



Forest & Bird

TE REO O TE TAIAO | *Giving Nature a Voice*

Submission on Marlborough District Council Annual Plan 2023-2024 consultation

To Marlborough District Council

Attn Planning Team

From Royal Forest & Bird Protection Society of New Zealand Inc. (Forest & Bird)

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Introduction to Forest & Bird

New Zealand's largest and oldest conservation organisation

The Royal Forest & Bird Protection Society (Forest & Bird) is New Zealand's largest and longest-serving independent conservation organization with over 100,000 members, supporters and volunteers. Our mission is to be a voice for nature – on land, in the sea, and in our fresh waters.

Forest & Bird's constitutional purpose is to *“take all reasonable steps within the power of the Society for the preservation and protection of the indigenous flora and fauna and the natural features of New Zealand.”*

Independent and funded primarily by members and supporters

We are a registered charity, with our funding coming primarily from members and supporters; we receive government grants only for specific practical projects. Our nearly 50 volunteer branches throughout New Zealand work on the ground to restore nature through activities such as running pest control programmes, native plant nurseries, field trips, and public talks.

Hundreds of projects

With hundreds of projects operating at a variety of geographic scales, our portfolio of conservation projects is the largest of any single NGO in New Zealand. Through our Kiwi Conservation Club | Hakuturi Toa (KCC), we engage children and their families, inspiring them to enjoy, understand, and love the natural environment and to care for it. We have more than 5000 children in KCC, and many ex-KCC members have gone on to establish science and conservation careers.

Forest & Bird Youth is a national network of 14–25-year-olds who are acting for nature as youth for youth. They are actively organising practical projects, lobbying MPs and Ministers, and running digital campaigns. In the recent general election, they assessed the policies of the political parties.

Forest & Bird have an active branch in Marlborough that has been involved in a multitude of community conservation projects and which regularly advocates for increased protection of species and ecosystems.

An advocate for nature

Forest & Bird advocates for policy development and law reform, and represents nature in the Environment Court, at Environmental Protection Authority boards of inquiry, and in council planning processes. A century after establishment, we are still working just as hard for the protection and restoration of our wildlife and wild places on land, in freshwater, and at sea.

Our strategic priorities

In 2019, Forest & Bird adopted a new Strategic Plan with a purpose of protecting and restoring nature in a climate crisis. We have adopted goals in five domains:

- Climate safety – Ensuring our country does everything we can to keep the climate safe for all life on earth. Mitigating the impact of climate change will be at the heart of everything we do.
- Economy that supports nature – Encouraging communities to appreciate nature for its intrinsic and life-giving values. Recognising our long-term economy is dependent on a healthy environment.
- Vibrant landscapes – Advocating for stable healthy ecosystems full of native animals and plants.
- Energised water, rivers, and wetlands – Ensuring our rivers and streams run clean, are healthy, and are teeming with life.
- Oceans alive – protecting and restoring marine life and ecosystems.

Feedback on MDC Annual Plan 2023-2024 consultation

Forest & Bird has empathy for the challenging financial position that MDC finds itself and the impact that a 7.8% rates rise will have on Marlborough residents. Forest & Bird supports the planned spending on environmental planning and believes that there are further areas of investment and focus required, detailed below.

1. Environmental monitoring and compliance

- 1.1. Forest & Bird appreciates that MDC has increased its monitoring and compliance staff in recent years.
- 1.2. Marlborough's estuaries and coastal environment continue to be impacted by sedimentation. This is predominantly from removal of land cover for pastoral farming, forestry and residential development. Forest & Bird call for stronger monitoring and enforcement in relation to sedimentation.

2. East Coast Vehicle Bylaw – budget funds for permitting, monitoring and enforcement

- 2.1. Forest & Bird acknowledge the work that MDC has put into developing the East Coast Vehicle bylaw and advocates for funding to be put into the annual plan to resource the permitting of vehicles and monitoring and enforcement of the bylaw.

3. Port Marlborough Inland Hub in Riverlands industrial area and Plague Skinks

- 3.1. Forest & Bird cautions about the Port Marlborough Inland Hub to be built in the Riverlands industrial area becoming a Plague Skink distribution hub if the skinks are not eliminated from the Riverlands site, or the site design itself keeps them out.

