

# ATTACHMENT TWENTY-SIX

## Recommended Resource Consent Conditions



## **Attachment Twenty-Six: Recommended Resource Consent Conditions**

Updated 21/01/2026

### **Definitions and Explanations of Terms:**

The table below defines the acronyms and terms used in the conditions.

<b>Abbreviation/Term</b>	<b>Meaning/Definition</b>
Applicant	McCallum Bros Limited
Application	Means the application and assessment of environmental effects lodged with the EPA in (dated TBC), including the documents listed in Attachment One.
ASEA	Approved Sand Extraction sub-Area
BMP	Biosecurity Management Plan
Cell/s	Subdivisions of the Extraction Area as shown on the Bioresearches drawing "Map Showing Sand Extraction Area and Control Areas" dated 12/11/2025 (Attachment Two).
Consent Holder	McCallum Bros Limited
Control Areas	The control areas defined on the Bioresearches Drawing "Map Showing Sand Extraction Area and Control Areas" dated 12/11/2025 (Attachment Two).

Consent Holder	McCallum Bros Limited
Council	Northland Regional Council
CCMP	Cup Coral Management Plan
DOC	Department of Conservation
EMMP	Environmental Monitoring Management Plan (Attachment Five)
Extraction Area	The consented sand extraction area as defined by the coordinates listed below.
FTAA	Fast-track Approvals Act 2024
GMP	Garbage Management Plan
MBES	Multi Beam Echo Sounder
MMMP	Marine Mammal Management Plan (Attachment Six)
OSCP	Oil Spill Contingency Plan
Project	Sand extraction within the Te Ākau Bream Bay Sand extraction area.
PSEA	Proposed Sand Extraction Sub-Area
PSEAR	Pre-Sand Extraction Assessment Report
RMA	Resource Management Act 1991
SEMR	Sand Extraction Monitoring Report
SEOP	Sand Extraction Operation Plan

Sensitive Benthic Communities	Means the habitats described in Attachment Four
SQEP	Suitably Qualified and Experienced Person
Working Day	Means a day of the week other than—  (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and  (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and  (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

Extraction Area Coordinates (World Geodetic System 1984 EPGS:4326) (Date:18.09.2024:)

Point ID	LATITUDE (Y)	LONGITUDE (X)	Northing (NZTM2000)	Easting (NZTM2000)
Sa	-35.91553	174.53545	6024331.16	1738538.95
Sb	-35.97295	174.56763	6017916.12	1741340.26
Sc	-35.98117	174.54543	6017035.71	1739324.11
Sd	-35.92375	174.51326	6023450.75	1736522.8

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## **General Conditions**

### **1. General Accordance**

Except as provided for in the conditions below, the Project must be undertaken in general accordance with the information submitted with the Application and the Applicant's responses to s67 of the FTAA requests for further information all listed in Attachment One to these conditions.

### **2. Inconsistency Between Information**

Where there is inconsistency between:

- a) The information identified in Condition 1 and these conditions, these conditions must prevail;
- b) The information and plans lodged with the Application and further information provided post lodgment (but before the decision on the Application), the most recent information and plans must prevail;
- c) The draft management plans lodged with the Application and the management plans certified under the conditions of this resource consent, the certified management plans must prevail; and
- d) A certified management plan and these conditions, these conditions must prevail.

### **3. Consent Lapse and Expiry**

In accordance with Clause 26 of Schedule 5 of the FTAA, this consent lapses 24 months from the date this consent is granted unless the consent is given effect to.

Pursuant to the RMA, the consent expires 35 years from the date of its commencement, unless it has been surrendered or has been cancelled at an earlier date.

### **4. Monitoring Charges and Payment of Council Costs**

The Consent Holder must pay the Council an initial consent compliance monitoring charge of \$(TBC) (inclusive of GST).

The Consent Holder must then pay all reasonable subsequent charges to recover the costs for the administration, monitoring and supervision of the consent fixed by Council under Section 36 of the RMA.

## **5. Information Held on Site**

A copy of this resource consent and all certified management plans must always be kept on the *William Fraser* either electronically or in hard copy.

## **6. Review of Conditions**

Council may, under section 128 of the RMA, initiate a review of any or all conditions of this resource consent within 60 working days following receipt by Council of an SEMR, or annually for those years when an SEMR is not required to be submitted or if Council determines that a condition of consent has been contravened.

a) A review of conditions under clause a) is:

- i) To deal with any adverse effect on the environment that may arise from the exercise of this resource consent and that is appropriate to deal with at a later stage; or
- ii) To deal with any significant unanticipated adverse effect on the environment which is identified in the SEMR.

b) A review of conditions under clause a) may allow for the consideration of the following:

- i) The modification of monitoring activities, including the frequency of the monitoring, the monitoring methodology and changes to technology used for the monitoring;
- ii) The deletion, amendment or addition of new conditions as necessary to avoid, remedy, mitigate, offset or compensate for any adverse effects; and
- iii) To require any remedial actions or alterations to the extraction activity to rectify that significant unanticipated adverse effect including, but not limited to, a reduction in the consented area and/or annual extraction volumes.

## **7. Procedure for Complaints**

The Consent Holder must log all complaints received. Details of any complaint(s) received must be provided to Council within 3 working days of receipt of the complaint(s).

The complaint details must include:

- a) The date, time, location and nature of the complaint.
- b) The name, phone number and address of the complainant unless the complainant refuses to supply these details.
- c) Weather conditions, including approximate wind speed and direction, at the time of the incident leading to the complaint.
- d) Location of *William Fraser* and the activities being undertaken at the time of the incident leading to the complaint.
- e) Any remedial actions taken.

## **PRE-COMMENCEMENT CONDITIONS**

### **8. Commencement of the Consent**

The Consent Holder must notify the Council in writing at least 20 working days prior to sand extraction commencing under this consent. The final certified management plans listed in Condition 11 must be provided to Council as part of this notification.

