

Referral application form to use for the fast-track process

Under the Fast-track Approvals Act 2024

About this referral application

This referral application form has been [approved](#) by the Secretary for the Environment in accordance with the [fast-track approvals process](#) of the Fast-track Approvals Act 2024 (the Act). All referral applications under the Act must be submitted using this form.

We recommend you discuss your referral application and the information requirements with us before you lodge the referral application. Please contact the Fast-track support team on 0800 327 875 or email info@fasttrack.govt.nz

Please provide a general level of detail in your application; sufficient to inform the Minister's decision on the referral application.

You must use this form to apply for referral applications and complete all relevant fields, even where you provide supporting attachments that are more detailed. Include attachment or appendix numbers in the relevant fields and list the attachments in section 5 of this form.

If the required information and relevant supporting material is not provided, the application will be returned to you as incomplete.

If your application is determined to be complete, and the Ministry for the Environment (MfE) considers that your project may be capable of satisfying the assessment criteria and does not appear to involve an ineligible activity, and you have paid all related fees, charges and/or levies, then we will provide it to the Minister for Infrastructure (the Minister).

Unless the Minister decides to decline the application before doing so, the Minister will invite comments on the application from relevant local authorities, Ministers, [administering agencies](#), identified Māori groups, owners of Māori land in the project area and any other person the Minister decides is appropriate. The Minister may also request further information from you, the relevant local authorities, or relevant administering agencies before making a decision on the referral application.

If the Minister accepts your referral application, then you may lodge a substantive application with the EPA and the substantive application may be considered by a decision-making panel.

Application fees and Cost recovery

Under the [Fast-track Approvals \(Cost Recovery\) Regulations 2025](#) (the Regulations), applicants lodging a referral application are required to pay a fee (deposit) of \$12,000 (plus GST), and a levy of \$6,700 (plus GST) to the Environmental Protection Authority (EPA). The fees are set in [Schedule 1 of the Regulations](#). These fees must be paid before lodgement of your referral application. If the required amount is not paid the application will be returned as incomplete.

Please note the final costs payable at the referral stage may exceed the referral application fee (deposit) paid. More information about cost recovery under the Fast-track Approvals Act 2024 is available from [Fast-track approvals cost recovery process](#).

Submitting your application

You will need to submit this form through our digital Fast-track portal. You will need to receive a link to register/access the portal.

If you need any help with the form, you can call or email us:

- 0800 327 875 (0800 FASTRK) (from within New Zealand)
- email: info@fasttrack.govt.nz

Ways you can send your completed form to us

By digital portal – you will need to receive a link to register/access: [Fast-track website](#)

By email – info@fasttrack.govt.nz

Your personal information

The Ministry for the Environment (MfE) is collecting your personal information for the purpose of administering your referral application under the Fast-track Approvals Act 2024. We will only use the information for the purposes of contacting you in relation to this application.

MfE may provide your application, or details from your application to other agencies or local authorities for the purpose of administering your referral application. If your application is accepted as complete and progresses through the referral process, the Minister may consult with other agencies and groups on your application. This will require the Minister to share the details of your application with the EPA, the Panel Convener, and those groups.

We will store your personal information securely. You have the right to access the personal information we hold about you and to ask for it to be corrected if it is wrong. If you would

like to access your personal information, or have it corrected, please contact us at referrals@fasttrack.govt.nz

Official information

All information you provide with this application is subject to the Official Information Act 1982 and may be released in accordance with that Act.

Publishing your application

We intend to publish your referral application on the Fast-track Approvals website.

Any personal contact details in application documents will not be made publicly available. Please provide a copy of the application with all personal contact details redacted.

MfE may also redact certain information from publication in accordance with the Official Information Act 1992. If you think your application contains information which should be withheld, please clearly identify it and provide an explanation as to why it should be withheld.

Click or tap here to enter text.

Section 1: Applicant details

A person or persons may apply to use the fast-track process for a project. Where there is more than one person, the referral application must be lodged jointly by all of the persons who are proposed to be authorised persons for the project.

If the referral application is accepted and referred by the Minister, the person or persons who lodged the referral application will be specified as the person who is, or the persons who are, authorised to lodge a substantive application for the project.

1.1 Applicant(s) – repeat for all applicants

1.1.1 Organisation name: NORTH WESTERN MUSSELS LIMITED

1.1.2 NZBN (optional): 9429042087281

1.1.3 Contact name: Jake Bartrom

1.1.4 Phone: § 9(2)(a)

1.1.5 Email address: §
9

1.1.6 Postal address (if preferred method of contact): 1620 Manaia Road Manaia
Coromandel 3581 Coromandel 3581 New Zealand

Additional Applicants:

1.2 Agent acting on behalf of applicant (if applicable)

1.2.1 Organisation name: AQUACULTURE DIRECT LIMITED

1.2.2 Contact name: Rebecca Clarkson

1.2.3 Phone: s 9(2)(a)

1.2.4 Email address: s 9(2)(a)

1.2.5 Postal address (if preferred method of contact): 2 Alfred Street Blenheim
New Zealand 7201

1.3 Finance – Agent acting on behalf of applicant (if applicable)

1.3.1 Organisation name: NORTH WESTERN MUSSELS LIMITED

1.3.2 Contact name: Jake Bartrom

1.3.3 Phone: s 9(2)(a)

1.3.4 Email address: s
9

1.3.5 Postal address (if preferred method of contact): 1620 Manaia Road, RD1
Coromandel New Zealand 3581

If you are making this application on behalf of the applicant, please attach evidence that you are authorised to make this application.

1.3.6 Please direct all correspondence relating to this application (including correspondence from MfE) to:

If selecting Applicant and there is more than 1 person who lodged the referral application, please identify 1 person to receive all correspondence on behalf of all applicants.

1.4.1 Compliance and enforcement history – repeat for all applicants

1.4.1 Have there been any compliance or enforcement actions taken against the applicant (or if the referral application is lodged by more than one person, any of those persons) under a specified Act definition for either ‘compliance’ or ‘enforcement’?

No

- 1.4.2** If you answered yes above, please provide a summary of the relevant legislation and provisions, and any compliance or enforcement actions, and the outcome of those actions taken under the [specified Act](#) against the applicant or applicants, if the referral is being lodged jointly.

Section 2: Referral application summary

2.1 Project name

This is the name by which the project will be known publicly. For example - avoid using street addresses, place names, company names.

Waikato West Coast Mussel Spat Nursery Critical Industry Infrastructure

2.2 Project description and location

2.2.1 Provide a description of the project and the activities it involves

The project description helps us with inviting comments from relevant parties on the application, and publishing information about the application.

The application seeks approval for mussel spat catching and nursery activities in 11 rows across 4 blocks totalling 700 hectares approximately three to five kilometres off the coast of Whāingaroa/Raglan.

Ten years of research has confirmed that the sites are unprecedented for spat catching and holding. If approved, the sites are expected to provide spat/seed for over 35,500 tonnes of mussel production, contributing \$81.5 million to GDP and 320 jobs to the Waikato Region. The export value of the resulting mussels produced would be \$185 million at 2024 values.

Access to juvenile mussels (both spat and seed) is the single biggest constraint on the growth and productivity of the mussel industry. Despite the increased availability of waterspace, the industry has not increased overall production in more than a decade. The identification and protection of nursery sites is a critical step to support the mussel industry.

The project will require resource consents (coastal permits) under the Resource Management Act 1991 (RMA) for aquaculture activities, occupation of coastal space, the installation and maintenance of structures and discharges associated with the operation of the nurseries. This project will require an aquaculture decision under Schedule 5 s20 of the Fast-track Approvals Act.

There is an acute need for this application to be fast-tracked as the activity is currently prohibited under the Waikato Regional Coastal Plan.

NWML made an application under the RMA to the Waikato Regional Council (WRC) in 2023, and WRC have now confirmed that all the application material is complete and ready to proceed to notification. NWML have requested that application be placed on hold while we make this application for Fast-track referral. This will allow for efficient use of the Fast-track Approvals Act, as a full suite of assessments of the effects on the environment has already been undertaken and peer reviewed by WRC. The effects are expected to be no more than minor.

