

Memorandum on Completeness and Scope

File FTAA-2511-1150

Application Bream Bay Sand Extraction Project

To Manager LOA/ Team Leader LOA

From [REDACTED]

Date 17.02.2026

Subject Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Bream Bay Sand Extraction Project application, received by the Fast-track Team on 26/01/2026 lodged by McCallum Bros Limited complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 27 October 2025.

Conflict of interest

3. I confirm that I do not have any conflict of interest in this matter that would prevent me making this assessment.

The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.
5. The Bream Bay Sand Extraction Project is a listed project.
6. The EPA received the substantive application for Bream Bay Sand Extraction Project on 26/01/2026 by McCallum Bros Limited. The EPA must, in consultation with the relevant administering agencies

and relevant consent authorities, decide whether this substantive application complies with section 46 of the Act by 17/02/2026.

7. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - provide the application to the Panel Convener for consideration and decision by the expert consenting panel (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and not within scope).

Project and Scope

8. The project is described in Schedule 2 of the Act as:

Extract (using a motorised trailing suction dredge) up to approximately 150,000 cubic metres of sand per annum for an initial period of 3 years and up to approximately 250,000 cubic metres per annum thereafter.

9. The approximate geographical location is identified in Schedule 2 of the Act as:

17 square kilometre area of seabed in the marine and coastal area of Bream Bay, Northland

10. In Section 5 of the 'Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024' (main application document), the project was described as:

Extraction of sand from the coastal marine area from an area approximately 15.4 km² in size (7 km long x 2.2 km wide) in Te Ākau Bream Bay using the William Fraser, a trailer suction hopper dredge. 5.2. The project is proposed to be staged as follows:

- a) *Stage 1 will provide for an annual sand extraction volume of up to 150,000 m³ for at least the first three years from the commencement of the consent.*
- b) *Stage 2 will provide for an annual sand extraction volume of up to 250,000 m³ for the remaining period of the consent.*

11. The description of the project within the application material is largely consistent with what is listed in Schedule 2 of the Act. While the Approximate Geographical location for sand extraction has been reduced to a proposed 15.4 km², this sits within the 17 km² sand extraction area identified in Schedule 2 of the Act. I consider that this does not materially affect the project to the point that it is no longer within scope.
12. Three additional control areas, where monitoring will be undertaken, have been identified.
13. In addition, there are three control areas have been identified which will be used as the bathymetric control area and for monitoring purposes. I consider that these associated areas would be involved in, or support and be subsidiary to the project referred to in Schedule 2. Because of this, they fall within the definition of 'project' as defined in s 4 of the Act and are within scope of this project.
14. Given the above information, I consider the application to be within scope of the project listed in Schedule 2 of the Act.

Fast-track consenting application process

Legislative context

15. The EPA must decide whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:
- complies with sections 42, 43 and 44;
 - relates solely to a listed project or a referred project;
 - the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
 - any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.

Section 42 Requirements

16. Section 42 of the Act states that an authorised person may lodge a substantive application for one project or substantive applications for each stage of a project. Section 42(4) lists the approvals that may be sought under the Act.
17. This application has been lodged by McCallum Bros Limited. This person is an authorised person under the Act as listed in Schedule 2 of the Act.
18. The approvals being sought are:
- a. a resource consent that would otherwise be applied for under the Resource Management Act 1991 (section 42(4)(a) of the Act)
 - b. a wildlife approval (as defined in clause 1 of Schedule 7 of the Act) (section 42(4)(h) of the Act)
19. All of the above listed approvals are of the type set out in section 42(4) of the Act.
20. For each of the approvals sought, the applicant is/is not eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

21. Section 43 of the Act sets out the requirements for a substantive application. The substantive application was lodged in the form and manner approved by the EPA. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

22. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.
23. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.

24. As set out in more detail in Appendix 2, the agencies consulted have advised that the information required by section 44 is provided in sufficient detail to satisfy the purpose for which it is required.

Ineligibility

25. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.

26. The list of ineligible projects includes activities:

- on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
- on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
- in a customary marine or protected customary rights area without written agreement from the rights holder/group;
- within an aquaculture settlement area without the required authorisation;
- activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
- that require permissions on national reserves held under the Reserves Act 1977 ; or
- on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).

27. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Fees and levies

28. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:

- Application fee in the sum of \$250,000 plus GST;
- Levy in the sum of \$140,000 plus GST; and

Consultation

29. We have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:

- with Northland Regional Council for an approval described in [section 42(4)(a) (resource consent)];
- with the Department of Conservation for an approval described in section 42(4)(h) (Wildlife Act wildlife approval)

30. A summary of the consultation is included at Appendix 2.

Assessment of compliance for each section of each application form

31. We have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
32. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
33. The EPA must now decide whether the substantive application has a competing application under section 47(3) (under delegation from the Minister for Infrastructure under section 47(10)) within 10 working days from the date of the completeness decision.
34. Once the EPA has made the decision under section 47(3), the EPA can provide the application to the panel convener to commence consideration and decision of the application by the panel.