### **9. Pre-Start Meeting with Council**

Prior to the commencement of the Project, the Consent Holder must hold a pre-start meeting that:

- a) Is scheduled not less than 10 working days before the commencement of sand extraction;
- b) Includes the relevant Council officers;
- c) Includes the Consent Holder's Environmental Manager (or similar) and the Master of the *William Fraser*; and/or
- d) Te Parawhau ki Tai, Ngātiwai Trust Board and Patuharaheke Te Iwi Trust Board are to be invited to attend at least 10 working days prior to the pre-start meeting.

The purpose of the meeting is to discuss the certified management plans and to ensure all relevant parties are aware of and familiar with the necessary conditions of this consent.

No sand extraction must commence until the Council's assigned monitoring officer has attended this pre-start meeting or provides a response in writing indicating that a pre-start meeting will not be required.



#### 10. **Pre-Start Hui with Iwi and Hapu Representatives**

At least 20 working days prior to commencement of the Project, the Consent Holder is to invite representatives of Te Parawhau ki Tai, Ngātiwai Trust Board and Patuharaheke Te Iwi Trust Board to a pre-start hui with iwi and hapu representatives. The pre-start Hui is to be led by Te Parawhau ki Tai.

The purpose of this hui is to provide an opportunity:

- a) To review tikanga, cultural protocols, and expectations for the proposed sand extraction kaupapa (including those matters covered in any māhere tikanga plan prepared by the iwi representatives).
- b) To undertake whakawātea, karakia and other tikanga on the moana and at relevant coastal whenua locations prior to commencement of the sand extraction activities.
- c) To undertake any cultural induction for the consent holder's staff and contractors.
- d) To discuss if iwi representatives want to discuss any pre-start meeting held under Condition 9 or if a summary of this pre-start meeting with Iwi representatives is to be provided to Council prior to the pre-start meeting held under Condition 9.

### **MANAGEMENT PLANS AND AMENDMENT CERTIFICATION CONDITIONS**

#### 11. **Requirement for Certified Management Plans**

The following Management Plans certified under Conditions 14 to 19 must be updated to reference the final consent number, the relevant condition numbers and any other changes required to reflect the final conditions of this consent:

- a) Biosecurity Management Plan (BMP).
- b) Cup Coral Management Plan (CCMP).
- c) Environmental Monitoring Management Plan (EMMP).
- d) Marine Mammal Management Plan (MMMP).
- e) Sand Extraction Operation Plan (SEOP) including the Lighting Management Plan (LMP).

The Consent Holder must implement the certified management plans and all works, monitoring and reporting must be carried out in general accordance with the certified management plans required by this condition.

**12. Minor Amendment to a Certified Management Plan**

Any certified Management Plan may be amended to reflect any change in operational methods or management of effects without the need for re-Certification where:

- a) The amendment/s have no, or a *de minimis* adverse effect on the environment; or
- b) The amendment is an administrative change, including nominating personnel.

Any management plan amended under this Condition must be provided to Council within 5 working days of the change. If Council determines that the amendments do not comply with a) or b) above, then the amendments are to be submitted for certification under Condition 13.

**13. Certification of an Amendment to a Certified Management Plan**

Amendments to management plan(s) that do not meet the requirements of Condition 12 must be re-certified.

The certification process must confirm that the amended management plan(s) adequately gives effect to its objectives and contains the required information and methodologies to achieve these objectives and any relevant consent conditions.

Should the Council determine that the amended management plan(s) submitted achieves the requirements of the relevant condition(s), the Council must issue a written confirmation of certification to the consent holder. If the Council's Response is that it is not able to certify the amended management plan(s) it must provide in writing the reasons why and any recommended changes.

The Consent Holder must consider any of the reasons and recommendations of the Council and resubmit an amended management plan(s) to be certified. The process outlined in this condition must be repeated until the Council is able to provide written confirmation that the management plan(s) has been certified.

14. **Biosecurity Management Plan (BMP)**

The certified BMP is the BMP Version 1, Dated 15/07/2025, or any subsequent recertified versions provided for under Condition 12 and 13. The objective of the BMP is to prevent the introduction or spread of marine pests through effective ballast water management and vessel maintenance practices.

The BMP must Include as a minimum:

- a) Include a ballast water management plan.
- b) Address biofouling management.
- c) Address staff training.

15. **Cup Coral Management Plan (CCMP)**

The certified CCMP is the CCMP Version 2, Dated 28/10/2025 or any subsequent recertified versions provided for under Condition 12 and 13. The objective of the CCMP is to avoid or minimise the risk of disturbance, possessing and incidental killing of Cup Coral during both monitoring and sand extraction.

The CCMP must Include as a minimum:

- a) The methodology and processes to minimise the disturbance, possession and incidental killing of cup corals during sand extraction,
- b) The methodology and processes to minimise the disturbance, possessing and incidental killing of cup corals during monitoring.

16. **Environmental Monitoring Management Plan (EMMP)**

The certified EMMP is the EMMP Version 1, Dated 4/07/2025, or any subsequent re-certified versions provided for under Condition 12 and 13. The objectives of the EMMP (Attachment Five) are:

- a) To outline a monitoring programme to:
  - i) Provide the baseline ecological and bathymetric information for subsequent monitoring.
  - ii) Identify areas where sand extraction is not to be undertaken.

- iii) Identify benthic ecological or bathymetric changes arising from the sand extraction.
  - iv) To confirm the underwater noise monitoring does not identify a soundscape change that exceeds 3db.
  - v) To confirm compliance with Condition 31 (Plume).
- b) Identify changes required to the sand extraction method to minimise any identified significant unanticipated adverse ecological, bathymetric and/or coastal processes effects on the environment.
- c) The EMMP must include as a minimum:
  - i) The requirement and methodology for a PSEAR.
  - ii) The timing, monitoring methodology and reporting requirements for the SEMR.
  - iii) The recommendation process within the SEMR for any changes to the ASEA's, sand extraction methodology, monitoring and/or reporting as an outcome of monitoring findings.
  - iv) The requirements for sand extraction and vessel tracking report.
  - v) The requirements and methodology for underwater noise monitoring to measure the underwater noise soundscape change resulting from sand extraction activities.