NWML acknowledge that the application sites are within Māui dolphin habitat and have sought expert advice on potential effects on Māui dolphin and other marine mammals. WRC have sought a peer review of the NWML expert advice which concurs with its findings. In particular, it is considered that effects can be managed through a staged development programme and the implementation of a comprehensive Marine Wildlife Management Plan (MWMP). In response to consultation with Fisheries New Zealand (FNZ) NWML have provided further information towards proving 'equivalency' with the Hector's and Māui Dolphin Threat Management Plan (TMP). This is outlined in Schedule D. The project is shovel ready and no external source of funding is required. NWML are ready to invest and can commence implementation within three months of consent being granted. A new source of resilient spat will be available to the North Island mussel industry within 9 months.

NWML have undertaken an extensive programme of engagement with Iwi, particularly the coastal hapū of Ngāti Tahinga as well as the Mandated Iwi Organisations Waikato Tainui and Te Nehenehenui. Through this engagement NWML have made an offer to transfer ownership of 20% of any consented space to a representative Waikato coastal hapū and marae entity. This proposal sits outside the Crown's aquaculture settlement obligation for 20% of representative space. NWML are committed to continuing engagement prior to lodging a substantive application and Ngāti Tahinga have undertaken to provide a Cultural Impact Assessment if the application is referred.

The project has strong alignment with the Government's New Zealand Aquaculture Development Plan, the industry's Aquaculture Strategy and the Waikato Aquaculture Strategy.

2.2.2 Provide a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application.

For example, site address(es), certificate of title(s), shape files

The application is for 700 hectares of new mussel spat nursery space, in four discrete blocks, in the coastal marine area (CMA) of the Tasman Sea in the west coast of the Waikato region, approximately three to five kilometres from the coastline, and generally between Papanui Point in the south and Parikotuku Point in the north. A series of plans and maps showing relevant planning overlays are provided in Schedule A.

2.3 Ineligible activity

Your referral application must demonstrate that the project does not involve any ineligible activities as defined in [Section 5](#) of the Act. Please consider each ineligible activity below and where relevant, provide the requested details.

*When providing your response below, where possible, **provide details of any parties involved, the extent of their holding and the activity relevant to their area.***

Where a project involves an activity that may be the subject of a determination under sections [23](#) or [24](#), and you are intending to seek a Ministerial determination for that activity under either section, you must still complete this section in full. Determinations under, and information required in respect of, sections 23 and 24 are covered further under 2.5

Ministerial determinations under sections 23 and 24.

If your application relates to certain mining activities below the surface of the land and meets the other relevant criteria under [section 5\(2\)](#) of the Act then an agreement under [section 5\(1\)\(a\), \(b\), \(j\) or \(k\)](#) may not be required. This should be identified under the relevant questions below, and you must provide the additional information required in respect of [section 5\(2\)](#) under 2.3 Ineligible activity.

2.3.1 Does the project include an activity that would occur on identified [Māori land](#) as defined in section 4 of the Act?

No

a. If yes, please address the following:

i. identify the land involved and the owner(s) of the land.

ii. Confirm that the activity on the land has been agreed with the owners of the land and provide evidence of the written agreement; or

A. advise whether it is proposed to seek a determination under [section 23](#) and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below; or

B. advise whether it is proposed to rely on [section 5\(2\)](#) of the Act and provide the information under 2.3 Ineligible activity below.

2.3.2 Does the project involve an activity that would occur in a customary marine title area?

No

a. Address the following:

- i. Identify the relevant customary marine title area, who the customary marine title group is;
- ii. Provide evidence that written agreement has been obtained from the customary marine title group and provide a copy of the same; **or**
 - A. advise whether it is proposed to rely on [section 5\(2\)](#) of the Act and provide the information under 2.3 **Ineligible activity** below.

2.3.3 Does the project involve an activity that would occur in a protected customary rights area?

No

a. Address the following:

- i. Identify the protected customary rights area, the group who holds these rights and the nature of the protected customary right(s)
- ii. Explain your proposed activity and identify whether you consider that it would have a less than minor adverse effect on the exercise of the protected customary right(s), and briefly explain why; **or**
- iii. Advise whether you consider that your proposed activity would have a more than minor effect on the exercise of the protected customary right(s), and if so, confirm that the activity has been agreed to in writing by the protected customary rights group and provide a copy of that agreement.

2.3.4 Does the project involve an activity that would occur on:
Māori customary land; OR land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Māori Act 1993.

No

2.3.5 Does the project involve an aquaculture activity or an activity that is incompatible with aquaculture activities that would occur within an aquaculture settlement area (under section 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004); or an area reserved under another Treaty settlement for the aquaculture activities of a particular group?

No

2.3.6 Provide details of the aquaculture activity or the activity that is incompatible with aquaculture and the location

2.3.7 Provide details of the relevant aquaculture settlement area or Treaty settlement legislation reserving space for aquaculture and include details of the impacted parties or particular group.

2.3.8 Provide details on whether or not the applicant is authorised to apply for a coastal permit within the aquaculture settlement area, or area reserved under another Treaty settlement for aquaculture activities, including a copy of any such authorisation.

2.3.9 Does the project include an activity that would require an access arrangement under [section 61](#) or [61B](#) of the Crown Minerals Act 1991?

No

a. Provide the following information:

- i. what is the activity that would require the access arrangement; and
- ii. does the project include an activity that would occur on Crown owned land or internal waters and land of the common marine and coastal area described in Schedule 4 of that Act and provide details of the same.
- iii. If so describe how the activity meets the criteria in [section 61\(1A\)\(a-e\)](#) of the Crown Minerals Act 1991; **or**
- iv. Confirm and provide evidence that the project would not occur in an area for which a permit cannot be granted under that Act:

2.3.10 Does the project include an activity that would be prevented under any of sections [165J](#), [165M](#), [165Q](#), [165ZC](#), or [165ZDB](#) (regarding the management of occupation in common marine and coastal area) of the Resource Management Act 1991?

No

2.3.11 Provide details about which section the project does not comply with and, if relevant, the provisions of the regional coastal plan that are applicable.

2.3.12 Does the project include an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that would occur on land that is listed in Schedule 4 of this Act?

No

a. Provide the following:

- i. identify the activity and which clause under Schedule 4 is applicable; and
- ii. confirm whether you are seeking that the Minister make a determination under [section 24](#), and if so, whether the determination sought relates to existing electricity infrastructure or new electricity lines and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below.

2.3.13 Does the project involve an activity that would occur on a national reserve held under the Reserves Act 1977 and requires approval under that Act?

No

a. Address the following:

- i. identify the activity and type of national reserve under the Reserves Act
- ii. identify what approval(s) would be required under the Reserves Act.
- iii. Confirm whether you are seeking that the Minister make a determination under [section 24](#) and if so whether the determination sought relates to existing electricity infrastructure or new electricity lines.? If so, provide the information under 2.5 Ministerial determinations under sections 23 and 24 below

2.3.14 Does the project involve an activity that would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority?

No

a. Address the following:

- i. identify the activity, the reserve type under the Reserves Act, and the person in whom it is vested.
- ii. provide evidence that written agreement has been obtained from the person in whom the reserve is vested and provide a copy of the same; or
- iii. advise whether it is proposed to rely on [section 5\(2\)](#) of the Act and provide the information under 2.3 Ineligible activity below.

2.3.15 Does the project involve an activity that would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority?

No

a. Address the following:

- i. identify the activity, the reserve type under the Reserves Act, and the person or body who manages the reserve.
- ii. Provide evidence that written agreement has been obtained from the person or body responsible for managing the reserve and provide a copy of the same; **or**
- iii. advise whether it is proposed to rely on [section 5\(2\)](#) of the Act and provide the information under 2.3 Ineligible activity below; **or**
- iv. advise whether you consider the activity falls within the scope of [section 5\(5\)](#) of the Act, and provide the information under 2.3 Ineligible activity below.