Appendix 1: Assessment of section 44 sufficiency

This application seeks the following approval(s) under the Act:

- A resource consent, change to or cancellation of a resource consent: **checklist A**
- A wildlife approval: **checklist E.**
- Information requirements for all applications **checklist J.**

CHECKLIST A – Resource consent, change to or cancellation of a resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA
5(1)(a)	A description of the proposed activity	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Sections 5 (Page 15), Section 6 (Page 26).	Addressed, as stated by the applicant. Sections 5.1 to 5.6 (page 15) of the document titled Te Ākau Bream Bay Sand Extraction Project – Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024 (hereby referred to as the main application document) describe the proposed activity.
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— (i) a statutory area (as defined in the relevant Treaty settlement Act); or	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and	Addressed. Section 5.47 – 5.51 (page 21-22) of the main application document and Attachment 6.

	<p>(ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or</p> <p>(iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011</p>	<p>Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 5 (Page 15). Attachment Six - Site Plan (Including Location of Control Sites).</p>	<p>Paragraph 13.31 (page 173) of the main application document states that the ‘sand extraction site is not within any statutory acknowledgement areas’.</p> <p>Paragraph 2.17 (page 7) of the main application document states ‘The project is not located within or adjacent to, and will not directly affect, ngā rohe moana o ngā hapū o Ngāti Porou’.</p> <p>Section 4 of the Application form (Attachment 2) states that the proposed project is not in a protected customary rights area.</p>
5(1)(c)	<p>Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being:</p> <ul style="list-style-type: none"> • section 42; and • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid. 	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and</p>	<p>Addressed.</p> <p>Section 2.2 – 2.7 (pages 5-6) of the main application document address this requirement.</p>

		Assessment of Effects under the Fast-track Approvals Act 2024, Section 2 (Page 5).	
5(1)(d) and 5(6)	<p>The full name and address of—</p> <ul style="list-style-type: none"> (i) each owner of the site and of land adjacent to the site; and (ii) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry; <p>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).</p>	Not Applicable.	<p>Addressed.</p> <p>Paragraph 1.4 (page 1) – <i>“Consent is being sought for extraction of sand from the coastal marine area from an area approximately 15.4 km² in size in Te Ākau Bream Bay. The closest distance between the sand extraction site and the shoreline is 4.7 km”.</i></p> <p>The applicant has confirmed the “Not Applicable” response and advised that <i>“After having made thorough inquiry, we can advise that there are no such owners or occupiers.”</i></p> <p>With regard to adjacent coastal permit holders, the applicant further confirmed</p>

			that “ <i>MBL has not identified any adjacent coastal permit holders or other coastal permit holders in the vicinity of the site.</i> ”
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	Not Applicable.	<p>Not Applicable, as stated by the applicant.</p> <p>Confirmation of this “Not Applicable” response resulted in the following advice from the applicant:</p> <p><i>“MBL confirms that a review of the proposed activities has been undertaken to determine whether any additional resource consents, approvals, or other statutory authorisations are required for the Project beyond those applied for under the Fast-track Approvals Act 2024.</i></p> <p><i>It is confirmed that resource consent is only required for the sand extraction and associated discharges of shell and other surplus material and water back to the sea. As confirmed in ‘Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects</i></p>

			<i>under the Fast-track Approvals Act 2024' (AEE), no consents are required for the proposed monitoring. Because sand extraction and monitoring may result in the disturbance, collection and killing of cup corals (order of Scleractinia) we have also made an application for a Wildlife Authority for that purpose. Details of that application can be found at Page 187-201 in AEE".</i>
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	Not Applicable.	Not Applicable, as stated by the applicant. Paragraph 8.17 (page 62) of the main application document states that “No other resource consent requirements have been identified”. Also see response provided for clause 5(1)(e) above.
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and	Addressed. Paragraphs 9.14 – 9.32 (page 65 – 69), and 11.130 (page 104) of the main application document.

		Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 9 (Page 64).	
5(1)(h) (and also clauses 5(2) and 5(3))	<p>An assessment of the activity against any relevant provisions in any of the following documents:</p> <ul style="list-style-type: none"> • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • a regional policy statement or proposed regional policy statement: • a plan or proposed plan: • a planning document recognised by a relevant iwi authority and lodged with a local authority. <p>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:</p>	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Sections 12 (Page 107),	<p>Addressed in the following sections of the main application document:</p> <ul style="list-style-type: none"> • Section 12.5 (page 107) states “There are no relevant National Environmental Standards.” • Sections 12.6 - 12.90 (pages 107- 124) addresses relevant national policy statements and the New Zealand coastal policy statement • Sections 12.91 – 12.144 (pages 125 - 135) addressed the regional policy statement • Sections 12.145 – 12.268 (pages 135 - 164) addresses regional and district plans

	<ul style="list-style-type: none"> any relevant objectives, policies or rules in the documents listed; and any requirement, condition, or permission in any rules in any of those documents; and any other requirements in any of those documents. 	Section 13 (Page 165).	<ul style="list-style-type: none"> Section 13 (pages 164 – 174) addresses the iwi planning documents
5(1)(i)	<p>Information about any Treaty settlements that apply in the area covered by the consent application, including—</p> <ul style="list-style-type: none"> (i) identification of the relevant provisions in those Treaty settlements; and (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area 	Not Applicable.	<p>Addressed</p> <p>Section 4 of the Application form (Attachment 2) states that <i>‘Despite enquiry, we are not aware of any Treaty Settlements or Statutory Acknowledgment areas over the proposed extraction area’.</i></p>
5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track	<p>Addressed</p> <p>Relevant MACA applicants are listed in Attachment 5D.</p> <p>Paragraph 2.7 (page 5) of the main application document confirms that the sand extraction area and control areas are not within a customary marine title area.</p>

