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Our future in the sea - Toitu a tangaroa

Waikato West Coast Mussel Spat Nursery
Critical Industry Infrastructure
FTAA-2511-1140

Substantive Application under the
Fast-track Approvals Act 2024

North Western Mussels Limited

September 2026

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Acronyms and Key Terms

Acronym or Key Term	Definition
A+	A+ Sustainable Management Framework for Greenshell Mussels
BMP	Biosecurity Management Plan
BNZ	Biosecurity New Zealand
CIA	Cultural Impact Assessment
CMA	Coastal Marine Area
DOC	Department of Conservation
ENSO	El Niño–Southern Oscillation
FNZ	Fisheries New Zealand
FTAA	Fast-track Approvals Act 2024
FTE	Full Time Equivalent
GDP	Gross Domestic Product
Greenshell mussels	The New Zealand native greenlipped mussel <i>Perna canaliculus</i>
Harbourmaster	The Waikato Harbourmaster under delegated authority from MNZ
HNC	High Natural Character
IUCN	International Union for Conservation of Nature
Longline	The conventional structure for mussel farms in New Zealand consisting of a single or double backbone connected to the seabed at either end by warps and anchors and held afloat by a series of buoys.
MACAA	Marine and Coastal Area (Takutai Moana) Act 2011
MCACSA	Māori Commercial Aquaculture Claims Settlement Act 2004
MCERT	Ministry for Cities, Environment, Regions and Transport
MHWS	Mean High Water Springs
MIO	Mandated Iwi Organisation
MNZ	Maritime New Zealand
MPI	Ministry for Primary Industries
MWMP	Marine Wildlife Management Plan
NABIS	MPI National Aquatic Biodiversity Information System mapping tool
NCSWCE	Natural Character Study of Waikato Coastal Environment
NWML	North Western Mussels Limited
NZCPS	New Zealand Coastal Policy Statement
OMP	Operational Management Plan
ONL	Outstanding Natural Landscape
Panel	EPA Expert Consenting Panel
PWRCP	Proposed Waikato Regional Coastal Plan
RMA	Resource Management Act
Seed	Juvenile mussels which are held and/or transferred to other sites prior to 'final seeding' onto grow out farms at up to 90mm in shell length.
Spat	Juvenile mussels which have settled on a substrate, including those that have grown up to 40mm in shell length.
Spat nursery	A site specifically used to hold and/or grow mussel spat and/or seed until it is ready to

	transfer to a growout farm.
Te-Oneroa-a-Tohe	Te-Oneroa-a-Tohe or 90 Mile Beach on which approximately 85% of the industry's spat source washes up during various oceanic conditions attached to natural seaweeds
TMP	Maui Dolphin Threat Management Plan
UAE	Undue Adverse Effects as determined during an aquaculture decision under the Fisheries Act 1996
USMMPA	United States Marine Mammal Protection Act 1972
WRC	Waikato Regional Council
WRCP	Waikato Regional Coastal Plan
WRPS	Waikato Regional Policy Statement

Table 1 Acronyms and key terms

Part 1 Project Summary

This application is being made by North Western Mussels Limited (NWML) for a resource consent and associated aquaculture decision to establish and operate a Greenshell mussel spat and seed nursery at three sites, A to C, off the coast of Whāingaroa/Raglan in the Waikato region.



Figure 1 Proposed NWML mussel nursery sites A to C with inset showing Site D which has since been removed

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.

The mussel spat catching and nursery activity proposed in this application has the potential to provide resilient seed mussels for between 37,775 and 40,682 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 twelve years, and the proposed locations are 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 will deliver economic benefits that are regionally significant for the Waikato region. For the nursery on a standalone basis, the total economic benefits are estimated at \$136.9 million over 30 years, and the economic benefits outweigh the economic costs. However, the true scale of the anticipated economic benefits that the project will deliver are associated with the facilitated activity i.e., enabling aquaculture production and processing. The economic benefit of this activity is \$3.2 billion (in gross terms) over 30 years. While these benefits are subject to greater uncertainty, particularly around the availability of processing infrastructure, the scale is significant.

Overall, the proposed project is assessed as likely to deliver positive economic benefits even after accounting for the cost of resources used. This is the case for the nursery activity in its own right but the facilitated effects, the effects of significantly increasing mussel production as a result of the resilient spat, are significant.

The social benefits will also be significant. The nursery will support around 1,938 job-years and the facilitated production, 48,547 to 56,672 job-years (over 30 years).

Through the process of iwi engagement NWML have entered into an Oati with Ngaa Marae o Tahinga, whose rohe moana is in the vicinity of the application sites. The Oati provides the foundation for an enduring partnership approach. NWML intend to gift 20% space consented under this application to a nominated entity of Ngaa Marae o Tahinga as well as five installed lines and to provide education and workforce opportunities relating to the activity. This offer sits outside of, so would be in addition to, the Crown's aquaculture settlement obligation for 20% of representative space. In response to NWML's Letter of Intent, Ngaa Marae o Tahinga have confirmed their support and acceptance and proposed a small working group be established to progress next steps.

The economic assessment finds this gift will return up to \$12.2 million over 30 years to Ngaa Marae o Tahinga which is expected to support iwi-led priorities over the life of the project thereby enabling economic opportunities beyond the activity itself.

The application is consistent with the purpose of the Fast Track Approvals Act FTAA as it will provide nationally significant spat/seed nursery infrastructure to ensure that the mussel industry can meet its doubling export value potential. It is consistent with Government and sector strategies including the

¹ Waikato Regional Council. [Waikato Regional Aquaculture Strategy](#), hosted by Waikato Regional Council (accessed 1 September 2026).

Government's New Zealand Aquaculture Development Plan², its Agreed Plan for Securing Mussel Spat Supply and the Waikato Regional Aquaculture Strategy. Each of these recognise the need for sea based nurseries of which the NWML proposal is the most advanced and productive.

Furthermore it:

- Is shovel ready – development can commence as soon as baseline monitoring has been undertaken, and a new source of resilient spat will be available to the North Island mussel industry soon after.
- 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.

NWML lodged an application with Waikato Regional Council (WRC) in May 2023 for a private plan change and concurrent resource consent. WRC experts have peer reviewed the technical assessments and the application was accepted for notification in July 2025³. This application is supported by those technical assessments and peer reviews.

Since being granted referral NWML have continued cultural engagement and refined the scope of the application to remove the southern Site D. This decision recognises the Oati with Ngaa Marae o Tahinga whose rohe moana includes Sites A to C. While this application comprises a reduction within the referred project's scope, the economic assessment finds the benefits are still regionally significant.

The project is not in any customary marine title area, protected customary rights area, or aquaculture settlement area under s12 of the Marine and Coastal Area (Takutai Moana) 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 FTAA.

Ngaa Marae o Tahinga have expressed their cultural values and considered management of effects on customary fishing. NWML acknowledge their cultural, environmental, and customary responsibilities, and their enduring kaitiakitanga across te taiao and Tangaroa and the Oati sets out the framework for these to continue to be expressed.

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 marine mammal assessment finds that effects will be no more than minor subject to implementation of a Marine Mammal Management Plan, marine mammal monitoring and staged development in consultation with a marine mammal expert.

These mitigations are set out in the proposed consent conditions as well as requirements for benthic monitoring, hydrodynamic monitoring, an Operational Management Plan, a Seabird Management Plan and a Biosecurity Management Plan. NWML have liaised with WRC on the proposed conditions and provided drafts to the Department of Conservation and the Ministry for Primary Industries.

² New Zealand Government (2025). [New Zealand Aquaculture Development Plan 2025 - 2030](#).

³ Waikato Regional Council. Statutory and Policy Committee Meeting Agenda 19 June 2025.

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, will support iwi aquaculture development and will solve a critical issue for the survival and long term productivity of the Hauraki Gulf mussel industry.



