

Submission on the Maybury Reserve Upgrade and Stormwater Projects

13 May 2026

We welcome the opportunity to provide feedback on the proposed Maybury Reserve upgrade and the associated Healthy Waters stormwater projects. Maybury Reserve is a vital open space for the rapidly growing and diverse Glen Innes community. While we support the intent to build long-term resilience and improve community facilities, this submission highlights critical concerns regarding the ecological integrity of the Ōmaru Creek catchment and the legal obligations to protect threatened indigenous fauna during these upgrades.

Systemic neglect of Ōmaru Creek

The Tamaki Redevelopment Company started with a \$200 million loan plus ownership of state houses worth \$1.2 billion in 2015¹

In 2026 Ōmaru Creek is currently ranked 56th out of 57 monitored sites in the Auckland region. This positioning designates it as the second-worst waterway in the entire region. The creek is no longer a functioning ecosystem; it has been relegated to a "High" ecological risk environment.²

The biological indicators are equally damning:

- Life-Supporting Capacity: The Macroinvertebrate Community Index (MCI) is ranked as "Poor" (Band D).
- Dissolved Oxygen (DO): Classified as "Band D"³ placing it below the national bottom line. This means oxygen levels are frequently too low to support sensitive fish and insects, effectively suffocating the stream.
- Zinc Contamination: It is the only monitored site in Auckland with increasing zinc concentrations⁴. In 2022, median concentrations were double the regional threshold.

¹ <https://www.nzherald.co.nz/nz/tamaki-redevelopment-new-housing-plan-for-east-auckland/OBJFQ5T5MJKXMA2ALYCFKVCOGM/>

² <https://knowledgeauckland.org.nz/media/acthlzu2/river-ecology-in-tamaki-makaurau-annual-data-summary-2024.pdf>

³ <https://www.lawa.org.nz/explore-data/auckland-region/river-quality/omaru-creek/omaru-maybury-st>

⁴ [https://www.aucklanddesignmanual.co.nz/content/dam/adm/adm-website/developing-infrastructure/stormwater-network-discharge-consent-\(ndc\)/NDC%20Review%20Report_%20V2.2_ADM_SR.pdf](https://www.aucklanddesignmanual.co.nz/content/dam/adm/adm-website/developing-infrastructure/stormwater-network-discharge-consent-(ndc)/NDC%20Review%20Report_%20V2.2_ADM_SR.pdf)

Legalised pollution

The degradation of the creek is not an accident; it is a direct result of a wastewater network that uses the waterway as a release valve. The network relies on Engineered Overflow Points (EOPs) because it lacks the capacity to contain wet-weather volumes.

- EOP 188 (Concord Place) is technically "compliant" despite being one of the poorest performing sites because its permit allows for a staggering 63 overflows per year (the standard target is two overflows per year).⁵
- 2024 data reveals that 34% of uncontrolled overflows are caused by surcharging—meaning the pipes are simply too small for the volume of water—rather than manageable issues like blockages.³
- A 2024 audit found that many "resolved" private property issues were ineffective, leaving the network flooded by the same illegal or broken connections that have existed for years.³

Irresponsible growth

The Council and the Tamaki Regeneration Company (TRC) have aggressively pursued population intensification without the necessary infrastructure investment to support it. While the catchment is now approximately 100% urban land cover, the Council has consistently deferred investment in the waterway.

Since 2014, Council mismanagement has directly contributed to:

- **Increased Sedimentation:** Driven by development and a "degrading" trend for suspended fine sediment.
- **Hard Surface Proliferation:** Increased roads and buildings have accelerated flow rates, further scouring the creek.
- **Grossly Inadequate Mitigations:** The Council has installed an undersized stormwater treatment wetland at Taniwha Reserve and under-specified stormwater detention tanks.
- **Stagnant Infrastructure:** Despite massive housing intensification, only one new pump station has been commissioned during this period.

The Council's strategy appears to be one of managed decline, where "compliance" is achieved through high-limit permits rather than actual environmental protection. The result is a waterway that is physically overwhelmed, biologically depleted, and chemically compromised.

⁵ https://promising-sparkle-d7f0c0cfc9.media.strapiapp.com/annual_NDC_report_2023_24_343bf9acc3.pdf

Critical Sequencing and the Risk of "Hungry Water"

We are deeply concerned that the Council may prioritise the naturalisation of the Point England Stormwater Pond without first completing the necessary upstream stabilisation in Maybury Reserve. While the Council's business cases state these projects "can be carried out independently," doing so ignores the geomorphic reality of the catchment.

Accelerated Scouring: Removing the concrete weir at the Point England Pond will lower the base water level, which technical assessments warn will likely cause a "head cut" to migrate upstream. Without prior grade control and bank protection in the upper reaches, this will trigger rapid vertical incision and channel widening.

- **The "Hungry Water" Effect:** Naturalising the pond into a stream system will change sediment transport dynamics. If the upstream network is not simultaneously addressed to manage high-velocity flows, the resulting "sediment-starved" water will retain the energy to erode the stream bed and banks even more aggressively to regain equilibrium.
- **Impact on the Tāamaki Estuary:** The primary victim of this poor sequencing will be the Tāamaki Estuary. Failing to fix upstream erosion before removing the pond's buffering effect will result in "massive sediment loads" and silt being flushed directly into the intertidal zones.

We recommend that the Council legally commit to a **phased delivery** where the Point England Pond naturalisation is strictly contingent upon the completion of the Maybury Reserve stream restoration and grade control works.

