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Submission on the Dunedin City Council 10 Year Plan

Introduction

1. This submission is made on behalf of the Dunedin Branch of the Royal Forest and Bird Protection Society Incorporated (**Forest & Bird**).
2. Forest & Bird is New Zealand's longest running independent conservation organisation. Its constitutional purpose is to take all reasonable steps within its power for the preservation and protection of the indigenous flora and fauna and the natural features of New Zealand.
3. Forest & Bird has for many years had a strong interest and involvement in the Dunedin area and has a long-standing interest in improving biodiversity and protecting and enhancing landscapes in the wider Otago region. The Dunedin branch is involved in a wide range of conservation and advocacy activities.
4. The Dunedin City Council (**DCC**) Annual Plan and its contribution to the wider 10-year plan¹ (**the plan**) is of keen interest to Forest & Bird. The direction of travel the plan creates will shape the city and outcomes for its inhabitants - human and otherwise. It is critical that the plan shapes the city in a way that allows us to meaningfully overcome the serious challenges facing us.
5. Forest & Bird suggests the council should consider the following issues be put in focus (or be given further prominence) this year:
 - a. mitigating climate change and adapting to its impacts;
 - b. improving management of three waters and the Essential Freshwater Programme;
 - c. restoring and sustaining thriving ecosystems, including within urban settings;
 - d. sustaining predator control efforts; and

¹ <https://www.dunedin.govt.nz/council/annual-and-long-term-plans/10-year-plan-2021-2031>

- e. exploring opportunities for improved cat control.

Each of these points will be addressed in this submission, with specific relief for improvement of the plan.

Mitigating and adapting to climate change

6. The IPCC Synthesis Report 2023² released early this year sets a clear message on climate change: urgent action is required and there is no longer the luxury of time. Forest & Bird is pleased the DCC has declared a climate emergency; however, after three years it does not seem like emergency action is being taken.
7. The commitment to the Zero Carbon 2030 work programme in the plan, for both the DCC and the city, is fiercely supported by Forest & Bird. The development of the Zero Carbon Plan cannot come soon enough.
8. Current actions by the DCC on climate change need to be urgently ramped up to meaningfully address climate change. For example:
 - a. a hard limit needs to be placed on the city's footprint to ensure that the problem of providing low carbon transport does not get worse;
 - b. promoting or requiring improved standards for warm and dry housing - particularly by requiring improved standards for those with investment properties, which typically face financial disincentives to do so;
 - c. varied and reliable public transport options must be provided so that people are not forced to use private transport, such as lobbying the ORC to improve bus services, restoring tram and cable car routes and providing public transport between regional centres;
 - d. investment in active transport infrastructure and support programmes, such as introducing people to cycling and teaching roadcraft, and
 - e. protection and expansion of the city's open spaces, to mitigate against heat island effects.
9. Forest & Bird understands that democratic governance can only move as fast as the people allow. Unfortunately, there is a divergence in the public perspective between a belief in climate change and motivation to change behaviour in response. The below survey results from the Energy Efficiency and Conservation Authority³ illustrate this issue.

² <https://www.ipcc.ch/report/sixth-assessment-report-cycle/>

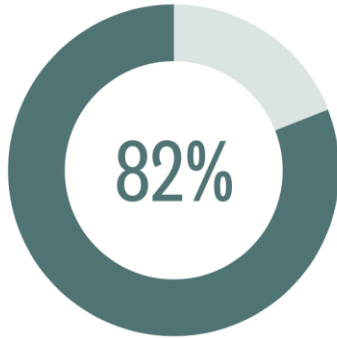
³ <https://www.eeca.govt.nz/insights/eeca-insights/exploring-how-new-zealanders-relate-to-energy-use-and-climate-change/>

But there is a large gap between beliefs in climate change and willingness to take action

This is where we need collective and individual focus

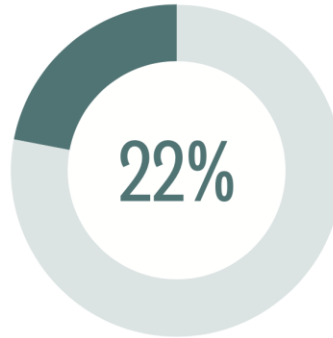
On board with the cause:

Agree that 'climate change is real'



Motivated to change:

Strongly Agree that 'I am prepared to change my own personal behaviour in order to reduce climate change'



CLIMATE_BELIEFS Climate change is real. Base: Total Sample, July 2020 – June 2021 n=3,104

10. The disproportionate backlash in the past few years to proven climate change responses, such as encouraging active transport, is evidence that the DCC has not been effective at bringing people along with their climate change response.