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

Part 2 Introduction

2.1 Application Structure

This application has been structured to accord with the requirements of sections 42, 43, and 44 of the Fast track Approvals Act 2024 (FTAA) as follows:

Application Reference		Information Included
Part 1	Project Summary	Provides an overview of the application including description of its alignment against the purpose of the FTAA.
Part 2	Introduction	Sets out the application structure, acronyms and key terms and provides a background to and summary of the application, including the consent required.
Part 3	Statutory Framework	Provides an assessment of the application against the purpose and requirements of the FTAA including approvals relating to the Resource Management Act 1991 (RMA), an assessment against Part 2 (sections 5, 6 and 7 of the RMA, summarises the assessment against relevant planning instruments, and sets out requirements for an aquaculture decision.
Part 4	Application	Introduces the applicant, describes the application context, including the need for mussel spat nursery space and the process to confirm the application site meets that need, describes the activity including the site layout, staged development, proposed operations, proposed mitigations, and consideration of alternative options. Describes the existing environment.
Part 5	Cultural Considerations	Provides the cultural context including relevant iwi authorities, Treaty settlement entities and other Māori groups, relevant principles and provisions in Treaty settlements, relevant Marine and Coastal Area (Takutai Moana) Act 2011 (MACAA) applicant groups, the Oati between NWML and Ngaati Tahinga and a summary of the Cultural Impact Assessment.
Part 6	Assessment of Environmental Effects	Provides an overview of potential and actual effects on the environment including a table listing the effects considered, a summary of the findings and proposed mitigations (where relevant) for each effect, and applicable evidence/references. Then provides an effect by effect assessment referencing applicable expert assessments and reference documents where relevant.
Part 7	Consultation	Sets out all consultation undertaken under s11 of the FTAA with relevant local authorities, relevant iwi authorities hapū and Treaty Settlement entities, relevant MACAA applicant groups and the relevant administering agencies. Provides a summary of consultation undertaken during previous application processes.
Part 8	Proposed Conditions	Details how the proposed conditions incorporate the proposed mitigations including an Operational Management Plan (OMP), Marine Wildlife Management Plan (MWMP), Biosecurity Management Plan (BMP) and hydrodynamic and marine mammal monitoring.
Part 9	Conclusion	Concludes that the application meets the requirements of the FTAA and

		should be approved.
Schedule A	Maps and Plans	Provides a location map, site and layout plans and overlay maps showing the proposed sites in the context of relevant overlays in the Proposed Waikato Regional Coastal Plan (PWRCP).
Schedule B	Cultural Engagement	Provides documentation relating to cultural engagement.
Schedule C	Consultation Detail	Provides detail regarding consultation undertaken in respect of this project both prior to and as part of this application.
Schedule D	Technical Assessments	Provides an index to all expert technical assessments including peer reviews of the application assessments undertaken by experts for WRC. Then provides each of those expert assessments in full.
Schedule E	Management Plans	Provides the proposed management plans, the OMP, the MWMP and the BMP.
Schedule F	Proposed Conditions	Provides the set of proposed consent conditions.
Schedule G	Planning Assessment	Provides a detailed planning assessment against the relevant provisions of the New Zealand Coastal Policy Statement (NZCPS), the Waikato Regional Policy Statement (WRPS), the Waikato Regional Coastal Plan (WRCP), the PWRCP and relevant iwi management plans.
Schedule H	Referral Decision	Provides a copy of the referral decision made on 4 May 2026.
Schedule I	Reference Documents	Provides an index to key reference documents then provides each of those reference documents in full.

Table 2 Application structure

2.2 Application Summary

The project location is an area of the Tasman Sea in the west coast of the Waikato region, at least 3.1 km from the coastline, and generally between Te Hara Point in the south and Parikotuku Point in the north.

Development will be undertaken in three stages commencing Stage One comprising 82 lines at Site C. At full development each site will comprise 3 rows, each of 41 lines across 60 hectares as follows:

		Stage One	Stage Two	Stage Three	Total
Site A	Area (hectares)		90	90	180
	Rows (60 hectares each)		1.5	1.5	3
	Lines		61	62	123
Site B	Area (hectares)		90	90	180
	Rows (60 hectares each)		1.5	1.5	3
	Lines		61	62	123
Site C	Area (hectares)	120		60	180
	Rows (60 hectares each)	2		1	3
	Lines	82		41	123
Total	Area (hectares)	120	180	240	540
	Rows (60 hectares each)	2	3	4	9
	Lines	82	122	165	369

Table 3 Sites and stages

The mussel spat nursery consists of submerged conventional longline structures, with the 150 metre backbones (40 mm diameter) running parallel to the coast, spaced 50 metres apart. The backbones will be suspended approximately 3 metres below the sea surface by 300 L floats at 2-10 metre intervals. The backbone line will be secured to the seafloor by a 44 mm diameter mooring warp attached to a screw anchor at either end. There will be a total of 369 lines across the three sites anchored with 738 anchors.

From the backbone line the weighted and filamentous dropper lines will be hung. It is proposed that each dropper line is approximately 8 metres in length with 75/80 mm cut pile filaments. Dropper lines will be attached at each end to the backbone line to form a continuous spat catching/holding rope.

The activity is the catching and seeding of Greenshell mussel spat (*Perna canaliculus*), and to grow and harvest Greenshell mussel seed (at an average size of 50 to 70 mm and a maximum size of 90 mm), including occupation of 540 hectares of the coastal marine area. The farm will be operated year round.

Consent is also sought to allow to install and maintain structures (and replace them as required), to seed, grow and harvest marine farming product from the marine farm (including the discharging of coastal seawater and discharge of biodegradable and organic waste matter) and all other activities that are ancillary to the operation of the farm.

The RMA activities applied for as aquaculture activities are as follows:

Activity	Description
Construction, placement, alteration, removal or demolition of structures used for aquaculture activities (RMA s12(1)(b))	Installation of 9 rows with a total of 369 longlines across three sites, with screw anchors at each end and a series of subsurface longlines including warps, droppers, and floats. Installation to be undertaken in three stages as set out in the proposed conditions of consent.
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 540 hectares of the coastal marine area in 9 rows across 3 sites, with subsurface longlines, spaced at 50 metres apart.
Activities that contravene a rule in the regional coastal plan (RMA s12(3))	The project is for a resource consent that would otherwise be a prohibited activity under the RMA pursuant to rule 16.5.6 of the operative WRCP. The decisions version (October 2025) of the PWRCP provides for the application as a discretionary activity under rule AQA-R7. While the PWRCP is currently under appeal in the Environment Court, meaning the prohibited activity status remains in place at the time of this application, there have been no specific appeals

	relating to the discretionary activity status of a spat nursery at this location.
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.

Table 4 RMA activities

The application is for a consent term of 35 years with a lapse period of 3 years.

Part 3 Statutory Framework

3.1 Fast-track Application Purpose

The purpose of the Fast-track Approvals Act (FTAA) is set out in section 3:

- *'The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.*

This proposal will provide significant regional and national benefits by:

- Establishing strategically important spat and seed nursery infrastructure.
- Improving the diversity, resilience and effective utilisation of spat supply.
- Supporting the use of existing consented marine farming space and associated processing, vessel and workforce capacity.
- Generating direct and facilitated economic benefits for the Waikato and wider North Island.
- Supporting iwi and hapū participation in aquaculture.
- Assisting industry adaptation to changing marine conditions.

3.1.1 Consistency with Sector and Government Plans and Strategies

The proposal is directly aligned with Government, industry and regional aquaculture strategies that identify secure spat supply, improved spat survival and sea based nursery infrastructure as critical to the continued development of New Zealand's mussel farming industry.

The Government's New Zealand Aquaculture Development Plan recognises that *'aquaculture is a key industry for the prosperity of the nation'* and that investment into hatcheries and nurseries is needed so there is enough spat to fully utilise existing space. The industry and Government growth goal is that aquaculture is a \$3 billion industry by 2035, with mussel farming expected to contribute up to a third of that value.

To achieve this, the industry through its Spat Strategy has identified the need to secure and diversify spat supply and to optimise spat use. This requires a significant increase in spat supply, together with improved retention of the existing spat supply on mussel farms. The NWML spat nursery delivers both of these key components.

The Government recognises that, to realise its growth goal, *'the industry needs to increase survival of available spat by holding it at nursery sites during their most vulnerable period of development. In New Zealand, there are limited nursery sites that offer optimal conditions'*. The proposed NWML nursery will provide sea based nursery capacity in a location with the characteristics required to catch, hold and on-grow plentiful and resilient spat.

The New Zealand Aquaculture Strategy⁴ sets a vision for the sector to be ‘*recognised within New Zealand and around the world as producing healthy, high quality, environmentally sustainable aquaculture products.*’ 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.

The Government also has an ‘Agreed Plan for Securing Mussel Spat Supply’⁵ which includes a set of actions towards establishing sea based nurseries. NWML have already undertaken most of these actions, **they only require an enabling regulatory pathway.**

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 twelve 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 twelve 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.

