



FTAA-2511-1140: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 1 decisions

Project Name: Waikato West Coast Mussel Spat Nursery

Date submitted:	17 December 2025	Tracking #: 25-BRF-00099	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decisions on recommendations in Table A	12 January 2026

Actions for Minister's Office staff	Return the signed briefing to: FTAreferrals@mfe.govt.nz Send email to Ministers to invite written comments
Number of appendices: 3	Appendices: 1. Statutory framework summary 2. Application documents for Waikato West Coast Mussel Spat Nursery project (in File Exchange) 3. List of the Māori groups referred to in section 18(2)

Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
Principal Author	Ben Bunting		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Project location



Figure 1: Map showing the location of the four sites comprising the Waikato West Coast Mussel Nursery Project

Key messages

1. This briefing seeks your initial decisions on an application from North Western Mussels Limited (the applicant) to refer the Waikato West Coast Mussel Spat Nursery project (the project) under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process.
2. At this stage you can either decline an application for the reasons set out section 21, or provide the application to, and invite comments from, the parties identified in section 17. If you do not decline the application, you will receive a further briefing following receipt of comments, to support your final decision on whether to refer the project.
3. The project is to establish and operate, using conventional longline methods, a new approximately 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*).

4. The four sites are approximately 3km offshore from the coastline, near Whāingaroa/Raglan, on the west coast of the Waikato Region (refer Figure 1).
5. The application states that new spat nurseries are prohibited activities in the entire Waikato region under operative Waikato Regional Coastal Plan. This is a potential reason you may decline a referral application under section 21(5) of the Act. However, we note section 21(7) of the Act explicitly states that the presence of a prohibited activity does not prevent you from accepting a referral application.
6. We have undertaken initial analysis of the referral application, and this is presented along with our considerations and recommendations in Table A.
7. We have decided the application is complete and complies with section 14 of the Act, as the application complies with section 13 requirements, may be capable of satisfying the criteria in section 22 and does not appear to involve an ineligible activity. The applicable fee and levy have been paid.
8. We recommend you progress consideration of the referral application to the next stage of analysis (Stage 2) and invite written comments from the parties prescribed in section 17(1) of the Act being:
 - a. Waikato Regional Council as the relevant local authority
 - b. the Minister for the Environment
 - c. the Minister for Oceans and Fisheries and the Minister for Conservation as relevant portfolio Ministers
 - d. the Ministry for the Environment as the relevant administering agency
 - e. the Māori groups referred to in section 18(2), as listed in Appendix 3.
9. While not required for the referral application, if accepted, the applicant will seek an Aquaculture Decision under section 80 (and clause 20 of Schedule 5) of the Act. We have therefore recommended that, under section 17(5) of the Act, you invite comments on the application from the Deputy Director-General of Fisheries New Zealand (a business unit within the Ministry for Primary Industries).
10. To inform on the regional and national significant benefits of the project we have also recommended that, under section 17(5) of the Act, you invite comments on the application from the Chief Executive of Aquaculture New Zealand.

