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Waikato West Coast Mussel Spat Nursery Critical Industry Infrastructure

Application for Fast-track Referral

North Western Mussels Limited

November 2025

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Executive Summary

This application is being made by Northwestern Mussels Limited (NWML) for a groundbreaking Greenshell mussel spat and seed nursery off the coast of Whāingaroa/Raglan. The application comprises 700 hectares across four sites and is underpinned by ten years of research and a comprehensive suite of independent expert assessments.



Figure 1 Proposed NWML mussel nursery sites

The project is critical for the viability of mussel farming in the North Island, and nationally significant for New Zealand's Greenshell mussel industry. Industry productivity has been declining in recent years despite new consented space because of the increasing challenges sourcing and retaining spat and seed (baby and juvenile mussels). The results of this decline in production are hundreds of jobs lost due to factories closing, including the North Island Mussels Limited Tauranga factory in June 2024, farmers leaving the industry, no further investment, community financial hardship and a return to a cottage industry. The industry needs a step-change solution in the immediate term if it is to survive and thrive. Further detail regarding the challenges with mussel spat and the need for this nursery is included in **Schedule F**.

The mussel spat catching and nursery activity proposed in this application has the potential to provide resilient seed mussels for between 35,500 and 60,000 tonnes of harvested product, to develop the currently consented farming space in the Hauraki Gulf, supply juveniles to the Bay of Plenty region and potentially the Top of the South, and support the Waikato Regional Aquaculture Strategy's goal of doubling aquaculture value by 2044¹.

Through Gulf Mussel Farms Limited (GMF), NWML have been carrying out research in the west coast Waikato environment for more than ten years, and the proposed locations are unprecedented for the ability to catch and

¹ <https://www.waikatoregion.govt.nz/services/regional-growth-and-development/aquaculture-strategy/>

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.

The key production and economic benefits are as follows:

Category	Value
Metres of spat at full production	Conservatively 1.69 million metres per year and up to 3.4 million metres per year
Resulting mussel production	Conservatively 35,500 tonnes per year and up to 60,000 tonnes per year
GDP contribution (Waikato region)	Conservatively \$81.5 million at 2017 values based on NZIER economic report ²
Jobs created (direct)	28
Jobs supported (total, including supply chain)	Conservatively 320 based on NZIER economic report
Infrastructure investment	\$14.4 million in staged capital investment in offshore lines. Additional investment in a new vessel and supporting infrastructure.
Annual nursery revenue	Conservatively \$4.3 million at full production
Resulting export volume of mussels produced	Conservatively 10,655 at full production
Export revenue	Conservatively \$185 million at 2024 values ³

The application is consistent with the purpose of the Fast Track Approvals Act (the Act) as it will provide nationally significant spat/seed nursery infrastructure to ensure that the mussel industry can meet its doubling export value potential:

- The Government's New Zealand Aquaculture Development Plan recognises that '*aquaculture is a key industry for the prosperity of the nation*⁴' but that '*investment into hatcheries and nurseries is needed so there is enough spat to fully utilise existing space*⁵'.
- The industry and Government growth goal is that aquaculture is a \$3 billion industry by 2035⁶ and that mussel farming contributes up to a third of that value. To enable this the industry, through its Spat Strategy⁷, 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*⁸'.
- The Waikato Regional Aquaculture Strategy⁹ sets a vision for a world-class, sustainable, and innovative aquaculture industry and seeks that '*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*' and that '*consented but undeveloped farm space will have been developed*'.

² Pambudi, D. and Clough, P. (2017). *The economic contribution of marine farming in the Thames-Coromandel District: A Computable General Equilibrium (CGE) analysis*. New Zealand Institute of Economic Research.

³ <https://drive.google.com/file/d/1BbvYyCJyJ1w0-EicJxmo3BG0OuN09o1v/view>

⁴ <https://www.rnz.co.nz/news/business/544150/new-zealand-aquaculture-development-plan-aims-to-grow-industry-to-3b-a-year>

⁵ <https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/new-zealand-aquaculture-development-plan/>

⁶ <https://www.mpi.govt.nz/dmsdocument/15895-The-Governments-Aquaculture-Strategy-to-2025>

⁷ <https://drive.google.com/file/d/1L28eNXLLcdMoPv-ByVBMr85EdEk64RD1/view>

⁸ <https://www.mpi.govt.nz/dmsdocument/65745-Enabling-spat-nurseries-to-grow-New-Zealand's-mussel-sector>

⁹ <https://www.waikatoaquaculture.co.nz/assets/WaikatoAquaculture/7023-Aquaculture-strategy.pdf>

and will be farmed to its productive potential'. This project is the only known opportunity to meet these criteria.

- The NWML spat nursery is the most advanced and by far the most productive of any sea based nursery opportunities.

Furthermore it:

- Is shovel ready – development can commence within three months of consent being granted and a new source of resilient spat will be available to the North Island mussel industry within 9 months.
- Is self-funded – no external Government or private sector funding is required.
- Will deliver growth in the short term – the project has the capacity to supply sufficient spat for the North Island mussel industry. This will in turn increase employment and export returns.

There is a critical need to fast-track this application, as it is currently a prohibited activity under the Waikato Regional Coastal Plan (WRCP). While the current WRCP review includes provisions for spat nursery applications, these may not be operative for a number of years. NWML lodged an application with Waikato Regional Council (WRC) in May 2023 for a private plan change and concurrent resource consent, which was accepted in July 2025, but this process is anticipated to be lengthy, costly and uncertain.

The Waikato mussel industry needs spat now.

The NWML partners recognise that land based mussel hatcheries are also part of the long term solution to the mussel spat crisis and have been in discussions with the Cawthron Institute (Cawthron) to progress a hatchery opportunity. However, hatcheries on their own will not solve the problem. Diversity and resilience of spat supply is essential and the NWML nursery remains the priority component of their overall strategy.

The project is well-positioned for fast-tracking, as WRC have now confirmed that all the application material is complete and ready to proceed to notification¹⁰. A full suite of expert assessments find that the effects will be no more than minor and have been peer reviewed by WRC experts as part of this process. These are provided in **Schedule C**. NWML have requested that application be placed on hold while we make this application for Fast-track referral.

The application qualifies under the Fast-track Approvals Act. NWML made an application for the project to be listed and the Stage 1 initial assessment assessment of project eligibility¹¹ found that *'the project will provide regionally significant mussel spat nursery infrastructure and significantly contribute to the growth and resilience of the region's marine farming industry'*.

Since making that application 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. Engagement has included numerous phone calls, emails and hui including attendance at two hui at Poihakena Marae and one at Pukerewa Marae and two meetings each with 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

¹⁰<https://core.opentext.eu/pdfjs/web/viewer.html?shortLink=f6c60c766d80f109996931e14a7ca2e43c55aba7e701697f>

¹¹<https://environment.govt.nz/acts-and-regulations/acts/fast-track-approvals-bill/fast-track-projects/waikato-west-coast-mussel-spat-nursery/>

settlement obligation for 20% of representative space.

The coastal hapū is currently undertaking internal discussions led by Pukerewa Marae and most recently the Chair of Pukerewa Marae has acknowledged NWML's intention to lodge the referral application in November and confirmed the intent to reconvene with NWML at a hui early in 2026. Waikato Tainui have confirmed full support for any direction taken by the coastal hapū.

Engagement processes have also identified potential for NWML to assist with expertise towards optimising any settlement assets that may result under the Māori Aquaculture Claims Settlement. Further detail is outlined in **Schedule B**.

The project is not in any customary marine title area, protected customary rights area, or aquaculture settlement area under s12 of the Māori Commercial Aquaculture Claims Settlement Act (MACAA) or identified within an individual Iwi settlement. The project is within areas subject to settlement negotiations and MACAA applications. NWML have engaged with relevant iwi authorities, hapū and Treaty Settlement entities and Marine and MACAA applicants in accordance with s11 of the FTA.

NWML have also invited consultation with relevant administering agencies and other relevant agencies including the Ministry for Primary Industries, the Ministry for the Environment, the Department of Conservation, Maritime New Zealand and the Waikato Regional Council.

NWML recognise that the area is Māui dolphin habitat and have sought expert advice on potential effects on Māui dolphin and other marine mammals in the proposed location. Mussel farming has cohabited with Hector's dolphin for decades in Banks Peninsula and Golden Bay, and Māui dolphin in Aotea Harbour, with no recorded incidents. The NWML expert advice finds that effects will be no more than minor subject to monitoring and staged development in consultation with a marine mammal expert, as well as with implementation of a comprehensive Marine Wildlife Management Plan (MWMP). WRC contracted an expert peer review which concurs with these findings.