Table 5 Assessment against Government spat plan

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 commercial and kaitiaki aspirations are provided for and that ‘*supporting sustainable industries like aquaculture will be essential to ensuring future generations have the high standards of wellbeing we owe them.*’

⁴Aquaculture New Zealand (2007). [New Zealand Aquaculture Strategy](#) (accessed 1 September 2026).

⁵ Ministry for Primary Industries (2023). [Agreed Plan for Securing Mussel Spat Supply](#) (accessed 1 September 2026).

NWML have entered into an Oati with the coastal hapu/marae of Ngaati Tahinga which is the foundation for an enduring partnership approach. NWML have offered their nominated entity a gift of 20% of the space that is consented as well as five installed lines and to provide education and workforce opportunities relating to the activity so that Ngaati Tahinga can participate in the benefits of the project. Ngaa Marae o Tahinga have accepted this offer, and a small working group will be formed to progress implementation and enable realisation of the economic, social and cultural benefits that participation will provide.

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

3.1.2 Delivery of Regionally and Nationally Significant Infrastructure

The project will deliver new regionally and nationally significant infrastructure and directly enable better utilisation of existing aquaculture infrastructure in New Zealand as follows:

Regional Significance

- The project will establish a new 540 hectare mussel spat and seed nursery off the Waikato west coast, which is unprecedented in scale and productivity for the region.
- Waikato has the potential to produce at least 42,000 tonnes of Greenshell mussels⁶, however the actual production peaked at around 25,000 tonnes and has recently declined to around 12,000. This is directly related to the critical shortage of resilient spat and seed supply, threatening the viability of existing farms.
- The nursery will provide spat for up to 40,682 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 and those in the Bay of Plenty, 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.

⁶ Thames Coromandel District Council (2023). [Investing in Coromandel Aquaculture and Marine Infrastructure](#).

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.

3.1.3 Significant Economic Benefits

The project will deliver economic benefits that are regionally significant for the Waikato region. For the nursery on a standalone basis, the total economic benefits are estimated at \$136.9 million over 30 years, and the economic benefits outweigh the economic costs. However, the true scale of the anticipated economic benefits that the project will deliver are associated with the facilitated activity i.e., enabling aquaculture production and processing. The economic benefit of this activity is \$3.2 billion (in gross terms) over 30 years. While these benefits are subject to greater uncertainty, particularly around the availability of processing infrastructure, the scale is significant.

Overall, the proposed project is assessed as likely to deliver positive economic benefits even after accounting for the cost of resources used. This is the case for the nursery activity in its own right but the facilitated effects, the effects of significantly increasing mussel production as a result of the resilient spat, are significant.

The social benefits will also be significant. The nursery will support around 1,938 job-years and the facilitated production, 48,547 to 56,672 job-years (over 30 years).

Furthermore, the 20% gift of the space (108 hectares) to Ngaa Marae o Tahinga is expected to return them up to \$12.2 million over 30 years and that source of income is expected to support Iwi-led priorities over the life of the project thereby enabling their economic opportunities beyond the activity itself.

3.1.4 Supporting Aquaculture

The project will support the continued functioning and future productivity of the Waikato and wider North Island mussel sector by addressing the recognised constraint on spat supply, survival and retention. As described in **Part 4**, the proposed nursery will enable the production and transfer of more resilient spat and seed, supporting use of existing consented farming space, associated vessels, landing facilities, processing capacity and workforce. This supply chain benefit is particularly significant in the context of the current reduced production and processing capacity in the region.

3.1.5 Supporting Climate Change Mitigation and Adaptation

3.1.5.1 Mitigation

Farming seafood is one of the most environmentally efficient ways of producing animal protein. New Zealand farmed mussels and oysters have among the lowest carbon footprints of all animal proteins and are similar in impact to plant based proteins like tofu. This research confirms that New Zealand's aquaculture industry is well placed to be part of our future sustainable, lower emissions economy. Greenshell mussels are a sustainable, nutritious and low carbon protein food⁷.

⁷O'Shea, T., Jones, R., Markham, A., Norell, E., Scott, J., Theuerkauf, S., and T. Waters. (2019). [Towards a Blue Revolution: Catalyzing Private Investment in Sustainable Aquaculture Production Systems](#). The Nature Conservancy and Encourage Capital, Arlington, Virginia, USA.

3.1.5.2 Adaptation

Aquaculture, like all coastal activities and all farming activities, is particularly susceptible to the effects of climate change and there is recognition that '*adapting to the predicted changes in the short term while taking mitigation measures in the long term could be the only way toward sustaining the sector's production*⁸'. 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.

3.2 Fast-track Approvals Act Application Requirements

The proposal is a Referred Project under the FTAA, and the applicant, North Western Mussels Limited, is the authorised person as set out in the referral decision included as **Schedule H**.

The applicant has undertaken the preliminary steps for application for resource consent set out in sections 30 and 31 of the FTAA as follows:

Provision	Comment	Reference(s)
s30(1)	The application seeks approval for a resource consent. The authorised person does not hold an existing consent for the same activity using some or all of the same natural resource.	This section
s30(2)	The authorised person has notified the Waikato Regional Council (WRC) in writing of the intention to make this application.	NWML emailed WRC on 11 August 2026 as set out in Schedule C2
s30(3)(b)	WRC have responded that there are no resource consents of that kind.	WRC provided confirmation as set out in Schedule C2 .
s31(1)	This application is for aquaculture activities and requires an approval described in section 42(4)(a) (resource consent) for which the EPA will need to request a recommendation under section 48 (recommendation in relation to aquaculture activities).	Part 3 Section 3.6
s31(2)	The applicant does not wish to lodge a pre-request aquaculture agreement.	Part 3 Section 3.6

Table 6 Assessment against FTAA sections 30 and 31

The application complies with the relevant provisions of section 42 of the FTAA as follows:

Provision	Comment	Reference(s)
s42(1)(a)	The authorised person is lodging one substantive application for the project	This application
s42(2)(a)	The application complies with s43 as set out in Table 8 below.	Table 8.
s42(2)(b)	The application is being lodged by the authorised person who is the proposed holder of the resource consent being applied for.	Schedule H Referral Decision
s42(3)(a)	The authorised person is eligible to apply for the approvals under the Resource Management Act.	Part 3 Section 3.4

⁸ Maulu, S., Hasimuna, O.J., Haambiya, L.H., Monde, C., Musuka, C.G., Makorwa, T.H., Munganga, B.P., Phiri, K.J. and Nsekanabo, J.D. (2021). [Climate Change Effects on Aquaculture Production: Sustainability Implications, Mitigation, and Adaptations](#). *Frontiers in Sustainable Food Systems*, 5, 609097.

s42(3)(b)	The application is not lodged by more than one authorised person.	This application and Schedule H Referral Decision
s42(4)(a)	The application seeks a resource consent which would otherwise be applied for under the Resource Management Act 1991, except that it is for a prohibited activity under the relevant plan (the Waikato Regional Coastal Plan).	Part 3 Section 3.4 and 3.5
s42(5)(a)	See above	
s42(5)(b)	The application seeks a resource consent, and its time frame is not limited by s30(6)	Part 3 Section 3.4 and Schedule H Referral Decision
s42(6) to (13)	These provisions do not apply to this application	N/A

Table 7 Assessment against FTAA section 42

The application complies with the relevant provisions of section 43 of the FTAA as follows:

Provision	Comment	Reference(s)
43(1)(a)	The application comprises the FTAA substantive application form and this document and accompanying Schedules.	This application
43(1)(b)(i)	The application is consistent with the purpose of the Act.	Part 3 Section 3.1, Schedule DE1 Economics Assessment
43(1)(b)(ii)	The application does not involve stages in the context of the FTAA.	N/A
43(1)(c)	The application does not involve any ineligible activities as follows: 5(1)(a) and (d) 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 (MACAA). 5(1)(b) and (c) Applications have been made for customary marine title over the area. There are no protected customary rights or customary marine title issued for the area. However, consultation has been initiated with the MACAA applicants and is ongoing. 5(1)(e) The project is not occurring within any aquaculture settlement area under the Māori Commercial Aquaculture Claims Settlement Act 2004 (MCACSA). 5(1)(g) The relevant plan does not include requirements for authorisations prior to making this resource consent application. WRC has not issued a stay on applications while it requests the use of an allocation method. The application area is not subject to an authorisation requirement in a Gazette notice. The Minister of Aquaculture has not suspended applications to occupy the CMA for purposes of aquaculture activities. None of the other triggers for ineligible activities are relevant.	Table A Schedule H Referral Decision
43(1)(d)	The application is lodged by the authorised person, North Western Mussels Limited, specified in the Referral Decision.	Application form and Schedule H Referral Decision

