

# Further evidence

To the Local Government and Environment Committee

Point England Bird Sanctuary  
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 April 3, 2017

Thank you for considering my petition to “stop the Point England Development Enabling Bill from proceeding until an independent environmental impact assessment has been completed and presented to the Local Government and Environment Committee with a better development proposal.”



A Northern New Zealand dotterel chick at Point England

I will not repeat my qualifications. It's worth remembering I am not a scientist, I am a volunteer working on the ground every week at Point England. I believe the wildlife observations outlined in my submission prove the conservation and biodiversity services provided by the habitat at Point England. I have asked for a more thorough and formal ecological investigation. Ngāti Paoa informed me that a report is being prepared for consenting purposes, but I also understand that once the land is rezoned a resource consent application probably doesn't need to consider the effects on the birds. It is not clear to me how the effects of the development on the birds will be considered and by whom.

It is worth noting that any observational data recorded during its authoring period (Jan => April) will show low usage of the site by shorebirds. That is because Northern New Zealand dotterel congregate in large post-breeding flocks during this time. South Island Pied Oystercatcher (as you can tell from the name) also breed in the South Island during this time.

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I would like you to consider the following 11 arguments supporting the petition.

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This document is additional to the submission from the Point England Bird Sanctuary  
[https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/51SCLGE\\_EVL\\_00DBHOH\\_BILL72004\\_1\\_A546239/point-england-bird-sanctuary](https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/51SCLGE_EVL_00DBHOH_BILL72004_1_A546239/point-england-bird-sanctuary)

and supplementary advice  
[https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/51SCLGE\\_EVL\\_00DBHOH\\_BILL72004\\_1\\_A548592/point-england-bird-sanctuary-supp-1](https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/51SCLGE_EVL_00DBHOH_BILL72004_1_A548592/point-england-bird-sanctuary-supp-1)

[https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/51SCLGE\\_EVL\\_00DBHOH\\_BILL72004\\_1\\_A549672/point-england-bird-sanctuary-supp-2](https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/51SCLGE_EVL_00DBHOH_BILL72004_1_A549672/point-england-bird-sanctuary-supp-2)

# 1. Why did 1,848 people sign my petition?



*Music in the Parks, Point England Reserve January 2017. Photo by Fred Roberts*

I was surprised by the support I got. 1,848 people definitely do not help me with the dotterel or probably even bird watch at Point England. I definitely don't have that many friends on Facebook – so why do they care?

I think what they saw happening at Point England was abhorrent. New Zealanders care about nature, they want to live with it. They are proud to be 'Kiwis'. Even though none of us will probably ever see wild panda, gorillas and blue whales, we want to live in a world where they exist. I think the same thing is true for the endangered shorebirds at Point England. There is value in just knowing they exist and that we are looking after them. I also think some of the petition signers will have been environmentally educated people who understand that it's dangerous to look after shorebirds in only one or two locations, that places like Point England are really important for species resilience.

The petition doesn't say no to the development, it just asks for the proper process to be followed, which would enable the effects on the birds to be considered before deciding whether to build houses on the Reserve. However the petition also asked for a better development plan. I don't know how the Select Committee can make that happen and I am losing hope that it will happen. With time, education and support from the community, environmental advocacy groups, politicians and local government, opposition to the Bill has grown.

## 2. Why should we have dotterel in Auckland?



A Northern New Zealand dotterel stretches its wing at Point England

We know Aucklanders want to live with native birds, we love our tui so much but why should Aucklanders have dotterel?

