

# Official Information Act Request

## Requester's details

**Date:** 23 April 2025

**Name:** [REDACTED]

**Organisation:** [REDACTED]

**Email:** [REDACTED]

**Reference number:** ENQ-49184-N0V2D6

Tēnā koe [REDACTED]

I refer to your request received on 25 March 2025:

- (a) **Any records of communications with MBL [McCallum Brothers Limited] or its representatives relating to its Listing Application prior to its lodgement (on 2 May 2024).**
- (b) **Any records of the assessment of the Listing Application by the EPA.**
- (c) **The records of any advice and reports provided to the independent advisory group for the purposes of considering the Listing Application.**

On 10 April 2025 the Environmental Protection Authority (EPA) transferred questions (a), (b) and (c) to the Ministry for the Environment under Section 14(b)(ii) of the Official Information Act 1982 (OIA), as the information sought is more closely connected with its functions.

- (d) **Any records of communications between the panel convener and MBL or its representatives.**

The EPA does not hold correspondence between the panel convenor and McCallum Brothers Limited or its representatives. This part of your request is therefore refused under section 18(g) of the OIA, because the information requested is not held by the EPA and we do not believe that the information is held by another organisation or more closely connected with the functions of another organisation.

- (e) **Whether the Substantive Application has been received, and if it has, then the documents comprising it.**

The EPA has not received a substantive application for the Bream Bay Sand Extraction Project.

- (f) **The identity of the panel members for the Substantive Application.**
- (g) **Any records of consideration by the EPA or the panel (or panel convener) of the persons from whom comments will be sought under s 53 of the FTAA for the purposes of the project.**
- (h) **Any records of comments by persons identified under s 53 of the FTAA, whenever received.**

The EPA does not hold the information requested in questions (f), (g) and (h). These matters are determined once a substantive application has been submitted, and the application is referred to the panel convener. As a substantive application has not been received, this information does not exist and therefore this part of your request is refused under section 18(e) of the OIA.

You have the right to seek an investigation and review by the Ombudsman of this decision under section 28(3) of the OIA. You can contact the Ombudsman on 0800 802 602, or by email at [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)

If you have any further queries, please do not hesitate to contact us via [oia@fasttrack.govt.nz](mailto:oia@fasttrack.govt.nz)

We may publish your request and our response on our website, [www.fasttrack.govt.nz](http://www.fasttrack.govt.nz). We make OIA responses available so others can read more about the work we do and the questions we are asked. Any information that might identify you will be removed to protect your privacy.

Nāku noa nā



Michelle Ward  
**General Manager, Climate, Land and Oceans**