The EMMP must be reviewed at least at year three, year five and then every five years by the Consent Holder. The reviewed EMMP is to be submitted to the Council for certification in accordance with Condition 13.

Advice Note:

*The EMMP is a "living document" that includes all monitoring documentation, approved changes to the extraction vessel and methodology and environmental reporting logs.*

## 17. **Marine Mammal Management Plan (MMMP)**

The certified MMMP is the MMMP Version 4, Dated 28/07/2025 or any subsequent re-certified versions provided for under Condition 12 and 13. The objective of the MMMP is to avoid or minimise the potential effects of sand extraction operations (including active extraction and transit) on marine mammals.

The MMMP must Include as a minimum:

- a) Procedures and methods to ensure that the *William Fraser* is maintained and operated to minimise underwater noise.
- b) Methods employed to minimise the risk of marine mammal ship strike.
- c) Methods employed to minimise the risk of entanglement of marine mammals with the dredge head and associated underwater equipment.
- d) Requirements to temporarily cease extraction activities when notified in writing by DOC, Te Parawhau ki Tai, or Patuharakeke Iwi Trust Board during the periods when live stranded whales are to be refloated in Te Ākau Bream Bay.
- e) Record keeping and reporting requirements.
- f) Staff training requirements on the implementation of the MMMP requirements.
- g) The MMMP must be reviewed:
  - i) After the first 12 months of operations;
  - ii) In the six months prior to the planned increase in the maximum annual extraction volume (from 150,000 m<sup>3</sup> to 250,000 m<sup>3</sup>);
  - iii) After the first 12 months of operations during which the maximum annual extraction volume is 250,000 m<sup>3</sup>;
  - iv) Every three years thereafter for the duration of the consent; and
  - v) Within six months of any entanglement, vessel strike, injury or death of a marine mammal that is attributable to the sand extraction operations (including transit).
  - vi) The reviewed MMMP is to be submitted to the Council for certification in accordance with Condition 13.

#### 18. **Sand Extraction Operation Plan (SEOP)**

The certified SEOP is the SEOP Version 2, Dated 11/11/2025, MBL or any subsequent re-certified versions provided for under Condition 12 and 13. The

objective of the SEOP is to avoid or minimise the risk of adverse effects arising from the operation of the *William Fraser* at the sand extraction site.

The SEOP must Include as a minimum:

- a) Protocols to be complied with (including minimisation of underwater noise generation).
- b) Outline of the sand extraction operations.
- c) Sand extraction management (including the use of cells and the requirement to implement a rotation extraction methodology to achieve an even spread of extraction over the ASEA).
- d) Reporting processes.
- e) Staff roles, responsibilities and training.

#### 19. **Light Management Plan (LMP)**

The certified LMP is the LMP Version 2, Dated 11/112025, or any subsequent recertified versions provided for under Condition 12 and 13. The objective of the LMP is to avoid or minimise the potential adverse effects on seabirds, marine mammals and marine reptiles from lighting while operating in the hours of darkness.

The LMP must Include as a minimum:

- a) Methods or controls to address the following:
  - i) Reduction of artificial nocturnal lighting to the minimum required for safe operation and for navigational purposes. This may include where practicable covering windows and port holes.
  - ii) Directing lights downwards with shielding to prevent as much light spill outwards from the vessel as practicable.
  - iii) Requirement for a bird interaction log to record all seabird interactions (fatal and non-fatal) recording time and date of interaction, species involved (and photograph if practical) and outcome during periods when lighting is on during the extraction period.

## **OPERATIONAL CONDITIONS**

### **20. Extraction Area**

Sand extraction must be limited to the Approved Sand Extraction sub-Area (ASEA) within the Extraction Area as identified on drawing 'Map Showing Proposed Sand Extraction Area and Proposed Control Areas, dated 12/11/2025' (Attachment Two) or any subsequent ASEA included in any PSEAR or SEMR certified by Council.

An ASEA must not include areas of the seafloor which contain any of the following:

- a) Sediment with an average proportion of mud (grain size finer than 0.063 mm) exceeding 20% by weight; or
- b) Areas of immobile layers (e.g. rock) or historic facies (e.g. partly consolidated orange Pleistocene sand deposit); or
- c) Sensitive benthic communities (as defined by Attachment Four); or
- d) Any absolutely protected species under the Wildlife Act 1953, excluding any species for which a Wildlife Authority is held; or
- e) Extraction track(s) longer than 100m with a width of less than 2m and a depth exceeding 0.4m below the typical adjacent seabed levels defined as the seabed area within 10m of each track edge.

In the event that during extraction a discovery of one or more of those matters listed as a) to e) occurs then sand extraction within that cell is to cease immediately until such time that sand extraction in that cell is approved through the PSEAR process as outlined in Condition 22.

### **21. PSEAR Requirement Exclusion**

A PSEAR is not required for the extraction of sand in the ASEA cells shown in on drawing 'Map Showing Proposed Sand Extraction Area and Proposed Control Areas. Dated 12/11/2025' (Attachment Two) if sand extraction in that cell has commenced by 1 April 2027.

## 22. PSEAR Requirements

Prior to extracting sand from any cell not covered by Condition 20, the Consent Holder must complete a PSEAR for those cells in accordance with the certified EMMP to define the ASEA.

The draft PSEAR is to be provided to Te Parawhau ki Tai for their review and comments at least 20 working days before it is finalised and submitted to Council. The final PSEAR must include and address any comments received from Te Parawhau ki Tai.

The final PSEAR (including the proposed ASEA) must be submitted to Council for certification prior to the sand extraction occurring in the revised ASEA.