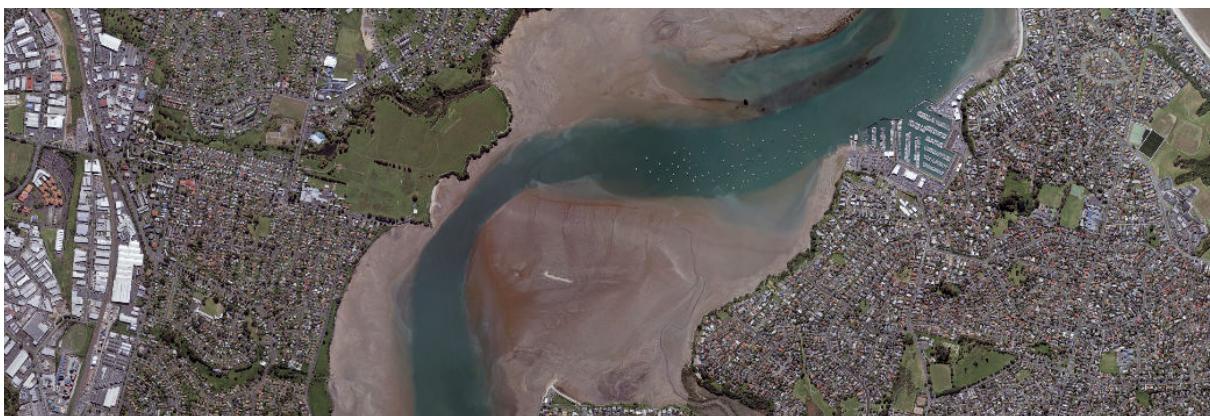
- Auckland's harbours are what attracted the first indigenous and European people to the area. Its proximity to both coasts, ocean views and biodiversity make it a unique and special place to live.
- NZ dotterel are conservation dependent, they need people to kill the predators we introduced or they will become extinct. In one way, Cities are perfect for dotterel because there are lots of people around to kill the predators (as long as we can manage our pets).
- Dotterel do quite well in strange places around Auckland, like next to motorways which are predator free and shopping malls where predators are actively managed for hygiene.
- We have about 25,000 North Island brown kiwi and only 2,000 Northern New Zealand dotterel. In a half hour drive from the Sky Tower you will not find any wild kiwi but you will find at least four different dotterel nesting sites. They are Auckland's most accessible endangered bird, something to be proud of, a symbol for how Aucklanders choose to live with nature.

*"the future is cities, and if we can't find environmental solutions for cities then it's all downhill for humans and the nonhuman world"* – Kennedy Warne, co-founder New Zealand Geographic

'Pest-free bird sanctuaries' are mentioned in the first paragraph of the 'Sustainable urban development' chapter in the OECDs '*Environmental Performance Review of New Zealand*'. They use them as a measure of the '*Environmental quality of life in New Zealand's cities*'.

The same report recommends that New Zealand: "*Ensure that areas of fast-track residential development (notably those created under the Special Housing Act) are screened against environmental impacts, especially against cumulative and irreversible impacts.*"

### 3. Regional Spatial Strategies (RSSs) and Regional Policy Statements for the Natural Environment (RPS-NE)



*The Tamaki Estuary (low tide)*

The Productivity Commission's latest report on how to improve urban planning suggests the development of Regional Spatial Strategies (RSSs) and Regional Policy Statements for the Natural Environment (RPS-NE) to work out land-use parameters and set protective limits for the natural environment. I think this is a great idea. A specific plan for how many shorebirds we want in the Tāmaki Estuary, what species and where they can breed would really help. As I illustrated in my submission the current trend towards no shorebirds in the next decade would be a disaster. It would also be good to plan a network of dotterel breeding habitat around the city. Providing adequate space in proximity to feeding grounds should help to prevent development/dotterel conflicts in future. With better management we could dramatically increase the shorebird populations, we could then take them off the endangered lists, and not be so concerned if we want to destroy their habitat. You haven't heard a word from me about the skylark, pukeko, pheasant and other common birds at Point England because they are just that 'common'.

I particularly like Ed Glaeser's quote at the end of the executive summary.  
*"[C]ities are humanity's greatest invention, they make us richer, smarter, greener, healthier, and happier"* Auckland is a great invention and its unique relationship with water weaves shorebirds right into its heart.

## 4. Open space and health



*Movies in the Parks, Point England Reserve, March 2017. Photo by Helen Momota*

I want to mention ecosystem services again. Point England provides what are called cultural ecosystem services. These are defined by the 2006 Millennium Ecosystem Assessment (MA) as “*Nonmaterial benefits people obtain from ecosystems through spiritual enrichment, cognitive development, reflection, recreation, and aesthetic experiences*”.

There is a new book out called ‘The Nature Fix’ by Florence Williams. In it she talks about the chemical changes in our brain when we are in nature. She says that: “*Researchers have found that while we’re out in the woods we actually increase our immune cells and... our cancer fighting cells, really important part of our immune system, those cells seem to increase after a walk in the woods, and they don’t increase after a walk in the city.*”

She adds that if getting out into the bush isn’t accessible, there’s still plenty to be gained from spending time in a park closer to town.

