



13 February 2025

OIAD-1452

9(2)(a)

Tēnā koe 9(2)(a)

Thank you for your emails of 16 January 2025 to the Ministry for the Environment (the Ministry) requesting the following under the Official Information Act 1982 (the Act):

I request all information related to the fast-tracking of the sand mining project in Ruakākā, including:

- 1) The criteria and process used to determine the project's eligibility for fast-tracking under the relevant legislation.*
- 2) Any correspondence, reports, or documentation regarding the decision to fast-track the project.*
- 3) Records of any declared or undeclared conflicts of interest involving the Minister for the Environment, his ex-wife (Dorothy "Dot" Pumipi), and local iwi or other parties involved in the sand mining project.*
- 4) Details of any steps taken to manage or mitigate potential conflicts of interest.*

I request copies of all documents and correspondence related to consultation with local iwi and haps regarding sand mining activities in Ruakākā. This includes, but is not limited to:

- 5) Emails, letters, and meeting minutes involving iwi / hapu and the Ministry;*
- 6) Names of who from the iwi were / are involved;*
- 7) Any potential conflicts of interest between iwi members and the Minister;*
- 8) Reports or submissions from iwi on the sand mining project;*
- 9) Cultural impact assessments or other documents provided by iwi or commissioned by the Ministry;*
- 10) Records of any meetings, including dates, attendees, and topics discussed.*

I have interpreted your request as being related to the application submitted by McCallum Brothers Ltd for the Bream Bay Sand Extraction Project (the Project) to be considered for listing within the Fast-track Approvals Bill (the Bill), which is now the Fast-track Approvals Act 2024 (FTAA).

In response to parts 1 and 2 of your request, advice, cabinet material and other documentation such as the Ministry's initial assessment of the application has been proactively released by the Ministry. Information can be found at the following links:

- Cross-agency advice on the Bill, published 3 November: <https://environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/fast-track-approvals-bill/>
- Advice on listed projects, published 20 December: <https://environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/fast-track-approval-listed-projects/>
- Bream Bay Sand Extraction Project application documents, including feedback from the Department of Conservation and Ministry of Primary Industries, alongside the Ministry's assessment form: <https://environment.govt.nz/acts-and-regulations/acts/fast-track-approvals/fast-track-projects/bream-bay-sand-extraction-project/>

Please note that material published by the Ministry is carefully considered under the provisions of the Act. In some cases, information may be withheld in accordance with the Act, but only where necessary and where the public interest in disclosure does not outweigh the need to withhold, as outlined in section 9(1).

As no correspondence directly relating to the decision to list the project in Schedule 2 of the FTAA exists, I must refuse part 2 of your request under section 18(e) of the Act.

The independent Advisory Group appointed to provide advice to Ministers regarding the projects suitable for inclusion within the Bill includes information on how they managed conflicts of interest on page 6 of their report, which can be found on the Ministry's website at: <https://environment.govt.nz/assets/acts-and-regulations/fast-track-projects-advisory-group-report-to-ministers-redacted.pdf>.

In addition, the Minister for Infrastructure, Hon Chris Bishop, released details about the management of Ministerial conflicts of interest on 11 October 2024. This information can be found on the Beehive website at: <https://www.beehive.govt.nz/release/government-releases-more-fast-track-detail>.

I must refuse parts 3 and 4 of your request which relate to conflicts of interest under section 18(d) of the Act, as the information you have requested is publicly available at the links provided above.

Regarding the remainder of your request (parts 5-10), consultation with iwi was not completed as part of the process to list projects in Schedule 2 of the FTAA. As a result, I must refuse these parts of your request under section 18(e) of the Act, as the information requested does not exist.

The Fast-track process streamlines consenting for infrastructure and development projects that provide significant national or regional benefits by offering a consolidated, 'one-stop-shop' approach, ensuring more efficient decision-making. The 149 projects listed in Schedule 2 of the FTAA, including the Project your request relates to, will be able to apply for consent through Expert Panels (the Panels) from 7 February 2025 through the Fast-track Portal: <https://www.fasttrack.govt.nz/>.

Under the FTAA, Panels must seek comment from various parties, including relevant local or iwi authorities, treaty settlement entities, and adjacent landowners. The Panels will have the authority to make final decisions on approvals for these projects and can impose conditions to manage environmental impacts.

The Ministry is responsible for the FTAA, while the Environmental Protection Authority (EPA) will provide secretariat and administrative support to the Panels. Information on projects that have applied to Panels will be made available on the Fast-track Portal website linked above in due course.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decisions relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work, the Ministry publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: ministerials@mfe.govt.nz.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'S. Frame', with a horizontal line underneath.

Stephanie Frame
Manager, Fast Track
Ministry for the Environment | Manatū Mō Te Taiao