Action sought

11. Please indicate your decisions on the recommendations in Table A.

Signature



Ilana Miller
General Manager – Investment Strategy and Operations

Table A: Stage 1 analysis

	Project Name		Applicant	Project Area
Project details	Waikato West Coast Mussel Nursery Project (the project)		North Western Mussels Limited (the applicant) c/- Aquaculture Direct Limited (the agent) The applicant is a registered NZ limited company and is eligible to apply for the approvals sought.	The four sites are in the coastal marine area, approximately 3km offshore from the coastline, near Whāingaroa/Raglan, on the west coast of the Waikato Region
Project description	The project is 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). The applicant seeks the following approvals under the fast-track approvals process to authorise the project: a. resource consents under the Resource Management Act 1991 (RMA) described in section 42(4)(a) of the Fast-track Approvals Act 2024 (the Act) While not required for the referral application, if accepted, the applicant will seek an Aquaculture Decision under section 80 (and clause 20 of Schedule 5) of the Act. We have therefore recommended that, under section 17(5) of the Act, you invite comments on the application from the Deputy Director-General of Fisheries New Zealand (a business unit within the Ministry for Primary Industries).			
Consultation undertaken	As required by section 11, the applicant has consulted with:			
	Relevant local authorities	Relevant iwi authorities, hapu and Treaty settlement entities	Relevant MACA groups / Ngā hapū o Ngāti Porou	Relevant administering agencies
	Waikato Regional Council (WRC)	The applicant advises they have consulted with: - Waikato-Tainui - Te Nehenehenui. - coastal hapū of Ngāti Tahinga - applicant groups under the Marina and Coastal Area (Takutai Moana) Act 2011.	- The applicant advises that MACA applicant groups have been consulted and provided with a summary of the application and an offer for further consultation. These groups comprise: - 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 Ngāti Mahuta ki te Hauaauru - MAC-01-04-014 Ngāa Marae o te Takutai Moana o Waikato-Tainui - MAC-01-03-010 Ngāti Tamaoho - 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	- Ministry for the Environment (MfE) - Department of Conservation (DOC) in relation to their role in the Māui Dolphin Threat Management Plan as the project is within a marine mammal sanctuary administered by DOC.
Section 22 assessment criteria				
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	You may consider any of the following matters, or any other matters the Minister considers relevant. The applicant considers the project is an infrastructure project that would have significant regional and national benefits, for the reasons outlined below. <i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant considers the project will: - provide mussel spat for over 35,500 tonnes of mussel production, directly supporting the Waikato region's aquaculture industry and local economies - provide mussel spat to enable the activation of consented mussel farming space are currently vacant due to spat supply shortages; this project will directly address that bottleneck, enabling these marine farms to reach their productive potential - 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 marine farm space nationwide - 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. <i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant considers that the 35,500-tonne increase in Greenshell mussel production will have the following significant economic benefits: - contribute \$81.5 million in GDP to the Waikato region and 320 jobs. - create 28 new FTEs jobs in Whāingaroa/Raglan community. Further GDP will be created from the infrastructure investment there of at least \$14 million. - create additional export revenue of \$185 million. <i>Will support primary industries, including aquaculture [s22(2)(a)(v)]</i> The applicant considers the project is critical for the viability of mussel farming in the North Island, and nationally significant for New Zealand's Greenshell mussel industry.			

	<i>Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events [s22(2)(a)(viii)]</i> The applicant states that warming waters in the Huaraki Gulf has led to spat and crop mortality and that the industry cannot tenably continue under these conditions without the ability to adapt. The project addresses this matter by seeking to locate mussel spat in nursery areas where the waters are cooler. <i>Will address significant environmental issues [s22(2)(a)(ix)]</i> The applicant considers that the project will address significant environmental issues of spat availability retention caused by changing temperatures and declining water quality in the Hauraki Gulf. The project allows vulnerable spat the opportunity to grow before being transferred to farms in the Hauraki Gulf. <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant notes that, while the project itself is a prohibited under Waikato Regional Coastal Plan, the project is consistent with policies and objectives in the Waikato Regional Policy Statement and would be a discretionary activity under Proposed Waikato Regional Coastal Plan. The project is identified as an innovation and investment opportunity in the Waikato Regional Aquaculture Strategy (2024) and is aligned with Government's Aquaculture Strategy, which identifies spat supply as a national priority for the industry to reach its \$3 billion export target by 2035.		
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant states that referring the project to the fast-track approvals process would enable it to be progressed in a more timely and cost-effective manner than under normal processes. The project has been in development for more than ten years but have been hindered because the activity is currently prohibited under the operative Waikato Regional Coastal Plan. 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 further information requirements have been met and the proposal is ready for notification. However, 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. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant states that referring the project to the fast-track approvals process is unlikely to materially affect its efficient operation. They consider the project is has all technical documentation ready, is shovel-ready, funded and will begin delivering growth and opportunities in the short-term following approval.		
Minister invites comments	<i>You must copy the application to, and invite written comments from [s17(1)]:</i> - Relevant local authorities: - WRC - The Minister for the Environment - Other relevant portfolio Ministers (and their relevance to the project): - Minister for Oceans and Fisheries – as the application will require an Undue Adverse Effects test under the Fisheries Act 1996 - Minister of Conservation – as the project is a prohibited activity under the Waikato Regional Coastal Plan (which was approved by the Minister of Conservation) - Relevant administering agencies: - Ministry for the Environment - Department of Conservation – as the project is within a designated marine mammal sanctuary administered by the Department of Conservation. - The Māori groups identified in Appendix 3.	<i>You may copy the application to, and invite written comments from, any other person [s17(5)]:</i> We recommend you invite comments from the following additional parties (their relevance to the project has been detailed above): - Deputy Director General of Fisheries New Zealand - Chief Executive of Aquaculture New Zealand - Minister for Economic Growth - Minister for Regional Development.	<i>The Minister may request further information about a referral application from the applicant, the relevant local authorities, or the relevant administering agencies to be provided within the time frame specified in the request.</i> N/A
Recommendations			Minister's decision
a. Note that section 25 of the Act permits you to decline the referral application without inviting comments from the relevant local authorities, the Minister for the Environment, any other relevant portfolio Ministers, any relevant administering agencies and the Māori groups identified in the list provided.			Noted
b. Note that you have not yet provided the application to, nor sought any written comments on it from, the parties listed in section 17(1) but that you are required to do so if you do not decline the application under section 21 of the Act.			Noted
c. Note that section 17(5) of the Act permits you to forward an application to, and invite written comments from, any other person.			Noted
d. Note that if comments have been sought and provided within the required time frame you are required to consider it, along with the referral application, before deciding to decline the application.			Noted
e. Note that section 20 of the Act permits you to request further information from the applicant, relevant local authorities, or relevant administering agencies at any time before you decide whether to accept or decline an application.			Noted
f. Agree to progress the Waikato West Coast Mussel Nursery project to our Stage 2 analysis (invite written comments and request section 18 Treaty report).			Yes / No