2.3.16 Does the project involve an activity that is:

a. a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act?

No

b. described in [section 15B](#) (Discharge of harmful substances from ships or offshore installations) of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it;

No

c. prohibited by [section 15C](#) (Prohibitions in relation to radioactive waste or other radioactive matter and other waste in coastal marine area) of the Resource Management Act 1991

No

2.3.17 Does the project involve a decommissioning-related activity as described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012:

No

2.3.18 Does the project involve an activity undertaken for the purposes of an offshore renewable energy project?

No

2.4 Exemptions from requirement to provide agreement

2.4.1 Mining activities under section 5(2)

The agreement of the relevant groups referred to under 3.5 Persons affected is not required for certain mining activities under [section 5\(2\)](#). If you think this might apply to your application, answer the questions below.

2.4.1.2 Is your application for an activity that is prospecting, exploration, mining or mining operations of Crown-owned minerals undertaken below the surface of any land or area?

No

2.4.1.3 Provide details of the activity and identify the owner and occupier of the land and any relevant details concerning the land or area (such as whether it is identified Māori land)

2.4.1.4 Explain the extent, if any to which your activity may be likely to cause any damage to the surface of the land or any loss or damage to the owner or occupier of the land.

2.4.1.5 Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of the use and enjoyment of the land by the owner or occupier of the land.

2.4.1.6 Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of any possible future use of the surface of the land, and if no such effects are anticipated, please explain why.

2.4.2 Activities on land proposed to be the subject of a land exchange

The agreement of relevant groups referred to in (subsection 5(1)(a) of the Act) is not required if section 5(5) applies. If you consider this section may be relevant to your application, complete the below.

2.4.2.1 Is the reserve on which the activity is to occur proposed to be the subject of a land exchange?

No

2.4.2.2 Is the reserve a Crown-owned reserve?

2.4.2.3 Are the person or persons responsible for managing the reserve in place because of a Treaty settlement?

- 2.4.2.4** Provide any supporting details which may be relevant for your responses to the above questions.

2.5 Ministerial determinations under sections 23 and 24

Complete this section if you wish to seek a ministerial determination under section 23 or section 24 that your project is not an ineligible activity.

2.5.1 Determination in relation to linear infrastructure on Māori land under section 23

- 2.5.1.1** Is your application seeking a determination under [section 23](#) (linear infrastructure on certain identified Māori land)

No

Provide the following information:

- 2.5.1.2** Confirmation that the activity is the construction of electricity lines or land transport infrastructure (and identify which it is)

- 2.5.1.3** Confirmation that the above construction (or operation of) will be undertaken by a network utility operator that is a requiring authority, and that that same party is the applicant for the necessary approvals, providing details of the same.

- 2.5.1.4** Confirmation that the activity would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land (and identify that land)

- 2.5.1.5** Provide information on the rights and interests of Māori in that land

- 2.5.1.6** Provide an assessment of the effects of the activity on those Māori rights and interests and on the relevant land.

2.5.2 Determination in relation to existing electricity infrastructure under section 24(2)

2.5.2.1 Is your application seeking a Ministerial determination under [section 24\(2\)](#) (in relation to maintenance, upgrading, or continued operation of existing electricity infrastructure on certain Schedule 4 land or in a national reserve)

No

Provide the following information:

2.5.2.2 Confirmation that the activity is the maintenance, upgrading, or continued operation of existing electricity infrastructure.

2.5.2.3 Confirmation that the activity would occur on eligible land, as defined in section 24(3).

2.5.2.4 Advise whether the activity would materially increase the scale or adverse effects of the existing electricity infrastructure and provide an explanation of the same.

2.5.3 Determination in relation to new electricity lines under section 24(4)

2.5.3.1 Is your application seeking a determination under [section 24](#) (the construction and operation of new electricity lines on eligible land (as defined in [schedule 4](#) excluding land classified as a national park or listed in subsections 2, 4, 5(a), 7 or 8 of that schedule)?)

No

Provide the following information:

2.5.3.2 Is the activity the construction and operation of new electricity lines? (provide any necessary details)

Would the activity occur on eligible land (and identify which category of eligible land);

2.5.3.3 Provide the requested information for each alternative site considered for the construction and operation of the new electricity lines:

2.5.3.4 A description of the alternative site.

2.5.3.5 A statement of the anticipated and known financial cost of undertaking the activity on the alternative site.

2.5.3.6 A description of the anticipated and known adverse effects of undertaking the activity on the alternative site.

2.5.3.7 A description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity on the alternative site.

2.5.3.8 A description of any issues (including financial cost) that would make it impractical to undertake the activity on the alternative site.

2.5.3.9 An assessment of whether it would be reasonable and practical to undertake the activity on the alternative site, considering the matters referred to above.

2.6 Appropriateness for fast-track approvals process

Here you must explain how the project meets the referral application criteria ([section 22](#)). Please consider and respond where relevant, to each question.

If the project is planned to proceed in stages, you must explain how each stage meets the referral application criteria.

If a part of the project is proposed as an alternative project, you must explain how each stage meets the referral application criteria,

- 2.6.1** The criteria for accepting a referral application is that the project is an infrastructure or development project that would have significant regional or national benefits. Explain how this project satisfies the criteria:

This proposal offers the mussel farming industry a unique and critical opportunity to access a secure, diverse and resilient spat supply, directly in keeping with Government and regional priorities. Providing for the location as a spat nursery, as well as catch area, will enable the holding of spat in cooler west coast waters over the summer periods so that it can be introduced onto other mussel farms in optimal health and at optimal times for on growing. This will enable year-round productivity and employment and sustain future industry growth.

The Government's New Zealand Aquaculture Development Plan recognises that 'aquaculture is a key industry for the prosperity of the nation' but that 'investment into hatcheries and nurseries is needed so there is enough spat to fully utilise existing space'. The industry and Government growth goal is that aquaculture is a \$3 billion industry by 2035 and that mussel farming contributes up to a third of that value. To enable this the industry, through its Spat Strategy, is projected to require a 40% increase in spat supply by 2025 and a 70% increase by 2035 - as well as better retain the existing spat supply on mussel farms. The Government recognises that to realise its growth goal, 'the industry needs to increase survival of available spat by holding it at nursery sites during their most vulnerable period of development. In New Zealand, there are limited nursery sites that offer optimal conditions'. The NWML spat nursery is the most advanced and by far the most productive of any sea based nursery opportunities.

Spat on-growing and nursery activities are a critical element of the mussel farming industry's operational resilience. It is common practice in the mussel industry to 'hold' the spat that is caught on a spat farm until the optimum conditions have been reached for it to be transferred to the grow out site. Mussel farmers often undertake an intermediate seeding process where they strip the spat from the lines then 'reseed' at the same site, or a site better conditioned for juvenile mussels, prior to the grow out phase. This is called the nursery phase. Depending on a range of conditions it may be beneficial to hold spat up to an average of 50 – 70 mm in size prior to final seeding on other farms. This optimises resilience and survival rates in transfer to the final growing environment.

A vibrant mussel industry presents significant opportunities for Iwi to meet their intergenerational aspirations. The Aquaculture Development Plan notes that 'Māori are already leaders in the aquaculture sector, driving innovation and seeking opportunities to grow the industry'. The Government strategy 'recognises the importance of partnering with Iwi to ensure their values and

aspirations, commercially, culturally and as kaitiaki, are provided for. This means going beyond legislative obligations and embracing true partnership. Supporting sustainable industries like aquaculture will be essential to ensuring future generations have the high standards of wellbeing we owe them'. As noted in more detail below NWML have offered a coastal/hapū entity 20% of the space that is consented. NWML are also continuing to engage with Waikato Tainui and Te Nehenehenui as the Mandated Iwi Organisations (MIO) with respect to any aquaculture settlement space created by the consent.