“*If you want to maximise your kind of sense of restoration, and stress recovery, you get a much better effect if you actually try and listen to the birds, try to look at some of the patterns, for example in the trees, the leaves or the creeks, and a lot of city parks have some amazing nature features in them.*”

The green vista at Point England will be completely compromised by this Bill - it will no longer have that wide open space feeling about it, as the houses in combination with the marae will encroach significantly upon that green space.

I am one of those creative technologists that New Zealand is trying to make more of. I have made hundreds of thousands of dollars in my spare time, just by making fun stuff and putting it on the internet. I don’t know how many of those ideas would not have happened if I didn’t spend time in nature. But I know people pay me a lot of money to have good ideas and I spend a lot more time in nature than most people.



*Humorous and effective conservation education signage at Point England Reserve*

My first challenge when setting up the bird sanctuary was keeping the dogs out of the paddock. I had to be diplomatic about it because I needed to get the community on board. I put the time in talking to people and made this humorous sign (above). It worked really well and the dog walkers now police each other.

By sharing my interest I increased the value of the Reserve to those dog walkers. They took an interest and are proud to have so many endangered birds in their odd little paddock. This wildlife value add often happens when I take photos in public. Often I hear “check out that bird, Jo, it’s a rare pelican” or some other nonsense. They might not know what they are looking at but they see my fancy camera and get excited. One day I had to explain my sign to some local kids who were actually worried there might be dog-eating birds. We had a good chat and as they cycled off (grubby and barefooted) I overheard one kid say “At Point England we’ve got everything, we’ve got the ocean, we’ve got the shops, we’ve even got rare birds”. It would be a real shame to lose that.

## 5. Nimbyism



*Chick shelters deployed at Point England 2014*

Most of the media articles on the Bill have sympathised with the community loss of open space, especially the sports fields. However I have read two articles that accuse the community of nimbyism (Not In My Back Yard).

The volunteers who help me with pest control don't enjoy scraping maggot infested carcasses out of little boxes, it's not much fun, but thousands of New Zealanders do it everyday. It's a kind of reverse nimbyism, where New Zealanders want Nature In Their Back Yards. I think the Select Committee should encourage this behaviour. Trapping, tree planting, weeding and rubbish clean-ups create strong healthy communities. By destroying the local bird sanctuary this Bill undermines that work. It sends the wrong signal to communities around the country who are doing their bit to live with nature.

## 6. Understanding the Treaty component



Crown-owned housing land <http://transportblog.co.nz/2015/05/21/building-on-government-land/>

There are clearly three big losers in this Bill. The people who walk around the Reserve and enjoy the open space, the people who use the sports grounds and lastly the birds. While well-intentioned, the Bill creates private profit at public and environmental loss. I am sure Ngāti Paoa deserve reparations, I would be more than happy for the Government to give the entire Reserve to Ngāti Paoa with the reserve status maintained, just like they have given many other conservation reserves to iwi. Iwi can be great conservation advocates. However where this Bill goes wrong is where it revokes the reserve status and rezones the Reserve from Public Open Space to Residential-Mixed Housing Urban. If Ngāti Paoa want the land to sell and make money I understand, I want them to have more money too. But I don't understand why the Government is making them pay for the land. Labour, Auckland Council and the Local Board think that Ngāti Paoa could be offered other land in the area. I don't know the details but I found this 2013 map of Crown-owned housing land in the area (above). There sure is a lot of it.

I haven't seen evidence showing exploration of this or other options. I think a more thorough investigation should be done before we destroy endangered bird habitat. Or worse as I quoted Dr John Dowding in supplementary evidence "*the area could easily become a 'sink' for the species [Northern New Zealand dotterel]*".