		<p>Approvals Act 2024, Section 2 (Page 5), Section 14 (Page 175). Attachment Five - Consultation Summary - 5D MACA Applicants Consulted (Page 84).</p>	<p>Paragraph 2.17 (page 7) of the main application document confirms that the project is not located within or adjacent to, and will not directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.</p> <p>Section 4 of the Application form (Attachment 2) states that the proposed project is not in a protected customary rights area.</p>
5(1)(k)	The conditions that the applicant proposes for the resource consent.	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 7 (Page 36). Attachment</p>	<p>Addressed.</p> <p>Paragraphs 7.68 -7.73 (pages 53-58) of the main application document and Attachment 26.</p>

		Twenty-Six - Recommended Resource Consent Conditions.	
5(1)(l)	<p>if a notice under section 30(3)(b) or (5) has been received,—</p> <ul style="list-style-type: none"> (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice. 	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 2 (Page 5). Attachment Five - Consultation Summary - a. FTAA Section 30 Compliance Email</p>	<p>Addressed.</p> <p>Paragraphs 2.19-2.20 (page 7) of the main application document and Attachment 5 (page 22).</p>

		Correspondence (Page 21).	
5(4)(a)	An assessment of the activity's effects on the environment that includes the information required by clause 6.	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 11 (Page 78).	Addressed. See additional references in the rows below.
5(4)(b)	An assessment of the activity's effects on the environment that covers the matters specified in clause 7.	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and	Addressed. See additional references in the rows below.

		Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 11 (Page 78). Attachments 7-24.	
6	<p>(1) The assessment of an activity's effects on the environment must include the following information:</p> <ul style="list-style-type: none"> (a) an assessment of the actual or potential effects on the environment: (b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use: (c) if the activity includes the discharge of any contaminant, a description of— <ul style="list-style-type: none"> (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and 	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act	<p>Addressed, as per the following references from the main application document and Attachments:</p> <ul style="list-style-type: none"> a) Section 11 (from page 78), as well as various supporting technical reports (attachments 7-24) b) Paragraph 11.3 (page 78) states that clause b is not applicable to this application c) The resource consent sought includes discharge of water or sediment into water.

<ul style="list-style-type: none"> (ii) any possible alternative methods of discharge, including discharge into any other receiving environment: (d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity: (e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal: (f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision: (g) if the scale and significance of the activity’s effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved: (h) an assessment of any effects of the activity on the exercise of a protected customary right. 	<p>2024, Section 10 (Page 72), Section 11 (Page 78), Section 14 (Page 175). Attachments 7-24.</p>	<ul style="list-style-type: none"> i. Paragraphs 6.18-6.19 (page 29) and 12.83 (page 124) of the main application document specifies the nature of the discharge, whilst section 10 describes the receiving environment and Section 11 assesses the effects on the environment. ii. Paragraph 15.21 (page 184) of the main application document states “<i>The discharge into the coastal marine area of oversized material and fines during the sand extraction process through the moon pools is an unavoidable component of the sand extraction process. There are no alternative options. The moon pool system ... is considered to be the current international best practice.</i>”
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			<p>d) Paragraphs 6.33-6.38 (pages 32 – 33) outline proposed mitigation measures, whilst section 7 provides details of the proposed management plans, environmental monitoring and consent conditions proposed.</p> <p>e) Section 14 (from page 175) and Attachment 5.</p> <p>f) Section 14 (from page 175) and Attachment 5C. Overview of Iwi Engagement</p> <p>g) Section 7 (from page 36). Also, Attachment 26 for consent conditions and Attachments 27 – 31 for various management plans.</p> <p>h) Section 11.3 (page 78) states that clause (h) is not applicable to this application.</p>
7	<p>The assessment of an activity’s effects on the environment must cover the following matters:</p> <p>(a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:</p>	<p>Te Ākau Bream Bay Sand Extraction Project - Resource</p>	<p>Addressed</p> <p>the following references from the main application document and Attachments:</p> <p>a) Paragraph 12.39 (page 113) and Attachments 18, 22, 23 and 24.</p>

<ul style="list-style-type: none"> (b) any physical effect on the locality, including landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations: (e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants: (f) any unreasonable emission of noise: (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations. 	<p>Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 11 (Page 78). Attachments 7-24.</p>	<ul style="list-style-type: none"> b) Paragraphs 11.25-11.35 (pages 86-88) and Attachment 7. c) Paragraphs 11.51-11.76 (pages 91-87) and Attachments 12-16. d) Paragraphs 11.77-11.82 (page 97) and Attachments 7, 17, 22, 23 and 24. e) Paragraph 12.83 (page 124) - <i>“The only discharge during the extraction process from the William Fraser is material that has been taken from the seabed (salt water, fine sediments and oversized material (>2 mm)).”</i> Paragraph 11.3 specifies that the assessment of effects included in section 11 covers the effects from this discharge. And paragraph 15.21 (page 184) states that the <i>“The moon pool system employed on the William Fraser (which results in discharges below the keel line) replaces the earlier method of discharges via pipes</i>
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			<p><i>over the side of the vessel and is considered to be the current international best practice”.</i></p> <p>f) Paragraphs 11.41 – 11.47 (pages 89-90) and Attachments 10 and 11</p> <p>g) Paragraphs 11.123 – 11.125 (pages 103-104)</p>
5(5)(a)	If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 8 (Page 59).	<p>Addressed.</p> <p>Paragraphs 8.10-8.11 (page 60-61), and 8.23 (page 63) of the main application document.</p>
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group	Not Applicable.	Addressed