43(1)(e)(i)	No information requirements have been specified by the Minister for Infrastructure.	Schedule H Referral Decision
43(1)(e)(ii)	The application complies with the information requirements specified for resource consent applications set out in clauses 5 to 7 of Schedule 5. Clauses 8 and 9 do not apply.	Part 3 Sections 3.4 and 3.5, Part 4 Application, Part 5 Cultural Considerations, Part 6 Assessment of Environmental Effects, Part 7 Consultation.
43(1)(f) and (g)	The application is not being made under section 39 for a determination under sections 23 or 24.	N/A
43(1)(h)	The application is not for a priority project.	N/A
43(1)(i)	The application is being made within the deadline specified in the Referral Decision.	Schedule H Referral Decision
43(1)(j)	The application fees have been paid.	(Receipt)

Table 8 Assessment against FTAA section 43

The information provided in this application is specified in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the FTAA.

3.3 Scope Refinement

Section 46(2)(b) of the FTAA requires that the substantive application relates solely to a listed project or a referred project. The project that was referred comprised four sites over 700 hectares. Since the project was referred NWML have undertaken comprehensive engagement with Iwi and decided to progress the three sites where engagement is sufficiently advanced.

Through the process of engagement NWML have entered into an Oati with Ngaa Marae o Tahinga, whose rohe moana comprises sites A to C. The Oati is '*a pledge of commitment and assurance*' between NWML and Ngaa marae o Tahinga (Ngaati Tahinga). In the context of this, NWML have offered to gift 20% of the space to their chosen entity, delivering economic, social and cultural wellbeing as well as recognising Ngaati Tahinga mana moana, kaitiakitanga, and meaningful decision making. Ngaa Marae o Tahinga have confirmed their support in principle for the core commercial, capability, and community commitments set out in that offer.

In recognition that Site D is not within the rohe moana of Ngaa Marae o Tahinga and engagement had not progressed to the same extent with the more southern marae, a decision has been taken to refine the scope of the application by removing Site D. A map showing the location of Site D in the context of the application sites A to C is provided in **Schedule A**.

The application now comprises three sites over 540 hectares. No new sites, activities or approvals beyond the referred project are sought, this application comprises a reduction within the referred project's scope and still provides regionally and nationally significant benefits. The economic assessment has been prepared on the basis of the 540 hectare proposal.

There are other potential advantages for progressing without Site D. Site D sits partially within an Outstanding Natural Seascape and an area of High Natural Character in the October 2025 decisions version of the PWRCP. It also sits in the lee of a Nationally Significant Surf Break Swell Corridor and a Regionally Significant Surf

Break Swell Corridor. While NWML have peer reviewed expert assessments that find that the effects of Site D on the values in those overlays will be no more than minor, NWML anticipates inclusion of Site D will add complexity for the Panel's decision. In that respect it is considered that sites A to C are the most application ready at this time.

Note that aside from the economic assessment, the technical assessments and peer reviews of those technical assessments were prepared on the basis that Site D was included. In each case their findings were that the effects of the activity would be no more than minor and there is nothing in any of these documents that would trigger a different conclusion for the amended proposal, Sites A to C.

3.4 Approvals Relating to the Resource Management Act

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 540 hectare mussel spat nursery farm at three 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 aquaculture activities set out in Table 9:

Activity	Description
Construction, placement, alteration, removal or demolition of structures used for aquaculture activities (RMA s12(1)(b))	Installation of 9 rows with a total of 369 longlines across three sites, with screw anchors at each end and a series of subsurface longlines including warps, droppers, floats and navigation aids. Installation to be staged in accordance with conditions of consent, comprising three stages and commencing with 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 540 hectares of the coastal marine area in 9 rows across 3 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 at the site under the Waikato Regional Coastal Plan.
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.

Table 9 Aquaculture activities

The applicant is also seeking an aquaculture decision for the coastal permit under section 80 of the FTAA as

set out in Section 3.6 below.

The relationship of the FTAA with the RMA is outlined in Schedule 5 of the FTAA which sets out the consent application process that applies instead of the standard RMA consent application process. Notably:

Provision	Comment/Reference
Clause 5(1)(a) and (b) require a description of the activity, a description and map of the site including whether the site is within or adjacent to a statutory area or a protected customary rights area	Part 4 provides a description of the activity. Schedule A provides a location map and site plans. Part 4 Section 4.2 confirms the sites are not within or adjacent to a statutory area or a protected customary rights area.
Clause 5(1)(c) sets out requirements in relation to sections 42, 43 and 44 of the FTAA.	Part 3 Section 3.2 provides an assessment against these requirements.
Clause 5(1)(d) requires details of adjacent landowners	The sites are in the coastal marine area and there are no adjacent landowners for the purposes of FTAA.
Clause 5(1)(e) requires a description of other activities that are part of the proposal to which the consent application relates.	There are no other activities that are part of the proposal to which the consent application relates.
Clause 5(1)(f) requires a description of any other resource consents or designations required.	There are no other resource consents or designations required.
Clause 5(1)(g) requires an assessment of the activity against sections 5, 6 and 7 of the RMA.	Part 3 Section 3.5 provides a summary of the planning assessment which is provided in full in Schedule G .
Clause 5(1)(h) requires a planning assessment.	
Clause 5(1)(i) requires information about Treaty settlements that apply in the area including identification of relevant provisions and a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project area.	Part 5 provides information about relevant iwi authorities, Treaty settlement entities and other Māori groups, relevant principles and provisions in Treaty settlements and relevant MACAA applicant groups.
Clause 5(1)(j) requires a list of relevant applicant groups under the Marine and Coastal Area Act	
Clause 5(1)(k) requires proposed conditions to be provided	Part 8 sets out proposed conditions, a full set of which is provided in Schedule F .
Clause 5(1)(l) requires actions if a notice under s30(3) has been received.	The Waikato Regional Council has confirmed that there are no competing applications. Their confirmation is provided in Schedule C2 .
Clause 5(4) requires a consent application to provide an assessment of an activity's effects on the environment covering the information in clauses 6 and 7	Part 4 of this application describes the activity including the existing environment. Part 5 sets out the cultural considerations. Part 6 provides an assessment of environmental effects (AEE) which has been informed by a range of technical assessments provided in Schedule D . Proposed mitigations are set out in Part 6 and in the proposed Conditions in Schedule F . Part 7 provides a record of consultation with affected persons.
Clauses 14 to 16 and 17(5) set out provisions for making an	Considerations for making an aquaculture decision

aquaculture decision.	are set out in Part 3 Section 3.6 of this application.
Clause 17(1)(a) requires that the greatest weight be given to the purpose of the FTAA.	Part 3 Section 3.1 sets out how this application meets the purpose of the FTAA with reference to relevant sections of the application including the economic assessment provided in Schedule D .
Clause 17(1)(b) requires consideration of Parts 2,3,6 and 8 to 10 of the RMA.	Parts 8 to 10 of the RMA are not relevant to this application
Part 2 The purpose of the RMA (section 5), matters of national importance (section 6), other matters (section 7) and the Treaty of Waitangi (section 8)	Part 3 Section 3.5 of this application provides a summary assessment of the application against the RMA with reference to the detailed planning assessment provided in Schedule G .
Part 3 A resource consent is required for this activity including for discharges.	
Part 6 Have regard to the actual and potential effects on the environment, any measures to offset or compensate for adverse effects, the relevant provisions of policies and plans and any other matter considered relevant to determine the application	
Clause 17(4) provides that provisions in the RMA that would result in an application being declined, including that an activity is prohibited under the RMA, do not mean the application must be declined under the FTAA	Reasons to decline are considered in Part 3 Section 3.7 of this application.
Clause 17(7) refers to sections 123 and 124A of the RMA which include that consent terms for aquaculture activities can be between 20 and 35 years (unless certain requirements are met to apply a shorter term than 20 years).	This application is for a consent term of 35 years with a lapse period of 3 years.