Reversing prioritisations

While the Council prioritises "hydraulic efficiency" and stormwater flow, research confirms that physical restoration is meaningless without a primary focus on ecological integrity. By treating Ōmaru Creek as a drainage asset rather than a biological entity, the Council continues to achieve technical "compliance" while ignoring the "negative resilience" of hyper-tolerant species that actively prevent real biodiversity recovery. Managing stormwater flows is a secondary byproduct of ecosystem health, not its substitute; yet, so long as Council continues to value engineered capacity over life-supporting capacity, this project remains a cosmetic exercise in the creek's managed decline.

Life is still present

Despite the terrible conditions native wildlife continues to use the Creek.

- Short-finned eel and giant bully have been recorded in Maybury Reserve.

- Banded kokopu, pāteke, weweia, and four species of cormorant have been seen foraging in the stormwater pond.
- Parore, yellow eyed mullet and green-lipped mussels have been recorded in the intertidal areas.



Giant Bully (Gobiomorphus gobioides) in Maybury Reserve May 2019. Photo by Shaun Lee.

Of particular significance is the largest colony of Kawaupaka (New Zealand Little Shag) *Microcarbo melanoleucos ssp. Brevirostris* in the Auckland region. This species is regionally endangered⁶. The colony uses exotic trees around the Point England stormwater pond which are threatened by the redevelopment of the pond.

⁶ <https://www.knowledgeauckland.org.nz/publications/conservation-status-of-birds-in-tamaki-makaurau-auckland/>



Kawaupaka chicks above the stormwater pond at Point England. Photo by Shaun Lee.

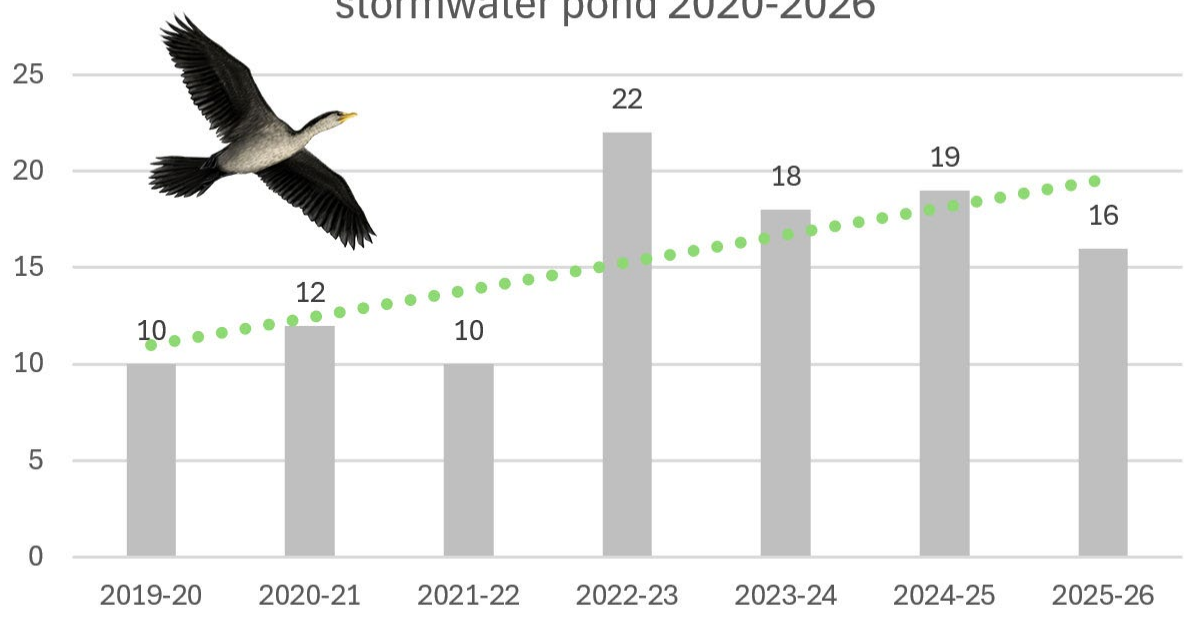
Under the Resource Management Act 1991 and the National Policy Statement for Indigenous Biodiversity (NPSIB) 2023, Auckland Council has a clear legal obligation to protect significant habitats of indigenous fauna and ensure "no overall loss" of regionally threatened species.

The redevelopment of the Point England stormwater pond should not merely mitigate harm but actively maintain the biological diversity and ecological integrity of this specific colony. This responsibility includes the mandatory application of the precautionary approach to avoid irreversible damage to roosting, nesting and juvenile foraging habitats. A management plan that secures a "net gain" for the population should be implemented alongside any development to ensure the colony's continued long-term recovery as required by the Auckland Unitary Plan's biodiversity provisions.



*Juvenile kawaupaka roosting and foraging in the stormwater pond at Point England.
Photo by Shaun Lee.*

Kawaupaka peak nest counts at the Point England stormwater pond 2020-2026



Thanks to the nest counters Shaun Lee, Beth Evans, Amanda Choy, Sue Noble and Pieter Richards

While the physical upgrade of Maybury Reserve is necessary for Tāmaki’s intensification, it must not serve as a cosmetic distraction from the systemic failure of the Ōmaru Creek ecosystem. There is a clear and concerning disconnect between Auckland Council, Healthy Waters, and Watercare; while one agency plans for "ecological improvements," another continues to use the waterway as a release valve for wastewater.

Aucklanders deserve a joined-up approach where infrastructure investment actually results in improved water quality outcomes, rather than just "compliant" pollution. Furthermore, the Council has a statutory obligation under the NPSIB 2023 to ensure "no overall loss" of the regionally endangered Kawaupaka colony. We expect the final concept plan to reflect a unified agency strategy that prioritises the biological survival of the creek alongside its recreational use.

Thank you for considering our recommendations.

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