Brave decisions will need to be taken in these next 10 years. There is no more time to delay. To be effective, the DCC must engage with and foster public support for climate action. Now is the time to lead from the front. Forest & Bird employs the DCC to dramatically improve its communication on why change from everyday people is necessary to mitigate and adapt to climate change.

11. Forest & Bird seeks that the plan continue with the development and implementation of the Zero Carbon Plan as a priority, and that an extra focus be placed on improved communications around climate change adaptation and mitigation.

Three waters and the Essential Freshwater Programme

12. The plan does a good job at highlighting key central government changes, or proposed changes, in the three waters area. Forest & Bird is particularly interested in the implementation of the Essential Freshwater Programme, which has the aims to:
 - a. *stop further degradation of New Zealand's freshwater;*
 - b. *start making immediate improvements so water quality improves within five years; and*
 - c. *reverse past damage to bring New Zealand's waterways and ecosystems to a healthy state within a generation.*
13. Within this programme sits the National Policy Statement for Freshwater Management 2020 (**NPS-FM**). The NPS-FM contains the strongest approach to protecting and restoring water bodies that we have seen in modern New Zealand policy. The fundamental concept of the NPS-FM is Te Mana o te Wai, which creates a paradigm shift in the way water bodies are to be managed.

14. In its First Interim Decision, the Environment Court in *Aratiatia Livestock Limited & Ors v Southland Regional Council* [2019] NZEnvC 208 came to three “key understandings” on Te Mana o te Wai:
- a. As a matter of national significance, the NPS-FM requires users of water to provide for hauora, and in so doing, acknowledge and protect the mauri of water.⁴
 - b. As a matter of national importance, the health and wellbeing of water are to be placed at the forefront of discussion and decision making. Only then can we provide for hauora by managing natural resources in accordance with ki uta ki tai.⁵
 - c. The NPS-FWM makes clear that providing for the health and wellbeing of water bodies is at the forefront of all discussions and decisions about freshwater.⁶
15. When it comes to three waters, these programmes, policies and concepts will dramatically shift the standard that the DCC must adhere to in the future. This is particularly the case with stormwater and sewage.
16. At first glance, the plan appears to adequately plan for this shift as it sets a level of service expectation that:

“Stormwater is managed without adversely affecting the quality of the receiving environment”⁷

and

“Sewage is managed without adversely affecting the quality of the receiving environment”⁸

17. Forest & Bird interprets this level of service expectation as stormwater and sewage not having *any* adverse effects on the quality of receiving environments. While this is an aspiration that is supported by Forest and Bird, the city is nowhere near achieving it. In practical terms, it is so far off that the levels of service are essentially redundant. This is as evidenced by countless water quality issues in the Dunedin City, such as:
- a. the poor water quality of the Water of the Leith⁹ and the Kaikorai Stream,¹⁰ both which are classified in the ‘E’ category and in the worst 25% of rivers in the country for *E.coli*;
 - b. known adverse effects from stormwater systems reducing the quality of cockle beds nearby marine outfalls to the point where they are no longer fit for human consumption; and
 - c. ongoing leachate discharges to Lindsay Creek from stormwater passing through failing infrastructure at Forrester Park.

⁴ *Aratiatia Livestock Limited & Ors v Southland Regional Council* [2019] NZEnvC 208 at [17]

⁵ *Ibid* at [59]

⁶ *Ibid* at [62]

⁷ The plan, page 140

⁸ The Plan, page 136

⁹ <https://www.lawa.org.nz/explore-data/otago-region/river-quality/water-of-leith-and-lindsays-creek/leith-at-dundas-street-bridge/>

¹⁰ <https://www.lawa.org.nz/explore-data/otago-region/river-quality/kaikorai-stream/kaikorai-stream-at-brighton-road/>