## 7. Very precious nature reserves



A Northern New Zealand dotterel and livestock at Point England

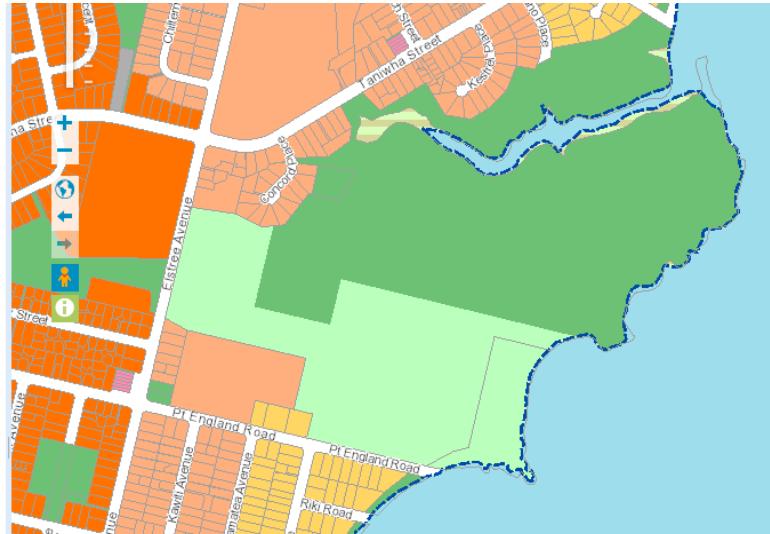
In 2015 when Nick Smith was examining all Crown-owned land in Auckland for possible housing development, he said there were “*very precious nature reserves*” which would never be considered for sale. When MBIE officials looked at Point England they just saw cows. This is understandable given Northern New Zealand dotterel are very small or they may have visited at low tide when all the roosting shorebirds birds are feeding in the estuary. But the fact is the Reserve is used by ten times more shorebirds than cows. It’s not just the abundance of endangered birds that makes the Reserve eligible for Ramsar status but also just how endangered some of them are.

If Ramsar status does not make Point England a “*precious nature reserve*” then I don’t know what would. Based on his previous comment I don’t think Nick Smith would have proposed this Bill if he knew Point England’s ecological significance. I can see that not proceeding with the Bill would be hard for him and National. So I understand when he says silly things in the media about cats (see previous supplementary evidence) or that we have to “choose between using land for houses or cows”. This is obviously ridiculous – saying our reserves are for cows is like saying Eden Park is for lawn mowers! I know the Select Committee can see through the political rhetoric and will not make recommendations based on the Minister’s misunderstanding of the Reserve. But just to be clear, the cows at Point England don’t pose a threat to the local water quality because they are not dairy cows and are low density. There is also a significant green belt between the cows and Omaru Creek. As shown in my maps of roosting sites (see previous submission) the paddocks are well utilised by several species of endangered birds.

The first thing we learn in the dotterel minding course is to “*do no harm*”. We have learnt a lot since the Hippocratic Oath was devised but it’s still core to best practice decision-making today. I hope the Select Committee employs the same practical logic.

## 8. Perceptions

Residential - Mixed Housing Urban Zone	
Residential - Terrace Housing and Apartment Buildings Zone	
Open Space - Conservation Zone	
Open Space - Informal Recreation Zone	
Open Space - Sport and Active Recreation Zone	
Open Space - Civic Spaces Zone	
Open Space - Community Zone	
Business - City Centre Zone	
Business - Metropolitan Centre Zone	
Business - Town Centre Zone	
Business - Local Centre Zone	
Business - Neighbourhood Centre Zone	
Business - Mixed Use Zone	
Business - General Business Zone	
Business - Business Park Zone	
Business - Heavy Industry Zone	
Business - Light Industry Zone	
Future Urban Zone	



Unitary Plan Management Layers (zones) <https://geomapspublic.aucklandcouncil.govt.nz>

I think the Bill was just poorly researched and should now be thrown out. However I do understand how the mistake happened and I think more should be done at Point England to fix the perceptions of the Reserve. This should include better signage, lower impact grazing, nesting and roosting substrate trials and rezoning the Reserve in line with its current utility. It doesn't make sense to have Point England zoned for both sports and informal recreational when it has conservation-dependent birds. The informal recreational zone should clearly be a conservation zone.

So I think the Bill should have been better researched although I can see perception played a part in why the mistake was made.

I do think it would have helped if MBIE had received better advice from DOC & Auckland Council about the Reserve. When asked for proof of under-utilisation by a member of the local community MBIE have said "Grazing cattle on a site that is near the CBD of Auckland and other employment centres, and in an area that is well serviced by infrastructure, is not considered appropriate use".

But if we want shorebirds in our estuaries, especially dotterel, then we need appropriate habitat. Cows are a great way to manage that habitat, lawnmowers are okay but are very dangerous at nesting time. I know a lot of conservation work is being outsourced to volunteers, DOC and Council biodiversity staff are very busy. Maybe MBIE could also get advice from volunteers in future? I know I would have preferred to give a tour and write a report than go through this process.