Since the initial Fast-track application was lodged NWML have participated in a number of discussions with Fisheries New Zealand (FNZ) including regarding the requirement to prove 'equivalency' with the Hector's and Māui Dolphin Threat Management Plan (TMP) and therefore with the United States Marine Mammal Protection Act (USMMA). This includes a proposal for an initial pilot stage of up to 82 lines at Site C and is outlined in **Schedule D**. NWML have also provided FNZ with detail about the NWML research lines that have been operating in the application area since 2019 without any dolphin incidences, as well as a report on a programme of visual and acoustic monitoring of Hector's dolphin activity in the context of mussel farms in Golden Bay

NWML have also undertaken a further discussion with the Department of Conservation (DOC) including agreement to send them the referral application when it is lodged and liaise further on the application including on a draft consent conditions prior to finalising a substantive application.

The NWML shareholders and clients represent half of the Waikato mussel industry, and the application has support from the Coromandel Marine Farmers' Association, Aquaculture New Zealand and Pare Hauraki Kaimoana. All agree that fast tracking this proposal is the only way to meet the urgent need for resilient spat for a productive mussel industry.

In summary, this project is well researched, is shovel ready, has sufficient investment to proceed without external funding and will solve a critical issue for the survival and long term productivity of the Hauraki Gulf

mussel industry. It comprises critical aquaculture industry infrastructure and requires referral to be Fast-tracked to optimise productivity and resilience and provide the necessary step-change towards meeting the aquaculture industry's \$3 billion goal by 2035.



Figure 2 Consistent exceptional spat catches at GMF research sites in the application area

Part One Project Summary

1.0 Overview

This application is being made by North Western Mussels Limited (NWML) for a groundbreaking mussel spat¹² nursery off the coast of Whāingaroa/Raglan. The application comprises 700 hectares in 11 rows across 4 blocks and is underpinned by ten years of research and a comprehensive suite of independent expert assessments.

It is critical for the viability of mussel farming in the Waikato region, and nationally significant for New Zealand's Greenshell mussel industry.

It has the potential to provide resilient seed mussels for over 35,500 tonnes of harvested product. The Government recognises the New Zealand mussel industry, and the urgent need for new nursery space to increase the productivity and resilience of that industry, as priorities for the prosperity of the nation.

2.0 Aquaculture Activities

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*). This includes the following aquaculture activities:

Activity	Description
Construction, placement, alteration, removal or demolition of structures used for aquaculture activities (RMA s12(1)(b))	Installation of 11 rows with a total of 451 longlines across four sites, with screw anchors at each end and a series of subsurface longlines including warps, droppers, and floats. Installation to be staged in accordance with a staged development plan, comprising four stages and commencing with a pilot of up to 82 lines at Site C.
Disturbance of the foreshore and seabed, incidental to the aquaculture activities (RMA s12(1)(c), (e), (g))	Disturbance to the seabed for the purpose of installing screw anchors and any other incidental disturbance commensurate with spat catching/nursery operations.
Deposition of material in, on or under the foreshore or seabed, incidental to the aquaculture activities (RMA s12(1)(d))	Deposition of mussel spat/seed, and mussel spat/seed biological material including shell to the sea floor commensurate with spat catching/nursery activities, including harvesting.
Occupation of the common marine and coastal area by the aquaculture activities (RMA s12(2)(a))	Occupation of 700 hectares of the coastal marine area in 11 rows across 4 sites, with subsurface longlines, spaced at 50 metres apart.
Activities that contravene a rule in the regional coastal plan (RMA s12(3))	Spat nursery activities are prohibited in the west coast Waikato region, however this application is a concurrent Plan Change and Resource Consent application so it is anticipated that a new rule will be created which will allow the activity to be assessed as a discretionary activity.
Discharge of contaminants or water into water, incidental to the aquaculture activities (RMA s15)	Discharge of mussel spat/seed, and mussel spat/seed biological material to the water column commensurate with spat catching/nursery activities, including harvesting.

¹² Spat refers to the juvenile (post-larvae) growth stage of mussels.

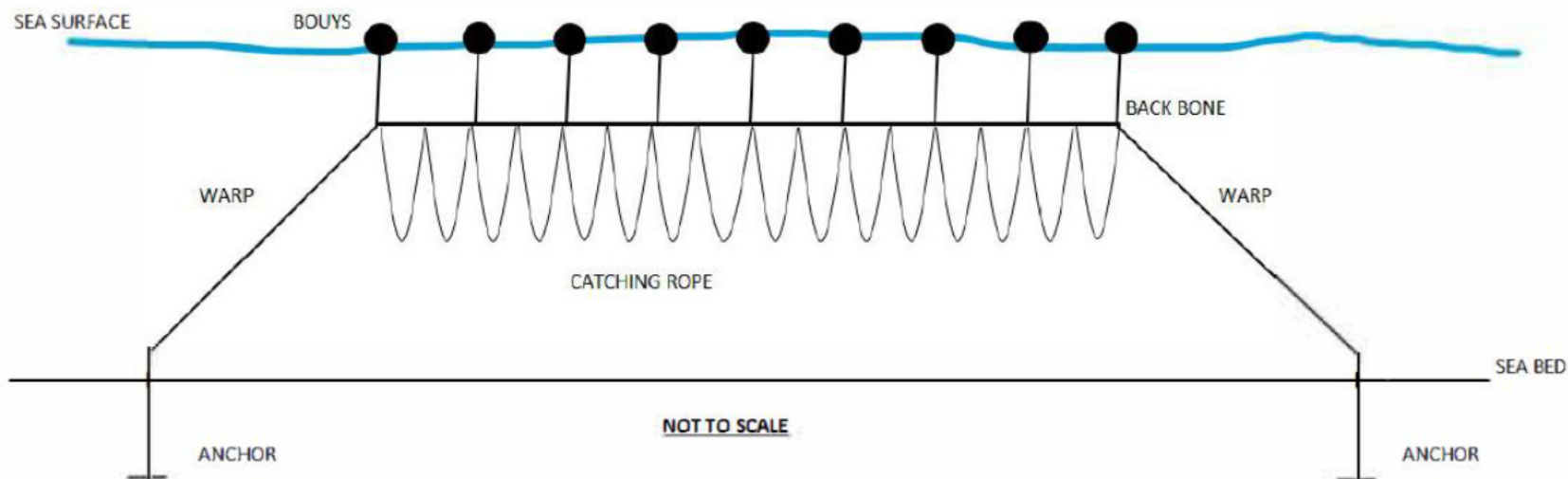
3.0 Farm Detail

The total occupied/consented area across the four sites will be as follows:

	Site A	Site B	Site C	Site D	Total
Row 1	60 ha	60 ha	60 ha	60 ha	
Row 2	60 ha	60 ha	60 ha	100 ha	
Row 3	60 ha	60 ha	60 ha	N/A	
Total consented area	180 ha	180 ha	180 ha	160 ha	700 ha

The structure layout will be conventional longline mussel farming structures adapted to suit the offshore environment and ensure infrastructure remains secure and tight. The structure layout and staged development plan are shown over.

Waikato West Coast Mussel Spat Catching and Nursery Long Line Structure



Anchors: To be drilled into the seabed 6m - 12m depending on site substrate
 Warps: To be 32mm to 44mm diameter rope with 30ton plus breaking strain
 Buoys: Spaced 2m to 10m apart
 Backbone: 150m in length and 32mm diameter
 Catching rope: 8m down in length. 60mm-80mm diameter weighted fribulated self tensioning catching rope

Figure 2 Proposed Nursery Longline Structure

	Site A			Site B			Site C			Site D			Total		
	Area	Rows	Lines	Area	Rows	Lines	Area	Rows	Lines	Area	Rows	Lines	Area	Rows	Lines
Stage 1							120ha	2	82				120ha	2	82
Stage 2	90ha	1.5	61	90ha	1.5	61							180ha	3	122
Stage 3	90ha	1.5	62	90ha	1.5	62	60ha	1	41	60ha	1	31	300ha	5	196
Stage 4										100ha	1	51	100ha	1	51
Total	180ha	3	123	180ha	3	123	180ha	3	123	160ha	2	82	700ha	11	451

Proposed Staged Development Plan

4.0 Staged Development Plan

Development can commence within three months of the granting of consent, subject to consent conditions. The NWML shareholders have committed funding, the necessary equipment is readily available, and the industry has a critical need for spat. The project will then be implemented over stages as shown on the previous page.

