
MINUTE OF THE PANEL CONVENER

Request for Section 51 report for the Bream Bay Sand Extraction Project
[FTAA-FTAA-2511-1150]

26 February 2026

[1] McCallum Bros Limited lodged a substantive application under the Fast-track Approvals Act 2024 (the Act) on 26 January 2026. The application relates to a Sand Extraction Project at Bream Bay.

[2] The application seeks approvals including a wildlife approval under section 42(4)(h);

[3] Pursuant to section 51 of the Act, the panel convener directs the Environmental Protection Authority (EPA) to obtain the following reports from the Director-General of the Department of Conservation (DOC):

- (a) a report under clause 3 of Schedule 7 for the wildlife approval (s42(4)(h)).

Advice Requested

[4] The panel convener also directs the EPA to obtain advice from the DOC on the following:

- (a) How the weighting of matters set out in the relevant schedules should be approached, having regard to applicable statutory provisions and relevant senior court decisions (s51(1)).
- (b) If DOC agrees or disagrees agree with, or wishes to amplify, the expert and planning assessments lodged in support of the application, they must file a report in accordance with the relevant schedule

(s51(2)(c) or s51(2)(d)).

- (c) DOC may confirm and append advice, including legal advice, previously given in response to directions under section 51 on another project and does not need to provide an assessment if they concur with the applicant's assessments.
- (d) DOC are to respond to the draft conditions, including any management plans attached to the application, recommending tracked changes (if any).

Timing

[5] Reports and advice must be provided to the EPA **within 10 working days after the panel invites comments on the application**, in accordance with section 51(4) of the Act.

[6] Any advice or report received will be provided by the EPA to persons listed in s 51(5).

Convener conference

[7] Finally, it would assist the panel convener if the DOC is able to indicate their views on the application at the convener's conference, which will take place in March.

[8] A separate minute will issue in due course.



Helen Atkins

Panel convener for the purpose9s of the Fast-track Approvals Act 2024