In the event that sand extraction from a cell(s) does not occur for more than a 36-month period, a new PSEAR (for those cells) must be completed for certification by Council, prior to sand extraction re-commencing in that cell(s)

A new PSEAR can be undertaken for those cells not previously approved as an ASEA and is to be certified by Council prior to sand extraction occurring in those cells.

## 23. Sand Extraction Volume

The total volume of sand extracted (defined as the sand which is loaded into the *William Fraser* and transported from the Extraction Area) must not exceed 150,000 m<sup>3</sup> per annum with a maximum sand extraction rate of 15,000 m<sup>3</sup> per month from the date of commencement of sand extraction.

From 1 month after the certification of the Year 4 SEMR (under Condition 37), sand extraction cannot increase to 250,000 m<sup>3</sup> per annum with a maximum sand extraction rate of 25,000 m<sup>3</sup> per month if:

- a) Monitoring for the previous three years has identified lowering within the 100 m wide bathymetric control area (western side of the extraction area only) exceeding 0.15 m on average which cannot be explained by natural processes (having regard to any bathymetric changes at the northern and southern control sites, the six bathymetric profiles, and hydrodynamic conditions over the three-year period);



and

- b) Monitoring for the previous three years has identified ecologically significant statistical adverse change in the benthic biota assemblage, composition, and abundance relative to changes which cannot be explained by natural processes (having regard to the northern, southern and remote control sites).

The maximum sand extraction volume per cell must not exceed 5000 m<sup>3</sup> per annum.

#### 24. **Sand Extraction Vessel and Equipment**

The sand extraction and transportation shall be carried out by the *William Fraser* using a trailer suction hopper dredge, or any alternative vessel and/or extraction method approved in accordance with Condition 42 and in general accordance with the certified SEOP.

No more than two weeks after the commencement of sand extraction, the Consent Holder must provide to the Council a report prepared by an independent engineering surveyor, stating the volume of sand in cubic metres that is carried by the *William Fraser* when loaded to the load line marked on the vessel's hull in accordance with Maritime NZ requirements.

#### 25. **Navigation**

When transiting to and from the extraction area within the Northland Region the *William Fraser* must:

- a) Transit at a speed of less than 10 knots;
- b) Have a crew member on watch to look for marine mammals during daylight hours and during periods when marine mammals may be present ; and
- c) Report all whale sightings that are made inside Hauraki Gulf immediately to the Auckland Harbour Control.

Advice Note:

*The requirements outlined in a-c above are in accordance with the Hauraki Gulf Transit Protocol. The Hauraki Gulf Transit Protocol will be followed when the William Fraser is transiting to and from the extraction area within the Hauraki Gulf.*

#### 26. **Presence of Marine Mammals**

During extraction:

- a) Every practical effort must be made to maintain minimum separation

distance of 200 m of a whale (killer whale or larger).

- b) If a large whale (killer whale or larger) comes within 100 m of the *William Fraser*, the draghead will be lifted up to alongside the *William Fraser* and sand extraction will cease until these mammals have been observed to move beyond this 100 m exclusion zone, or until there have been no more sightings for 10 minutes.

While in transit within the Northland Region:

- c) Every practical effort must be made to maintain minimum separation distance of 200 m of a whale (killer whale or larger).

All sightings of Marine Mammals must be recorded in the "Daily Marine Mammal Records Log".

#### 27. **Seabird Interactions**

A log is to be maintained to record any seabird fatality or injury arising from an interaction with the *William Fraser*, recording time and date of interaction, species involved (and a photograph if practical).

A record shall also be kept of any seabird which after alighting on the *William Fraser* is unable to leave the vessel without assistance (but which appears otherwise uninjured).

#### 28. **Marine Reptile Sightings**

A log is to be maintained to record any sightings of marine reptiles recording location, time and date of sighting, species sighted and a photograph (if practical).

#### 29. **Hours of Sand Extraction**

Sand extraction must only occur between the hours of:

- a) 1200 to 1800 during the months of April to September (inclusive); or
- b) 1200 to 2000 during the months of October to March (inclusive).

A sand extraction event must not exceed 3½ hours from the time sand extraction commences. If there is a stoppage during the sand extraction, this period of time shall not be considered as part of the permitted 3½ hours sand extraction period.

30. **Operational Noise**

The noise (rating) level generated by the *William Fraser* during sand extraction (including any pumping or mechanical equipment used in the sand extraction process) must not exceed 55dB  $L_{Aeq}$  when measured and assessed on land at the adjacent coastline and/or within any notional boundary of a site.

All noise measurements and assessments must be in accordance with the New Zealand Standard NZS 6801:2008 Measurement of Environmental Sound and the New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise.

31. **Plume**

The turbidity level within the upper 2 - 5 m of the water column at approximately 500 m from the *William Fraser* in the direction of the plume shall not be more than 2 NTU higher than the greater of either of two background turbidity measurements.

32. **Disposal of Litter**

No litter is to be disposed of overboard from the *William Fraser* at the Extraction Area or transiting to or from the Extraction Area.

The *William Fraser* must have at all times a Garbage Management Plan approved by Maritime New Zealand.

33. **Oil Spill Contingency Plan Requirement**

The *William Fraser* must have at all times an Oil Spill Contingency Plan approved by Maritime New Zealand.

**MONITORING AND REPORTING CONDITIONS**

34. **Sand Extraction Volume and Location**

The Consent Holder must keep a record for each extraction event of:

- a) The date, time and sea conditions during the period of extraction and the water depth of extraction.
- b) The volume of sand extracted from each cell where extraction has occurred.

