

Endangered Species Foundation

Submission in response to the resource consent application to extract sand offshore at Pakiri.

Scope of submission	This submission relates to the two applications for resource consent in their entirety.
Nature of submission	The Endangered Species Foundation opposes the applications for resource consent in full.
Submission for:	Auckland “Mid-shore” Sand Extraction Site – Coastal Marine Area (Off-Shore from Pakiri) Application number: BUN60352951, CST60352952, DIS60352953 Auckland “in-shore” Sand Extraction Site – Coastal Marine Area (Off-Shore from Pakiri) Application number: BUN60369079, CST60369190, DIS60369191
Applicant:	McCallum Bros Limited Shayne.elstob@mccallumbros.co.nz Shayne Elstob McCallum Bros Limited PO Box 71-031 Rosebank Auckland 1348
Date:	1 December 2021

Background

The Endangered Species Foundation (ESF) is a registered charitable organisation supporting high-priority conservation projects that protect New Zealand's most vulnerable indigenous species and habitats from extinction.

Our vision is to enable sustainable, long-term support needed for endangered species and to provide a way for all New Zealanders to get involved and to make a lasting contribution.

ESF is backed by 2200+ supporters and supports submissions by other groups and individuals who are submitting on this issue, particularly Mr Ian Southey (IS) – NZFTCT, Te Whānau o Pakiri, Greenpeace, Friends of Pakiri Beach, KASM and the Mangawhai Harbour Restoration group.

Reasons for submission

ESF's principal concerns around consenting more sand mining in this area are:

1. The threats to endangered bird and marine life
2. The lack of recognition and impact of global warming
3. The irreversible destruction of seabed eco-systems
4. The current, fragile state of coastline, linked with finite sand supply
5. The lack of recognition and provision for the Principles of Te Tiriti o Waitangi
6. The lack of recognition of proven environmentally sustainable, commercially viable alternative supply options
7. The operational integrity of the consent applicant.

Threats to endangered bird and marine life

A great deal of damage has already occurred in this area since sand mining started 25 years ago including a huge loss of biodiversity in the area including crayfish, scallops and horse mussels. This is not only impacting the ability of sea birds to source food for themselves and their chicks, but also local iwi's traditional rights to source kaimoana in the area.

ESF's view is that threatened, at risk and endangered birds have been negatively impacted by the sand mining and several are declining or critical, including the Tara Iti – NZ Fairy Tern. The Fairy Tern is listed as “nationally critical”, which is the highest threat ranking for any endangered species. With only 16 breeding pairs left it is New Zealand's **rarest endemic breeding bird** with a current population of fewer than 40 birds. Once widespread around North Island coasts, its current breeding sites are Waipu, Mangawhai, Te Arai, Pakiri and Papakanui Spit.

According to an expert in birds, Ian Southey MSc (Hons) the degradation of airy Tern nesting areas and feeding areas caused by the sand mining could lead to their functional extinction in the region. It is clear that the encroachment of human activity on their nesting grounds is a major threat to these birds.

Beach narrowing, due to loss of sand, forces the terns to nest closer to the sea, putting their eggs at risk during storms and king tides.

There are also substantial White-fronted Tern and Red-billed Gull colonies on the Mangawhai sandspit, both these species are listed as declining. The proposed mine site is an area of water that is used quite heavily by these birds for feeding while they are nesting and limited in their feeding range.

Recognition of Te Tiriti o Waitangi

Sandmining in this rohe / area, does not consider the kaitiakitanga values of tāngata whenua, whānau and hapū and the communities most directly impacted by the activity. It is a direct breach of the duty of active protection of taonga (treasures) including the restoration of mauri (life-force). The proposed activity impacts adversely on marine environment, cultural values, customary activities and way of life.

ESF therefore opposes further sand mining consents in this area, and recommend that further sand mining is off limits forever. Until this happens the consent process and further mining needs to be stayed until consultation is properly held with tāngata whenua, whānau and hapū. We believe that the commitments made in Te Tiriti o Waitangi, including the protection of all taonga species and native habitats, need to be upheld. Continuing to mine in this area without mana whenua approval is a direct breach of Te Tiriti o Waitangi.

Further work also needs to be funded and carried out to understand the true impact of sand mining on fauna and flora. Even now, new data is being gathered and understood around the impact of noise pollution, physical damage, and sediment plumes from the suction hopper dredges, which smother marine plants and wildlife.

The many organisations and individuals fighting to save species such as the Fairy Tern in this area have not had the time or the financial resources to get the required studies completed and we are in discussions with experts and academics from various universities and organisations that can complete the required work when the resources and data are made available to them.

Lack of monitoring

Other groups submitting from the SOS coalition have made it clear that they believe that there have been constant breaches by the mining company and a lack of oversight and action taken by the council as regulator. The General Manager of the Endangered Species Foundation has also personally witnessed the sand mining boat going well beyond its permitted area up to the Mangawhai spit.

The Endangered Species Foundation opposes the applications for resource consent in full.

There will be a significant amount of cumulative damage if all three consents and the near-shore and mid-shore applications are granted. We need to proceed with extreme caution on this issue until all outcomes and impacts are understood and the commitments made into Te Tiriti o Waitangi are upheld.

Species such as the Fairy Tern can never be replaced, and the Endangered Species Foundation recommends that all further sand mining is stopped until:

- all legal processes are completed
- mana whenua and local communities have been consulted with in a genuine way
- the required information is gathered and analysed to ensure the best decisions are made for all parties.