The Waikato Regional Coastal Plan (WRCP) acknowledges the significance of marine farming, including mussel farming, as 'an important industry within the Waikato Region, contributing social and economic benefits to the local, regional and national economy'. Waikato Regional Council (WRC) has recently adopted its Aquaculture Strategy which anticipates a doubling in industry value by 2044. However new mussel nurseries are prohibited activities under the WRCP. The plan is being reviewed but the Proposed Waikato Regional Coastal Plan (PWRCP) is not expected to be operative for some time.

NWML have invested significant time and resource into progressing a more sustainable source of wild mussel spat. Gulf Mussel Farms Limited (GMF) have monitored spat availability through research permits in the Northland, Auckland and Waikato Regions over the last ten years and have confirmed that the west coast of the Waikato region is unprecedented for the ability to catch and hold plentiful and resilient spat. The characteristics of the proposed location, being the clear, cool, nutrient rich waters of the Tasman Sea, mean that the spat can build up their food sources and increase resilience, effectively fattening them up, so they have much better survival or 'retention' rate when introduced to farming areas.

Further information is provided in the Application Document under 2.6.1 and Schedule F.

2.6.2 Explain how referring the project to the fast-track approvals process:

2.6.2.1 Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and

Mussel farmers need to be able to respond to the environmental conditions of a given season by catching and moving spat between areas, in much the same way as a terrestrial farmer would move their stock to place them in the most favourable environment. As well as catching spat the industry needs to be able to hold spat, on spat 'nurseries' until resilient enough to move to production farms, otherwise the activity of catching wild spat is not feasible.

In the evidence to the PWRCP Dave Taylor of Aquaculture New Zealand identified that one reason why access to good nursery space is of increasing importance in the Waikato is that wild fish predation on juvenile mussels has become 'a significant problem as snapper populations have started to recover and are clearly benefiting from the presence of marine farms'. Jake Bartrom provided important mussel farming context which is included in Schedule F.

The Waikato industry has no suitable nursery space available.

NWML have been developing this spat nursery proposal for more than ten years but have been hindered because the activity is currently prohibited under the WRC. A decision was made in 2021 to progress a concurrent private plan change and resource consent application which was lodged with WRC in May 2023. In December 2024 WRC confirmed that all s92 further information requirements have been met and the proposal is ready for notification.

However, NWML understands that the private plan change, and resource application process may take some years to be resolved at hearing and then may be subject to Environment Court appeals. Aquaculture applications of this nature can take more than ten years and cost millions of dollars. The Waikato mussel industry needs spat now. There is a critical need for this project to be fast-tracked.

2.6.2.2 Is unlikely to materially affect the efficient operation of the fast-track approvals process

As noted above, WRC have accepted the NWML application for private plan change and resource consent and agreed it is ready for notification, in that regard all required expert assessments are available and included with this referral application.

NWML have undertaken to continue engagement with coastal hapu on their offer of 20% of any consented space prior to lodging a substantive application well as continue engagement with the Mandated Iwi Organisations Waikato Tainui and Te Nehenehenui. Ngāti Tahinga have undertaken to facilitate a Cultural Impact Assessment.

NWML have also undertaken to liaise with the WRC, DOC and FNZ on draft consent conditions prior to lodging a substantive application.

Depending on the timing of parties to be engaged with NWML expect to be ready to lodge a substantive application within three months of referral.

NWML will be ready to commence the development within three months of the application being granted consent and spat will be ready to transfer to production farms within nine months from installation. The project is shovel ready and has all necessary investment in place.

This project meets all requirements to ensure efficient operation of the fast-track approvals process.

2.6.2.3 Has the project been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list?

For example – a sector plan that specifically identifies the project including details such as location.

Yes

a. Identify the plan, strategy or list (or any other relevant document). The New Zealand Aquaculture Strategy sets a vision for the sector to be ‘recognised within New Zealand and around the world as producing healthy, high quality, environmentally sustainable aquaculture products.’ The industry is already recognised as a global leader but requires a step-change in its existing activities to realise its full potential. Access to reliable sources of spat and being able to adapt and farm in ways that achieve the greatest possible survival of spat is fundamental to sustaining and growing the Waikato industry. This is relevant to improve the productivity of existing farmed space, enable farming of consented undeveloped space and provide for future growth/new space.

The industry developed its Spat Strategy as a key step in achieving its goals intended to underpin and guide research, innovation and production for the next decade. Its key pillars are securing and diversifying spat supplies and optimising spat use. The NWML spat nursery delivers both of these key components.

The Government’s New Zealand Aquaculture Development Plan recognises the developing aquaculture sector as ‘one of New Zealand’s biggest opportunities’ and that ‘as well as contributing to our export-led recovery, a diverse and strong aquaculture sector will provide resilience for rural communities’. It outlines actions to enable the industry to reach the goal of \$3 billion in annual revenue by 2035. However, it also recognises that the supply of mussel spat is a key constraint to growth.

Aligned with the industry strategy the Government also has an ‘Agreed Plan for Securing Mussel Spat Supply’. This includes a set of actions towards establishing sea-based nurseries. NWML have already undertaken most of these actions, it only remains for Government to provide the regulatory pathway.

The Waikato Regional Aquaculture Strategy Growing together – Whakatupu ngātahi promotes a growth pathway for aquaculture to become a more productive industry that continues to support regional and local prosperity. The NWML is a direct response to the goal for ‘the industry’s spat requirements for current production and growth will be met by locally sourced spat supplies and nursery/hatchery infrastructure, that is resilient

to changes in the environment’.

Further detail is set out in 2.6.2.3 of the Application Document.

2.6.2.4 Will the project deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure?

Yes

a. Explain how the project will deliver this.

Yes.

The project will deliver new regionally and nationally significant infrastructure and directly enable the continued functioning and growth of existing aquaculture infrastructure in New Zealand as follows:

Regional Significance

- The project will establish a new 700-hectare mussel spat and seed nursery off the Waikato west coast, which is unprecedented in scale and productivity for the region.
- Waikato produces about 30% of New Zealand’s total Greenshell mussel output, and the region currently faces a critical shortage of resilient spat and seed supply, threatening the viability of existing farms.
- The nursery will provide spat for over 35,500 tonnes of mussel production, directly supporting the Waikato region's aquaculture industry and local economies.

National Significance

- The project is aligned with the Government’s Aquaculture Strategy, which identifies spat supply as a national priority for the industry to reach its \$3 billion export target by 2035.
- The nursery will supply spat not only to the Waikato region but also to other key mussel farming areas such as the Hauraki Gulf farms in Auckland as well as those in the Bay of Plenty and potentially the Top of the South, enabling the development of currently consented but underutilised farm space nationwide.
- The Government and sector strategies explicitly recognize the need for new spat nurseries as a pillar for enabling the industry’s contribution to New Zealand’s export-led economic recovery.

Enabling Continued Functioning of Existing Infrastructure

- Significant areas of consented mussel farming space are currently vacant due to spat supply shortages; this project will directly address that bottleneck, enabling these farms to reach their productive potential.
- The nursery will increase the resilience and survival rates of mussel spat, making the entire supply chain more robust and ensuring the ongoing productivity of existing mussel farms.

Without new nursery infrastructure, the industry faces ongoing risks from

climate change, marine heatwaves, and declining spat survival—challenges that the NWML project is specifically designed to mitigate.

2.6.2.5 Will the project increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020). If yes, explain how the project will achieve this.

2.6.2.6 Will the project deliver significant economic benefits, and if so, how?

Section 2.6.2.6 of the Application Document sets out the economic including social benefits of the proposal. In summary the project is expected to provide spat for 35,500 tonnes of production mussels which will contribute \$81.5 million in GDP to the Waikato region and 320 jobs. This is sufficient resilient seed to enable the New Zealand Greenshell mussel industry to meet its goal of providing up to a third of the \$3 billion goal that the New Zealand Government set for the aquaculture industry by 2035. The spat nursery itself will employ 28 additional people in the Whāingaroa/Raglan community. Further GDP will be created from the infrastructure investment of at least \$14 million. The anticipated export revenue of the mussels produced is \$185 million.

