view on requirements for intensification, and have indicated that the legislation will be repealed or amended. They have also indicated a less stringent timeline for finalization of Council plans. The final deadline now appears to be March 2026, although one interpretation of the correspondence implies that revised zoning rules for city centres and precincts may be require publication earlier.

In the meantime it is our understanding that the existing AUP zoning definitions still apply in areas where there are qualifying matters, such as water and/or wastewater constraints. There appear to be conflicting legal opinions on whether this also means that qualifying matters apply at this stage. Finally, we have identified some differing interpretations of what zoning rules should apply in the future on areas that are classed as flood plains. We are in the process of trying to get these issues clarified by senior planners.

### **4 Cockle Harvesting**

Members will recall that a halt was called on cockle harvesting because of the very significant reduction in cockle numbers. Our reading of the original decision was that it was a temporary halt to harvesting. The time limit set down has now expired. We raised this issue with the Ministry, and were told that in fact the ban was an ongoing one. Because this is not the wording in the original decision we have gone back to the Ministry to get confirmation that the ban is still ongoing. In the meantime it is encouraging to see the signs prohibiting harvesting are still in place.

### **5 Howick Local Board**

It is good to be able to welcome Damian along today to talk about progress on matters under the jurisdiction of the Local Board. From our perspective we must commend their earlier consultation processes when developing their 3 Year Plan, and Damian's openness, on behalf of the Board, to meet and listen on a number of subjects, and to attend our committee meetings when there are relevant subjects. For all of that, we thank both him and the Board.

Having given that acknowledgement, I would go on to say that there are some things that still disappoint me. Two specific examples are the decision making process regarding ongoing use of the War Memorial Hall / Howick Information Centre. We were very critical of the original tendering process, and remain concerned about the lack of a definitive business plan for future use of the facility, or any quantitative information to underpin the most recent decisions. Half a century ago, when I was Management Services Manager for the former Auckland City Council, I worked on the premise that government departments and local authorities all used the same sort of resources as the private sector when operating any form of business enterprise. But no business operating commercial premises would entertain making decisions on the use of premises without a quantified business plan that projects things like revenue, utilization, and

operating expenditure. Personally I do not mind (too much) whether this important and symbolic community facility operates at a loss or profit, but I do believe these projections should be transparently in place so that actual results can be monitored against plan. I hope that this time next year we can look at some basic key performance indicators that demonstrate the performance achievements of the facility under Council management. As the old adage has it, if you cannot measure it you cannot manage it.

Still on the question of quantification, and the same theme, I would go on to express disappointment at the quality of the performance (success) measures in the 3 Year Plan. I am sorry, but you cannot measure success over a 3 year period by applying such general statements as “more groups become self sufficient” (the first success measure in the Plan. There is a delightful irony in people in a monopoly that is levying cost increases well in excess of inflation saying “let me help you become self sufficient”. If that is the objective then the success measures must answer questions like how many groups will achieve this? What are their funding gaps? How much support do they need? Is it the Local Board’s job to help them succeed? Is their need for support because they are providing services on behalf of Council or the local board, such as weed removal and planting at the beach – often providing free labour? Or, to take the 2<sup>nd</sup> example under “Our Plan” – “community groups take ownership of projects”. How many such projects does the Board expect to be undertaken, and what is the baseline? What mechanisms are being used by Council to identify co-delivery requirements? Does requiring landowner approval, and associated payments, really contribute to encouraging community groups to want to engage in such activities? What financial savings are expected to result from this initiative? I could go on ....

My point here is that it is not possible to assess value for money, or performance of these broad goals, without better quantification. Objectives should be specific, measurable, achievable, results oriented and time bound. I suggest these statements fail these tests. If these statements were developed in consultation with Council staff then I strongly suspect that Council staff require further assistance in refining these plans. We would be very happy to work with a group of local Councillors to identify how these statements can be improved.

## **6 Restoration Project**

Having bitten the hand that occasionally feeds us with grants, let me go on to say we really appreciate receiving the \$6000 grant towards further restoration at the beach. I am sure that everyone who uses the tracks up to Pah Road, and the area in general, will agree there is a real transformation. Native vegetation is recovering; bird life is flourishing; more people are using the tracks. So a big thanks to HLB for supporting this work financially, and an even bigger thank you to Julie Mitchell and those on our committee who have been working there, and to Barry Wood and Fiona Rankin and others who are not on the Committee but turn up regularly to put in the hard work. Just let me add that it is nice to have Sarah Peters, the Community Parks Ranger with Auckland Council, back on the scene.

## **7 Litten Road Pedestrian Crossing**

What can I say? This seems to be another typical example of Auckland Transport carrying out pseudo consultation to justify spending \$273,000 to replace the existing pedestrian crossing with a raised pedestrian crossing in a location where there have been no injury accidents. My thanks to Maja Heiniger for continuing to press AT for answers when plainly their mind was already made up. It remains to be seen whether financial cutbacks mean that the work is pursued.

## **8 Submissions to Council and other Matters**

On behalf of all our members we have made submissions on a number of topics, including, most recently, the Auckland Council Long Term Plan; Waste Management and Minimization; the Shoreline Adaptation Plan; and the Howick Local Board budget. We have also been – and will continue to - advocate for parking restrictions to be introduced to stop people parking on the southern end of Cockle Bay beach.

## **9 Scamming Workshop**

New Zealanders are estimated to lose at least \$200 million a year to scams. Many of us are in the demographic where we are more vulnerable. We may think we can recognize a scam, but can we? In conjunction with ASB we are hosting a 1 hour workshop for those that wish to be reminded what to look for. It is free of charge to members. Registration, either today or via our email [cbrassoc@gmail.com](mailto:cbrassoc@gmail.com) is essential. Tuesday 9 July, 10.00 am Eastview Baptist Church Cafeteria (559 Chapel Road).

## **10 Thanks**

None of this would have been possible without the hard work of your committee. So my special thanks to Maja Heiniger, who as Treasurer has to manage not just our routine finances but also keep the records of grant expenditure. Thanks, too, to Julie Mitchell, our hard working Secretary and to the remainder of our committee, which includes Kathy Kennedy, Raquel Francois, Grant Taylor and Nicole Way. I would also like to include an acknowledgement of the contributions from our former Committee member Fiona Rankin, who, in addition to work on restoration at the beach, has been assisting with updating the web site, and participating in a Working Group on Sandspit Road and intensification.