A staging development plan (SDP) will be formulated to ensure that appropriate monitoring is in place to inform development of further stages. The SDP will commence with a pilot farm of up to 82 lines at Site C (which is closest to Raglan Harbour). The SDP will include provision for monitoring of marine mammals and hydrodynamic effects in consultation with relevant experts prior to moving from one stage to the next. Importantly, in recognition that Site D is closest to juvenile Māui dolphin inshore activity during summer, and surf breaks of regional significance, it is proposed to delay that development until after sites A to C.

Apart from the initial pilot, and subject to consent conditions, construction is proposed to be undertaken 25 lines at a time. As more is learned about the logistics of operating in the west coast environment, adaptations to the construction process and specifications may be made. Timing is also highly dependent on weather conditions and operational logistics.

Construction of the sites will be undertaken by a four to five person team of specialist contractors and NWML.

The construction process consists of:

- Installing screw anchors:
 - There will be a total of 451 lines, with each line having two screw anchors (one at each end). This equates to a total of 82 anchors per row.
 - The anchors are installed with the use of a drill operating from a surface vessel. The anchors will be drilled to approximately 6-12 m depth into the substrate (depending on the specifics of the chosen location). Because the substrate is expected to consist only of sand, minimal resistance and/or disturbance is expected.
- Once the anchors are in place, the backbone and mooring lines and buoys would be attached. Navigation and lighting would then be installed as required.
- Finally, the dropper lines would be hung out to catch spat and/or to seed spat for the juvenile nursery activity.

An indicative timeline is provided:

Milestone	Timeline
Detailed design	Complete
Procurement	Within 3 months of granting consent
Funding	Already committed
Site works commencement	Within 3 months of granting consent depending on consent conditions
Stage one (82 line pilot at Site C)	Developed within 6 months
Completion of pilot	
Stage one monitoring expert consultation	Approximately 6 months dependant on expert timings and findings
Stage two (122 lines sites A – C)	Developed in groups of 25 lines taking 6 months per group to a total of 3.5 years
Completion of stage two	
Stage two monitoring expert consultation	Approximately 6 months dependant on expert timings and findings
Stage three (196 lines Sites A – D)	Developed in groups of 25 lines taking 6 months per group to a total of

	4.5 years
Completion of stage three	
Stage four monitoring and expert consultation	Approximately 3 months dependant on expert timings and findings
Stage four (51 lines at Site D)	Developed in groups of 25 lines taking 6 months per group to a total of 1 year
Completion of stage four	Within 11 years dependant on expert timings and findings

Note that this staged development approach provides multiple opportunities to monitor and manage the activity and innovate to optimise the operation.

Note that staged development is common in larger aquaculture developments and does not constitute development of the project in stages in the context of the Fast-track Approvals Act. NWML intend to apply for the activity in its entirety in the substantive application.

5.0 Best Management Practices

Gulf Mussels are registered to New Zealand Sustainable Management Framework for Greenshell Mussels, A+¹³ and NWML intend to operate in the same manner. As such, all appropriate industry best management practices will be undertaken. In recognition of the unique character of the proposed site and in response to expert recommendations, NWML have developed an Operational Management Plan (OMP), Marine Wildlife Mammal Plan (MWMP) and Biosecurity Management Plan (BMP). They have undertaken to liaise with the Waikato Regional Council, the Department of Conservation and Fisheries New Zealand to refine and incorporate these into draft consent conditions prior to lodging a substantive application.

¹³ www.aplusaquaculture.nz

Part Two Referral Application

Section 1 Applicant Details

NWML is a joint venture company with common mussel industry shareholders of Gulf Mussel Farms, OP Columbia¹⁴ and the Vela Group¹⁵. The activity will be undertaken by Gulf Mussel Farms, who have a long history of marine farming in the Waikato region and also undertake the mussel farming operations for Pare Hauraki Kaimoana. Collectively these companies represent around half of the mussel industry in the Hauraki Gulf.

Contact details are as follows:

Applicant name	North Western Mussels Limited
NZBN	9429042087281
Address	1620 Manaia Road, RD1, Coromandel, 3581
Applicant representative	Jake Bartrom
	Director
	Gulf Mussel Farms
Phone	s 9(2)(a)
Email	s 9(2)(a)

The applicant's agent is as follows:

Agent	Rebecca Clarkson
	Principal Advisor
	Aquaculture Direct Limited
Phone	s 9(2)(a)
Email	s 9(2)(a)

NWML has not been subject to any instances of compliance or enforcement actions taken by any entity with enforcement powers under Acts that relate to the proposal.

As noted above, NWML have made an offer of 20% of the consented space to an entity to be created by the Waikato coastal hapū and marae who have mana moana over the proposed area.

¹⁴ <https://www.opcolumbia.co.nz/>

¹⁵ <https://www.velafishing.co.nz/page/about-vela/>

Section 2 Referral Application Summary

Relevant section of referral application form	Response
Section 2	
2.1 Project name	North Western Mussels Limited Mussel Spat Nursery
2.2.1 Provide a description of the project and the activities it involves	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 could 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. During engagement representatives of Poihakena and Pukerewa Marae signalled a willingness to undertake a Cultural Impact Assessment (CIA) if the coastal hapu consider this appropriate. NWML are committed to continuing engagement prior to lodging a substantive application. 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	The project does not involve any ineligible activities as defined in Section 5 of the Fast-track Approvals Act (the Act). Neither the Crown nor any other person owns, or is capable of owning, the coastal marine area (CMA), as set out in the Marine and Coastal Area (Takutai Moana) Act 2011. Applications have been made for customary marine title over the area. There are no statutory acknowledgement Deeds of Recognition pertaining to the application area.
2.6 Appropriateness for Fast-track approvals process	
2.6.1 The criteria for accepting a referral application is that the project is an infrastructure	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.

or development project that would have significant regional or national benefits. Explain how this project satisfies the criteria	The Government's New Zealand Aquaculture Development Plan recognises that <i>'aquaculture is a key industry for the prosperity of the nation'</i>¹⁶ but that <i>'investment into hatcheries and nurseries is needed so there is enough spat to fully utilise existing space'</i>¹⁷. The industry and Government growth goal is that aquaculture is a \$3 billion industry by 2035¹⁸ and that mussel farming contributes up to a third of that value. To enable this the industry, through its Spat Strategy¹⁹, 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, <i>'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'</i>²⁰. 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. Because of the site's premium catching qualities and the resulting high density of spat caught on the ropes it will also be beneficial to transfer smaller sized spat on ropes directly from the nursery to grow-out sites. This promotes a higher level of retention in more challenging growing conditions as the spat can maintain their original attachment to the ropes and are less inclined to 'drop off'. In the evidence to the PWRC Dave Taylor of Aquaculture New Zealand²¹ 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 <i>'a significant problem as snapper populations have started to recover and are clearly benefiting from the presence of marine farms'</i>. This is because they consume significant quantities of mussel seed when it is growing through the range of 10-50mm, causing significant damage and cost to the farm structures as well as loss of the crop. Jake Bartrom provided important mussel farming context which is included in Schedule F and estimates that snapper predation is costing the Coromandel industry \$5-10 million per year. The NWML proposal will solve this problem by enabling seed to be transferred at a larger more resilient
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¹⁶<https://www.rnz.co.nz/news/business/544150/new-zealand-aquaculture-development-plan-aims-to-grow-industry-to-3b-a-year>

¹⁷<https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/new-zealand-aquaculture-development-plan/>

¹⁸ <https://www.mpi.govt.nz/dmsdocument/15895-The-Governments-Aquaculture-Strategy-to-2025>

¹⁹<https://drive.google.com/file/d/1L28eNXLLcdMoPv-ByVBMr85EdEk64RD1/view>

²⁰ <https://www.mpi.govt.nz/dmsdocument/65745-Enabling-spat-nurseries-to-grow-New-Zealands-mussel-sector>

²¹ Dr Taylor Evidence at [57(b)].

size at the peak of snapper season so it can't be eaten off the lines.

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'*.²² Waikato Regional Council (WRC) has recently adopted its Aquaculture Strategy which anticipates a doubling in industry value by 2044²³. 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 time²⁴.

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.