2.6.2.7 Will the project support primary industries, including aquaculture, and if so, how?

The project is critical for the viability of mussel farming in the North Island, and nationally significant for New Zealand's Greenshell mussel industry.

The Hauraki Gulf environment is changing. We are experiencing longer La Lina ENSO cycles, increasing sea surface temperatures, marine heat waves, increasing fish predation and more impacts from terrestrial activities. Mussel spat and seed production and supply into the Hauraki Gulf has been in decline due to diminishing spat quality, changing environmental conditions including increasing temperatures and pollutants in the marine environment, and fish predation. It is estimated that snapper predation is costing the Coromandel industry \$5-10 million per year.

The result of this decline in production is hundreds of jobs lost due to factories closing, farmers leaving the industry, no further investment, community financial hardship, and a return to a cottage industry. Regardless of where spat is sourced from, industry needs more quality nursery space to raise that spat to a size where it is resilient

enough to be reseeded for growout. That means it needs to be able to withstand fish predation and warmer sea temperatures.

The proposed area in the Tasman Sea presents ideal an ideal catching and growing environment to nurse mussel seed to a size and level of resilience to substantially increase survival rates once it is transferred to grow out farms.

The development of the mussel industry in line with national and regional strategies offers iwi a unique opportunity to participate in and benefit from a thriving, sustainable, and resilient aquaculture sector. Through economic participation, job creation, cultural empowerment, and environmental stewardship, iwi are positioned as key partners and beneficiaries of New Zealand's aquaculture future. The nursery's development complements other critical marine infrastructure investments, such as wharves and processing facilities, further strengthening the primary sector value chain.

2.6.2.8 Will the project support development of natural resources, including minerals and petroleum, and if so, how?

2.6.2.9 Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?

Farming seafood is one of the most environmentally efficient ways of producing animal protein. A recent study by thinkstep-anz found that New Zealand farmed mussels and oysters have among the lowest carbon footprints of all animal proteins and are similar in impact to plant-based proteins like tofu. This research confirms that New Zealand's aquaculture industry is well paced to be part of our future sustainable, lower emissions economy. Greenshell mussels are a sustainable, nutritious and low carbon protein food .

2.6.2.10 Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards, and if so, how?

Aquaculture, like all coastal activities and all farming activities, is particularly susceptible to the effects of climate change and there is recognition that 'adapting to the predicted changes in the short-term while taking mitigation measures in the long-term could be the only way toward sustaining the sector's production '.

Over the last few years, the consequence of climate change has been the observed marine heat waves, increasing the sea temperatures. Corresponding during the summer months there is increasing spat

and crop mortality. In the 2022 summer these east coast farms experienced an unprecedented 95% spat mortality. The industry cannot tenably continue under these conditions without the ability to adapt.

This proposal is an important climate adaptation opportunity for NWML, and for the broader mussel farming industry in the Waikato region and Bay of Plenty regions, and will enable the industry to continue to provide positive economic, social, cultural and ecosystem contributions. Further detail is set out in 2.6.2.10 of the Application Document.

2.6.2.11 Will the project address significant environmental issues, and if so, how?

The recent declines in spat availability and retention are considered to be a result of changing environmental conditions including increasing temperatures and pollutants. A recent study in the Marlborough Sounds found 'a cocktail of biotoxins and organic contaminants, including herbicides and elevated levels of heavy metals'. Multiple recent scientific reports and monitoring initiatives confirm that water quality in the Hauraki Gulf is declining as a result of pollutants entering from surrounding land and urban areas. These studies consistently highlight several types of pollutants and their sources, along with clear evidence of worsening ecological health .

The NWML proposal allows vulnerable spat the opportunity to grow in size and resilience before being transferred onto farms in these more challenging environments.

2.6.2.12 Is the project consistent with local or regional planning documents, including spatial strategies, and if so, how?

Mitchell Daysh provided a Proposed Plan Change and Section 32 Evaluation Report as part of the application to WRC. This included analysis of the proposed plan change against the Waikato Regional Policy Statement (RPS), the Waikato Regional Coastal Plan (WRCP), and the Proposed Waikato Regional Coastal Plan (PWRCP).

This analysis is summarised here and provided in Schedule E.

- The RPS became operative in May 2016 and, as such, is considered to give effect to the overarching direction provided by the NZCPS with respect to the sustainable management of the coastal environment.
- The objectives and policies in the RPS cover a broad range of topics that are potentially relevant to the activities proposed in the Raglan Mussel Spat Catching and Holding Zone, noting that a number

of the policies and methods target actions by the WRC and local authorities in the Waikato Region.

- It is considered that the proposed plan change does not impact upon the ability to achieve the management expectations for natural and physical resources in the coastal environment under the RPS. The approach adopted currently in the WRCP in terms of providing for specific aquaculture activities in specific zones, subject to limits and staged development expectations, is respected in this application.
- The WRCP was made operative in 2005. It pre-dates the NZCPS and RPS – such that a number of its provisions may not fully reflect the more recent, over-arching policy directives regarding the sustainable management of the coastal environment.
- Overall, it is considered that the proposed plan change is consistent with the objective and policy direction in section 6.1 of the WCRP relating to marine farming.
- It is considered that the proposed plan change can give effect to the management outcomes expected via the WRCP.

WRC notified a Proposed Waikato Regional Coastal Plan (PWRCP) in August 2023 and decisions were notified in October 2025. The PWRCP seeks to:

- Acknowledge the benefits of aquaculture, which this proposal will align with given that it will provide much needed resilient spat to enable current productivity to stabilise and the industry's growth potential to be realised.
- Avoid commercial aquaculture in identified areas that reflect the likes of Policies 11, 13 and 16 of the NZCPS. The proposal is not located within one of these identified areas.
- Require aquaculture activities to avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on a range of values, including navigational safety / recreational use and marine mammals, seabirds and shorebirds. These matters have all been considered in the context of the NZCPS and RPS, and overall, it is not considered that any significant adverse effects will result from the proposal.
- Consider the suitability of the location for the proposed type of aquaculture and species to be farmed, including consideration of the cumulative effects of other aquaculture in the area. This matter has been considered in the assessment of effects and overall, it is considered that the proposed extension site is a suitable location, and appropriate consideration has been given to cumulative effects.
- Adopts a similar approach to the NZCPS with respect to the utilisation of the precautionary approach. As such, the analysis of the

proposal against the NZCPS apply equally to these provisions.

- Ensure public recreational use is provided for within aquaculture management areas or marine farms. The proposal does not preclude public recreational use amongst the marine farm lines, as is the norm for marine farms in the Waikato Region.

Schedule E includes an assessment of the activity against the provisions of the PWRCP.

Overall, it is considered the proposal will be consistent with the relevant policy outcomes currently sought by the proposed PWRCP.

Section 3: Project details

Remember: at this stage only a general level of detail is required, enough to inform eligibility to use the fast-track approvals process.

For construction activities, please state the anticipated commencement and completion dates.

This application is not for a construction activity

3.1 Approvals required

Applications must specify all of the proposed approvals sought but only need to provide a general level of detail about each proposed approval, sufficient to inform the Minister's decision on the referral application.

For each proposed approval an applicant must be eligible to apply for any corresponding approval under a specified Act. For example, if an approval is for a notice of requirement under the RMA, the applicant for that approval would need to be a requiring authority.

Applications for approvals under a specified Act, as required by in [section 13\(4\)\(y\)](#), are covered below in 3.8 Specific proposed approvals.

3.1.1 Outline the approvals sought under the Resource Management Act 1991.

NWML are seeking a coastal permit (section 12 of the Resource Management Act 1991) (RMA) to establish and operate, using conventional longline methods, a new 700 hectare mussel spat nursery farm at four sites in the coastal marine area of the Waikato west coast for the purpose of spat catching and seed holding and transfer of Greenshell mussel (*Perna canaliculus*).

