

in the matter of application FTAA-2511-1150 (Bream Bay
Sand Extraction Project)

between

BREAM BAY GUARDIANS SOCIETY INCORPORATED

Invited party

and

MCCALLUM BROTHERS LIMITED

Applicant

**MEMORANDUM OF COUNSEL FOR BREAM BAY
GUARDIANS ASSOCIATION INC REGARDING SPATIAL
INFORMATION**

5 October 2026

LeeSalmonLong

Barristers and Solicitors

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COUNSEL:

TIM MULLINS

AUCKLAND

TELEPHONE [REDACTED]

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EMAIL: [REDACTED] SOLICITOR ON RECORD: DAVID BULLOCK

EMAIL: [REDACTED] SOLICITOR ACTING: ADAM MCDONALD

MEMORANDUM OF COUNSEL FOR BREAM BAY GUARDIANS ASSOCIATION INC: SPATIAL INFORMATION

MAY IT PLEASE THE PANEL

1. This memorandum is filed for Bream Bay Guardians Association Inc (**BBG**), regarding certain spatial information that it provided to MBL, upon MBL's request. For completeness BBG now provides it to the Panel, together with relevant contextual information.

Information sought and basis for provision

2. On 25 August 2026, MBL wrote to BBG asking for spatial information, such as coordinates, underlying the report filed by BBG with the Fast Track Panel, entitled *Bream Bay First Order Ecological Survey – Phase 2* prepared by eCoast, dated 25 May 2026 (**Spatial Information**). The Spatial information related to dive locations where peat reefs were observed by BBG's experts.
3. BBG agreed to provide the Spatial Information to MBL subject to confidentiality undertakings. This was because the Spatial Information, particularly the coordinates of peat reefs, may disclose the precise locations of ecologically significant populations of marine life such as crayfish, scallops, and various fish species, and BBG did not wish to unnecessarily put those populations at risk by disclosing the information.
4. BBG also provided MBL with relevant contextual information concerning the sites/peat reefs, namely a letter from Professor Mark Dickson of the University of Auckland, dated 5 October 2026. The letter is not confidential.
5. For completeness, BBG **appends** to this memorandum the Spatial Information that it provided to MBL. It also **appends** the letter from Professor Dickson.

Confidentiality

6. BBG respectfully requests that the Spatial Information be kept confidential by the Panel. Out of an abundance of caution, precise coordinates have been redacted in the first instance, in view of the concerns noted above, as they are the most sensitive information.
7. Should the Panel consider that it would assist to receive the unredacted coordinates, BBG would be willing to provide them pursuant to a suitable mechanism preserving their confidentiality.

Dated 5 October 2026



Tim Mullins / Adam McDonald
Counsel for Bream Bay Guardians

OUR REF David Bullock / Adam McDonald
DDI [REDACTED]
EMAIL [REDACTED]

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5 October 2026

CONFIDENTIAL

Jeremy Brabant
Barrister
Level 7 Albert Street
AUCKLAND

By email: [REDACTED]

Dear Jeremy

FTAA–2511–1150 Bream Bay Sand Extraction Project

1. We refer to the previous correspondence between the parties regarding MBL's request for spatial information underlying the report entitled *Bream Bay First Order Ecological Survey – Phase 2* prepared by eCoast, dated 25 May 2026 (**eCoast Report**), which BBG filed with the Fast-track Panel (**Spatial Information**).
2. BBG provides the Spatial Information sought pursuant to the confidentiality undertakings set out in our letter dated 1 October 2026, agreed to in your email of the same day. The Spatial Information includes:
 - (a) The "Bream Bay Constraints Map" **appended** to this letter, which includes the locations of the dive sites including peat reefs referred to in the eCoast Report.
 - (b) The coordinates of those sites, according to our instructions, as follows:
 - (i) Crayfish reef ([REDACTED]); and
 - (ii) Conger eel reef ([REDACTED]).
3. Also **appended** to this letter is relevant contextual information concerning the sites/peat reefs, provided by Professor Mark Dickson of the University of Auckland. This information is not confidential.
4. As previously noted, BBG will inform the Fast-track Panel of your client's request, and is providing it at the same time, it with the information that has been provided to MBL, but with coordinates redacted in the first instance.

Yours faithfully

[sgd:David Bullock/Adam McDonald]

David Bullock / Adam McDonald
Partner / Associate

cc: Tim Mullins