The project is proposed to be developed in stages commencing with a pilot of up to 82 lines then staggering development across rows and sites with Site D being fully developed last. A range of monitoring initiatives and best management practices will be incorporated into the staged development plan (SDP), the operational management plan (OMP) and the marine wildlife management plan (MWMP) to minimise any residual risk. NWML have all required investment in place to commence construction within three months of consent being granted, subject to any monitoring conditions. In that respect there may be pauses between stages, but NWML is confident that a transformational change in mussel spat availability, and resilience will be achievable within the scope of the first stage. The pilot and second stages will be sufficient to supply desperately

²² WRCP 6.1

²³ <https://www.waikatoaquaculture.co.nz/assets/WaikatoAquaculture/7023-Aquaculture-strategy.pdf>

²⁴ Assuming elements of the Proposed WRCP will be subject to Environment Court appeals and accounting for the requirement for Minister for Conservation sign off

	needed spat to existing farms in the Waikato region, the third and fourth stages will ensure sufficient seed for the steady and sustainable growth of a productive and resilient mussel industry. Note that staged development is common in larger aquaculture developments and does not constitute development of the project in stages in the context of the Fast-track Approvals Act. NWML intend to apply for the activity in its entirety in the substantive application.
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	Yes. As noted above, 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. 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.	No. 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 hapū 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. During engagement representatives of Poihakena and Pukerewa Marae signalled a willingness to undertake a Cultural Impact Assessment (CIA) if the coastal hapu consider this appropriate.

	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. 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?	Yes. The New Zealand Aquaculture Strategy²⁵ sets a vision for the sector to be <i>‘recognised within New Zealand and around the world as producing healthy, high quality, environmentally sustainable aquaculture products.’</i> 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 <i>‘one of New Zealand’s biggest opportunities’</i> and that <i>‘as well as contributing to our export-led recovery, a diverse and strong aquaculture sector will provide resilience for rural communities’</i>. 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’²⁶. 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.

²⁵ <https://drive.google.com/file/d/1-BXfNuEq6bJUEj-zkqoGssPoJv4dmPNW/view>

²⁶ <https://www.mpi.govt.nz/dmsdocument/58018-Agreed-plan-for-securing-mussel-spat-supply->

	Goal	Goal 2 Increase wild spat survival	
	Workstream	Workstream 3 Sea-based nurseries	
		The majority of spat deployed to a marine farm doesn't survive to harvest. Sea based nurseries offer an opportunity to on-grow spat in an environment that best provides for their needs before deploying to farms. Increased survivability and retention of spat would mean current wild spat supply can support greater production.	
			Assessment of NWML proposal
	Research actions	Research to understand the characteristics of a good sea-based nursery and how these sites increase production.	NWML has access to ten years of research that proves that the proposed locations have the optimal characteristics.
		Research to test retention of spat on grown in a sea-based nursery.	NWML has access to ten years of research that proves that retention is unprecedented.
	Investment actions	A business model to understand feasibility of new sea-based nurseries for wild and hatchery spat.	NWML has a business model and investment ready to commence the operation within three months of consenting.
		Establishment of new sea-based nurseries – if existing space is not suitable.	Existing space is not available, the proposed location is unprecedented for spat supply and retention.
	Regulatory actions	Consider regulatory measures to plan for and consent sea-based nursery sites.	The activity is currently prohibited. Fast-track consenting is critical.
	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 <i>'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'</i>.		
2.6.2.4 Will the project deliver new regionally or nationally significant	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:		

infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure?	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.
2.6.2.6 Will the project deliver significant economic benefits, and if so, how?	Yes. The Waikato mussel industry was found by NZIER in 2017²⁷ to contribute around 30% of New Zealand’s total Greenshell mussel production, an estimated 25,000 tonnes at the time. The report sought to quantify the contribution of aquaculture to the Thames-Coromandel District’s economic output, GDP and employment by modelling the likely impact of a 50% increase in productivity in both mussels and oysters as well as new finfish farming activity.

²⁷ Pambudi, D. and Clough, P. (2017). *The economic contribution of marine farming in the Thames-Coromandel District: A Computable General Equilibrium (CGE) analysis*. New Zealand Institute of Economic Research.

The following table shows the 2017 actual figures compared with the projected production that the spat nursery could support. Note that in 2017 the total Greenshell export value was \$300 million but had increased to \$422 million by 2024²⁸ despite declining production.

	2017 Actual	NWML
Tonnes	24,832	35,516
Mussel farming and processing contribution to regional GDP	\$65.5 million	\$81.5 million
Processed product export volume²⁹	7,450	10,655
Equivalent export revenue at 2024 values³⁰	\$129 million	\$185 million
Total FTEs (direct and indirect)³¹	318	320

NWML calculate that the direct employment implications of the proposal will be:

Role	FTE
Four vessels each with four crew	16
Yard/depot	5
Drivers	4
Equipment maintenance	3
Subtotal spat/nursery employment	28

These jobs will be concentrated in the Whāingaroa/Raglan area and are assumed to be in addition to the 320 jobs that a 35,500 tonne increase in Hauraki Gulf mussel production would provide to the region.

The NZIER report also highlighted the following:

- *The incomes earned from this production and processing are direct benefits of aquaculture for the district.*
- *The aquaculture industry also indirectly stimulates other sectors in the district and also outside the district. It brings benefits to the district and national economies, including small local towns.*
- *'Iwi are well represented in aquaculture participation in the Hauraki Gulf / Tikapa Moana via private, corporate and trust investments/ownership as well as through direct and indirect employment' and that aquaculture is expected to be a significant revenue driver for Iwi in the future.*

²⁸ <https://drive.google.com/file/d/1BbvYyCJyJ1w0-EicJxmo3BG0OuN09o1v/view>

²⁹ Extrapolated from industry data

³⁰ <https://drive.google.com/file/d/1BbvYyCJyJ1w0-EicJxmo3BG0OuN09o1v/view>

³¹ Conservatively projecting the creation of at least the same number of direct and indirect FTEs recorded for 2017

	By supporting consistency and increases in mussel production the proposal will contribute to an increase in the direct and indirect job opportunities in the Waikato region. These jobs will be associated with the farming and processing activities, and the employment of people in supporting services (e.g. transport and logistics). Aquaculture jobs can be wide and varied and provide many opportunities for career development both at sea and on land. A study in Southland in 2015³² found that: • <i>‘The social effects in Stewart Island and Bluff are remarkable for their positive nature. Despite participants being asked about negative effects experienced, nothing remotely significant was described. Instead, a highly positive and significant social picture has emerged, where the companies and employees have jointly contributed. There is no doubt that the communities of Stewart Island and Bluff are significantly socially richer due to the presence of aquaculture’.</i> NWML have an economic model that estimates instalment costs of \$32,000 per line equating to an initial investment (over stages) of \$14.4 million plus the purchase of a vessel and land-based infrastructure. At full development revenue is projected to be \$4.3 million per annum. 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?	Yes 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.

³² <https://www.mpi.govt.nz/dmsdocument/8211-The-Social-and-Community-Effects-of-Aquaculture-A-case-study-of-Southland-aquaculture>

	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.
2.6.2.9 Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?	Yes. Farming seafood is one of the most environmentally efficient ways of producing animal protein.³³ 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.³⁴ 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 food³⁵³⁶.
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?	Yes. Aquaculture, like all coastal activities and all farming activities, is particularly susceptible to the effects of climate change and there is recognition that ‘<i>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</i>’³⁷. This proposal is an innovative and direct response to the change in farming conditions which have resulted from the warming waters of the Hauraki Gulf. The mussel farms most used by NWML are located in the Hauraki Gulf and Firth of Thames. 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. One proposed climate change adaption is to locate spat in nursery areas where the waters are cooler.

³³https://www.nature.org/content/dam/tnc/nature/en/documents/TNC_EncourageCapital_TowardsABlueRevolution_v1_1.pdf

³⁴ <https://www.aquaculture.org.nz/resources/general>

³⁵https://www.nature.org/content/dam/tnc/nature/en/documents/TNC_EncourageCapital_TowardsABlueRevolution_v1_1.pdf

³⁶ <https://www.aquaculture.org.nz/resources/general>

³⁷ Maulu S, Hasimuna OJ, Haambiya LH, Monde C, Musuka CG, Makorwa TH, Munganga BP, Phiri KJ and Nsekanabo JD (2021) *Climate Change Effects on Aquaculture Production: Sustainability Implications, Mitigation, and Adaptations*. Front. Sustain. Food Syst. 5:609097. doi: 10.3389/fsufs.2021.609097

Dr Malene Felsing has recently shown the significant difference in water temperatures between the east and west coast of Waikato using data from the Moana Project³⁸. 'Below are figures showing that max temperatures in the Hauraki Gulf which reached almost 24 degrees C with many weeks exceeding 22 degrees C. Whereas off Raglan the temperatures had a similar maximum, but the average was consistently below 22 degrees C, even under marine heatwave conditions'.

