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## Comments on the Substantive Application under the Fast Track Approval Act 2024 for the Bream Bay Sand Extraction project

1. Seafood New Zealand (SNZ) appreciates the opportunity to provide comments on the application by McCallum Bros Ltd (MBL) under the Fast-track Approvals Act 2024 (FFTA) to undertake sand extraction in Bream Bay.

### Who We Are

2. Seafood New Zealand is a professional organisation that delivers services for the wider benefit of the seafood industry – our members have commercial interests in deepwater, inshore finfish, and highly migratory species. SNZ plays a leading role in developing and presenting the seafood industry's response on regulatory proposals and generic issues affecting the industry.
3. The following comments are made by SNZ following discussions with our Northern Committee, comprising members of quota owners, Licensed Fish Receivers/fish processors and commercial fishers that fish or have commercial interests in the coastal waters north of Taranaki and East Cape (Fisheries Management Areas 1, 8 and 9) .

### Overarching Views

4. We appreciated McCallum Bros Ltd (MBL) engaging with the Northern Committee to present their proposal, answer questions and discuss concerns raised.
5. Concerns held by our members relate to the loss of access to fishing grounds as Bream Bay is extensively used by fishers, predominately using bottom trawl and longline, with Danish and purse seine occurring in lesser amounts. On average, 12% of bottom trawl and 4% of bottom longline fishing events within the Bream Bay area intersect with the proposed sand extraction area.

### Operational Displacement

6. Fishers sought clarification from MBL that the sand mining operation did not require exclusive use of the proposed area and assurances that fishing could continue to occur in the area. Fishers and MBL committed to develop an operational protocol to avoid and minimise any operational conflict between the two activities. The protocol would include providing advanced notice of an operational sand extraction schedule and timely communication to fishers when and where extraction operations are due to occur or are actively taking place.

### Benthic Fouling

7. Trawl fishers operating within Bream Bay have experienced negative impacts from sand extraction operations at Pakiri resulting in deep trenches and uncovering immobile layers of rock


or petrified trees which foul and damage fishing gear. Areas where rock or petrified trees have been exposed can no longer be fished with trawl gear and are effectively lost to the fishery.

8. Trawl fishers are highly concerned that areas of sandstone beneath the sand of the proposed Approved Sand Extraction Area will be exposed, effectively making the ground unsuitable for fishing.
9. We acknowledge that MBL are proposing to use different sand extraction technology and processes in Bream Bay than were used at Pakiri. Information (photographs, core samples, bathymetry and backscatter) images provided by MBL indicates there are no exposed rocky areas within the proposed area. However, local fishers that have been active in the area for the last 20 years report patches of sandstone / foul ground within the proposed area.
10. We note that the proposed consent conditions (Operational Conditions – Extraction Areas) state that an Approved Sand Extraction Area (ASEA) must not include areas of the seafloor which contain areas of immobile layers (e.g. rock) or historical facies (e.g. partly consolidated orange Pleistocene sand deposit), and that in the event during extraction of an ASEA an accidental discovery 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. It is not clear whether the reference to areas containing immobile layers of rock refers to rock that is exposed only or to subsurface layers, and if the latter, how shallow would the layer be to trigger the requirement to stop any further extraction in that area.
11. Our members have questioned:
  - What timely monitoring and reporting is in place to identify and notify areas of exposed rock within the ASEA or to avoid the exposure of rocky areas overtime, and
  - If sand extraction exposes areas of rock that are in the trawl grounds, what obligation is there for MBL to remediate an area so trawl fishing can continue to occur.

## Further Engagement

12. Seafood New Zealand would welcome the opportunity to discuss any of the matters raised in this submission or answer any questions that the Expert Panel may have on the impact of the project of fisheries in Bream Bay.

Nāku noa, nā



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