- c) The total volume of sand extracted. In the event that the *William Fraser* is not fully loaded, the Consent Holder may report the volume of the incomplete load calculated from the onboard sensors measuring compliance with the load line marked on the vessel's hull in accordance with Maritime New Zealand requirements before any unloading of sand. The record must include for each load:
  - i) A screenshot or other verifiable way of showing the date and time, and the reading of the sensors.
  - ii) The volume of the load by reference to the load-line.
- d) An electronic record of the track of the *William Fraser* (using a GPX file format or equivalent) and mapped using a differential global positioning system ("DGPS") showing:
  - i) A complete track of the *William Fraser* from the entry point into and departure point from the ASEA.
  - ii) A track of the *William Fraser* showing when the dredge head is on the seabed extracting sand and when the dredge head is above the seabed and not extracting sand.

### 35. **Reporting of Sand Extraction Volume and Location**

The Consent Holder must provide to the Council a copy of the records required by Condition 34 quarterly from the commencement of the consent along with a running record of the total volume of sand extraction to date for each cell, and for that month, year and consent period. The records must be in an electronic format that has been agreed to by the Council.

In addition, a copy of the current running records (since the last quarterly record) must be forwarded as soon as practical to the Council's assigned monitoring officer on written request. If no sand extraction has occurred during that quarterly period, then a statement to that effect must be provided to the Council.

The Consent Holder must notify Council of any non-compliance with Conditions 20, 23 and 34 and the reason for the non-compliance as soon as practical.

### 36. **Soundscape Change Measurement and Assessment**

An underwater Soundscape Change Measurement and Assessment is to be

undertaken in accordance with Section 7 of the EMMP. The final report on this monitoring programme must be submitted to Council within 8 months of sand extraction commencing.

### 37. Sand Extraction Monitoring Report (SEMR)

The Consent Holder must prepare a SEMR for those ASEA's where sand extraction has occurred since the last SEMR monitoring in those years specified in Table One below.

*Table One: Years SEMR are Required*

<b>SEMR Required</b>
Years 2-7 (inclusive)
Then every 3 <sup>rd</sup> year for remainder of the period the consent is given effect to or at a lesser period if recommended in any SEMR.

The SEMR must be undertaken in accordance with the methodology outlined in the certified EMMP. The SEMR must include an updated ASEA Map and any recommended changes to the sand extraction method, volume, monitoring and reporting based on the findings of that SEMR.

The Year 4 SEMR (or any subsequent SEMR's where Condition 23 is to be met) must address those matters required under Condition 23 to confirm if sand extraction can increase to 250,000 m<sup>3</sup> per annum with a maximum sand extraction rate of 25,000 m<sup>3</sup> per month.

The draft SEMR is to be provided to Te Parawhau ki Tai for their review and comments at least 20 working days before it is finalised and submitted to Council. The final SEMR must include and address any comments received from Te Parawhau ki Tai.

The final SEMR must be submitted to the Council for certification by 31 October of the year it is required. The monitoring required to prepare the SEMR must be completed in February/March/April of that year.

### 38. Seabird Interactions Log

The Seabird Interactions log required under Condition 27 must be submitted to

DOC quarterly for information collection purposes. Council must be advised when this log is submitted to DOC.

39. **Marine Reptile Sighting Log**

The Marine Reptile Sighting Log required under Condition 28 must be submitted to DOC within 5 working days of a marine reptile sighting. Council must be advised when this log is submitted to DOC.

40. **Marine Mammal Daily Records**

A summary of the Daily Marine Mammal Records Log required under Condition 26 must be submitted to DOC, Te Parawhau ki Tai, and the Patuharaheke Te Iwi Trust Board annually for information collection purposes. Council must be advised when this log is submitted to DOC.

41. **Marine Mammal Incident Reporting**

The Consent Holder must record and report any incident which results in injury or mortality to a marine mammal to the Council, DOC, Te Parawhau ki Tai, and the Patuharaheke Te Iwi Trust Board as soon as practicable.

42. **Change of Extraction/Discharge Methodology and/or Vessel**

Any change to the approved sand extraction and/or discharge methodology and/or the use of an alternative vessel(s) for extraction to the *William Fraser* will require written certification from the Council, before any change in the sand extraction operation or vessel(s) used for the sand extraction.

Written certification can only be provided if the proposed changes will not result in any greater adverse effects than have been consented, and that the conditions of this consent can continue to be complied with.

Any proposed change of vessel or extraction and/or discharge methodology must be notified in writing to the Council and be accompanied by a report prepared by a SQEP(s) that:

- a) Identifies the proposed changes and the reasons why the change is being made;
- b) Identifies and quantifies expected underwater noise changes resulting from the change and the potential changes in effects arising from these changes (if any);
- c) Identifies and quantifies expected changes in the discharge

- (including the size and duration of the visible plum) and the potential changes in effects arising from these changes (if any);
- d) Identifies any changes to the draghead extraction width and depth and extraction rates, and the potential changes in effects arising from these changes (if any);
  - e) Includes any changes required to any certified Management Plans;
  - f) Includes a report from an independent engineering surveyor stating the volume of sand in cubic metres that is carried by the new vessel(s) for extraction and transport when loaded to the load line marked on the vessel's or vessels' hull(s) in accordance with Maritime NZ requirements; and
  - g) Confirms that any associated requested changes to management plan(s) comply with all requirements of the conditions of this consent.

If the Council's response is that it is not able to certify the requested changes it must provide the reasons why and any recommended changes in writing.

Advice Note:

*If the proposed alteration may result in non-compliance with the conditions of this consent or adverse effects that are greater than those authorised by this consent, then either a change to the conditions or a new consent would need to be obtained.*

**43. Contribution to the Council Bream Bay Beach Profile Survey Programme (offered on an *augier* basis)**

By the 30th of March each year from the commencement of sand extraction, the consent holder shall pay Council \$5,000 as a contribution to the current Bream Bay Beach Profile Survey programme undertaken twice per year by Council.

This annual payment is not required in the event that Council ceases its Beach Profile Survey programme for Bream Bay. The contribution payable to the Council shall be adjusted annually with the adjustment based on the percentage change in the All Groups Consumer Price Index (CPI) for New Zealand, as published by Stats NZ, for the 12-month period ending in the quarter immediately preceding the adjustment date. The adjusted amount shall be calculated by applying the CPI percentage change to the previous year's payable amount.

