

SUBMISSION ON AN APPLICATION FOR RESOURCE CONSENT UNDER SECTION 96 OF THE RESOURCE MANAGEMENT ACT 1991

PART A: DESCRIPTION OF APPLICATION

CONSENT NUMBER: WCRC: RC-2023-0046, GDC: LUN3154/23

APPLICANT: TiGa Minerals and Metals Limited

DESCRIPTION OF PROPOSED ACTIVITY: Establish and operate a mineral sands mine, including construction of associated infrastructure.

LOCATION: Barrytown Flats, west of State Highway 6 (Coast Road), 9km south of Punakaiki township and 36km north of Greymouth

PART B: SUBMITTER DETAILS

Full name/s: QEII National Trust (QEII)

Postal address: [REDACTED]

I am the owner of the following property: QEII Trust does not own property in the immediate area but has a special interest arising from a number of nearby open space covenants.

Primary contact person/s: Kate Lindsay

Email address [REDACTED]

Phone numbers:

Business [REDACTED]

Signature of the submitter (or person authorised to sign on behalf of the submitter): NA.

Date: 13 October 2023

Name (BLOCK CAPITALS): KATE LINDSAY

If this is a joint submission by 2 or more individuals, each individual's signature is required.

A signature is not required if you make your submission by electronic means.

We **oppose** the application.

We **DO NOT wish to be heard** in support of our submission.

If you wish to be heard, and others make a similar submission would you consider making a joint case with them at any hearing? **NA.**

If you indicated you wish to be heard, you will be sent a copy of the S.42A Officer's Report and a copy of the Decision once it is released. Please indicate below which format you would like to receive these documents in: **NA.**

I **will** serve a copy of my submission on the Applicant as per Section 96(6)(b) of the RMA.

I **am not** a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

I request, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.

13 October 2023

QEII submission on proposed mineral sand mine

QEII National Trust (QEII) is a statutory non-government organisation, established in 1977. Our mission is to inspire private landowners to protect and enhance open spaces of ecological and cultural significance. We work alongside landowners in Aotearoa New Zealand to place covenants on their land to protect areas with open space values, in perpetuity. In the Grey District there are 45 open space covenants, protecting approximately 1200 hectares of land with high indigenous biodiversity values. We have a role as the perpetual trustee of these covenants to uphold and advocate for their protected values.

Submission

1. In partnership with the landowners, QEII protects three covenants within 4km of the proposed mineral sand mine site. These covenants are important habitat for a range of indigenous fauna and provide connectivity between the coastal environment and Paparoa National Park.
2. As the perpetual trustee for these covenants, we have a role in upholding and advocating for the protected indigenous biodiversity values. We're concerned about the potential impact of the proposed mine development and ongoing operations on indigenous biodiversity and the wildlife that use these protected habitats, particularly tāiko/Westland petrel.
3. We disagree with the conclusion of the applicant's ecological assessment that adverse effects of the proposal have largely been avoided or minimised, such that there is no need to employ any further steps in the effects management hierarchy. It would only be appropriate for consent to be granted if additional steps are taken to ensure adverse effects on the environment, particularly on tāiko, are addressed.

Tāiko / Westland petrel

4. One of the nearby covenants provides important breeding habitat for the tāiko – Westland petrel. Some of the 80-hectare open space covenant forms part of the *only known* breeding colony for the tāiko, located in the Paparoa foothills between the Punakaiki River and Waiwhero Creek. This covenant is located approximately 3.5 km North of TiGa Minerals and Metals Limited's proposed mineral sand mine site.
5. Tāiko are endemic to New Zealand and are categorised by the Department of Conservation as 'At Risk, Naturally Uncommon'. Tāiko face a number of threats on land and at sea including climate change, industrial fishing, habitat loss and the vulnerabilities that come with having just one breeding location.

6. A key land-based threat to tāiko is their tendency to get disoriented by lights when flying at night, which can lead to them crashing on land. They leave the breeding colony most commonly at dusk or dawn, but also throughout the night, which is why they are particularly vulnerable to artificial lighting. In most cases, downed tāiko are fledgling birds on their maiden flights, but adult tāiko are also known to be impacted when flying offshore to feed.
7. We are concerned that there would be an unacceptable level of risk to the tāiko as a result of this development and its ongoing operation. While we understand that improvements have been made to the operational plan and the avian management plan since resource consent for mining at this site was last sought, an unacceptable level of risk remains.
8. Policy 11(a) of the New Zealand Coastal Policy Statement (NZCPS) is to avoid adverse effects on threatened or at-risk indigenous species and their habitats in the coastal environment.
9. The Avian Management Plan states that regular (weekly-fortnightly) monitoring of threatened and at-risk species will be undertaken. The plan also details monitoring to be done at appropriate times of the year for species using adjoining habitats, as well as tāiko, bittern, and fernbird. If consent is granted, it is essential that this monitoring is made a condition of consent.
10. The Avian Management plan also presents several protocols and potential management approaches should any grounded tāiko (alive or dead) be found at the site. Point 4.3.3 of the plan states that should two dead tāiko be found within a certain timeframe, the company will cease operations and use of external lights at the pit and processing plant between 4am and dawn. If this is the safest possible approach for the wellbeing of tāiko, it should be adopted from the start of operations for each tāiko breeding season.

Conclusion

QEII is pleased to see the improvements made since consent was last sought for this operation, but still has concerns that effects on the environment, particularly tāiko, will not be addressed without the imposition of appropriate conditions beyond those offered in the Applicant's management plans.