NWML are also seeking an Aquaculture Decision under section 80 and Schedule 5 section 20 of the Fast-track Approvals Act.

3.1.2 Outline the approvals sought under the Conservation Act 1987

- 3.1.3** Outline the approvals sought under the Reserves Act 1977
- 3.1.4** Outline the approvals sought under the Wildlife Act 1953
- 3.1.5** Outline the approvals sought under the National Parks Act 1980
- 3.1.6** Outline the approvals sought under the Heritage New Zealand Pouhere Taonga Act 2014
- 3.1.7** Outline the approvals sought under the Freshwater Fisheries Regulations 1983
- 3.1.8** Outline the approvals sought under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
- 3.1.9** Outline the approvals sought under the Crown Minerals Act 1991
- 3.1.10** Outline the approvals sought under the Public Works Act 1981
- 3.1.11** *Only applicable if more than one applicant:* Provide a statement of which approvals are proposed to be held by which applicant.
- 3.1.12** Where there are any particular eligibility requirements to apply for an above approval; identify what they are, who the relevant applicant is, and confirm that the relevant applicant meets those requirements (including providing any necessary supporting information or documentation to evidence this).
- The proposal meets all the eligibility requirements to apply for a coastal permit under the RMA, as follows:
The applicant is a registered company.
The proposed activity is aquaculture.

A comprehensive assessment of environmental effects has been undertaken which meets the s92 requirements as assessed by WRC.

Consultation has been undertaken with all MACAA applicants, relevant iwi/hapū and administering agencies. Iwi consultation has been ongoing since 2017 and most recently NWML offered to gift 20% of the consented space to a coastal iwi/hapū entity. Further detail is outlined in Schedule B.

The application has been assessed against and is in alignment with the Waikato Regional Policy Statement, the Waikato Regional Coastal Plan, the Proposed Waikato Regional Coastal Plan and the New Zealand Coastal Policy Statement. The National Environmental Standard for Marine Aquaculture does not apply to new farms.

Further detail is provided under 3.1.12 of the Application Document.

3.1.13 Are there any other types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) and you consider are needed to authorise the project (including any that may be needed by someone other than you as the applicant(s)). Provide details on whether these have been obtained.

No

3.2 Project stages

3.2.1 If the project is planned to proceed in stages, provide: No

1. A statement of whether the project is planned to proceed in stages, including:
 - a. an outline of the nature, scale and timing of the stages; and
 - b. a statement of whether you intend to lodge a separate substantive application for each of the stages.
 - i. If a substantive application is intended to be lodged for each stage, address the questions under the section (Appropriateness for fast-track approvals process) for each stage of the project

3.3 Alternative project

3.3.1 If the project is proposed as an alternative project, provide: No

1. A statement of whether a part of the project is proposed as an alternative project in itself; and
 - a. Describe that part of the project; and
 - b. Explain how that part of the project proposed as an alternative project meets the referral assessment criteria in [section 22](#) of the Act.

3.4 Adverse effects

3.4.1 Describe any anticipated and known adverse effects of the project on the environment.

The previous private plan change and resource consent application included a full assessment of the effects of the proposal which is supported by a range of independent expert assessments and peer reviews. These are provided in Schedule C and summarised in the Application Document under 3.4.1.

The likelihood of effects from mussel spat/nursery activities at the proposed locations has been assessed as either appropriate, no more than minor or trivial. The opportunity for social, economic and ecosystem benefits from this proposal to the local community, the Waikato region and New Zealand would be lost if the sites could not be established. It is of national importance to sustain aquaculture by ensuring diversity and resilience of the Greenshell mussel spat supply.

3.4.2 Provide a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991, and identify the relevant prohibited activity provision.

New spat nurseries are prohibited activities in the entire Waikato region under the rule 16.5.6 of the operative Waikato Regional Coastal Plan. The Proposed Waikato Regional Coastal Plan would make the application a discretionary activity under AQA-R7 however this is still subject to potential Environment Court appeals.

3.5 Persons affected

3.5.1 Provide a list of the persons, groups and/or entities who you consider are likely to be affected by the project.

The list should include, as relevant, local authorities, relevant Māori groups (as set out at [section 13\(4\)\(j\)\(ii\)-\(vii\) of the Fast-track Approvals Act 2024](#)), persons with a registered interest in land that may need to be acquired under the Public Works Act 198; and if the project includes a land exchange, the holder of an interest in the land that is to be exchanged by the Crown (see [Consultation requirements for referral application](#)).

The application is for an area of the coastal marine area which is under the jurisdiction of the Waikato Regional Council (WRC).

The private plan change and resource consent application has been accepted by Council as per its meeting on 23 July 2025. WRC have placed the application on hold at the request of NWML while this referral application is being made.

The private plan change and concurrent resource consent application has been accepted by the WRC Director Science, Policy and Information and is due to be approved for notification at the Council meeting on 23 July .

Waikato – Tainui is an iwi whose area of interest includes the proposed project area. There is a proposed area of interest included in the Waikato-Tainui remaining claims mandate and the proposed project sites are within this area. Note this area of interest may be refined and confirmed throughout the course of Treaty settlement negotiations.

The proposed sites cover the rohe moana of the following hapū:

- Ngāti Tāhinga (Pukerewa, Weraroa, Te Akau and Poihakena Marae)
- Ngāti Mahanga Hourua o Tainui (Te Papa o Rotu Marae)
- Ngāti Tamainupō (Waingaro Marae)
- Ngā Toko Toru
- Tainui-Tahinga

The rohe moana of Ngāti Whakamarurangi is south of the application sites.

Te Nehenehenui is the newly formed Post-Settlement Governance Entity on behalf of Maniapoto.

The Maniapoto area of interest is south of the application sites.

The Ngā Hapū o Te Uru o Tainui Customary Fisheries Forum was established in 1999 and has responsibility for managing customary non-commercial fishing in the proposed area.

The project area is not settlement land under the Waikato Raupatu Claims Settlement Act

There are no Mātaitai or Taiāpure in the proposed area.

The project area is in the common marine and coastal area. Within this area there are no customary marine title or projected customary rights holders under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACAA) recorded on the register. These are set out under 3.5.3.3 in the Application Document.

The Whāingaroa Moana Collective application is being heard by the Hamilton High Court commencing 20 June 2026 (CIV 2017-419-083). On 20 December 2023, Churchman J allocated a three week hearing to determine MACA applications in this area, which includes all of the Whāingaroa moana, including Raglan Harbour (Whāingaroa) and the territorial seas.

Takutai Moana applicant groups have certain rights in relation to consenting processes under the Resource Management Act 1991 (RMA), including the right to be consulted on resource consent applications in their takutai moana application area.

The project is not in an aquaculture settlement area under s12 of the Māori Commercial Aquaculture Claims Settlement Act.

For the purposes of this application the relevant administering agencies are the Ministry for the Environment (for the coastal permit under the RMA) and Fisheries New Zealand (FNZ) (for undertaking the Undue Adverse Effects Test (UAE) on commercial, recreational and customary

fishing).

Other relevant agencies are as follows:

The Minister for Oceans and Fisheries oversees Fisheries New Zealand (FNZ) which is a business unit of the Ministry for Primary Industries (MPI). FNZ leads the New Zealand Aquaculture Development Plan to 'partner with industry, Māori, councils, communities, and other government agencies to enable sustainable growth'.

NWML have also undertaken discussions with FNZ and the Department of Conservation (DOC) in relation to their role in the Māui Dolphin Threat Management Plan to manage the dolphin population.

The Ministry for Primary Industries through Biosecurity New Zealand (BNZ) administers biosecurity requirements.

Maritime New Zealand (the Director) has the authority to approve aids to navigation under section 200(7) of the Maritime Transport Act 1994 unless that authority has been delegated to the harbourmaster.