**44. Cultural Contribution (offered on an *augier* basis)**

The Consent Holder must pay separately to each of the Te Parawhau ki Tai, Ngātiwai Trust Board, and Patuharaheke Te Iwi Trust Board (or their nominated entities) a cultural contribution of \$0.30+gst per cubic metre of sand extracted (annually adjusted by the StatsNZ index for PPI Aggregates) during the life of the consent. This rate must be adjusted annually (1 January) based on the New Zealand Producer Price Index for Mining.

This payment must be calculated based on verified monthly extraction volumes. Payments must be made quarterly, within 20 working days of the end of each quarter, to a nominated account provided by the three recipients along with a summary report of the extraction volumes for that quarterly period.

This condition is intended to recognise the cultural relationship of iwi with the moana and sand resources, and to support ongoing kaitiakitanga and iwi wellbeing initiatives.

**45. Community Contribution (offered on an *augier* basis)**

The Consent Holder must pay separately to each of the Waipū Cove Surf Lifesaving Club, Ruakākā Surf Life Saving Patrol and Whangārei Volunteer Coastguard Inc (or their nominated entities) a contribution of \$0.11+gst per cubic metre of sand extracted (annually adjusted by the Stats NZ index for PPI Aggregates) during the life of the consent. This rate shall be adjusted annually (1 January) based on the New Zealand Producer Price Index for Mining.

This payment must be calculated based on verified monthly extraction volumes. Payments must be made annually, by 30 January each year, to a nominated account provided by the three recipients along with a summary report of the extraction volumes for that annual period.

This condition is intended to recognise the community contribution these organisations make and to support their ongoing contribution to the recreational use of Te Ākau Bream Bay.

**46. Accidental Discovery Protocol**

If, at any time during sand extraction or monitoring, potential koiwi (human bones) or archaeological artefacts are discovered, then the following discovery



protocol shall be followed:

- a) All works will cease in the immediate vicinity and the extraction cell where Koiwi or artefact were found will be closed while a suitably qualified archaeologist is consulted to establish the type of remains;
- b) If the material is identified by the archaeologist as human, archaeology or artefact, then sand extraction or monitoring must not be resumed in the affected cell (as defined by the archaeologist);
- c) The consent holder must immediately advise Council, Heritage New Zealand Pouhere Taonga and the New Zealand Police (if human remains are found) and arrange a site inspection with these parties;
- d) If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from Te Parawhau ki Tai, Ngātiwai Trust Board and Patuharaheke Te Iwi Trust Board are to be provided information on the nature and location of the discovery; and
- e) The consent holder shall not recommence works in that extraction cell of the discovery until approved by the Council.

#### 47. **Mahere Tikanga Plan**

##### Contributions and Mahere Tikanga Plan

Te Parawhau ki Tai are to be invited to prepare a Mahere Tikanga Plan before the commencement of extraction. At least 15 working days is to be provided for the preparation of the draft plan and then a further 5 working days for the finalisation of the plan. This plan may cover tikanga responses for:

- a) Whale and Marine Mammal Strandings (consistent with the MMMP)
- b) Tāngata drowning events;
- c) Discovery of taonga species or kōiwi; and
- d) Vessel incidents or accidents.



**ATTACHMENT ONE: DOCUMENTATION REFERRED TO IN CONDITION 1**

Te Ākau Bream Bay Sand Extraction Project - Resource Consent and Wildlife Approval Applications and Assessment of Effects under the Fast-track Approvals Act 2024

<b>Report Title</b>	<b>Author</b>	<b>Dated</b>	<b>Rev</b>
Assessment Of Airborne Noise Effects Sand Extraction Te Ākau (Bream Bay)	Jon Styles (Styles Group)	13/01/2026	5
Assessment of Effects on Fish and Fisheries in Te Ākau Bream Bay	Rick Boyd (R.O.Boyd)	02/2025	NA
Assessment of Effects on Surf Breaks at Te Ākau Bream Bay	Séverin Thiébaut, Alexis Berthot (Metocean Solutions)	06/03/2025	7.0
Assessment Of Underwater Noise Levels Proposed Sand Extraction: Te Ākau Bream Bay	Matt Pine (Styles Group)	10/04/2025	5
Cup Corals and Schedule 7 of the Fast-Track Approvals Act 2024	Jennifer Beaumont (NIWA)	18/12/2025	4
Economic Assessment	Lawrence McIlrath (M.E. Consulting)	21/12/2025	
Navigation Safety Assessment William Fraser Sand Extraction In Bream Bay	Bruce Goodchild (Northland Regional Council)	21/02/2025	1.4
Sand extraction in Te Ākau Bream Bay Potential effects on seabirds and shorebirds	David Thompson (NIWA)	16/05/2025	1.1
Scleractinian cup corals at Te Ākau Bream Bay Literature review and distribution of cup corals identified within the proposed sand extraction area	Jennifer Beaumont (NIWA)	18/12/2025	4.0
Supporting Statement Of Paul Donoghue In Support Of Mccallum Bros Limited Application To Fast Track A Sand Extraction Consent From A Site In Te Ākau Bream Bay	Paul Donoghue	NA	NA
Te Ākau Bream Bay Sand Extraction: Coastal Processes Effects Assessment	Eddie Beetham, Reinen-Hamill Richard (Tonkin + Taylor)	21/01/2026	6.0
Te Ākau Bream Bay Sand Extraction Landscape & Natural Character Effects Assessment	Stephen Brown (Brown Ltd)	08/2025	NA
Te Ākau Bream Bay Sand Extraction Marine Mammal Environmental Impact Assessment	Helen McConnell (SLR Consulting New Zealand)	13/01/2026	07
Te Ākau Bream Bay Sand Extraction Project Assessment of Ecological Effects	Simon West (Bioresearches)	17/12/2025	6.3
Te Ākau Bream Bay Sand Extraction Water Quality Assessment of Environmental Effects	Pete Wilson (SLR Consulting New Zealand)	17/12/2025	05