South Island Pied Oystercatcher, Caspian Terns and Southern Black Backed Gulls on the sports fields at Point England

As an aside it's worth noting that the sports fields play an important role as part of the sanctuary. You will have seen the maps in my submission which show that the sports fields provide an open space barrier for cats and are regularly used for roosting. Reducing the size of the sports fields, adding lights and artificial turf will completely compromise this aspect of the bird roost.

## 9. Conservation



*Northern New Zealand dotterel on an Auckland beach*

Aucklanders are used to seeing dotterel on beaches, as around 90% of our 2,200 Northern New Zealand dotterel breed on beaches. But with sea levels predicted to rise 50-100 cm this century that's not good news for this species. What we are learning from managing dotterel at elevated sites like Point England is critical to the survival of this species in the decades ahead.

As mentioned in my submission it's also important the mainland support other conservation work in the Hauraki Gulf. With only 175 shore plover left in the world we also have a responsibility to provide a safe roost for this species.

# 10. Ngāti Paoa



*Proposed development map with threats from previous submission*

Things have stalled with my relationship with Ngāti Paoa. They don't want to change their plans or to talk to me about them until the legislative process is over. I am quite disappointed in that. They don't plan to change their development to accommodate the local wildlife. They may suggest Council spend money on looking after the birds in the remaining public space but I don't think Council can afford all the measures required. I was really disappointed to hear at the Select Committee that Ngāti Paoa had developed a concept plan that will maintain the total area of playing fields by constructing new playing fields on the Reserve next to the marae site. I asked them about this and they said the plans have not changed. My only hope is that the Select Committee's report will make a strong recommendations on conservation values.

## 11. Compromises



*The first predator proof fence at Karori Wildlife Sanctuary (2007). Photo by Tony Wills*

I think that you could significantly reduce the development area and add a few houses at Point England and at the same time create better habitat for the birds. I just don't see it happening under the current process. It's not just the money required to do the right thing for the birds, but the time it will take to do the experiments properly. You would need to invest in: cat-free houses, enforcement of that rule, cat-proof fencing, fence maintenance, cat traps, maintenance and management of those traps, habitat construction including earthworks and substrate, weed management, monitoring, further habitat variations (learning by doing), increased predator control, avian predator control, dog-proof fencing, better signage and public education. You would also need to: remove the airclub, introduce lighting restrictions, restrict public access including walkways, restrict tree planting etc. And even then it might fail.

Hau Rawiri told media “*We would look to repatriate the place they [the dotterel] are originally from through restoration and revitalisation*”.  
<http://www.stuff.co.nz/business/property/88586845/pt-england-reserve-developers-ngati-paoa-respond-to-public-concerns>

Just in case the Select Committee believes this is possible, it's not! Firstly we do not know where the Point England dotterel were born. Many of them could be second or third generation locals. Secondly you can not tell a Northern New Zealand dotterel where to nest. The most you can do is move a nest a metre or two (usually to avoid a spring tide event) and you have to get permission from DOC first (that's dotterel minding 101). You can use decoys and audio lures to create breeding sites for birds that nest together in flocks (for security). Dotterel do not, they are very territorial because their chicks are precocial (feed for themselves) just like kiwi. Just to be clear – we can not move the dotterel, it's never been done before.

I love making stuff, so I like the idea of creating an artificial roost site for the Tāmaki shorebirds. It would have to be huge to accommodate all the birds and include dotterel nesting islands. It would need tricky resource consents and a hefty maintenance budget for erosion and weeds. It would also need budget to plan for at least 100 cm sea level rise. But once you have spent millions of dollars on it there is no 100% guarantee the birds will come. What would we do then? Not do the development because the birds are still at Point England? Experts even doubt the dotterel will respond well to habitat modification at Point England. It is very important that whatever plan you come up with for the birds is peer reviewed by scientists who are much more qualified than me and that you allow a lot of time and money for experiments which would all need a Plan B.

As I stated at the Committee hearing if the Select Committee decides that the need for housing at pace outweighs all the environmental losses it would be sensible to look at compensation as per the case study supplied. Any experiments will take up to a decade to do properly and might still fail to sustain or grow the existing population.

## Thank you

Thank you for this second opportunity to submit. I would welcome the chance to present to the Select Committee and answer any further questions you might have.