3.5.2 Provide a summary of any consultation undertaken with the above persons and/or groups who you consider are likely to be affected by the project, and any other groups required to be consulted with under [section 11](#) of the Act, **and** how the consultation has informed the project.

A summary of consultation including how the consultation has informed the project is provided in the Application Document under 3.5.2 and full detail is provided in Schedule B.

NWML's consultation process has been comprehensive, ongoing, and open to further engagement, with a focus on partnership, transparency, and addressing concerns from all relevant parties. Feedback from iwi, hapū, agencies, and industry has resulted in a responsive, staged, and collaborative project, with enhanced environmental safeguards, greater cultural recognition, and a focus on regional economic resilience.

3.5.3 List any Treaty settlements that apply to the project area and provide a summary of the relevant principles and provisions in those settlements.

The project area is not settlement land under the Waikato Raupatu Claims Settlement Act 1995. Negotiations regarding the remainder of the claims by Waikato-Tainui commenced in 2020 are ongoing. Claims in relation to Tamaki (Manukau Harbour, Maoro & East Wairoa land blocks), and the West Coast Harbours (Whaingaroa, Aotea and Kawhia) which were specifically excluded from the Raupatu and River settlement to be addressed separately have come to be known as 'remaining claims'. These are historical Treaty claims that sit within the Waikato rohe and have been included in the Waikato-Tainui Remaining Claims Mandate Strategy alongside the Wai 30 outstanding claims. Given the stage of these negotiations, it is unclear what the impact of listing the project would be on the proposed redress for this Treaty settlement.

3.5.4 If relevant, detail any principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 that would be invoked by the project and identify which aspects of the application trigger or otherwise invoke these requirements.

N/A

3.5.5 Will the project be located on land returned under a Treaty settlement?

No

3.5.6 Provide evidence of written agreement by the owners of the land returned.

3.5.7 Describe any processes already undertaken under the Public Works Act 1981 in relation to the project:

N/A

3.5.8 Provide information identifying any parcels of Māori land, marae, or identified wāhi tapu within the project area:

The application is within the coastal marine area so does not encompass Māori land or marae. NWML has not been made aware of any wāhi tapu within the application area.

3.6 Legal interests

3.6.1 Provide a description of any legal interests you or any others applying, have in the land on which the project will occur, including a statement of how that affects your ability to undertake the work.

N/A

3.7 Other matters

3.7.1 Have any activities included in the project, or any that are substantially the same as those involved in the project, previously been the subject of an application or a decision under a specified Act?

Please note the term 'application' includes a notice of requirement and any other means by which a decision may be sought under a specified Act.

Yes

3.7.2 If an application has been made, provide details of the application.

NWML applied to the Waikato Regional Council on 24 May 2023 for a plan change to the WRCP which seeks to introduce:

- A new zone (Raglan Mussel Spat Catching and Holding Zone) specifically

to enable mussel spat catching and mussel spat holding activities over an area of approximately 700 ha off the west coast of the Waikato Region, near Raglan - mapped and scheduled as an addition to Appendix 3 of the WRCP;

- A new policy in Chapter 6 of the WRCP;
- A new rule in Chapter 16 of the WRCP to provide for mussel spat catching and mussel spat holding activities in the new zone as a discretionary activity; and
- Consequential changes to Rules 16.5.1, 16.5.5B, 16.5.5.C and 16.5.6 of the WRCP.

An evaluation in accordance with section 32 of the RMA has been undertaken and concludes that the proposal will more effectively and efficiently achieve the objectives of the WRCP.

Pursuant to section 165ZO of the RMA, NWML also made a concurrent application on 24 May 2023 for a coastal permit for mussel spat catching and mussel spat holding activities in the Raglan Mussel Spat Catching and Holding Zone under the proposed WRCP plan change provisions.

WRC confirmed in December 2024 that all s92 information requirements and the private plan change has been accepted under delegation by the Director Science, Policy and Information. Council agreed at its July 2025 meeting to notify the plan. NWML has subsequently requested that the application be placed on hold while this referral application is made.

NWML will withdraw this application at an appropriate stage if it proceeds past referral under the Fast-track Approvals Act.

3.7.3 If a decision has been made, also provide the outcome of the decision and the reasons for it.

The application is currently on hold and will be withdrawn at an appropriate stage if it proceeds past referral.

3.7.4 Provide a description of whether and how the project would be affected by climate change and natural hazards:

All ocean based activities have the potential to be affected by climate change and natural hazards however this project is inherently aimed at mitigating against the effects of climate change by providing cooler more productive growing water space for the vulnerable life stage of Greenshell mussels so the industry can increase its productivity and resilience in the face of the changing environment.

Provide the additional details requested below as relevant to your application.

3.8 Specific proposed approvals

3.8.1 Approvals under the Resource Management Act 1991

3.8.1.1 *Resource consents*

If your application is seeking a consent for an activity that would otherwise be applied for under the Resource Management Act 1991, including an activity that is prohibited under the Act, provide the information below:

- An assessment of the project against any relevant national policy statement, any relevant national environmental standards and, if relevant, the New Zealand Coastal Policy Statement.

The New Zealand Coastal Policy Statement (NZCPS) includes directive policies regarding activities within the coastal marine environment. This includes both the land-side area of any new wharf as well as effects within the coastal marine area (CMA) itself.

In a broad sense this means that:

- Activities cannot have a significant adverse effect on natural character (Policy 13b), landscape/features (Policy 15b) or indigenous biodiversity (Policy 11b).
- Activities cannot have an adverse effect on outstanding natural character (Policy 13a), landscapes/ features (Policy 15a) or significant indigenous biodiversity (Policy 11a).

Policy 8 provides for the recognition of the significant existing and potential contribution of aquaculture to the social, economic and cultural wellbeing of people and communities. Regional councils are directed to provide for aquaculture activities in appropriate places. NWML does not consider that the WRCP currently achieves this, so the plan change application sought to amend the WRCP accordingly.

Activities must also take into account the principles of the Treaty of Waitangi and kaitiakitanga, provide for public access to the coast and management risks from coastal hazards.

Mitchell Daysh provided a Proposed Plan Change and Section 32 Evaluation Report as part of the application to WRC. This included analysis of the proposed plan change against the NZCPS which is included as Schedule E and summarised here:

- ‘Overall, it is considered that the NZCPS seeks to provide for aquaculture activities in the coastal environment in recognition of the social and economic wellbeing that such activities provide. However, provision for aquaculture activities is to occur within the context of appropriate places

and within appropriate limits, and where the effects of any specific proposal are managed in accordance with the various policy directives sets out in the various policies of the NZCPS.

The Raglan Mussel Spat Catching and Holding Zone is considered to be a location that is appropriate for aquaculture activities (particularly given its reliability of spat supply) and the proposed rule framework sought as part of this plan change provides for effective management of any adverse effects. In light of the above, and subject to the outcomes of further engagement with iwi, it is considered that the proposed plan change gives effects to the NZCPS'.

The National Environmental Standard for Marine Aquaculture only applies to existing aquaculture so is not relevant.

- Information on whether, to the best of your knowledge, there are any existing resource consents relevant to the project site to which RMA [section 124C\(1\)\(c\)](#) (existing consent would need to expire to enable the approval to be exercised) or RMA [section 165ZI](#) (space already occupied by the holder of an aquaculture permit) would apply if the approval were to be applied for as a resource consent under that Act

There are no existing resource consents relevant to the project site to which RMA section 124C(1)(c) (existing consent would need to expire to enable the approval to be exercised) or RMA section 165ZI (space already occupied by the holder of an aquaculture permit) would apply if the approval were to be applied for as a resource consent under that Act.

Gulf Mussel Farms Limited (GMF) hold consent (AUTH139018.01.01) to undertake spat catching research utilising 6 longline structures and 20 floating structures within the west coast, Waikato region (Tasman Sea) which expires on 31 July 2043. The nature of this consent means that it would not need to expire in order for the application consent to be exercised and it is not confined to the application space.