<i>Other Plans/Reports:</i>	<i>Author</i>	<i>Dated</i>	<i>Rev</i>
<i>Biosecurity Management Plan (BMP)</i>	McCallum Bros Limited	<b>15/07/2025</b>	<b>1</b>
<i>Cup Coral Management Plan (CCMP)</i>	McCallum Bros Limited/NIWA/Bioresearches	<b>28/10/2025</b>	<b>2</b>
<i>Environmental Monitoring Management Plan (EMMP)</i>	Simon West (Bioresearches)	<b>04/07/2025</b>	<b>1</b>
<i>Garbage Management Plan (GMP)</i>	McCallum Bros Limited	<b>07/2025</b>	<b>NA</b>
<i>Marine Mammal Management Plan (MMMP)</i>	Helen McConnell (SLR Consulting New Zealand)	<b>17/12/2025</b>	<b>5</b>
<i>Oil Spill Contingency Plan (OSCP)</i>	McCallum Bros Limited	<b>07/2025</b>	<b>NA</b>
<i>Pre-Sand Extraction Assessment Report (PSEAR)</i>	Simon West (Bioresearches)	<b>9/12/2025</b>	<b>4</b>
<i>Sand Extraction Operation Plan (SEOP)</i>	McCallum Bros Limited	<b>11/2025</b>	<b>2</b>

**Sand Extraction Area Corner Points**

	NZTM, EPGS:2193	WGS84, EPGS:4326		
name	Northing	Easting	Latitude	Longitude
Sa	6024331.16	1738538.95	-35.91553	174.53545
Sb	6017916.12	1741340.26	-35.97295	174.56763
Sc	6017035.71	1739324.11	-35.98117	174.54543
Sd	6023450.75	1736522.8	-35.92375	174.51326

**Control Area Corner Points**

	NZTM, EPGS:2193	WGS84, EPGS:4326		
name	Northing	Easting	Latitude	Longitude
CNa	6025430.88	1738058.73	-35.90569	174.52994
CNb	6024514.44	1738458.92	-35.91389	174.53453
CNc	6023634.03	1736442.76	-35.92211	174.51234
CNd	6024550.47	1736042.57	-35.91391	174.50775
CSa	6016386.51	1744084.69	-35.98633	174.59833
CSb	6015470.07	1744484.88	-35.99453	174.60294
CSc	6014349.55	1741918.86	-36.00501	174.57468
CSd	6015265.98	1741518.68	-35.99681	174.57008
CRa	6004717.53	1747319.94	-36.09101	174.63638
CRb	6003791.52	1747696.86	-36.09930	174.64074
CRc	6002760.83	1746394.37	-36.10879	174.62647
CRd	6003686.84	1746017.45	-36.10050	174.62211

**Legend**

- Navigation Waypoint
- Cell
- Sand Extraction Boundary
- Northern Control
- Southern Control
- Remote Control
- Bathymetry Control Area

**Scale**

0 1 2 3 km

**Map Showing Sand Extraction Area and Control Areas With Cells**

CLIENT / PROJECT  
McCallum Bros. Ltd.

CD - Chart Datum as measured at Marsden Point (LINZ code DJM9)  
Map projection - NZ Transverse Mercator EPGS:2193  
GPS points - NZTM EPGS:2193, WGS 84 EPGS:4326

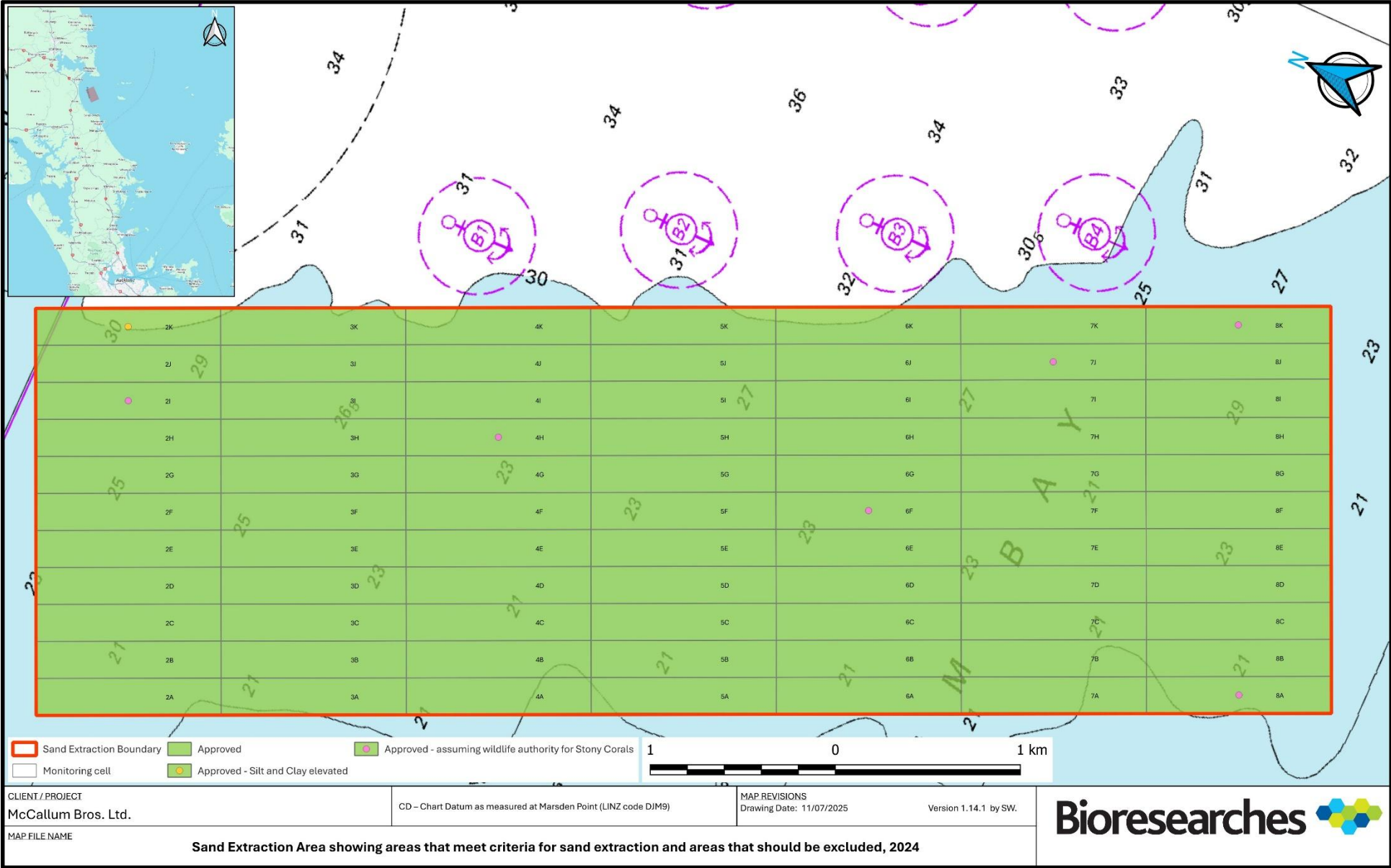
MAP REVISIONS  
Drawing Date: 12/11/2025