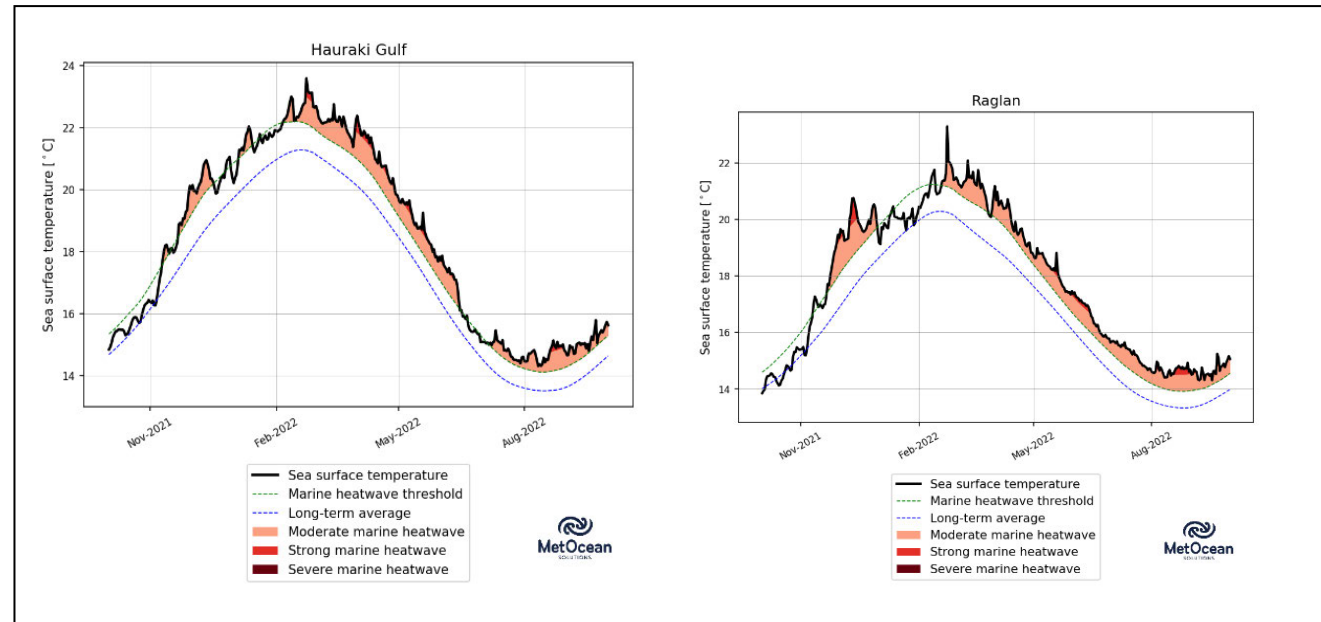


Figure 3 Marine temperature differences between the east and west coast of Waikato

So, overall, it is a lot cooler normally, including last year, on the west coast than on the east coast. Both areas had significant marine heatwaves, but even so the west coast remained considerably cooler.'

NWML's future spat strategy, echoes that of the broader industry in the need to adapt to climate change. A diverse range of spat sources will be required including:

- Continuing to source beach cast spat from Te Oneroa-a-Tōhē
- Pursuing a hatchery spat opportunity through discussions with Cawthron including initial investigations, and the preparation of a feasibility study.

³⁸ <https://www.moanaproject.org/>

	• Wild catching spat in the most optimal locations on the west coast of the Waikato region The latter two options, hatcheries and wild spat catching offer opportunities to adapt to climate change. Hatchery technology and development is underway but has its challenges and difficulties as <i>Perna canaliculus</i> is a difficult animal to breed in a hatchery compared to species used elsewhere in worldwide hatcheries. Wild spat catching as proposed in this application is well developed and has a long-proven history in New Zealand. All three spat sources have their challenges thus a diverse portfolio of spat sources is required to spread the risk of any one source having a low outcome at any one year. Long term hatcheries offer the advantage of genetic breeding to adapt to climate change, but nursery locations, as in this application will be required to transfer the hatchery spat to the marine environment, something that is lacking in the present farms in the Hauraki Gulf. The proposed west coast sites will be used for spat catching and spat nursery activities. The first spat catches of the year in autumn will be transferred to east coast farms for the nursery stage. This early transfer will enable the spat to grow some size before summer and thus be more resilient to marine heat waves. Some winter and spring spat will be retained in this west coast nursery's cooler waters, over summer months, to spread the risk from marine heat waves, and the significant losses due to marine heat waves. This proposal is an important climate adaptation opportunity for NWML, and for the broader mussel farming industry in the Waikato and Bay of Plenty regions and will enable the industry to continue to provide positive economic, social, cultural and ecosystem contributions.
2.6.2.11 Will the project address significant environmental issues, and if so, how?	Yes 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 Sounds³⁹ found '<i>a cocktail of biotoxins and organic contaminants, including herbicides and elevated levels of heavy metals</i>'. 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^{40,41}. 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	Yes. Mitchell Daysh provided a Proposed Plan Change and Section 32 Evaluation Report as part of the application to WRC. This included analysis of the

³⁹ <https://sharp.cawthron.org.nz/could-marine-pollutants-and-climate-change-be-driving-the-decline-in-mussel-settlement-in-the-marlborough-sounds/>

⁴⁰ <https://niwa.co.nz/freshwater/auraki-integrated-land-water-modelling>

⁴¹ <https://gulfjournal.org.nz/state-of-the-gulf/>

regional planning documents, including spatial strategies, and if so, how?	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.
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	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.
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Section 3 Project Details

Relevant section of referral application form	Response								
Section 3									
3.1 Approvals required									
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 (<i>Perna canaliculus</i>). NWML are also seeking an Aquaculture Decision⁴² under section 80 and Schedule 5 section 20 of the Fast-track Approvals Act.								
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	The proposal meets all the eligibility requirements to apply for a coastal permit under the RMA, as follows: <table> <tr> <th>Requirement</th><th>Assessment</th></tr> <tr> <td>Legal Standing. Any person, business, iwi/hapū, or organization can apply. The applicant must have the legal authority to carry out the proposed activity.</td><td>The applicant is a registered company.</td></tr> <tr> <td>Activity Classification. The proposed activity must be one that requires consent under a regional coastal plan (prepared by the regional council) or the NZCPS. Activities requiring a coastal permit include aquaculture activities.</td><td>The proposed activity is aquaculture.</td></tr> <tr> <td>Assessment of Environmental Effects (AEE). The application must include an AEE detailing the potential effects of the activity on the</td><td>A comprehensive assessment of environmental effects has been undertaken which meets the s92 requirements as assessed by WRC.</td></tr> </table>	Requirement	Assessment	Legal Standing. Any person, business, iwi/hapū, or organization can apply. The applicant must have the legal authority to carry out the proposed activity.	The applicant is a registered company.	Activity Classification. The proposed activity must be one that requires consent under a regional coastal plan (prepared by the regional council) or the NZCPS. Activities requiring a coastal permit include aquaculture activities.	The proposed activity is aquaculture.	Assessment of Environmental Effects (AEE). The application must include an AEE detailing the potential effects of the activity on the	A comprehensive assessment of environmental effects has been undertaken which meets the s92 requirements as assessed by WRC.
Requirement	Assessment								
Legal Standing. Any person, business, iwi/hapū, or organization can apply. The applicant must have the legal authority to carry out the proposed activity.	The applicant is a registered company.								
Activity Classification. The proposed activity must be one that requires consent under a regional coastal plan (prepared by the regional council) or the NZCPS. Activities requiring a coastal permit include aquaculture activities.	The proposed activity is aquaculture.								
Assessment of Environmental Effects (AEE). The application must include an AEE detailing the potential effects of the activity on the	A comprehensive assessment of environmental effects has been undertaken which meets the s92 requirements as assessed by WRC.								

