



Westland Mineral Sands Co. Ltd's (WMS) Resource Consent Applications for its Heavy Mineral Sands Mining Operation, Mananui, RC-240013 and RC-2023-0133

Neutral Submission to West Coast Regional Council and Westland District Council

From the West Coast Penguin Trust

2 April 2025

We do not wish to speak at a hearing.

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Introduction

1. The West Coast Penguin Trust (the Trust) exists to conserve penguins, other seabirds and the coastal environment.
2. The Trust has a role as advocate for penguins, other threatened seabirds and their habitat.
3. The Trust has a relationship with WMS based on transparency and positive advocacy and actions for the benefit of penguins and other threatened seabirds.

Background – little penguins / kororā

1. The little penguin or kororā (*Eudyptula minor*) is the world's smallest penguin at just 35-43cm tall and weighing a little over 1kg. It is found in many places around New Zealand and is both a taonga species and a protected native species.
2. The little penguin population is declining throughout New Zealand and the species is listed as 'at risk, declining' by the Department of Conservation.
3. Little penguins commonly nest in dunes, coastal forest and scrub, farmland and rocky areas up to 200m inland and up to 500m upstream from river mouths. They nest in burrows, caves, rocky crevices, tree roots, and nesting boxes. It is common to see penguins nesting under buildings close to the sea.
4. Little penguins can be found on West Coast beaches for much of the year, whether they are breeding, moulting or resting between breeding seasons.

5. Little penguins on the West Coast will usually depart nest sites for the sea before dawn and return any time after dark, generally avoiding crossing land between sea and nest during the hours of daylight.
6. Mortality and breeding survey records indicate very few penguins in the Mananui coastal area (and not on the application side of the highway), with more around Ruatapu and Hokitika and through to Greymouth.



Fig 1: Little penguin mortality records in the area of the proposed mine. Mine site indicated in pink.

7. The mortality records clearly show that the biggest single killer of little penguins within the West Coast region is vehicles on coast roads.
8. The trust has discussed little penguin mortality on SH6 between Hokitika and Serpentine Corner with WMS. The trust has promoted driving slower at night at certain times of the year when penguins may be crossing the road and looks forward to continuing to work with WMS to implement appropriate driving conditions to contribute to penguin safety.

Background – Westland petrels / tāiko

9. The Westland petrel or tāiko (*Procellaria westlandica*) is an endemic seabird that breeds during winter/spring in broadleaf/podocarp rainforest in the Paparoa foothills between the Punakaiki River and Waiwhero Creek.
10. The species is listed as 'endangered' by Birdlife International and as 'at risk, naturally uncommon' by the Department of Conservation.

11. The Westland petrel is the 10th most threatened seabird by fisheries bycatch in New Zealand waters. The level of bycatch while in South American waters remains unknown.
12. The species faces numerous threats both on land and at sea.
13. The attraction to artificial lights is rated as a relatively low threat but with high uncertainty around the numbers of individuals affected each year. Most petrels disorientated by lights will be fledglings on their maiden flight and most have been found between 16 November and 15 January. However, a few birds are found downed by lights between March and early November and these will be adults or pre-breeding birds.
14. Westland petrels are disorientated and downed by the lights of Punakaiki and to a lesser extent Westport, Greymouth and Hokitika.
15. Fledglings leave the colony throughout the night; adults generally leave before dawn.
16. Adult petrels are occasionally disorientated by lights; this is more likely on wet, still and/or foggy nights.
17. When disoriented by lights, petrels land beside lights or where the lights have disoriented them (e.g., vehicle headlights) in places where they are generally unable to take flight again. When this occurs on roads, the black birds may be killed by subsequent vehicles.
18. Petrels could be disorientated by the lights at the proposed processing site and/or by vehicles working at and travelling to and from the site.
19. Although the proposed mine site is not on the main flight path of petrels leaving or returning to burrows, tracking data shows that these birds travel extensively over West Coast marine areas.

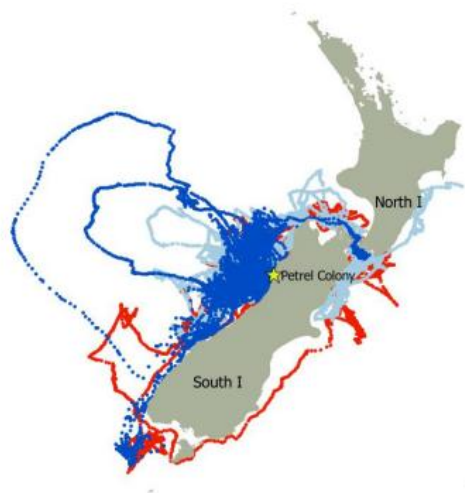


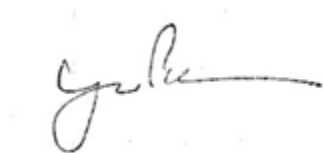
Figure 4. Tracking data from breeding Westland petrels fitted with GPS units during pre-breeding and incubation periods in 2011 (red); incubation and chick rearing in 2012 (light blue) and incubation and chick rearing in 2015 (dark blue). Susan Waugh and John Arnould unpublished data. Figure copyright Te Papa.

Fig 2: Taken from: <https://www.westcoastpenguintrust.org.nz/wp-content/uploads/2018/09/Westland-petrel-threats-report-June-2016-Kerry-Jayne-Wilson.pdf>

20. The threat of any bright lights will be additional to the many threats already faced by these birds, and while downed Westland petrels are rare in the Hokitika area, we appreciate the intent of WMS to comply with the *National Light Pollution Guidelines for Wildlife*, published by the Australian Department of Biodiversity, Conservation and Attractions¹.

Comment

21. We appreciate the intention of WMS to put appropriate safeguards in place for all indigenous biodiversity and to add ecological value in this area as part of their restoration plan.
22. We appreciate the early engagement with the local community including conservation groups like ours.
23. We take this opportunity to highlight the importance of including consent conditions that adequately prevent disturbance of and ensure protection of native wildlife, from the outset and during all operations, maintaining monitoring and applying adaptive management principles as appropriate.
24. We appreciate and value the early and frequent contact from the developer, Ray Mudgway and his team, and his stated intention to “do the right thing for the environment and the community”. We expect the highest environmental standards to be met through all operations and rehabilitation.



Inger Perkins

Manager, West Coast Penguin Trust

¹ <https://www.dcceew.gov.au/sites/default/files/documents/national-light-pollution-guidelines-wildlife.pdf>