Version 1.0.4 by SW.

**Bioresearches**



ATTACHMENT THREE: APPROVED SAND EXTRACTION SUB-AREA (ASEA)



## ATTACHMENT FOUR: SENSITIVE BENTHIC COMMUNITIES

Habitat	Primary indicators
Beds of large bivalve molluscs	<p>A bed of large bivalves exists where living specimens of bivalve species:</p> <ul style="list-style-type: none"> <li>are estimated to cover 30% or more of the seabed on average in visual images of either 1m<sup>2</sup> or lateral view; or</li> <li>comprise 30% or more by average weight or volume in grab samples.</li> </ul> <p>Large bivalves include:</p> <p>Horse mussels (<i>Atrina zelandica</i>)</p> <p>Scallops (<i>Pecten novaezelandiae</i>)</p> <p>Large dog cockle, (<i>Tucetona laticostata</i>)</p> <p>Geoducks (<i>Panopea zelandica</i> and <i>P. smithae</i>)</p> <p>Trough Shells (<i>Spisula discors</i> and <i>S. murchisoni</i>)</p> <p>Triangle Shell (<i>Crassula aequilatera</i>)</p> <p>Shellfish known to pass through dredge alive at greater than 90% are excluded;</p> <p>Clam (<i>Dosinia anus</i>, <i>D. subrosea</i>, <i>Bassina yatei</i>)</p> <p><i>Myadora</i> sp.</p>
Brachiopod beds <sup>1</sup>	<p>A brachiopod bed exists if:</p> <ul style="list-style-type: none"> <li>one live brachiopod occurs per m<sup>2</sup> of seabed sampled using seabed photographs and or dredge tows; or</li> <li>one or more live specimens occur in grab samples.</li> </ul>
Bryozoan thicket	<p>A bryozoan thicket (here the term thicket is used synonymously with the terms bed, reef, meadow, etc.) is present if:</p> <ul style="list-style-type: none"> <li>colonies of large frame-building bryozoan species cover at least 50% of the seabed in visual imaging surveys;</li> <li>one or more colonies of large frame building bryozoan species occur per m<sup>2</sup> of seabed sampled using towed sampling gear; or</li> <li>one or more large frame building bryozoan species is found in grab samples.</li> </ul>
Calcareous tube worm thickets	<p>A sensitive tube worm thicket is present if:</p> <ul style="list-style-type: none"> <li>2 or more colonies of a mound forming species of tube worm are found in any grab sample; or</li> <li>2 or more colonies are observed at a greater than 10% coverage in a visual image, either 1m<sup>2</sup> or lateral view.</li> </ul>
Chaetopteridae worm fields	<p>A sensitive Chaetopteridae worm field is present if worm tubes and/or epifaunal species:</p> <ul style="list-style-type: none"> <li>contribute 25% or more of the volume of a sample collected in a grab sample; or</li> <li>colonies of tube worm species cover at least 50% of the seabed in visual imaging surveys.</li> </ul>
Macro-algae beds	<p>Detection of a single occurrence of any fixed specimen of a red, green or brown macroalga at greater than 30% cover is sufficient to indicate that this habitat has been encountered.</p>
Rhodolith (maerl) beds	<p>A rhodolith bed exists if:</p> <ul style="list-style-type: none"> <li>a single specimen of a rhodolith species is found in grab sample; or</li> <li>there is more than 10% cover of living coralline thalli in visual images.</li> </ul>
Sea pen field	<p>A sea pen field exists if:</p> <ul style="list-style-type: none"> <li>one or more specimens of any species of sea pen is found in a grab sample; or</li> <li>two or more specimens per m<sup>2</sup> are found in seabed imaging surveys.</li> </ul>
Sponge gardens	<p>A sponge garden exists if metazoans of Class Demospongiae, Class Hexactinellida, Class Calcarea or Class Homoscleromorpha:</p> <ul style="list-style-type: none"> <li>are estimated to cover 25% or more of the seabed in visual images of either 1m<sup>2</sup> or lateral view.</li> </ul>

**Adapted from:** MacDiarmid, A. et al (2013). *Sensitive marine benthic habitats defined*. NIWA client report number WLG2013-18. National Institute of Water and Atmospheric Research, Wellington, New Zealand. Available at: <https://environment.govt.nz/publications/sensitive-marine-benthic-habitats-defined/>

<sup>1</sup> Modified by Bioresarches to include "and or dredge tows" in the Primary indicator description.