⁴² <https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/setting-up-a-marine-farm/undue-adverse-effects-test-for-marine-farms/>
Aquaculture Direct Limited

documentation to evidence this).	coastal environment, including ecological, cultural, and recreational impacts.	
	Consultation Requirements. Consultation is required with all groups who have made applications under the Marine and Coastal Area Act (MACAA). While not mandatory, consultation with iwi/hapū, affected parties, and the public is often expected, especially where Treaty of Waitangi principles and customary rights are involved.	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 .
	Compliance with Planning Documents. The activity must be assessed against relevant planning documents, including the NZCPS, the regional coastal plan and any National Environmental Standards or National Policy Statements.	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.
3.2 Project stages		
3.2.1 If the project is planned to proceed in stages, provide a statement of whether the project is planned to proceed in stages.	NWML have set out a staged development plan (SDP) which commences with a pilot of up to 82 lines at Site C then staggers development across rows and sites with Site D being fully developed last. However, it is important to note that staged development is common in larger aquaculture developments and does not constitute development of the project in stages in the context of the Fast-track Approvals Act. NWML intend to apply for the activity in its entirety in the substantive application.	
3.3 Alternative project	N/A	
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. 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. 3.4.1.1 Summary of Effects A summary of effects with reference to corresponding evidence set out in Schedule C is provided here:	

	Effect	Findings	Evidence and Schedule C Reference	
	Water Column	There will be negligible water column effects. Typically, little if any effects are detectable beyond the boundaries of the farm and the proposed sites are in a well-flushed environment.	- Baseline Survey, by NIWA. - Ecological Assessment, by Coast and Catchment. - WRC Peer Review of General Ecological Matters, by Pisces Consulting.	C1 C2 C5
	Benthic Habitat	There will be less than minor effects on benthic habitat including reefs or biogenic habitat. The farm rows have been carefully sited over suitable habitat and the proposed area is a highly dispersive environment.	- Baseline Survey, by NIWA. - Ecological Assessment, by Coast and Catchment. - Additional Baseline Survey, by Coast and Catchment. - WRC Peer Review of General Ecological Matters, by Pisces Consulting.	C1 C2 C3 C5
	Marine Mammals	- There will be no more than minor effects on Māui dolphin. The spatial extent of the proposal is small relative to the range of the Māui dolphin sub-species, and the proposed structures are designed to minimise entanglement risk. There have been no recorded Hector's dolphin entanglements in the 40 years that mussel farms have operated in Banks Peninsula and Golden Bay and the risk of entanglement is very low. The habitat at the proposed sites is not considered valuable for prey. - A range of monitoring initiatives and best management practices will be incorporated into the staged development plan (SDP), the operational management plan (OMP) and the marine wildlife management plan (MWMP) to minimise any residual risk. - Any visual and/or acoustic marine mammal monitoring undertaken at the site will contribute to an increase in understanding of the habitat and behaviours of Māui dolphins.	- Marine Mammal Assessment, by Anemone. - WRC Peer Review of Marine Mammal Assessment, by Helen McConnell of SLR Consulting. - Draft Marine Wildlife Management Plan incorporating recommendations from Anemone and peer reviewed by Helen McConnell of SLR	C7 C8 C9

		- There will be negligible to minor effects on other marine mammals. A range of monitoring initiatives and best management practices will be incorporated into the SDP and the MWMP to minimise any residual risk. - Effects on Māui dolphin are discussed further below.	Consulting.	
	Seabirds	There will be neutral effects on seabirds. A range of seabirds utilise the area, but the proposal poses a very low risk to seabirds and some effects may be positive.	- Seabird Assessment, by Wildlands. - WRC Peer Review of Seabird Assessment, by Pisces Consulting. - Draft Marine Wildlife Management Plan incorporating recommendations from Wildlands and Pisces Consulting.	C10 C11 C9
	Biosecurity	There will be no more than minor biosecurity effects. Any residual effects will be mitigated to the extent practical by the applicant operating biosecurity best practices set out in the AQNZ A+ Sustainable Management Framework. A biosecurity management plan (BMP) will be implemented.	- Biosecurity Assessment, by Coast and Catchment. - WRC Peer Review of General Ecological Matters, by Pisces Consulting. - Draft Biosecurity Management Plan incorporating recommendations from Coast and Catchment, Pisces Consulting and Biosecurity New Zealand.	C4 C5 C6
	Landscape, Natural Character, and Visual	The natural character of the marine environment has been modified by land-based activities such as run-off, and as the farm is to be sited over soft habitat the effects on the biogenic components of natural character will be no more than minor.	- Landscape and Visual Assessment, by Wayfinder. - WRC Peer Review of	C12 C13

	Amenity	Overall, the landscape, natural character and visual amenity effects will be no more than minor and appropriate in the context of the location.	Landscape and Visual Assessment, by Graham Mansergh Landscape Architects.	
	Hydrodynamic effects	- Overall, based on the available information, it is likely that the hydrodynamic impacts of the proposal will be no more than minor. - Hydrodynamic monitoring is proposed as part of the SDP.	- Hydrodynamic Assessment, by MetOcean. - WRC Peer Review of Hydrodynamic Assessment, by Tonkin and Taylor.	C14 C15
	Navigation safety, security of structures and management of debris	There will be no more than minor navigation effects. The farm will be installed and marked in a manner that enables safe navigation through and around the farm. Any residual effects will be mitigated to the extent practical by the applicant operating industry best practices set out in the AQNZ A+ Sustainable Management Framework and the Operational Management Plan (OMP).		
	Fishing	Effects on fishing are not anticipated but will be appropriately assessed by the Ministry for Primary Industries (MPI). Navigation through and around the farm for fishing vessels will be enabled. Effects on fisheries resources will be no more than minor and, in some respects, positive.		
	Cultural effects	- 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. Engagement has included numerous phone calls, emails and hui including attendance at two hui at Poihakena Marae and one at Pukerewa Marae. - 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. - The coastal hapū is currently undertaking internal discussions and most recently the Chair of Pukerewa Marae has acknowledged NWML's intention		

		to lodge the referral application in November and confirmed the intent to reconvene with NWML at a hui early in 2026. During engagement representatives of Poihakena and Pukerewa Marae signalled a willingness to undertake a Cultural Impact Assessment (CIA) if the coastal hapu consider this appropriate.		
	Recreational amenity	There will be no more than minor recreational effects. The proposed sites are away from the coast and not specifically popular with recreationalists. Mussel farms are known to have positive effects for recreational fishing. The farm blocks are sited in a manner that allows for navigation to and along the shore. Public access to the sites will still be enabled.		
	Air and noise	There will be no more than minor air and noise effects, and only for people who recreate in the immediate vicinity of the farms. The sites are away from the coast and not specifically popular with recreationalists. Any residual effects will be mitigated to the extent practicable by the applicant operating industry best practices set out in the AQNZ A+ Sustainable Management Framework and the Operational Management Plan (OMP).		
	Historic heritage	There will be no more than minor effects on historic heritage.		
	Economic and social effects	- Aquaculture plays a key role in the Government's growth agenda. A new spat catching/nursery farm in the cooler waters of the west coast of Waikato will enable the mussel industry to make a greater contribution to achieving the Government's aim of a 3-billion-dollar industry by 2035, as set out in the Aquaculture Development Plan. This in turn would support contribution to the range of 'wellbeings' envisioned by the Government in its support of aquaculture as a transformational industry. - NWML project that the associated production resulting from full operation of the nursery would be in the order of 35,500 tonnes per year with anticipated export revenue of the mussels produced of \$185 million. - NZIER project that a 50% increase in production in the Waikato mussel farming area would equate to an additional \$15.8 million to the region's GDP. - In any event the economic effects are likely to be significant.		

Food provisioning and ecosystem effects	Mussel farming is known to contribute positive ecosystem services, including the provision of a healthy, affordable, low carbon protein source, as well as habitat creation and nutrient mitigation.		
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3.4.1.2 Effects on Māui Dolphin

NWML are conscious that the location is Māui dolphin habitat and have sought expert advice on potential effects on Māui dolphin and other marine mammals in the proposed location. This advice found that the effects would be no more than minor. 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 and monitored development programme carried out in consultation with a marine mammal expert, as well as with implementation of a comprehensive Marine Wildlife Management Plan.

A summary of the potential effects on Māui dolphin and other marine mammals is as follows:

Effect	Māui dolphin	Other marine mammals
Entanglement	Very low potential for entanglement and overall minor risk as long as weighted spat lines used.	Minor on dolphins and baleen whales as long as weighted spat lines used. Negligible on fur seals.
Habitat exclusion	Minor as 700 hectares in 35.5 km range.	Negligible.
Trophic effects	Minor as 700 hectares in 35.5 km range.	Negligible.
Marine debris	Negligible as long as high quality UV stabilised ropes used, and practices followed.	
Vessel strike	Minor as long as care and slow.	Negligible.
Underwater noise	At most minor.	Negligible.
Cumulative effects	Minor (refined from at least minor).	Minor.