4. Cat control

- 4.1. Forest & Bird would like to see council adopt a cat control bylaw. In recent years increased understanding of the impact of cats on our indigenous species has increased. As has the public's willingness to accept the need to control cats.
- 4.2. The rationale for a bylaw is two-fold. First, domestic cats kill an exceedingly large number of native birds, lizards and invertebrates. A study in Dunedin showed that "predation by domestic cats dramatically reduced the population persistence" in native bird species¹. Second, microchipping of domestic cats would enable more effective control of feral cats in peri-urban areas.
- 4.3. The bylaw would ideally include:
 - 4.3.1.1. Compulsory microchipping
 - 4.3.1.2. Inclusion of feral cats in Council's Pest Management Plan
 - 4.3.1.3. Compulsory cat registration
 - 4.3.1.4. A limit of two cats per household (registered breeders exempt)
 - 4.3.1.5. Compulsory neutering of cats (registered breeders exempt)
 - 4.3.1.6. The ability for Council to ban cats at certain developments to protect wildlife
 - 4.3.1.7. The phasing in of cat containment for all new cats (supported by the SPCA)
 - 4.3.1.8. Cats to be kept indoors at night. We understand that sections 145 and 146 of the Local Government Act 2002 allow for cat curfews

5. Better practice in plantation forestry

- 5.1. Forest & Bird calls for Marlborough District Council to urgently review its plantation forestry through a similar lens to Nelson City Councils Right Tree Right Place review and make provision in the annual plan budget to do so.
- 5.2. Pine plantation forestry has lost its social license in the wake of recent weather events across New Zealand which have highlighted the inadequacy of the National Environmental Standard for Plantation Forestry (NES-PF) and the Forest Stewardship Council (FSC) certification scheme

¹ Van Heezik, Y. (2010). Do domestic cats impose an unsustainable harvest on urban bird populations? *Biological Conservation*, 143, 121-130.

(greenwashing²) to adequately protect the environment from unacceptable pine forestry industry impacts such as erosion, sedimentation, slash, and wildings.

5.3. Clear-fell harvesting has always externalised its environmental impacts but our changing climate is making the risks and impacts greater. Clear-fell harvesting of steep slopes is no longer environmentally or socially appropriate.

5.4. Top of the South councils are all engaged in pine forestry on their lands as a revenue generating activity. However, councils are also a regulatory and compliance agency, and this causes an issue of the gamekeeper also being a poacher. Forest & Bird would like to see Marlborough District Council take a leadership in role modelling responsible land stewardship in relation to its forestry operations because we cannot expect the industry to improve without the regulator leading by example. To this end Forest & Bird suggests:

5.4.1. Marlborough District Council seek to reduce risks by taking a catchment approach to harvesting to reduce the risk of erosion, slash and sedimentation during rainfall events. A catchment approach would see a staged approach to harvesting to considerably reduce the area of slopes bare at any one time.

5.4.2. Marlborough District Council to stop clear-fell pine harvesting on steeper erosion prone slopes and transition to alternatives, such as permanent native forest for carbon income.

5.4.3. Marlborough District Council take a leadership role in exploring alternative harvesting techniques such as the line harvesting method, soon to be trailed in the Branch Valley in Marlborough.

5.4.4. Marlborough District Council to dramatically improve its monitoring, compliance and enforcement of pine forestry activities.³

6. Climate

6.1. Forest & Bird call upon Marlborough District Council to urgently undertake a **climate risk assessment** for the region to inform planning decisions and provide for informed community input. Such as the climate risk assessments being prepared for Nelson City Council, Tasman District Council and Buller District Council by Urban Intelligence Ltd (<https://urbanintelligence.co.nz/>)

² Salmond, A. (2023). Forestry firms should honour their promises. Newsroom. Retrieved from: <https://www.newsroom.co.nz/ideasroom/forestry-firms-should-honour-their-promises>

³ Hart, M. (2022, 07 Dec). Three quarters of Marlborough forestry blocks fail initial check. Retrieved from: <https://www.stuff.co.nz/national/politics/local-democracy-reporting/130664947/three-quarters-of-marlborough-forestry-blocks-fail-initial-check>