	<p>under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document</p>		<p>Paragraph 2.7 (page 5) of the main application document confirms that the sand extraction area and control areas are not within a customary marine title area.</p> <p>Paragraph 2.17 (page 7) of the main application document confirms that the project is not located within or adjacent to, and will not directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.</p>
5(5)(c)	<p>If the activity is to occur in an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.</p>	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act</p>	<p>Addressed.</p> <p>Paragraph 2.13 (page 6) of the main application document confirms that the project is not within a taiāpure-local fishery or a mātaimai reserve.</p> <p>Attachment 5 of the application demonstrates that consultation was undertaken with Northland Regional Council and MPI regarding any bylaws</p>

		2024, Section 11 (Page 78).	under Part 9, and no applicable bylaws were identified. The EPA has confirmed no bylaws.
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CHECKLIST E – Wildlife approval

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
2(1)(a)	Specify the purpose of the proposed activity	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 17	Addressed. Paragraph 19.5 (page 193) of the main application document. DOC is satisfied that the information has been provided in sufficient detail.

		(Page 188), Section 19 (Page 193).	
2(1)(b)	Identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land)	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 17 (Page 188), Section 19 (Page 193).	Addressed. Paragraph 19.7-19.8 (page 193) of the main application document and Attachment 5. DOC is satisfied that the information has been provided in sufficient detail.
2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19	Addressed. Paragraphs 19.9 – 19.18 (pages 193-194) of the main application document and Section 2.1 of Attachment 15. DOC is satisfied that the information has been provided in sufficient detail, but has also provided further comments.

		(Page 193). Attachment Fifteen - Cup Corals and Schedule 7 of the Fast-Track Approvals Act (NIWA).	
2(1)(d)	List protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193).	Addressed. Paragraphs 19.19-19.21 (pages 194-195) of the main application document and Section 2.2 of Attachment 15. DOC is satisfied that the information has been provided in sufficient detail, but has also provided further comments.
2(1)(e)	An outline of impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System)	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and	Addressed. Paragraph 19.22 (page 195) of the main application document and Section 2.3 of Attachment 15.

		Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193).	DOC comments that information is not applicable, and has provided further comments regarding this.
2(1)(f)	A statement of how the methods proposed to be used to conduct the actions involving protected wildlife will ensure that best practice standards are met	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193). Attachment Thirty - Cup Coral Management Plan (CCMP).	Addressed Paragraph 19.23-19.25 (page 195) of the main application document and Attachment 30. DOC is satisfied that the information has been provided in sufficient detail.
2(1)(g)	A description of the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife	Addressed Paragraph 19.26-19.27 (page 195) of the main application document and Attachment 30.

		Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193). Attachment Thirty - Cup Coral Management Plan (CCMP).	DOC is satisfied that the information has been provided in sufficient detail.
2(1)(h)	A statement of the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available)	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193). Attachment Six - Site Plan (Including Location of Control	Addressed. Paragraph 19.28 (page 195) of the main application document and schedule 5 of Attachment 35 DOC is satisfied that the information has been provided in sufficient detail.

		Sites). Attachment Thirty-Five - Recommended Wildlife Approval Conditions.	
2(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193).	Addressed. Paragraphs 19.29-19.30 (pages 195-196) of the main application document. DOC is satisfied that the information has been provided in sufficient detail.
2(1)(j)	A list of all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the	Addressed. Paragraphs 19.31-19.32 (page 196) of the main application document and Attachment 15 (pages 14 – 16). DOC is satisfied that the information has been provided in sufficient detail.

		Fast-track Approvals Act 2024, Section 19 (Page 193). Attachment Fifteen - Cup Corals and Schedule 7 of the Fast-Track Approvals Act (NIWA).	
2(1)(k)	Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife)	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193). Attachment Thirty-Five - Recommended Wildlife Approval Conditions.	Addressed. Paragraph 19.33 (page 196) of the main application document and Attachment 15 (page 16). DOC is satisfied that the information has been provided in sufficient detail, but has also provided further comments.

2(1)(l)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193).	Addressed. Paragraph 19.34 (page 196) of the main application document. DOC is satisfied that the information has been provided in sufficient detail.
2(1)(m)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193).	Addressed. Paragraph 19.35 (page 197) of the main application document. DOC is satisfied that the information has been provided in sufficient detail, but has also provided further comments.
2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts	Te Ākau Bream Bay Sand Extraction	Addressed.

		Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193). Attachment Five - Consultation Summary.	<p>Paragraphs 19.36 -19.56 (pages 197-199) of the main application document and Attachment 5 consultation summary.</p> <p>DOC is satisfied that the information has been provided in sufficient detail.</p>
2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 19 (Page 193). Attachment Fifteen - Cup Corals and	<p>Addressed.</p> <p>Paragraphs 19.57-19.58 (page 199) of the main application document, and Attachments 15 and 21.</p> <p>DOC is satisfied that the information has been provided in sufficient detail but has provided further comments.</p>

		Schedule 7 of the Fast-Track Approvals Act (NIWA). Attachment Twenty-One - Assessment of Scleractinain Cup Corals Effects (NIWA).	
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CHECKLIST J – Listed project information requirements

Section, Fast-track Approvals Act	Information required for a substantive application under section 43(2) and section 13(4)	Application Reference	EPA (office use only)
13(4)(a)	a description of the project and the activities it involves	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval	Addressed, as stated by the applicant.

		Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 2 (Page 5), Section 5 (Page 15), Section 6 (Page 26).	
13(4)(c)	information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24)	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 2 (Page 5).	Addressed. Paragraph 2.7 (page 5) of the main application document.
13(4)(d)	a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval	Addressed. Paragraph 5.47 – 5.51 (page 21-23) of the main application document and Attachment 6.

		Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 5 (Page 15). Attachment Six - Site Plan (Including Location of Control Sites).	
13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 5 (Page 15).	Addressed as stated by the applicant.
13(4)(f)(i)	a statement of whether the project is planned to proceed in stages and, if so an outline of the nature and timing of the stages	Te Ākau Bream Bay Sand Extraction Project - Resource	Addressed. Paragraphs 4.3-4.4 (page 10) of the main application document.

		Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 4 (Page 10).	
13(4)(h)	a description of the anticipated and known adverse effects of the project on the environment	Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 11 (Page 78). Attachments 7-24.	Addressed, as stated by the applicant.
13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	Not Applicable.	Addressed. Paragraph 2.7 (page 6) of the main application document.

13(4)(j)	<p>a list of the persons and groups the applicant considers are likely to be affected by the project, including—</p> <ul style="list-style-type: none"> (i) relevant local authorities: (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements: (iii) other relevant iwi authorities: (iv) relevant Treaty settlement entities: (v) relevant protected customary rights groups and customary marine title groups: (vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou: (vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: (viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981: 	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 14 (Page 175). Attachment Five - Consultation Summary.</p>	<p>Addressed.</p> <p>Section 14 of the main application document provides a list of the following people/groups:</p> <p>(i) - relevant local authorities</p> <p>(ii), (iii) and (iv) - Relevant Iwi Authorities, Hapū and Treaty Settlement Entities, including Te Parawhau ki Tai and Patuharakeke Te Iwi Trust Board who have Mana Whakahono ā Rohe agreements (Paragraph 2.14). Section 4 of the Application form (Attachment 2) states that <i>‘Despite enquiry, we are not aware of any Treaty Settlements or Statutory Acknowledgment areas over the proposed extraction area’</i>.</p> <p>(v) – Clarification from the applicant confirmed <i>‘that there are no protected customary rights groups or customary marine title groups which have been granted rights in relation to the sand</i></p>

			<p><i>extraction area or monitoring control areas.'</i></p> <p>(vi) - Paragraph 2.17 of the main application document confirms <i>'The project is not located within or adjacent to, and will not directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.'</i></p> <p>(vii) - Marine and Coastal Area (Takutai Moana) Act 2011 Applicants</p> <p>(viii) - Clarification from the applicant confirmed that <i>"There are no persons or groups with any registered interest in the land that would need to be acquired under the Public Works Act 1981"</i>.</p> <p>DOC is also satisfied that the information has been provided in sufficient detail.</p>
13(4)(k)	<p>a summary of—</p> <p>(i) the consultation undertaken for the purposes of section 29 and any other consultation undertaken on</p>	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife</p>	<p>Addressed as stated by the applicant.</p>

	<p>the project with the persons and groups referred to in paragraph (j); and</p> <p>(ii) how the consultation has informed the project:</p>	<p>Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 14 (Page 175). Attachment Five - Consultation Summary.</p>	<p>DOC is also satisfied that the information has been provided in sufficient detail</p>
13(4)(l)	<p>a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements</p>	<p>Not Applicable.</p>	<p>Addressed.</p> <p>Section 4 of the Application form (Attachment 2) states that '<i>Despite enquiry, we are not aware of any Treaty Settlements or Statutory Acknowledgment areas over the proposed extraction area</i>'.</p> <p>DOC is satisfied that the information has been provided in sufficient detail</p>
13(4)(m)	<p>a description of any processes already undertaken under the Public Works Act 1981 in relation to the project</p>	<p>Not Applicable.</p>	<p>Not Applicable, as stated by the applicant.</p>

			DOC agrees with this not applicable assessment.
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	Not Applicable.	Addressed. Paragraph 2.17 of the main application document confirms <i>'The project is not located within or adjacent to, and will not directly affect, ngā rohe moana o ngā hapū o Ngāti Porou.'</i>
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	Not Applicable.	Addressed. Section 4 of the Application Form (attachment 1) states that there are no identified parcels of Māori land within the project area, marae, and identified wāhi tapu.
13(4)(p)	a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of the effects of the activity on the relevant land and on the rights and interests of Māori in that land	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(q)	a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of—	Not Applicable.	Not Applicable, as stated by the applicant.