Table 10 Assessment against FTAA Schedule 5

3.5 Planning Assessment

The Planning Assessment provided in **Schedule G** identifies the relevant planning instruments as:

- The Resource Management Act 1991 (RMA),
- The New Zealand Coastal Policy Statement 2010 (NZCPS),
- The Waikato Regional Policy Statement (WRPS),
- The operative Waikato Regional Coastal Plan (WRCP)
- The decisions version of the Proposed Waikato Regional Coastal Plan, (PWRCP) and
- Relevant iwi management plans.

The proposal requires resource consent for an activity that is currently prohibited under Rule 16.5.6 of the operative WRCP. However, the October 2025 decisions version of the PWRCP provides for spat nursery activities at this location as a discretionary activity under Rule AQA-R7. Although the PWRCP remains subject to Environment Court appeals, there are no appeals specifically relating to the discretionary activity status of spat nursery activities at the application sites. Section 42(5) of the Fast-track Approvals Act 2024 (FTAA) enables a substantive application to seek resource consent for a prohibited activity.

Schedule 5 of the FTAA requires consideration of sections 5, 6 and 7 of the RMA and relevant planning instruments, including the NZCPS, regional policy statements and plans, and relevant iwi planning

documents. The detailed assessment is provided in **Schedule G**.

Overall, while the activity is prohibited under the operative WRCP, the proposal is broadly consistent with the relevant objectives and policies of the NZCPS, WRPS and decisions version of the PWRCP. It is also consistent with the purpose of the FTAA. The proposal will provide strategically important spat catching and nursery capacity to improve the diversity, resilience and productivity of the Waikato and wider North Island mussel industry. It will help secure existing investment in farms, vessels, processing and associated services, while supporting employment and year round industry activity.

The proposal is consistent with Part 2 of the RMA. It enables social, economic and cultural wellbeing through a more secure and resilient supply of Greenshell mussel spat and seed, while providing for the sustainable management of the coastal environment. The proposed sites have been selected following long term research into spat catch, survival and growth, and because they provide suitable water quality and practical access to Whāingaroa/Raglan Harbour and associated infrastructure. The activity also has a clear functional and operational need to occur in the coastal marine area.

The proposal is consistent overall with the NZCPS. The activity is located several kilometres offshore and the longline structures will occupy a small proportion of the wider seascape. Landscape and natural character effects are assessed as low overall, with any effects principally limited to experiential values, including remoteness and isolation. There will be no physical effects on notable landforms or on the biophysical and associational values of the adjacent landscape.

The proposal will maintain public access, open space and recreation. No exclusive occupation is sought other than the area immediately required for the physical structures and safe operation of the farm. The site layout will allow navigation through and around the farm blocks, supported by appropriate marking and lighting.

Effects on water quality, sedimentation, benthic ecology, seabirds, biosecurity and hydrodynamic processes are assessed as no more than minor. Potential effects on marine mammals, including Māui dolphin, are addressed through baseline and ongoing monitoring, the MWMP, staged development and adaptive management.

The proposal is consistent with the NZCPS because it:

- Provides for aquaculture in an appropriate offshore location with suitable water quality, access and operational characteristics.
- Has a functional and operational need to be located in the coastal marine area.
- Avoids mapped outstanding natural character, outstanding natural landscape, significant indigenous biodiversity, nationally significant surf break and swell-corridor overlays.
- Maintains public access, recreation opportunities and navigation through and around the farm blocks
- Provides for adverse effects to be avoided, remedied or mitigated through site selection, design, monitoring, staged development and proposed consent conditions.
- Recognises the social, economic and cultural contribution of aquaculture to communities and the wider region.
- Applies a precautionary and adaptive management approach through staged development, the OMP, MWMP, BMP, monitoring and consent review mechanisms.

Māui dolphin is a threatened species to which NZCPS Policy 11(a)(i) applies, requiring adverse effects to be avoided. The proposal achieves this through the requirement to develop the farm in stages in consultation with a suitably qualified marine mammal expert. The proposed consent conditions and Marine Wildlife Management Plan provide a robust framework of mitigation, monitoring and response.

The proposal is also broadly consistent with the relevant provisions of the decisions version of the PWRC. In particular, it gives effect to the policy direction to recognise the benefits of aquaculture for ecosystems, local communities, tangata whenua and the region, and to recognise the importance of spat catching and spat farming in appropriate locations. The proposal directly addresses the critical constraint on the viability and future productivity of the Waikato mussel industry, availability, survival and retention of spat and seed.

The Sites A to C are outside mapped outstanding natural character, outstanding natural landscape, sites of significance to Māori, significant indigenous biodiversity areas, nationally significant surf breaks and swell corridors, marine reserves, mooring areas and navigable river mouths. The technical assessments and associated peer reviews support the conclusion that actual and potential effects, including cumulative effects, will be no more than minor, subject to the proposed management and monitoring framework. The OMP, MWMP, BMP, staged development and associated consent conditions provide an integrated and precautionary approach to avoiding or managing adverse effects.

The proposal recognises tangata whenua relationships with the coastal environment, provides for kaitiakitanga and meaningful participation, and seeks to protect mauri, customary relationships, mahinga kai and taonga. NWML has engaged with Waikato-Tainui, relevant coastal hapū and marae, Treaty settlement entities and MACA applicant groups. The substantive proposal has been refined to Sites A–C, which are within the Ngāa Marae o Tahinga rohe moana. Site D has been removed where engagement had not progressed to an equivalent point.

The Ngaati Tahinga Oati, Cultural Values Impact Assessment, Letter of Intent and Ngāa Marae o Tahinga response (all set out in **Schedule B**) establish the basis for an enduring relationship including the provision of tangible Māori aquaculture opportunities through the gift of 20% of the consented space, five developed lines, training and employment opportunities. These commitments are additional to the Crown's new space obligation which would be equivalent to 108 hectares if the full project is approved.

Overall, the Planning Assessment supports the finding that the proposal:

- Aligns with the NZCPS, WRPS and decisions version of the PWRC, and is consistent with the purpose of the FTAA.
- Provides a secure, diverse and resilient source of spat and seed that supports the continued viability, productivity and growth of the Waikato and wider North Island mussel industry.
- Delivers regional social and economic benefits through support for farming, processing, employment, investment and related services.
- Recognises and provides for tangata whenua relationships, kaitiakitanga and cultural values through the Ngaati Tahinga Oati, and tangible Māori aquaculture opportunities.
- Avoids sensitive mapped areas and provides for effects to be managed through site selection, farm design, monitoring, staged development, adaptive management and proposed consent conditions.
- Has actual and potential adverse effects that are generally assessed as no more than minor, subject to the proposed management framework.

3.6 Aquaculture Decision

The purpose of an aquaculture decision⁹ is to determine whether a proposed aquaculture activity would unduly affect commercial, recreational, or customary fishing. The undue adverse effects test (UAE) is applied by the chief executive of FNZ under Subpart 1 of the Fisheries Act 1996 (Fisheries Act) to assess the effects of a proposed marine farm on fishing before making an aquaculture decision.

Under section 116A of the RMA, a coastal permit for a new aquaculture activity cannot commence unless it is in accordance with an aquaculture decision made under the Fisheries Act. Once a complete application has been accepted, the consent authority must request an aquaculture decision from FNZ, and the coastal permit can only be granted and exercised to the extent that it is consistent with that aquaculture decision.

Under the FTAA, at the same time the EPA provides the substantive application to the panel convenor, it must request a recommendation on an aquaculture decision from FNZ. The purpose of the recommendation on an aquaculture decision is to inform a decision on the same by the panel.

To inform its recommendation, FNZ can seek information or consult with various parties with fishing interests that may be affected by the application. FNZ must provide its recommendation within 5 working days of receiving draft conditions of consent from the panel.

Once the panel has received that recommendation, it is responsible, under clause 20 of Schedule 5, for making the aquaculture decision at the same time as determining the substantive application for the aquaculture activity.

1) In making an aquaculture decision, the panel must—

a) take into account, giving the greatest weight to subparagraph (i),—

i) the purpose of this Act; and

ii) sections 8 to 10 and 186GB(1) and (2) of the Fisheries Act 1996; and

b) have regard to the recommendation of the relevant chief executive made under clause 15.

In this respect the FTAA puts greater weight on the delivery of development projects with significant regional or national benefits when making an aquaculture decision than a standard RMA consenting pathway.

