
MINUTE 7 OF THE PANEL CONVENER

Section 62 suspension in relation to the Bream Bay Application

[FTAA-2511-1150]

2 September 2026

[1] On 21 August 2026, as the Panel Convener for this Application, I received a memorandum from the Applicant (**Suspension Request Memorandum**) accompanied by a report authored by Earth Sciences New Zealand entitled - The scleractinian coral *Culicia rubeola* at Te Ākau Bream Bay: Literature review and distribution of *Culicia rubeola* identified within the proposed sand extraction area - Prepared for McCallum Bros Limited dated June 2026.

[2] The Suspension Request Memorandum seeks a direction from me to suspend the processing of the Application under section 62(2) of the Fast Track Approvals Act 2024 (FTAA) to allow for an amendment to be made to the application. That amendment is, broadly, to include an application for a wildlife approval in respect of *Culicia rubeola*.

[3] On 1 September 2026 I held a conference which included the following: Jeremy Brabant, legal counsel for the Applicant, Catherine Somerville-Frost, Panel Chair for the Application and two representatives from the EPA.

[4] I confirm that under s62(2) I consider that:

- (a) A further approval is required in respect of the Project, the details of which are set out in the Suspension Request Memorandum;
- (b) That approval relates to the same specified Act as an approval that is

sought in the Application;

- (c) The nature of the Project would be better understood if the Application were amended before the Panel proceeds further.

[5] I therefore direct that the Application is suspended in accordance with section 62(3) FTAA, from and including today 2 September 2026. This suspension will continue until I withdraw this direction.

[6] In terms of the process that will now follow, section 62 does not set out a detailed process. Having considered the appropriate process, and having discussed the matter with legal counsel for the Applicant during the conference, I record the following:

- (a) The Applicant has confirmed that the amended application will be lodged within the next fortnight;
- (b) I will consider the amended application and the need for any further directions prior to its provision to the Panel;
- (c) The Applicant has confirmed that during the suspension it agrees that the Panel and EPA staff are able to continue with processing of the Application. I consider that to be a sensible approach to take. That processing may include processes common to fast-track panels including for example hui, hearings; expert conferencing, meetings, the commissioning of reports and further information requests.

[7] If I am mistaken as to any of the above matters (a) to (c), the Applicant may lodge a memorandum in response to this minute by Friday 4th September 2026.

[8] A further minute will issue once the amended application has been received by the EPA and is ready for me to pass on to the Panel. It is at that stage that timeframes can be set for the processing of any amended application, noting the application of sections 63(5)(a) and (b) of the FTAA.



Helen Atkins

Associate panel convener for the purpose of the Fast-track Approvals Act 2024