	<ul style="list-style-type: none"> (i) the scale and adverse effects of the existing electricity infrastructure; and (ii) how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure 		
13(4)(r)	<p>a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—</p> <ul style="list-style-type: none"> (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and (ii) for each alternative site considered,— <ul style="list-style-type: none"> (A) a statement of the anticipated and known financial cost of undertaking the activity; and (B) a description of the anticipated and known adverse effects of undertaking the activity; and (C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or 	Not Applicable.	Not Applicable, as stated by the applicant.

	<p>compensate for the anticipated and known adverse effects of the activity; and</p> <p>(D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and</p> <p>(E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters</p>		
13(4)(s)	a description of the applicant's legal interest (if any), or if the application is lodged by more than 1 person, the legal interest of any of those persons) (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(t)	an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(u)	whether any activities that are involved in the project, or are substantially the same as those involved in the project, have	Te Ākau Bream Bay Sand Extraction	Addressed.

	<p>been the subject of an application or a decision under a specified Act and,—</p> <ul style="list-style-type: none"> (i) if an application has been made, details of the application: (ii) if a decision has been made, the outcome of the decision and the reasons for it: 	<p>Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 2 (Page 5), Section 8 (Page 59).</p>	<p>Paragraph 2.19 (page 7) of the main application addresses applications and consents in the same geographical area by stating that <i>‘In accordance with the requirements of s30 of the Act, the consent authority (NRC) provided written notice on the 13/10/2025 and again on the 16/01/2026 that there are no existing resource consents within the project area to which ss 124C(1)(c) or 165ZI of the RMA would apply. This correspondence is included in Attachment Five’.</i></p> <p>Paragraph 2.20 (page 7) of the main application document confirms that in accordance with the requirements of s30(6) of the Act, the substantive application has been lodged within 3 months of the date of the section 30 notice (16/01/2026).</p> <p>DOC states that <i>“The applicant does not hold any DOC approvals, and there is no record of any DOC</i></p>
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			<p><i>decision on any previous application for the same or substantially the same activity”.</i></p> <p>Also, of relevance to the Panel, Paragraph 5.10 (page 16) of the main application document indicates that a similar activity has been undertaken by the applicant at a Pākiri site in the Mangawhai–Pākiri embayment since the 1940s.</p> <p>Paragraph 5.18 (page 17) provides details of the temporary consent that MBL were operating under at the Pākiri site, as well as details regarding the surrender of the consent, and Auckland Councils confirmation of consent surrender on 2/9/2025.</p> <p>Attachment 2 provides details of the outcome of the consent application to the Environment Court for the Pākiri site.</p>
13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	Te Ākau Bream Bay Sand Extraction	Addressed.

		Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 11 (Page 78).	Paragraphs 11.123 – 11.125 (pages 103-104) and Attachments 8 and 17.
13(4)(w)	if the application is lodged by more than 1 person, a statement of the proposed approval to be held by each of those persons	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(x)	a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the application is lodged by more than 1 person, any of those persons) under a specified Act	Not Applicable.	Addressed. Section 9 of the Application form states “ <i>MBL has no recorded history of any prosecution or other enforcement action against the company or its principals</i> ”.
13(4)(y)	Please provide the information specified below for the relevant approval(s) sought. This is the information specified in the relevant schedule.		

<p>13(4)(y)(i), clause 2 of Schedule 5</p>	<p>Resource consent or designation</p> <p>(a) an assessment of the project against—</p> <ul style="list-style-type: none"> (i) any relevant national policy statement; and (ii) any relevant national environmental standards; and (iii) if relevant, the New Zealand Coastal Policy Statement; and 	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024, Section 12 (Page 107).</p>	<p>Addressed in the following sections of the main application document:</p> <ul style="list-style-type: none"> • Section 12.5 (page 107) of the main application document states “<i>There are no relevant National Environmental Standards.</i>” • Sections 12.6 - 12.90 (pages 107- 124) of the main application document addresses relevant national policy statements and the New Zealand coastal policy statement.
	<p>(b) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant’s knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).</p>	<p>Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the</p>	<p>Addressed.</p> <p>Paragraph 2.19 (page 7) of the main application document.</p>

		Fast-track Approvals Act 2024, Section 2 (Page 5).	
13(4)(y)(ii), clause 3 of Schedule 5	<p>Change or cancellation of resource consent condition</p> <p>The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.</p>	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(y)(iii), clause 4 of Schedule 5	<p>Certificate of compliance</p> <p>The information required to be provided under section 13(4)(y)(iii) is information that shows the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent. Include information that shows that the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent.</p>	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(y)(iv), clause 2 of Schedule 6	<p>Concession</p> <p>(1) The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and—</p>	Not Applicable.	Not Applicable, as stated by the applicant.

	<p>(a) the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and</p> <p>(b) the granting of the lease would trigger a right of first refusal or a right of offer or return.</p> <p>(2) Confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.</p>		
13(4)(y)(v), clause 23 of Schedule 6	<p>Land exchange</p> <p>(1) The information required to be provided under section 13(4)(y)(v) is (a) - (e) below:</p> <p>(a) a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:</p>	Not Applicable.	Not Applicable, as stated by the applicant.
	<p>(b) the financial value of the land proposed to be acquired by the Crown:</p>	Not Applicable.	Not Applicable, as stated by the applicant.
	<p>(c) a brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate:</p>	Not Applicable.	Not Applicable, as stated by the applicant.