18. Furthermore, a significant portion of the measures of success towards these levels of service expectation are based on abatement, infringement and enforcement notices and prosecutions. The achievement of this measure is more likely reflective of overly permissive Otago Regional Council water policy framework, which does not give effect to the NPS-FM and does not embody the concept of Te Mana o te Wai. Forest & Bird notes that crucial permitted activity rules in the Regional Plan: Water for Otago rely on thresholds in Resource Management Act 1991 section 70, setting the bar quite literally as low as it can legally be set without calling upon special exceptions.
19. In short, the levels of service and underlying measures of the DCC's success are inherently flawed for sewage and stormwater. They give no indication that the level of service expectation has been met. Rather, Forest & Bird suggests that the DCC is far from meeting its level of service.
20. We note that the levels of service are to be reviewed this year for the next 10-year plan and ask that these comments be considered within that process.
21. Forest & Bird seeks the following relief:
 - a. that the plan embrace the concept of Te Mana o te Wai in all aspects relating to freshwater, including the paradigm shift required to resolve current three water issues; and
 - b. during its review for the next 10-year plan, the levels of service and performance measures for stormwater and sewage are replaced with ones that are meaningful and achieve the relief above.

Restoring and sustaining thriving ecosystems, including within urban settings

22. Urbanisation has a devastating impact on ecosystems and native biodiversity, such as
 - a. habitat loss;
 - b. habitat fragmentation;
 - c. altered resource availability;
 - d. introduction of new species;
 - e. changes to local climates;
 - f. increased pollution.

As a result, when cities expand the functioning of ecosystems that were there prior decreases dramatically.

23. Dunedin is no different. Despite being known as the 'wildlife capital of New Zealand', much of that wildlife exists outside urban areas. For the most part, ecosystems in the city's urban sectors are fundamentally degraded.
24. Forest & Bird seeks that the city focus on restoring and sustaining thriving urban ecosystems. Doing so is beneficial for nature and humans alike. In its submission to the DCC on the Open Space Plan,¹¹

¹¹ <https://www.forestandbird.org.nz/media/2116>

Forest & Bird challenged the Council to develop and implement an ambitious vision to restore the city's urban ecosystems.

25. Forest & Bird seeks that the plan include provision to adopt and implement a bold restoration vision for urban ecosystems.

Predator control

26. Forest & Bird recognises the commitment of DCC to predator control efforts and its leadership towards achieving the wider goals of Predator Free New Zealand.
27. Forest & Bird is a member organisation of Predator Free Dunedin and commends DCC for its ongoing support for this programme. In particular, we support DCC's ongoing commitment to urban predator control being delivered by City Sanctuary, and the West Harbour Mount Cargill Possum Succession Plan being delivered by the Halo Project to ensure long-term possum control following OSPRI operations.
28. Forest & Bird suggests DCC consider the implications of predator control for climate adaptation and mitigation. Ongoing damage by introduced browsing pests reduces the natural ability of native ecosystems to store carbon. By carrying out landscape-scale, long-term predator control, DCC can improve carbon sequestration for Dunedin by improving forest health whilst having added benefits for community, biodiversity, and public health.¹²

Cat control

29. Forest & Bird made a submission on the review of DCC's Small Animals Bylaw in support of additional measures to control cats in Dunedin.¹³
30. Forest & Bird urges council to consider introducing cat controls within this by-law. There is a strong precedent for territorial authorities to introduce cat control within their bylaws based on the nuisance created by cats and the health and safety risk they pose to both humans and wildlife. Forest & Bird recommends DCC explore the potential for cat controls to be introduced for Dunedin.
31. Forest & Bird supports the mandatory micro-chipping and de-sexing of cats, along with limits to three cats per household, and rules preventing the feeding of stray cat colonies and release of cats into DCC-owned reserves.
32. Forest & Bird notes there is growing public support for cat control from a diverse range of stakeholders including vets, animal welfare organisations, and conservation groups.
33. Forest & Bird has previously urged council to consider introducing cat controls within its by-laws. There is a strong precedent for this with other territorial authorities in Aotearoa New Zealand based on the nuisance created by cats and the health and safety risk they pose to both humans and wildlife. We understand this is not an avenue willing to be explored by council. In the absence of such measures, we support council's continued advocacy for National legislation to improve cat controls.
34. Forest & Bird continues to engage with DCC staff on this matter and is supportive of efforts to improve engagement with cat owners to encourage responsible ownership. We are appreciative of

¹² <https://www.forestandbird.org.nz/resources/new-report-climate-crisis-fuelled-further-introduced-pests>

¹³ <https://www.forestandbird.org.nz/media/2117>

the efforts made thus far and would encourage council to set aside funds to assist cat owners with the cost of de-sexing and micro-chipping their pets.

Conclusion

35. Thank you for the opportunity to submit comments on the plan.

Kimberley Collins

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