- 6.2. Forest & Bird encourages MDC to commit to developing a **stronger climate mitigation and adaptation plan**.
- 6.3. The **MDC Climate Change Action Plan 2020** contains the goal that ‘Council shows clear leadership on climate change issues’ (p.8) and one of the actions arising from that goal is ‘Reporting on progress toward targets of this action plan is included in Council’s Annual Report’ (p.9), yet this is not reported on in MDC’s 2021-2022 annual report. This should be a priority action for this year’s report.
- 6.4. Forest & Bird call for a review of the zoning provisions in the **MEP** through an emissions reduction and climate adaptation lens as a priority. Future development zoning provisions are one of the biggest levers Councils have to modify urban form and lower emissions.
- 6.5. Forest & Bird is strongly critical of the current **MDC procurement policy**⁴ that appears to have been last reviewed in December 2022. This has no emissions consideration requirements despite the Climate Change Action Plan 2020, 1(a)iii, specifying this as an action.
- 6.6. Forest & Bird are strongly critical of the **Statements of Intent of Council controlled organisations (CCO’s)**. MDC Holdings, Port Marlborough, and Marlborough Airport’s statements of intent are inadequate from a climate lens and should specify mandatory emissions reporting and reduction plans. Forest & Bird would like to note that offsetting should not be used as a way to avoid reducing emissions. There is increasing international scepticism of offsetting that is not linked with meaningful emissions reductions. The international Climate Action Network of which Forest & Bird is a member, rejects offsetting (<https://climatenetwork.org/resource/position-on-carbon-offsetting/>).

7. Nature based solutions ahead of engineered solutions to flood risk and inundation.

- 7.1. Forest & Bird would like MDC to adopt a **nature based solutions** approach to climate adaptation as required in the Climate Adaptation Plan (2022, p.92)⁵. In particular Forest & Bird draw attention to maladaptive practices that add more pressure to wildlife and ecosystems such as hard armouring of the coastal zone and channelisation of waterways.
- 7.2. Forest & Bird urges MDC to continue to support work to adopt and resource a more modern approach to river management that embraces ‘making room for rivers’, and managed retreat of

⁴ https://www.marlborough.govt.nz/repository/libraries/id:2ifzri1o01cxbymxkvwz/hierarchy/documents/your-council/procurement-policies-list/Procurement_Policy.pdf

⁵ Ministry for the Environment. (2022). *Aotearoa New Zealand’s first national adaptation plan*. Wellington. Ministry for the Environment.

people and infrastructure from high-risk floodplains and coastal areas. We urge MDC to prioritise this sort of approach to flood protection, rather than 'hard engineering' work. This approach improves the health of our rivers and coastline while making our communities safer and more resilient.

- 7.3. The scientific consensus is that 'engineering' our way to resilience against the impacts of climate change through the expansion or strengthening of flood protection infrastructure isn't going to work. This was affirmed by river experts in a recent (2022) New Zealand journal article, who stated that "working against nature does not work", "[we] may inadvertently be manufacturing future disasters", and "moving out of harm's way saves lives".⁶
- 7.4. This is a view that is supported by river geomorphologists and academic experts across Aotearoa⁷ and internationally⁸ (bold emphasis added):
 - 7.4.1. International studies show that allowing a river to self-adjust is cheaper and more effective than active interventions that force a river into a particular place.
 - 7.4.2. Europe and Japan have a long history of confining rivers. Once management practices start on this path, they become locked into progressively building more and more expensive hard engineering structures. Many rivers in Aotearoa New Zealand are less modified than those in other parts of the world. Changing management practices now can have a significant positive effect.
 - 7.4.3. Working with the processes that create and rework a river channel and its floodplain will reduce the impacts of future disasters. Recognising the links between sections of a river and the whole catchment will help us assess how likely it is that the river will adjust to accommodate larger and more frequent future floods.
 - 7.4.4. An honest discussion now could save us the direct and indirect costs of future clean-up and repair. Reanimating rivers seeks to respect the rights of healthy, living rivers that erode and flood in the right place and at the right rate.