	(d) if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return that the holder has agreed to waive that right for the purpose of the land exchange:	Not Applicable.	Not Applicable, as stated by the applicant.
	(e) confirmation by the applicant that no part of any land to be exchanged by the Crown is – (i) land listed in Schedule 4; or (ii) a reserve declared to be a national reserve under section 13 of the Reserves Act 1977	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(y)(vi), clause 2 of Schedule 9	Standard or complex freshwater fisheries activity approval (2) The information required to be provided under section 13(4)(y)(vi) is the following: (a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and (b) whether any fish salvage activities or other complex freshwater fisheries activities are proposed.	Not Applicable.	Not Applicable, as stated by the applicant.

13(4)(y)(vii), clause 2 of Schedule 10	<p>Marine consent</p> <p>(1) The information required to be provided under section 13(4)(y)(vii) is–</p> <p>(a) information about whether the Minister of Conservation is an affected person:</p>	Not Applicable.	Not Applicable, as stated by the applicant.
	<p>(b) additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,—</p> <p>(i) details of any application made; and</p> <p>(ii) the decisions made on that application; and</p> <p>(iii) information about the matters that the Minister may consider under section 22(6):</p>	Not Applicable.	Not Applicable, as stated by the applicant.
	<p>(c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.</p>	Not Applicable.	Not Applicable, as stated by the applicant.
13(4)(y)(viii), clause 2 of Schedule 11	<p>Access arrangement</p> <p>(1) Confirmation that the applicant has complied with section 12(2) (for the purposes of section 13(4)(y)(viii)).</p>	Not Applicable.	Not Applicable, as stated by the applicant.

<p>13(4)(y)(ix), clause 15 of Schedule 11</p>	<p>Mining permit</p> <p>(1) For the purposes of section 13(4)(y)(ix), the information is—</p> <ul style="list-style-type: none"> (a) a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown owned mineral: (b) the name and contact details of the proposed permit participants and the proposed permit operator: (c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both: (d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme: (e) information about the proposed permit holder’s history of compliance with mining or similar permits and their conditions: (f) the proposed date on which the substantive application is intended to be lodged: (g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information: 	<p>Not Applicable.</p>	<p>Not Applicable, as stated by the applicant.</p>
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	<p>(h) the proposed duration of the permit:</p> <p>(i) if the proposed approvals include a mining permit for petroleum,—</p> <p>(i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates:</p> <p>(ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System:</p> <p>(iii) a high-level overview of the following:</p> <p>(A) the proposed field development plan:</p> <p>(B) the proposed date for the commencement of petroleum production:</p> <p>(C) the economic model for the project:</p> <p>(D) the proposed duration of the proposed mining permit:</p> <p>(E) decommissioning plans:</p>		
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	<p>(j) if the proposed approvals include a mining permit for minerals other than petroleum,—</p> <ul style="list-style-type: none"> (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates: (ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted: (iii) whether the application will be for a Tier 1 or Tier 2 permit: (iv) an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology): (v) an indicative mine plan: (vi) a high-level overview of the following: <ul style="list-style-type: none"> (A) the proposed mining method: 		
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	<p>(B) the proposed date for the commencement of mining and estimated annual production:</p> <p>(C) the economic model for the project:</p> <p>(D) the status of or anticipated timing for completing any prefeasibility or feasibility studies:</p> <p>(E) the proposed methods for processing mined material and handling and treating waste:</p> <p>(F) anticipated plans for mine closure and rehabilitation.</p> <p>(2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.</p>		
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Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

1. Consultation with Northland Regional Council as the relevant consent authority for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)

Response from Northland Regional Council in verbatim received via the portal on 9 February 2026

I can confirm that in my opinion the documentation available in the online portal regarding the RMA approvals as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act.

I can also confirm that the written notice provided by Council in regard to section 30 of the Act is still accurate at the time of receiving your letter, dated 30 January 2026.

2. Consultation with the Department of Conservation as the administering agency for the following Acts:

- A wildlife approval (as defined in clause 1 of Schedule 7 of the Act) (section 42(4)(h) of the Act)

Response from Department of Conservation in verbatim received via the portal on 9 February 2026

Department of Conservation advice for EPA compliance assessment

Overview

Project name	Bream Bay sand extraction
Project applicant	McCallum Brothers Ltd
EPA unique ref. no	FTAA-2511-1150
EPA Request Number	CRM:0139010041
Conservation approvals sought	Wildlife approval for the disturbance, capture, collection and incidental killing of Scleractinian cup corals
EPA request summary	Whether the application meets the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and whether the information is in sufficient detail to satisfy section 44 of the Act
Date received	30 January 2026
Date due to EPA	9 February 2026

The purpose of this document is to provide advice to assist the EPA in making its decision whether the application lodged by McCallum Brothers Ltd dated 22 January 2026 complies with the requirements of section 46(2) of the Act. The advice covers compliance with information requirements for relevant approvals

The advice also includes further observations of relevance to further processing of the application.

DOC understands that this document will be passed on to the applicant, the Panel Convener and the Panel.

Compliance with information requirements

Our detailed assessment of the information requirements for the relevant approval is provided in the attached table. In summary, DOC's advice is that the application meets the requirements of sections 42, 43, and 44 of the Act.