As part of pre-application engagement with Fisheries New Zealand (FNZ) NWML have given additional consideration to ensuring the proposal aligns with requirements under the United States Marine Mammal Protection Act (USMMPA). FNZ have indicated that the activity would need to align with the Hector's and Māui Dolphin Threat Management Plan (TMP) in that mechanisms need to be in place to demonstrate the activity will not cause any Māui dolphin mortalities. NWML are confident that this standard can be met, particularly considering there have been no reports of entangled Hector's dolphins in mussel farms in the 40 years they have coexisted in Banks Peninsula and the Top of the South. NWML will engage further with marine mammal experts, FNZ, DOC and the Waikato Regional Council during development of the substantive application including progressing a set of consent conditions aimed at continuing TMP equivalency.

	To date NWML have undertaken an initial assessment of the proposal against the USMMPA, provided FNZ with detail on the research structures that GMF has been operating in the proposal area for the last ten years, obtained an industry report on acoustic monitoring of Hector's dolphins in mussel farms in Golden Bay, engaged with a marine mammal expert about the potential of a monitoring programme for the proposed 'pilot farm' and undertaken further engagement with FNZ. A summary of these activities is provided in Schedule D. 3.4.1.3 Overall Assessment The environmental effects of mussel farming, and by association, spat/nursery activities, have been comprehensively researched and are well known. Effects arise from the visibility of the farms, an impact on navigation and the use of public space, potential effects on the water column due to current attenuation, and potential effects on the seabed due to shell drop and pseudo faeces. In addition, vessels servicing the sites can impact on amenity. Effects are possible on indigenous biodiversity including marine mammals and seabirds, but they will be no more than minor. NWML have commenced discussions with a marine mammal expert about the potential for an acoustic monitoring programme, particularly in the early pilot phase. NWML have also undertaken to liaise with WRC, FNZ and DOC on a set of consent conditions aimed to provide confidence that the activity aligns with the Hector's and Māui Dolphin Threat Management Plan (TMP). Mussel farming provides positive economic and social effects as well as ecosystem benefits.
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.	
3.5.3.1 Relevant local authorities	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 2025⁴³. WRC have placed the application on hold at the request of NWML while this referral application is being made.
3.5.3.2 Relevant iwi authorities, hapū and	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-

⁴³ <https://core.opentext.eu/pdfjs/web/viewer.html?shortLink=96bce74e734ca02ff0e55e422fbe2c8220c5e79fe5902e64>

Treaty Settlement entities	Tainui remaining claims mandate⁴⁴ 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.												
3.5.3.3 Relevant applicant groups with applications for Customary Marine Title	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 register⁴⁵. The following applications for recognition or customary marine title pertain to the proposed area under MACAA. <table data-bbox="775 1098 1700 1345"> <tr> <th>Application</th><th>Applicant</th></tr> <tr> <td>CIV-2017-419-080</td><td>Iwi of Kāwhia Aotea and Whāingaroa Harbours</td></tr> <tr> <td>MAC-01-04-001</td><td>Kāwhia Tangata, Aotea Whenua, Whaingaroa Moana</td></tr> <tr> <td>MAC-01-04-012</td><td>Te Ruunanga o Ngāati Mahuta ki te Hauaauru</td></tr> <tr> <td>MAC-01-04-014</td><td>Ngāa Marae o te Takutai Moana o Waikato-Tainui</td></tr> <tr> <td>MAC-01-03-010</td><td>Ngāati Tamaoho</td></tr> </table>	Application	Applicant	CIV-2017-419-080	Iwi of Kāwhia Aotea and Whāingaroa Harbours	MAC-01-04-001	Kāwhia Tangata, Aotea Whenua, Whaingaroa Moana	MAC-01-04-012	Te Ruunanga o Ngāati Mahuta ki te Hauaauru	MAC-01-04-014	Ngāa Marae o te Takutai Moana o Waikato-Tainui	MAC-01-03-010	Ngāati Tamaoho
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⁴⁴ <https://www.govt.nz/assets/Documents/OTS/Waikato-Tainui/Waikato-Tainui-remaining-claims-deed-of-mandate.pdf>

⁴⁵ <https://www.linz.govt.nz/our-work/maori-and-iwi-development/marine-and-coastal-area-register>

		<table><tr><td>CIV-2017-404-575</td><td>Ngāti Mahuta ki te Hauāuru</td></tr><tr><td>CIV-2017-419-084</td><td>Te Whakakitenga o Waikato Inc</td></tr><tr><td>CIV-2017-419-083</td><td>Tainui Hapū o Tainui Waka - Whāingaroa Moana Collective</td></tr><tr><td>MAC-01-04-010</td><td>Ngāti Whakamarurangi/Tainui ie Ngāti Koata, Ngāti Motemote, Ngāti Tahinga</td></tr><tr><td>MAC-01-04-011</td><td>Tainui Hāpu o Tainui Waka</td></tr></table>	CIV-2017-404-575	Ngāti Mahuta ki te Hauāuru	CIV-2017-419-084	Te Whakakitenga o Waikato Inc	CIV-2017-419-083	Tainui Hapū o Tainui Waka - Whāingaroa Moana Collective	MAC-01-04-010	Ngāti Whakamarurangi/Tainui ie Ngāti Koata, Ngāti Motemote, Ngāti Tahinga	MAC-01-04-011	Tainui Hāpu o Tainui Waka
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MAC-01-04-011	Tainui Hāpu o Tainui Waka											
		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.										
3.5.3.4	Relevant administering agencies	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 Plan⁴⁶ to ‘partner with industry, Māori, councils, communities, and other government agencies to enable sustainable growth’. NWML have undertaken discussions with the Aquaculture Development team with regard to the need for spat nurseries such as that proposed in this application. 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 including agreement to liaise on a set of consent conditions prior to lodging a substantive application.										

⁴⁶<https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/new-zealand-aquaculture-development-plan/>

	The Ministry for Primary Industries through Biosecurity New Zealand (BNZ) administers biosecurity requirements and NWML have liaised with them on the proposed Biosecurity Management Plan. 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. NWML have engaged with both MNZ and the Harbourmaster on Aids to Navigation.
3.5.3.5 Other parties	The Waikato mussel farming industry has a critical need for a resilient supply of mussel spat and seed. Pare Hauraki Kaimoana are a key stakeholder in this industry.
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 below. More detail is provided in Schedule B. 3.5.2.1 Engagement with Local Authorities - NWML engaged with Waikato Regional Council (WRC) from the project's inception, receiving guidance on the requirements and scope for independent expert assessments. The WRC Harbourmaster confirmed no navigation issues if the farm is properly marked and lit. NWML responded to all further information requests, and the application was confirmed complete in December 2024. The Council agreed at its meeting on 23 July that the application can proceed to notification but that the applicant has requested it be placed on hold while the fast-track application is made. - NWML met with WRC representatives on 22 July 2025, and it was agreed that the comprehensive suite of expert information means it is well suited for fast-track. WRC expressed satisfaction that the expert assessments support the finding that effects on Māui dolphin can be well managed. - NWML agreed to send WRC a copy of the referral application at the time of lodging and work with WRC on draft consent conditions if the project is referred. - As set out above, the application has strong alignment with the Waikato Regional Aquaculture Strategy, and the Proposed Waikato Regional Coastal Plan. 3.5.2.2 Iwi, Hapū, and Treaty Settlement Entities Pre-RMA Engagement - Early Development (2016–2022): Initial engagement focused on partnership opportunities with Waikato Tainui, including joint venture and lease proposals. Tainui Group Holdings expressed interest but ultimately did not proceed due to other investment priorities, though they remained open to ongoing discussions. NWML also engaged with other iwi and hapū, including Ngāti Whakamarurangi and Ngāti Maniapoto, to understand their values and interests. - Draft Application (2023): The draft application was distributed to a wide range of tangata whenua groups, marae, and MACAA applicants. Responses included: - Ngāti Tahinga: Requested and received bound copies of the application.

- Tainui Hapū: Expressed opposition in principle, due to unresolved MACAA applications, concerns about commercial activities in their rohe and Māui dolphin impacts.
- Ngāti Whakamarurangi: Expressed opposition, in the belief that the Aotea spat farm is sufficient for industry needs.

Post-RMA Engagement (2023-2024)

- NWML continued to offer hui, field trips, and transparent information to all iwi and marae in the region.
- Some marae, such as Waingaro and Weraroa, expressed willingness to discuss further, while others did not respond. NWML representatives attended a hui at Poihakena Marae in July 2023 which covered industry needs, climate change, iwi participation, environmental impacts, and ownership opportunities. A site visit to Coromandel farms was offered.

