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## **Fw: Bream Bay Sand Extraction project - process update**

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**From:** Marie Doole [REDACTED]  
**Sent:** Monday, May 18, 2026 8:09:43 PM  
**To:** Malcolm Morrison [REDACTED]  
**Cc:** [REDACTED]; Gill Webb [REDACTED]; Tim Mullins [REDACTED]; 'Adam McDonald' [REDACTED]  
**Subject:** RE: Bream Bay Sand Extraction project - process update

Hi Malcolm,


Have had a scan of the review of the conditions (noting the reviewed conditions have since been varied in the latest response to RFI).

Below are some comments to consider, numbered according to their comment number at this link [Minute-7-Appendix-One.pdf](#)

Comment number	Comment
PA7	I would agree this is useful if there are perhaps specific matters that were sought to be given consent and that consent was not granted. There would need to be a specific purpose, because technically it's 'everything else that is not permitted or otherwise consented'. It's perhaps better as an advice note.
PA17	Agree with DM's highlighting of the disjunct between the pre start meeting and the pre start hui. Further consideration by the applicant would be useful. Requirements to submit necessary evidence of the steps being taken would be important too.
PA22	I am surprised at the inclusion of a time bound reference of this nature. It implies all the management plans require full implementation before sand extraction. They are likely to include ongoing obligations. The condition should be reworded to clarify this perhaps. I would also remove 'general' from accordance....works should proceed in accordance with them.

PA42	Presumably...' and during periods when marine mammals may be present'...is often, in the ocean.... Agree with DM's note about specificity
PA43	Agree with the advice note not being an advice note.
PA49	Unsure about proposed timeframe, agree more technical support needed to develop condition. The site from which measurements should be taken seems quite uncertain.
PA50	Concur with comment.
PA63	Agree, hangs in space

Matters not raised by Mr McMahon that stood out to me

Condition #	Considerations
6	It is not clear to me why condition 6 is included. It appears to have a more narrow scope than s128 RMA. Whilst it's wording is not framed as being exhaustive, it's an odd inclusion with an unclear purpose.
9	Suggest removal of 'necessary' where it precedes conditions. All conditions are necessary...or ought to be.
12	Seems too broad to me. Conditions will prevail regardless, but regulator oversight is needed on the details especially where a plan has been certified for regulatory purposes. I'd be comfortable with minor administrative corrections but even those should be watched carefully for scope creep and clarity drift.
14	Unsure what the blue changes are from.
17	It may be more appropriate for the requirement to review the plan 'within 6 months' of an incident to be much shorter and at the discretion of the regulator. This should be considered further.
22	Agree with DM's edits to clarify process and recommencement triggers  C but the imperatives on where sand can be extracted from are bemusing. If the area is already approved, is it the intent that those requirements will frustrate/remove that permission and if so, who checks those features are not present? If they are not present outside of the approved extraction area can the area then be expanded? Apologies, but I am a bit perplexed. Condition 22 is pretty messy and needs further thinking.

23	This condition could benefit from legal review. Also, more clarity... 'ecologically significant statistical adverse change...' etc.
24	Purpose unclear, including which aspects of 'Maritime NZ's requirements' are relevant.
25	Presume any reference to what William Fraser should do refers to the crew reporting to the skipper/captain/master whatever. Boats do not make calls.
26	'Every practical effort...' obviously introduces wiggle room
27	An explicit requirement to notify the relevant agency within a given $\diamond$ C short $\diamond$ C timeframe should also be included?
28	As above
32	Confirm legality/vires
35	Five days seems a long time to notify a regulator that you have broken the law. I'd prefer something like within one working day or a few hours...
38-42	Consider collocating content of monitoring records and timeframes to advise the relevant agencies
43-45	Consideration should be given to whether these obligations should be side agreements as they do not appear sufficiently specific.

Hopefully these are of some assistance

Kind regards

Marie



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**From:** Malcolm Morrison [REDACTED]  
**Sent:** Monday, 18 May 2026 4:08 pm  
**To:** Marie Doole [REDACTED] >  
**Cc:** [REDACTED]; Gill Webb [REDACTED]; Tim Mullins [REDACTED]; 'Adam McDonald'  
[REDACTED]  
**Subject:** FW: Bream Bay Sand Extraction project - process update

Hi Marie

Can you please have a look at the SMART review and comment.

I'm comfortable if you want to start the clock.

Note there's only 5 days to respond.

Cheers

Malcolm

## Malcolm Morrison

[REDACTED]

[REDACTED]

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**From:** Adam McDonald [REDACTED]  
**Sent:** Monday, 18 May 2026 3:17 pm  
**To:** Mary Sinclair <[REDACTED]> Malcolm Morrison <[REDACTED]>; Gill Webb  
<[REDACTED]>  
**Cc:** Tim Mullins <[REDACTED]>  
**Subject:** FW: Bream Bay Sand Extraction project - process update

Hi all,

FYI below, just received.

Kind regards

Adam

Adam McDonald | Associate | LeeSalmonLong | DDI +64 9 912 7104 | M +64 21 0262 7178

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**From:** Substantive <[Substantive@fasttrack.govt.nz](mailto:Substantive@fasttrack.govt.nz)>  
**Sent:** Monday, 18 May 2026 3:15 PM  
**To:** Substantive <[Substantive@fasttrack.govt.nz](mailto:Substantive@fasttrack.govt.nz)>  
**Subject:** Bream Bay Sand Extraction project - process update

Tēnā koe

You are receiving this update as you were invited to comment on the Bream Bay Sand Extraction project under the Fast-track Approvals Act 2024 (the Act).

## Minutes of the expert panel

### Minute 7

On 18 May 2026, the expert panel issued Minute 7 regarding:

- the Department of Conservation's filing of a section 51 report
- the applicant's response to the panel's first request for information as directed in Minute 4
- the panel's visit to the *William Fraser*
- Mr McMahon's SMART review of the applicant's proposed draft conditions.

### Minute 8

On 18 May 2026, the expert panel issued Minute 8 responding to a memorandum of counsel received on behalf of Te Pouwhenua o Tiakiriri Kukupa Trust (Te Parawhau Ki Tai).

The expert panel invites commenters to address matters outlined in paragraph [30](b)(i) to (iii), and has indicated that this material may be provided to the Panel up to five working days later, by Wednesday 3 June 2026 (taking into account King's Birthday weekend).

Both Minutes, and the memorandum of counsel from Te Pouwhenua o Tiakiriri Kukupa Trust (Te Parawhau Ki Tai), can be viewed on the Fast-track website here:

<https://www.fasttrack.govt.nz/projects/bream-bay-sand-extraction-project/correspondence>.

If you have any questions, please contact Keely Paler, Application Lead, by email at [info@fasttrack.govt.nz](mailto:info@fasttrack.govt.nz).

Nāku noa, nā

## Fast-track team

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### Attachments

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