Further observations



UNCLASSIFIED

In addition to the compliance requirements, DOC makes the following observations in relation to the wildlife approval application:

- Operations will almost certainly impact protected corals. Coral abundance estimates are inconsistent, and survivability is unclear, within and beyond extraction area.
- During pre-lodgement consultation, DOC and NIWA (for the applicant) agreed that there remains uncertainty on coral longevity, growth, resilience and recovery, reproduction, distribution and connectivity, and post-extraction survivability within and beyond the proposed extraction area for the species in question. There remains risk, therefore, that the activity will negatively impact protected corals and impede 'wildlife protection' as per the purpose of the Wildlife Act 1953.
- DOC understands anecdotally that the applicant is currently preparing a post-operations monitoring report on the impact of sand extraction at Pakiri Beach in accordance with its Auckland Council resource consents. This report could be helpful to inform potential effects of this application.

UNCLASSIFIED

Listed project requirements under section 43(2)

The table below provides information to assist the EPA in relation to consideration of the matters required for listed projects for a substantive application under section 43(2) of the Act. This section requires additional information for listed projects that would otherwise have been required during the referral process. Where this information duplicates other requirements it will be addressed elsewhere.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
13(4)(j): <ul style="list-style-type: none"> relevant Treaty settlement entities relevant protected customary rights groups and customary marine title groups relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: persons with a registered interest in land that may need to be acquired under the Public Works Act 1981 	Y	Section 14; Attachment 5, sections C and D	Y	
13(4)(k) a summary of the consultation undertaken for the purposes of section 11/ 29 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j) and how that consultation has informed the project	Y	Section 14	Y	The application accurately summarises consultation with DOC during the pre-lodgement phase.
13(4)(l) a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	Y	Section 14	Y	No relevant active Treaty settlements have been identified by the Applicant.
13(4)(n) a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019:				
13(4)(o) information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area:				
13(4)(m) a description of any processes already undertaken under the Public Works Act 1981 in relation to the project:	N/A		N/A	DOC is not aware of any Public Works Act 1981 processes associated with this site.
13(4)(u) whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,— (i) if an application has been made, details of the application: (ii) if a decision has been made, the outcome of the decision and the reasons for it	N/A		N/A	The applicant does not hold any DOC approvals, and there is no record of any DOC decision on any previous application for the same or substantially the same activity.
13(4)(x) a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the referral application is lodged by more than 1 person, any of those persons) under a specified Act:	N		N	The applicant is currently being investigated by DOC for an offence under the Wildlife Act 1953, being alleged unlawful disturbance of cup corals at Pakiri. As the investigation is still underway, no decisions have been made on compliance or enforcement.

Applications for wildlife approvals

Clause 2 of Schedule 7 outlines the information required in an application for a wildlife approval.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information:				
(a) specify the purpose of the proposed activity:	Y	Section 19, p193	Y	
(b) identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):	Y	Section 19, p193	Y	
(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:	Y	Section 19, p 193 – 194; Attachment 15, section 2.1	Y	The activity will not protect wildlife in accordance with the purpose of the Wildlife Act 1953.
(d) list protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted:	Y	Section 19, p194 – 195; Attachment 15, section 2.2; Attachment 21, section 5.5	Y	We note coral abundance estimates vary vastly in the application, so measuring impacts in numbers of individuals is not possible at this stage. Estimates range from 0.11 to 3,152 individuals per m ² for <i>Kionotrochus suteri</i> , and 0.37 to 94,657 per m ² for <i>Stephanotrochus ralphae</i> . These numbers reflect estimates of live and dead coral taken during monitoring (both are protected). In Attachment 15 P5, NIWA states: "Based on the available sample data, and noting the

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
				patchy distributions of both species, the overall live population of the two species of cup corals within the 15.4 km ² proposed sand extraction area could be in the order of millions".
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	N/A	Section 19, p195; Attachment 15, section 2.3	N/A	Neither of the Scleractinian cup corals present have a threat status under the NZTCS because they have not yet been assessed (so we don't know if they are at risk or not). They are both endemic species only found in NZ, and only in a limited area of the territorial sea.
(f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:	Y	Section 19, p195; Attachment 30, section 4.1	Y	
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Y	Section 19, p195; Attachment 30, section 4.1	Y	
(h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):	Y	Section 19, p195; Attachment 6	Y	
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	Y	Section 19, p195 - 196	Y	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
(j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:	Y	Section 19, p196; Attachment 15, section 2.4; Attachment 21	Y	
(k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):	Y	Section 19, p196; Attachment 15, section 2.5; Attachment 21	Y	No offsetting or compensation has been proposed by the applicant for residual adverse effects on protected wildlife (cup corals).
(l) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act 1953:	Y	Section 19, p196	Y	
(m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act 1953 pending before a court:	Y	Section 19, p197	Y	The applicant is currently being investigated by DOC for an offence under the Wildlife Act 1953, being alleged unlawful disturbance of cup corals at Pakiri. As the investigation is still underway, no decisions have been made on compliance or enforcement.
Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:	Y	Section 19, p198; Attachments 5, 22, 23 and 24	Y	
(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Y	Section 19, p 199; Attachment 21	Y	The applicant provided a response to DOC's pre-lodgement comments on the cup coral management plan from NIWA.