Section 8 of the Fisheries Act sets out its purpose to '*provide for the utilisation of fisheries resources while ensuring sustainability*'. Section 10 sets out the information principles that should apply. Section 186GB sets out the relevant matters for consideration:

- The location of the proposed marine farm in relation to fishing areas;
- The likely effect of the proposed marine farm on fishing, including the proportion of any fishery that would be affected;
- The degree that the proposed marine farm would exclude fishing;
- The extent that fishing for a species in the proposed marine farm area could occur in other areas;
- The extent that occupation of the coastal marine area by the proposed marine farm would increase the cost of fishing; and
- The cumulative effect on fishing of any authorised aquaculture, including any structures authorised before the introduction of any relevant stock to the quota management system.

⁹ Ministry for Primary Industries. [The Undue Adverse Effects Test on Fishing](#).(accessed 1 September 2026).

The outcome of the aquaculture decision will be determined under the Fisheries Act 1996 and the FTAA by the relevant decision-makers, having regard to the statutory matters outlined above.

This application does not seek to predetermine the outcome of an aquaculture decision, but the effects on fishing have been assessed in Section 6.13 below to inform that decision-making process.

3.7 Circumstances for Decline Not Met

Section 85 FTAA sets out the limited circumstances when approvals must or may be declined. NWML considers that these circumstances are not met for this application for the following reasons:

- The proposal provides significant regional and national benefits.
- The proposal includes a range of mitigation measures including undertaking baseline marine mammal and hydrodynamic monitoring, staged development, adaptive management, operation in accordance with the A+ Sustainable Management Framework, an Operational Management Plan, a Marine Wildlife Management Plan including marine mammal monitoring, a Biosecurity Management Plan, and shoreline monitoring. Where relevant, mitigation requirements are set out in the proposed consent conditions.
- With the proposed mitigations in place the technical assessments support the finding that adverse effects, including on values protected by the NZCPS will be no more than minor. The proposal is considered to be in alignment with the fisheries objectives set out in the TMP.
- In any event, the adverse effects are not sufficiently significant to be out of proportion to the project's regional or national benefits.

Part 4 Application

4.1 Applicant

NWML is a joint venture involving Gulf Mussel Farms (Gulf Mussels), OP Columbia¹⁰ and the Vela Group¹¹. The activity will be undertaken by Gulf Mussel Farms, an intergenerational local mussel farming company operating four of their own farms and leasing and managing many others in the region. They also undertake the mussel farming operations for Pare Hauraki Kaimoana.

OP Columbia runs the only remaining mussel processing factory in the Waikato region, as processing has been significantly impacted by declining spat survival in the Hauraki Gulf. The processing season runs from September to July with the company employing approximately 100 staff operating one day shift. If the region had sufficient resilient spat and mussel production increased as a result they could operate at their full capacity of two production shifts daily processing an annual production of 12,000 tonnes.

The Vela Group is an intergenerational fishing company with investments in mussel farming and processing in partnership with OP Columbia and the fourth largest fishing quota holding in New Zealand.

Gulf Mussels carries out their operation in accordance with environmental best practice including the A+ Sustainable Management Framework for Greenshell Mussels¹².

4.2 Project Location

The project location is an area of the Tasman Sea in the west coast of the Waikato region, at least 3.1 km from the coastline, and generally between Te Hara Point in the south and Parikotuku Point in the north. Site maps, coordinates, and layouts are set out in Section 4.4 and **Schedule A**.

The application sites sit entirely within the rohe moana of Waikato Tainui but do not sit within a statutory area as defined in a Treaty Settlement Act or a protected customary rights area under MACAA. Details regarding relevant Māori groups are set in **Part 5** of this application.

4.3 Mussel Spat Nursery Context

4.3.1 New Zealand's Greenshell Mussel Industry

The Government recognises the New Zealand mussel industry as a sustainable opportunity to support economic and social wellbeing. It provides a unique opportunity for Māori through the aquaculture settlement, including advancing cultural provenance and providing positive career pathways. *'Its development through innovation and best practice can enrich our communities and our global reputation'*¹³.

The mussel industry is spread across the country, but the primary farming regions are Marlborough and the Hauraki Gulf/Coromandel:

¹⁰ [Opolumbia](#).(accessed 1 September 2026).

¹¹ Vela Fishing. [About Vela](#).(accessed 1 September 2026).

¹² [A+ Aquaculture](#).(accessed 1 September 2026).

¹³ Ministry for Primary Industries (2019). [New Zealand Government Aquaculture Strategy](#) (accessed 1 September 2026).

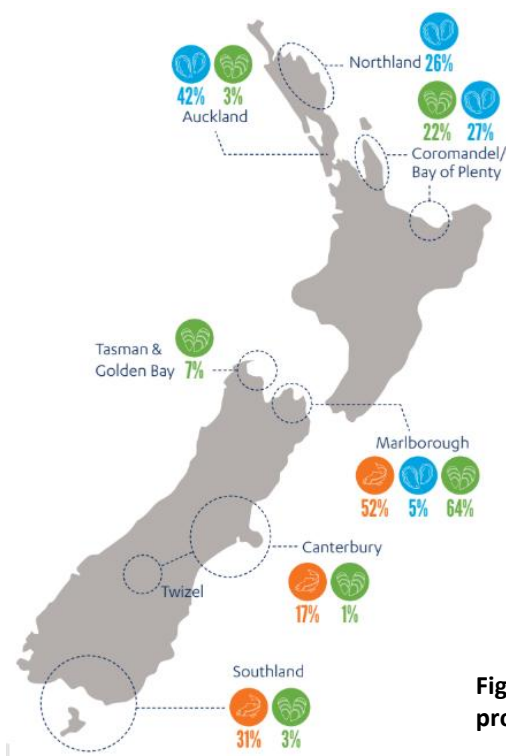


Figure 3 The New Zealand aquaculture industry showing % of each species' production (salmon, oysters and mussels) by region in 2024

One of the most pressing challenges for the mussel industry is a sustainable and resilient source of mussel spat. Mussel spat are the baby mussels that the industry needs to supply onto their farms in order to produce harvest sized mussels. In 2020 the industry developed its New Zealand Greenshell Mussel Spat Strategy¹⁴ in recognition that '*a consistent and high-quality supply*' of spat will be critical to achieving the industry growth goal.

4.3.2 Spat Supply and Survival Issues

Historically the majority of the industry's spat has come from spat attached to drifting seaweed that washes up on Te Oneroa-a-Tōhē (90 Mile Beach). Another important source has been wild caught spat which attach to specially designed catching lines deployed at dedicated spat catching sites however changing environmental conditions have seen significant declines in catches at these sites in recent years. The remainder is sourced from the Shellfish Production and Technology NZ Limited (SPATNZ) hatchery and nursery in Nelson, which is still currently the only spat hatchery in New Zealand.

The industry is experiencing a significant challenge in accessing and retaining sufficient spat to maintain its current production. Changing environmental conditions are impacting the resilience and accessibility of the existing spat supply. Sedimentation and nutrients are affecting spat retention in mussel growing areas, including the Firth of Thames. These are exacerbated by warming waters and an increasing population and diversity of marine pests.

In addition, increasing snapper abundance within existing farms has become a significant issue in the Hauraki Gulf. Snapper can consume significant quantities of mussel seed when its growing through the range of 10-50mm. A recent study of four mussel farms in the Hauraki Gulf¹⁵ (provided in **Schedule I2**) found '*losses due*

¹⁴Aquaculture New Zealand. [New Zealand Greenshell Mussel Spat Strategy](#) (accessed 1 September 2026).

¹⁵Stobart, R.L., Jeffs, A.G., Hillman, J.R. and Skelton, B.M. (2026). [Quantifying Mussel Losses from Fish Predation on New Zealand Greenshell Mussel \(*Perna canaliculus*\) Farms](#). *Aquaculture and Fisheries*, 6, e70263. (**Schedule I2**).

to predation of up to 93% in juvenile mussels over 67 days'. This has caused substantial damage and cost to the farm structures as well as loss of the crop. It is estimated snapper predation is costing the Coromandel industry \$5-10 million per year. Predation is particularly prevalent at sizes of between 8 and 25mm. Figure 3 of Schedule 12 provides a stark picture of the result of snapper predation:



FIGURE 3 | Photographs taken on 3 March 2023 of mussel farm dropper lines from Experiment 2 at Esk Point holding mussels of 25-30 mm shell length showing the effects of fish predation on mussel dropper lines 21 days since the outset of the experiment: (A) intact dropper line from caged treatment, (B) section of control dropper line recently stripped of mussels by predation and (C) control dropper line stripped completely bare.