3.8.1.2 *Resource consents where the project includes standard freshwater fisheries activities*

If your application is seeking a resource consent and your project includes a [standard freshwater fisheries activity](#), provide the information requested below:

- If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.
N/A

- Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

N/A

3.8.1.3 *Designations*

If your application is seeking a designation or an alteration to an existing designation for which a notice of requirement would otherwise be lodged under the Resource Management Act 1991, provide the information below:

- An assessment of the project against any relevant national policy statement, any relevant national environmental standards, or, if relevant, the New Zealand Coastal Policy Statement.

N/A

3.8.1.4 *Designations where the project includes a standard freshwater fisheries activity*

If your application is seeking a designation or an alteration to an existing designation and your project includes a [standard freshwater fisheries activity](#), provide the information requested below:

- If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.

N/A

- Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

N/A

3.8.1.5 *Change or cancelation of conditions*

If your application is seeking a change of cancellation of resource consent condition that would otherwise be applied for under the Resource Management Act 1991, provide:

- Information about whether the change or cancellation of the condition is material to the implementation or delivery of the project.

N/A

3.8.1.6 *Certificates of compliance*

If your application is seeking a certificate of compliance that would otherwise be applied for under the Resource Management Act 1991, provide:

information that demonstrates the activity that the certificate of compliance is intended to cover can be done lawfully in the location without a resource consent.

N/A

3.8.2 Approvals relating to [Conservation Act 1987](#), [Reserves Act 1977](#), [Wildlife Act 1953](#), and [National Parks Act 1980](#)

3.8.2.1 *Concessions*

For applications seeking a [concession](#) that include a lease, answer the following:

- Will the lease be for a term (including any renewals that will, or is likely to, be more than 50 years?
No
- Will the granting of the lease trigger a right of first refusal or a right of offer or return?

- If you answered yes to both a. and b. above, provide evidence that the applicant has written agreement from the holder(s) of the right of first refusal or [right of offer or return](#) to waive that right for the purposes of the proposed lease.

N/A

3.8.2.2 *Land exchanges*

For applications seeking an approval for a land exchange involving conservation land, provide the details below:

No

- A description of both land areas proposed for exchange (for example, maps showing areas and location, addresses and legal descriptions where possible)
- The financial value of the land proposed to be acquired by the Crown
- A brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate.
- If the land exchange would trigger a right of first refusal or a right of offer or return, provide evidence that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purpose of the land exchange

- Provide sufficient detail in respect of both land areas to confirm that no part of any land to be exchanged by the Crown is land listed in [Schedule 4](#) or a reserve declared to be a national reserve under [section 13](#) of the Reserves Act 1977.

3.8.3 Approvals relating to complex Freshwater Fisheries activities

If your application is seeking an approval or dispensation that would otherwise be applied for under regulation [42](#) or [43](#) of the Freshwater Fisheries Regulations 1983 in respect of a [complex freshwater fisheries activity](#) provide the information requested below:

- Whether an in-stream structure is proposed (including formal notification of any dam or diversion structure), and a description of the extent to which this may impede fish passage.
- Whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

3.8.4 Approvals relating to [Exclusive Economic Zone and Continental Shelf \(Environmental Effects\) Act 2012](#)

If your application is seeking a marine consent that would otherwise be applied for under the Exclusive Economic Zone and Continental Shelf Act 2012, provide the information requested below:

- Any information relating to whether the Minister for Conservation is an affected person.
- If the applicant or the proposed holder of the marine consent has already applied for a consent under the EEZ Act in relation to the project, provide:
 - Details of any application made;
 - An explanation of any decisions made on that application; and
 - Any information that Minister may consider under [section 22\(6\)](#) (comparison of activity against current or likely use of the area).
- Additional information (in a summary form) about compliance or enforcement action taken against the applicant or the person who is identified in the application as the proposed holder of the marine consent by the EPA under the EEZ Act.

3.8.5 [Approvals relating to Crown Minerals Act 1991](#)

3.8.5.1 *Access arrangements*

For an approval for an access arrangement that would otherwise be applied for under section 61 or 61B of the Crown Minerals Act 1991, provide:

- Information that confirms the applicant or the person identified in the application as the proposed holder of the access arrangement complies with [section 59](#)(1) and (2) of the Crown Minerals Act 1991 (which applies as if a reference to an access arrangement under that Act were a reference to an access arrangement under this Act) including;
 - Evidence that the applicant or person has provided each owner and occupier of the relevant land a notice in writing of their intention to obtain an access arrangement; and
 - Evidence that the notice complies with the requirements in [section 59](#)(2) of the Crown Minerals Act, and any matters required by regulations. =

3.8.5.2 *Mining permits*

For an approval for a mining permit that would otherwise be applied for under [section 23A](#) of the Crown Minerals Act 1991, provide the information requested below:

- A copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown-owned mineral.
- The name and contact details of the proposed permit participants and the proposed permit operator.
- A proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both.
- Evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme.
- Information about the proposed permit holder's history of compliance with mining or similar permits and their conditions.
- The proposed date on which the substantive application is intended to be lodged (if your referral application is accepted) in accordance with [section 42](#)(11).
- If the authorised person proposes to provide information under [section 37](#) (to the relevant chief executive), the date on which the person intends to provide that information.

- The proposed duration of the permit.

3.8.5.3 *Mining permits for petroleum*

If the proposed approvals include a mining permit for petroleum, provide:

- A map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates.
- The resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System.
- A high-level overview of the following:
 - the proposed field development plan;
 - the proposed date for the commencement of petroleum production;
 - the economic model for the project;
 - the proposed duration of the proposed mining permit and;
 - decommissioning plans.

3.8.5.4 *Mining permits for minerals other than petroleum*

If the proposed approvals include a mining permit for minerals other than petroleum, provide:

- A map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates.
- For minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted
- Information on whether the application will be for a [Tier 1 or Tier 2 permit](#).
- An estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as

information on sample locations, grade, and geology). For a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.

- An indicative mine plan.
- A high-level overview of the following:
 - the proposed mining method;
 - the proposed date for the commencement of mining and estimated annual production;
 - the economic model for the project;
 - the status of or anticipated timing for completing any pre-feasibility or feasibility studies;
 - the proposed methods for processing mined material and handling and treating waste and;
 - anticipated plans for mine closure and rehabilitation.

Section 4: Authorisation

To the best of my knowledge, the information contained in this application is true and correct.

I confirm that I am authorised to make this application - Yes

I have provided a copy of the application with all contact details redacted - Yes

I understand that all actual and reasonable costs incurred in relation to this application by MfE, EPA and other central and local government agencies will be recovered from me in accordance with [section 104](#) of the Act, and the [Fast-track Approvals Cost Recovery Regulations 2025](#) - Yes

Signature: *Rebecca Clarkson*

Date: 11/26/2025

Name: Rebecca Clarkson

Section 5: Attachments

List any documents submitted with the application.

- Remember: include a copy of your application with all contact details redacted.

Attachment number	Document name	Author	Document version

Referral application checklist

Use this checklist to confirm you have completed all sections of the referral application form.

Section 1: Applicant details	Yes
1.2 & 1.3 Agent's evidence of authority to represent the applicant(s) - if applicable	Yes
1.4 Compliance and enforcement history	Yes
Section 2: Referral application summary	Yes
2.1 Project name	Yes
2.2 Project description and location	Yes
2.3 Ineligible activity	Yes
2.4 Exemptions from requirement to provide agreement	Yes
2.5 Ministerial determinations under sections 23 and 24	Yes
2.6 Appropriateness for fast-track approvals process	Yes
Section 3: Project details	Yes
3.1 Approvals required	Yes
3.2 Project stages	Yes

3.3 Alternative project	Yes
3.4 Adverse effects	Yes
3.5 Persons affected	Yes
3.6 Legal interest	Yes
3.7 Other matters	Yes
3.8 Specific proposed approvals	Yes
Section 4: Authorisation	Yes
Section 5: Attachments	Yes