Fast-Track Engagement (2025)

- In preparation for lodging this referral application 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. Engagement has included numerous phone calls, emails and hui including attendance at two hui at Poihakena Marae and one at Pukerewa Marae.
- 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.
- The coastal hapū is currently undertaking internal discussions and most recently the Chair of Pukerewa Marae has acknowledged NWML's intention to lodge the referral application in November and confirmed the intent to reconvene with NWML at a hui early in 2026.
- Waikato Tainui and Te Nehenehenui have been informed of the lodgement of this referral application.
- During engagement representatives of Poihakena and Pukerewa Marae signalled a willingness to undertake a Cultural Impact Assessment (CIA) if the coastal hapu consider this appropriate.

Further detail is set out in **Schedule B**.

3.5.2.3 MACAA Applicant Groups

- NWML consulted all relevant MACAA applicant groups, providing application summaries and offers for engagement. These included Iwi of Kāwhia, Aotea and Whāingaroa Harbours, Kāwhia Tangata, Te Ruunanga o Ngāti Mahuta ki te Hauaauru, and others.

3.5.2.4. Relevant Administering Agencies

For the purposes of this application the relevant administering agencies are the Ministry for the Environment (MfE) (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). NWML have also undertaken engagement with other relevant agencies as set out below.

RMA Engagement

- Maritime New Zealand (MNZ) provided feedback confirming no navigation issues if the site is marked and lit.
- NWML engaged with the Department of Conservation (DOC) during a number of meetings regarding potential effects on Māui dolphin. Once the RMA application was lodged DOC sent a letter discussing effects on Māui dolphins and concluding that *'based on the expert advice received, the Department is likely to oppose the applications as they are currently presented. We note that the Department is open to working with the applicant and reviewing this position should the applicant be able to demonstrate that they can manage risks to our critically endangered species in a way that is consistent with other activity undertaken in the area'*.
- FNZ supported the proposal's alignment with industry strategies but emphasised the need for robust risk assessment for Māui dolphins and ongoing iwi engagement.
- Biosecurity New Zealand (BNZ) made a number of recommendations which have been incorporated into the application and the draft Biosecurity Management Plan (BMP).

Fast-Track Engagement (2025)

- Letters were sent to MfE, DOC, FNZ, MNZ and BNZ as part of the fast-track process, offering summaries and opportunities for engagement.
- MfE noted the need to consider relevant Resource Management Act national direction and policy statements.
- NWML have participated in several meetings with FNZ in which they have acknowledged the critical importance of mussel nursery space and indicated that the activity would need to present no greater risk than the fisheries currently managed under the Hector's and Māui Dolphin Threat Management Plan (TMP). In follow up correspondence NWML have provided FNZ with detail about the NWML research lines that have been operating in the application area since 2019 without any dolphin incidences, as well as a report on a programme of visual and acoustic monitoring of Hector's dolphin activity in the context of mussel farms in Golden Bay.
- NWML have undertaken a pre-lodgement discussion with DOC including agreement to send them the referral application when it is lodged and liaise further on the proposal including on a set of draft consent conditions prior to finalising a substantive application.

Further detail is set out in **Schedule B**.

3.5.2.5. Industry Stakeholder Consultation

- Pare Hauraki Kaimoana: Supported the application, highlighting the need for reliable spat supply and the strategic value of the proposed site.
- Coromandel Marine Farmers' Association: Supported the proposal for its benefits to aquaculture growth, spat supply, and regional resilience.
- Aquaculture New Zealand: Engaged as a key industry stakeholder and noted the strategic importance of spat for the industry's future.

3.5.2.6 Key Ways Consultation has Informed the Project

Site Selection and Staging	• Location and Staging: Feedback from iwi, hapū, and environmental agencies highlighted the sensitivity of Māui dolphin habitat. As a result, NWML adopted a staged development plan, which now includes a pilot of up to 82 lines and provision for monitoring and expert review prior to each further stage of development. • Monitoring and Adaptation: The staged approach allows for ongoing monitoring and adaptation of the project as it develops.
Environmental Management	• Marine Wildlife Management Plan (MWMP): Consultation with the Department of Conservation (DOC) and peer-reviewed expert advice led to the development of a comprehensive MWMP. This plan incorporates best practices and ongoing monitoring to minimise risks to Māui dolphins and other marine wildlife. The applicant has undertaken to re-engage with DOC on the proposal, including on draft consent conditions, prior to the substantive application being lodged. • Maui Dolphin Monitoring and Management: Consultation with Fisheries New Zealand (FNZ) led to discussions about how to prove that the nursery structures will not cause any Māui dolphin mortalities to ensure alignment with the US MMPA and the TMP. NWML provided FNZ with detail about the existing research structures in the application area and a report on Hector's dolphin activity in mussel farms in Golden Bay. NWML continue to propose that a comprehensive monitoring programme be established in consultation with a Māui dolphin expert. NWML have engaged with an expert to explore the design of a monitoring programme to be undertaken with the structures in place for the first 'pilot phase' of up to 82 lines. Consultation with FNZ will continue as the application progresses. NWML have undertaken to liaise with FNZ on draft consent conditions prior to making a substantive application. • Biosecurity Management Plan (BMP): Consultation with Biosecurity New Zealand (BNZ) resulted in amendments to the application document and the draft Biosecurity Management Plan (BMP).
Cultural and Customary Interests	• Iwi and Hapū Engagement: NWML's ongoing engagement with iwi and hapū resulted in offers of partnership, including the transfer of 20% ownership of any consented space to Waikato coastal hapū and marae. This offer was made unconditional, reflecting feedback about the importance of mana whenua involvement and self-determination. The offer has not progressed to any particular agreement, but NWML remain committed to the offer and will continue to engage as the application progresses. Through the engagement Pukerewa Marae have confirmed that they will lead facilitation of engagement with NWML. The Chair of Pukerewa Marae has acknowledged that NWML are making this referral application and agreed to reconvene at a further hui early in 2026. • Waikato Tainui and Te Nehenehenui have been informed of the lodgement of this referral application. • MACAA Applicant Engagement: NWML have acknowledged and notified all relevant Marine and Coastal Area Act (MACAA) applicants, both during the previous RMA application process and in preparation of lodging this application for FTAA referral.

	Navigation Safety	Input from Maritime Authorities: Consultation with the Waikato Regional Council Harbourmaster and Maritime New Zealand confirmed that, provided the farm is appropriately marked and lit, there would be no significant navigation issues. This will inform the design and operational protocols for the farm structures.
	Industry and Community Benefits	- Industry Support and Needs: Engagement with industry groups such as Pare Hauraki Kaimoana and the Coromandel Marine Farmers’ Association reinforced the critical need for a resilient, regionally sourced spat supply. This input underscored the urgency of the project and helped shape its scale and operational focus. - Community and Stakeholder Resilience: NWML continue to engage with coastal hapū to ensure that the project supports local employment, economic resilience, and provides the associated social and community benefits.
3.5.2.7 Summary NWML are committed to ongoing engagement with iwi, hapū and agencies. Through engagement to date NWML have made an offer to gift 20% of any consented space to coastal hapū outside any Crown aquaculture settlement obligation. NWML have also proposed an initial pilot stage of up to 82 lines from which some of that infrastructure will also be gifted to the coastal hapū entity. The pilot stage will host a Māui dolphin monitoring programme undertaken by an independent marine mammal expert which can then inform future stages. NWML have strengthened the proposed Biosecurity and Marine Wildlife Management Plans and provided Fisheries New Zealand (FNZ) and the Department of Conservation (DOC) with additional information regarding potential effects of Māui dolphin. NWML have also agreed to liaise with the Waikato Regional Council (WRC), FNZ and DOC further on the proposal including on draft consent conditions prior to lodging a substantive application.		
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, Maioro & 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.	
3.5.8 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.	
3.7 Other matters		
3.7.1 Have any activities included in the project, or	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	

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?	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.
3.7.2 If an application has been made, provide details of the application.	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.
3.7.3 If a decision has been made, also provide the outcome of the decision and the reasons for it	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 June 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.
3.7.4 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.
3.8 Specific proposed approvals	
3.8.1.1 Resource consent approvals under the Resource Management Act 1991	
3.8.1.1.1 An assessment of the project against any relevant national policy statement, any relevant	The New Zealand Coastal Policy Statement (NZCPS)⁴⁷ 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

⁴⁷ <https://www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/>

national environmental standards and, if relevant, the New Zealand Coastal Policy Statement.	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: <i>'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.'</i> <i>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'.</i> The National Environmental Standard for Marine Aquaculture⁴⁸ only applies to existing aquaculture so is not relevant.
3.8.1.1.2 Existing resource consents	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.

⁴⁸<https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/national-environmental-standards-for-marine-aquaculture/>