Figure 4 Snapper predation on Coromandel mussel lines (control at A)

The effects of this decline in production include 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 industry¹⁶.

As such there is growing awareness that alternative spat sources are necessary through both the development of land-based hatcheries and by identifying optimal sites for catching wild spat and cultivating seed. In particular there is an increasing understanding of the crucial role that spat nurseries will play in the industry's future productivity and resilience¹⁷.

4.3.3 Mussel Life Cycle

From the time of spawning and fertilisation, mussels start their life as free-swimming larvae, after which they settle as microscopic spat onto a catching medium. Once the spat has settled onto a suitable medium (in a natural environment, this would be a seaweed or the like, see Figure 3 below), metamorphosis from the larval, to the adult form takes place. This process takes the 'spat' (up to 40 mm) through a juvenile or 'seed' stage of 30 to 90 mm then on to mature adult mussels at a harvest size of around 105 mm.

¹⁶Statement of Evidence of Jake Bartrom to the PWRCP hearings April 2025. (Schedule 11).

¹⁷Ministry for Primary Industries (2025). [Enabling Spat Nurseries to Grow New Zealand's Mussel Sector](#) (accessed 1 September 2026).

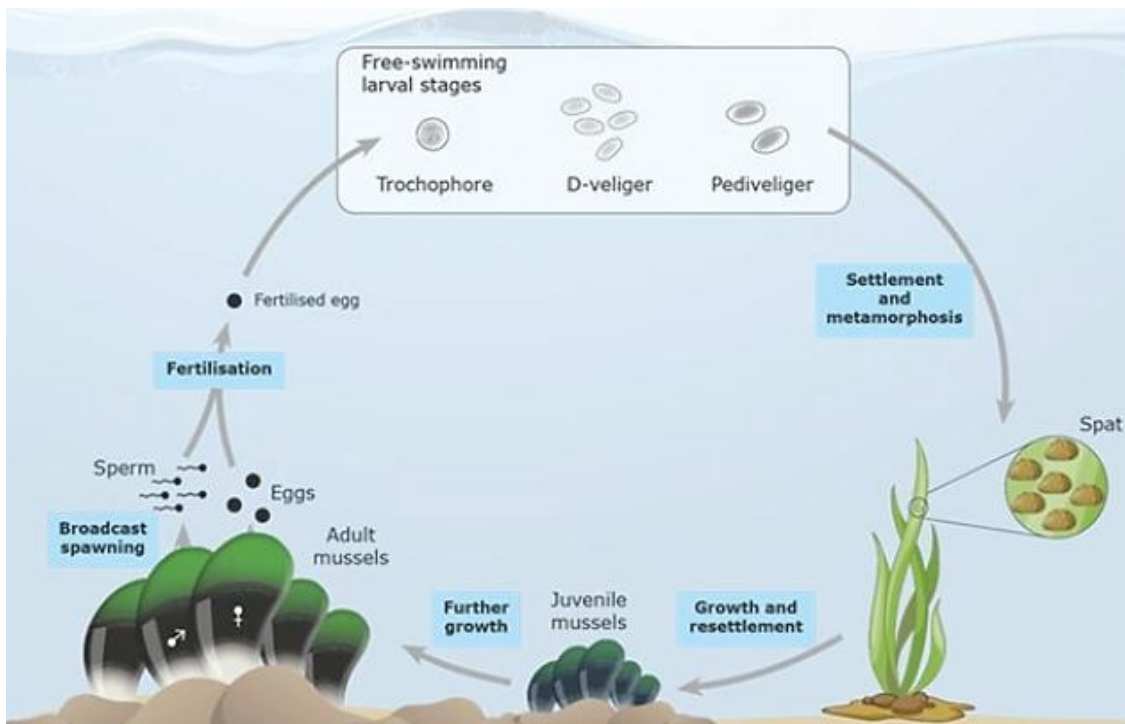


Figure 5 Mussel life cycle (University of Waikato)

4.3.4 Spat Catching

The purpose of a spat catching operation is to encourage microscopic spat larvae to attach themselves to a dropper rope, as explained below. Spat catching generally involves placement of lines, 'spat ropes' or 'dropper lines' in the water column during periods when spat are known to settle (usually a period of between 3-5 weeks each cycle). Various materials are used, including ordinary rope and lead core rope. Spat are then harvested at optimal times and relocated to existing mussel farms, including in the Coromandel/Hauraki Gulf in the Waikato region.

Spat catching has historically been undertaken at a range of sites across the country including in the Coromandel, Tasman and Golden Bays and the Marlborough Sounds. However, these have shown a steady decline in spat catching success over recent years such that now only Wainui Bay in Golden Bay and Aotea Harbour in the Waikato are considered reliable. This has resulted in an increasing reliance on Te Oneroa-a-Tōhē and a new focus on seeking alternative opportunities.

NWML have been undertaking spat research in the Tasman Sea every year since 2013 with monthly sampling over 193 site visits generating 683 rope spat samples analysed over the 12 intervening years.

This research has produced data showing when spat is readily available in the area by:

- Collecting samples of spat catching rope which had soaked for differing lengths of time;
- These catching samples were then frozen to release the byssus thread of the attached microscopic mussel spat;
- After this, the samples were thawed, soaked in water and rapidly agitated, removing the spat from the catching material;
- The spat was then poured through and collected on a series of four sieves ranging from 350 (0.35 mm) to 3,000 (3 mm) microns in size;

- The sieves were then back flushed into a bowl corresponding to each sieve size. By stirring the spat and water in one direction, the microscopic spat would accumulate in the centre of that bowl, followed by pipetting onto a microscopic slide for counting under a dissecting microscope, resulting in a spat count of numbers per metre.



Figure 6 Spat catch over three seasons, autumn (top left), winter (top right) and spring (bottom on coir twine)

NWML have now established that there are three spat settlements per year namely autumn, winter and spring. The autumn settlement is 60% reliable with the winter and spring settlements up to 100% reliable.

The monitoring programme has provided a substantial site specific dataset to inform operational planning.

4.3.5 Seed Nursery

It is common 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, at which stage it is often termed 'seed'. 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.

As noted above, the mussel industry is collectively seeking to address spat supply and retention challenges through implementation of an industry spat strategy. This includes research into understanding spat behaviour and optimal conditions for catching, holding and seeding. Depending on a range of conditions it may be beneficial to hold spat up to a maximum of 90 mm (average 50 – 70 mm) in size prior to final seeding on other farms. This is likely to provide them with sufficient resilience to survive the increasing water temperatures, snapper predation issues and land use runoff challenges in the existing mussel farming areas

such as the Hauraki Gulf.

The characteristics of the proposed site, 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' when introduced to farming areas. The proposal enables seed to be grown to a size too large for snapper to eat then stripped off the nursery lines before being reseeded onto grow out farms.

Another point of difference for the proposed sites is that the reliably high density of spat catch allows for the ropes to be transferred directly to grow out sites when the spat is smaller. This enables a much higher level of retention in more challenging growing conditions than other wild spat sources because the spat are more resilient from the cooler and productive waters. They can then maintain their original attachment to the ropes making them much less inclined to 'drop off'.

4.3.6 Spat Nursery Research

NWML has been undertaking spat research on the west coast of the North Island since 2013 which has confirmed that the proposed catching and nursery sites are in the best possible location for optimal spat supply. The programme has been carried out under research consents commencing at Muriwai and covering areas in Northland, Auckland and the Waikato.

The research was originally undertaken on 'cray line type structures' but in 2018 the Waikato Regional Council granted consent¹⁸ for deployment of six 150 metre longline structures within the Waikato west coast.

The longline structures are similar to mussel spat catching longlines, with anchors at each end of the 150 metre length, except that vertical droppers and spat frames can be deployed.