g. Agree to provide the application to, and invite written comments from: i. Waikato Regional Council as the relevant local authority under section 17(1)(a) ii. Minister for the Environment under section 17(1)(b) iii. Minister for Oceans and Fisheries, and Minister of Conservation as other relevant portfolio Ministers under section 17(1)(b) iv. Ministry for the Environment and the Department of Conservation the relevant administering agencies under section 17(1)(c) v. The parties identified in Appendix 3 as the Māori groups under section 17(1)(d) vi. Any parties you are required to invite comments from under section 17(1)(d) and (e) who may be subsequently identified	Yes / No Yes / No Yes / No Yes / No Yes / No Yes / No
h. Agree to provide the application to and invite written comments from the following additional entities/persons under section 17(5): i. Deputy Director General of Fisheries New Zealand ii. Chief Executive of Aquaculture New Zealand iii. Minister for Regional Development iv. Minister for Economic Growth	Yes / No Yes / No Yes / No Yes / No
i. Note that you have agreed to delegate to the Secretary for the Environment your responsibility to send all correspondence, other than to Ministers.	Noted
j. Agree to send the email to invite written comments from Ministers.	Yes / No

Signed:

Hon Chris Bishop
Minister for Infrastructure

Date:

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at this initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities,
 - b. the Minister for the Environment and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area:
 - f. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.

Appendix 2: Application documents for the Waikato West Coast Mussel Nursery project: (in File Exchange)

Appendix 3: List of the Māori groups referred to in section 18(2)

Name of group	Type of group (section of Act)
Te Whakakitenga o Waikato Incorporated	Iwi authority (s18(2)(a)); Treaty settlement entity – Waikato Raupatu Claims Settlement Act 1995 (s18(2)(a), Treaty settlement entity – MIO/IAO (s18(2)(a))
MAC-01-04-012 / CIV-2017-404-575 Te Ruunanga o Ngaati Mahuta ki te Hauaaauru, CMT PCR	MACA applicant group (s18(2)(f))
MAC-01-04-001 / CIV-2017-419-080 Kawhia Tangata, Aotea Whenua, Whaingaroa Moana CMT	MACA applicant group (s18(2)(f))
MAC-01-04-014 / CIV-2017-419-084 Ngaa marae o te takutai moana o Waikato-Tainui, CMT PCR	MACA applicant group (s18(2)(f))
MAC-01-04-011 / CIV-2017-419-083 Tainui hapu o Tanui Waka, CMT PCR	MACA applicant group (s18(2)(f))
MAC-01-03-005 Ngāti Māhanga	MACA applicant group (s18(2)(f))
MAC-01-04-010 Ngāti Whakamarurangi/Tainui ie Ngāti Koata, Ngāti Motemote, Ngāti Tahinga	MACA applicant group (s18(2)(f))
Te Ohu Kaimaoana	Treaty settlement entity (s18(2)(a))
Aotea Harbour and Adjacent Waters Mātaitai Reserve - Fisheries Notice 2008 (No. F433)	Local fishery group (s18(2)(h))
Ngāti Tahinga	Local fishery group (s18(2)(h))