

Special memo

To Te Mana Rauhi Taiao Environmental Protection Authority

Attention [REDACTED]

From Patuharakeke Te Iwi Trust board and Ngatiwai Trust Board

Date 26 May 2026

Subject **Comments to the Panel under section 53 Fast-track Approvals Act 2024 on application for approvals by McCullum Bros Limited for sanding mining in Te Ākau Bream Bay**

Tēnā koe e Keely

1. Patuharakeke Te Iwi Trust Board and Ngatiwai Trust Board were invited by the Panel to comment on the application for approvals by McCallum Bros Limited for sanding mining in Te Ākau Bream Bay in accordance with s 53 of the Fast-track Approvals Act (“FTAA”).¹
2. We thank the Panel for this opportunity.
3. Ngā rohe of Patuharakeke and Ngatiwai includes Te Ākau Bream Bay. We have relied on te moana o Te Ākau mai rā ano for kaimoana and as a place for cultural and spiritual practices. Ngatiwai as iwi and Patuharakeke as hapū at place hold tino rangatiratanga over Te Ākau through ahi kā and therefore has responsibilities as kaitiaki.
4. Our overarching comment is that the application should be declined.

¹ FTAA-2511-1150-Minute 3 Appendix 1

5. The material submitted in support of this overarching comment is appended to this memorandum and includes:

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| Appendix 1 | Submissions of counsel |
| Appendix 2 | Statement of cultural evidence – Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 |
| Appendix 3 | Statement of cultural evidence – Patuharakeke |
| Appendix 4 | Statement of cultural evidence – Ngātiwai |
| Appendix 5 | Statement of expert evidence – fish and fisheries |
| Appendix 6 | Statement of expert evidence – benthic ecology |
| Appendix 7 | Statement of expert evidence – marine mammals |
| Appendix 8 | Statement of expert evidence – coastal processes |
| Appendix 9 | Statement of expert evidence – economics |
| Appendix 10 | Statement of position – Patuharakeke Mana Whenua Kaitiaki Roopu |
| Appendix 11 | Final CIA (clean version in Appendix 11.1 and tracked-change version in Appendix 11.2) |

6. We note that not all of the external consultants we have engaged have been able to incorporate comments on the further information provided by McCallum Bros in response to the Panel’s various requests. We are happy to provide information responding to that material in response to any request for further information that the Panel may decide to make. However, we acknowledge it may be more efficient for experts to caucus and discuss these matters kanohi ki te kanohi.

7. We also want to address matters relating to the affidavit and memorandum lodged with the Panel by Te Parawhau ki Tai. First, those documents state that Takahiwai is a Parawhau marae.² While we acknowledge the close familial connections between Te Parawhau and Patuharakeke, we disagree with this statement. This is not the whakaaro of the taumata that sit on the paepae at the marae, nor the Takahiwai Marae Committee (responsible for the day to day management of the reservation), nor the Patuharakeke Marae Trustees whom all Patuharakeke entities report to. Second, we wish to record our support for the Panel's response to those documents in Minute 8.
8. We look forward to kōrero kanohi ki te kanohi at the hui as foreshadowed by the Panel in the Minute 8. We agree with the Panel that holding Marae-based hui is necessary to accord with tikanga. It is also necessary for the Panel's process to accord with Patuharakeke's Mana Whakahono ā Rohe.³ Should a hui be held as part of these proceedings we anticipate that the matters discussed in para 7 above will be expanded on further, as the marae would be a more appropriate venue and forum for that. We also request that the Panel consider expert caucusing in relation to all matters in respect of which we have lodged expert statements of evidence.

Nāku iti nei, nā,



Deborah Harding

Chairperson – Patuharakeke Te Iwi Trust

² Para 2.13 affidavit

³ FTAA, schedule 3 clause 5. See also MFE s 18 report