⁶ Reanimating the strangled rivers of Aotearoa New Zealand. (2022). <https://wires.onlinelibrary.wiley.com/doi/full/10.1002/wat2.1624>

⁷ Why we should release New Zealand's strangled rivers to lessen the impact of future floods (2021). www.theconversation.com/why-we-should-release-new-zealands-strangled-rivers-to-lessen-the-impact-of-future-floods-153077

⁸ Framing resilience for river geomorphology: reinventing the wheel? (2019). <https://pearl.plymouth.ac.uk/handle/10026.1/13225>

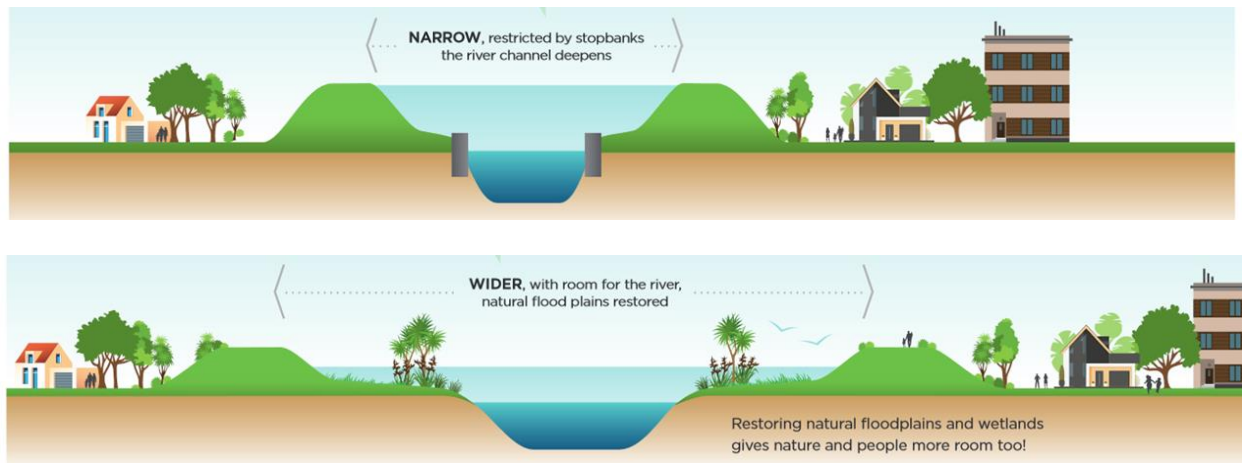


Image: Wider river corridors provide space for rivers to flood safely, where floodwaters don't get as deep and stopbanks don't have as much pressure put on them (and therefore the likelihood of failure is decreased). Wider corridors also provide space for riparian planting, wetlands, and recreational areas, as well as improving rivers connection to and recharge of groundwater (increasing drought resilience).

[Tukua Ngā Awa Kia Rere / Making Room for Rivers – Forest & Bird.](#)

- 7.5. With higher and more frequent flood flows predicted with climate change, the pressure on riverbank engineering (including stopbanks) will only increase, and when the engineering eventually fails the consequences will be greater. We saw this mostly recently during Cyclone Gabrielle, when several of Hawke's Bay's rivers overwhelmed their stopbanks. These sorts of anomalies of flow will become more regular as an impact of climate change.
- 7.6. In Aotearoa we have tried to straighten and contain rivers in an effort to stabilise them, but that has increased the risks we face from flooding, particularly when considering the size of flood flows with climate change. It has also destroyed habitat for birds and fish, removed areas of riverbed that may have recharged our aquifers, and reduced our ability to connect to these beautiful places that we're inherently connected to.
- 7.7. The reality is rivers are most stable when they are given room to move—when they can safely flood and dissipate their energy and can adjust their course within their channel. We shouldn't be surprised when a river floods or erodes a bank—that's just a river being a river. We've created an issue by encroaching so tightly on rivers, but what we really need to do is provide 'room' for the rivers.

8. Environmental funding support of Kotahitanga mō te Taiao Alliance projects

- 8.1. Forest & Bird suggests further funding and support for the Kotahitanga mō te Taiao Alliance (KMTT), an Alliance of Top of the South Councils, DOC and Iwi. KMTT addresses the significant conservation problem of a lack of a coordinated approach to conservation identified in our National Biodiversity Strategy Te Mana o te Taiao. And through the current development of an implementation plan, will also attract national and international funding for projects that will

benefit the region.