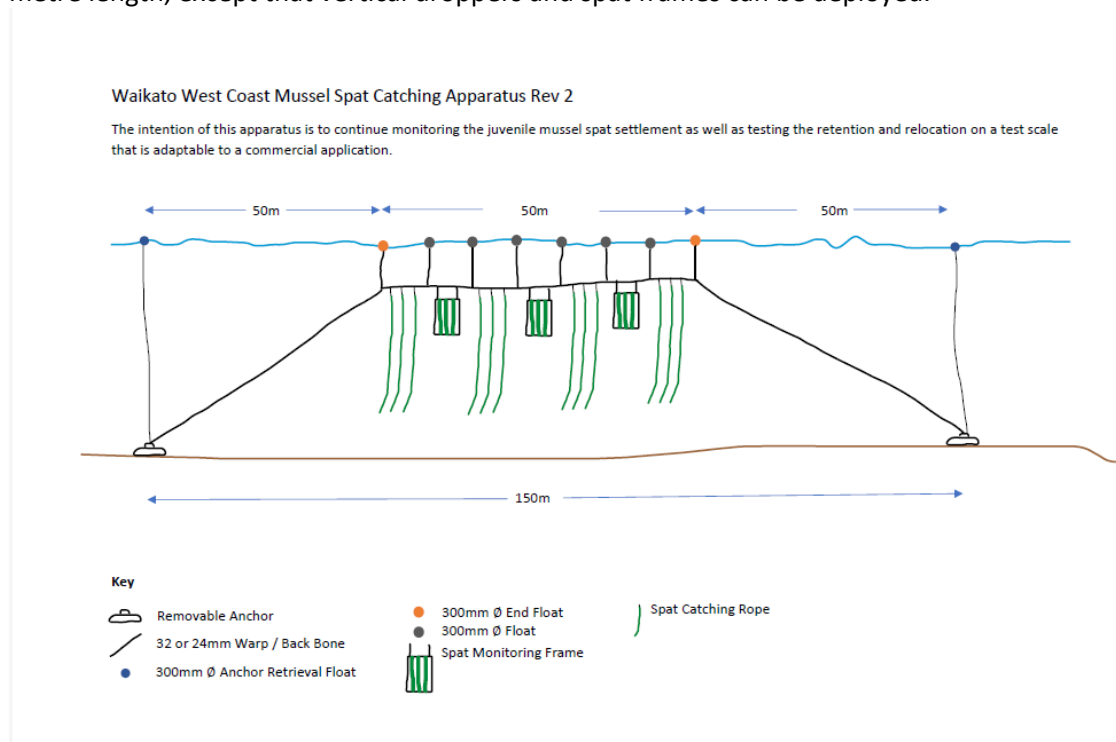


Figure 7 NWML spat research longlines (6 units)

¹⁸ AUTH139018.01.01

Through the life of the research the Waikato sites have demonstrated consistent and significant spat catch and retention. In addition, the research programme has enabled better understanding of the feasibility of open ocean structures, improved design and specialised weather forecasting.

The research has also confirmed that practical and economic access to open ocean sites using both small boats and larger aquaculture vessels is essential. For the NWML application sites, Manu Bay Raglan, Raglan Harbour, Port Taranaki and Port Manukau are all in the near vicinity, so farm logistics, safety and viability are optimised.

The research has included a 'Dolphin Safe Waikato Tasman Sea Mussel Spat Catching Long Line Trial' co-funded under the Fisheries Inshore New Zealand Gear Innovation Pathway programme. The final report in 2021 recorded successful development of the self-tensioning longline system proposed in this application. NWML have also been continuously maintaining a marine mammal sightings log since 2013 and notably never encountered a Māui dolphin in the vicinity of the lines.

In summary, twelve years of research has confirmed that the proposed catching and nursery sites are unparalleled for spat catching and spat retention, including for nursery of hatchery spat. They also optimise accessibility and farming logistics to provide a step change in productivity for the Zealand mussel industry. The lines have been operating in Māui dolphin habitat since 2018, and no interactions have been reported.

4.4 The Proposed Activity

4.4.1 Site Selection

As noted above, site selection has been informed by more than twelve years of research along the west coast of the North Island including in the Waikato, Auckland, and Northland regions. As a result of this research NWML have identified that the proposed sites are superior for reliability, quantity and resilience of spat supply and conditioning. Spat count is consistently high to very high with catches above 30,000 spat per metre comparable with those on Te Oneroa a Tohe and significantly high spat retention.

The location is also optimal for farming logistics due to calmer seas than those further north and the proximity to land based infrastructure at Whāingaroa/Raglan. NWML consider there are no suitable alternatives to the proposed locations.

Visual confirmation of the consistency of spat catch over the eight consecutive years is provided over:

Whāingaroa/Raglan Spat Catch Time Series

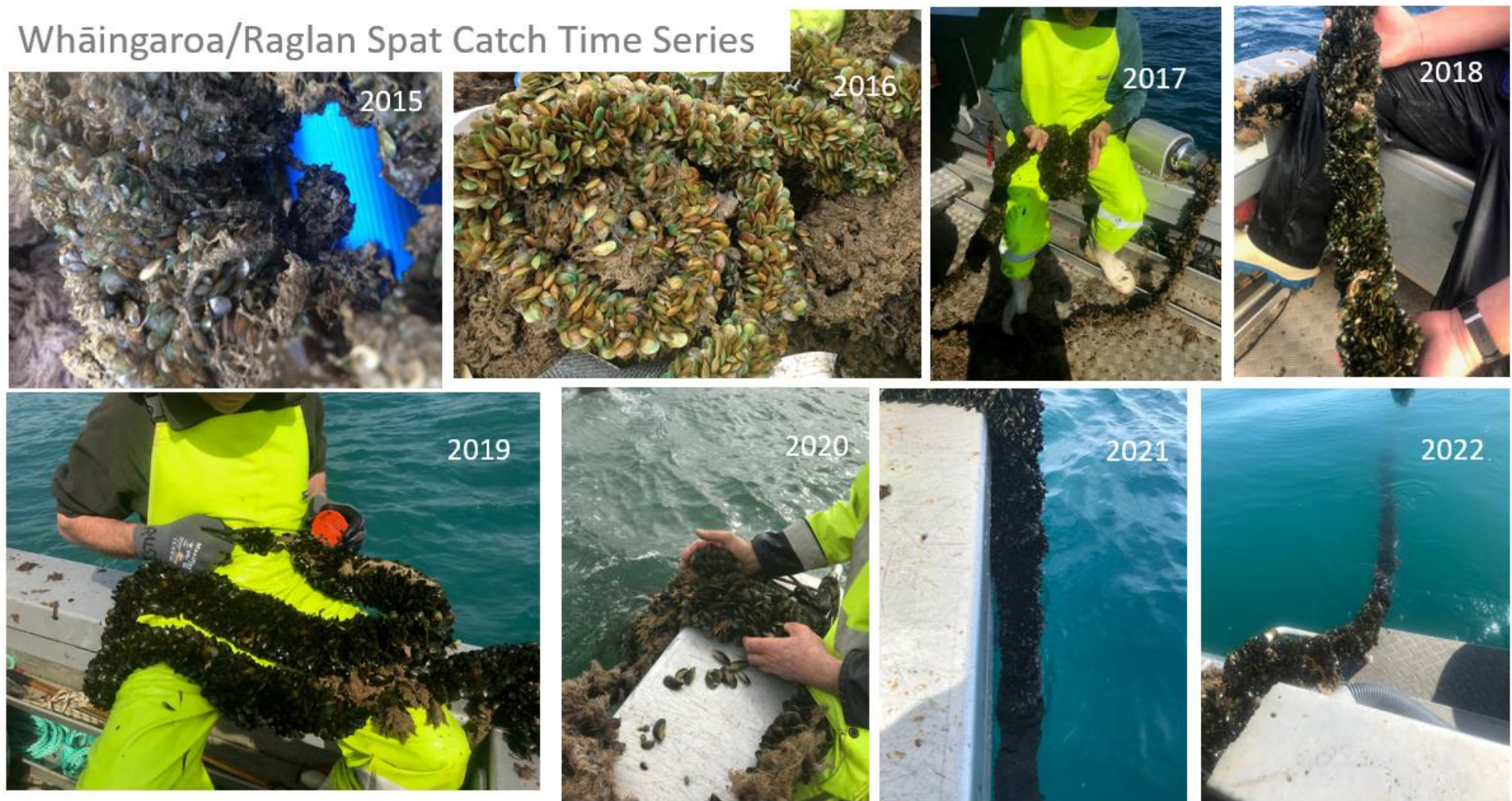


Figure 8 Whāingaroa/Raglan Spat Catch Time Series

spacing between lines in order to navigate and prevent lines tangling;

- Also due to the Tasman Sea environment, substantial vessels will be required to work the conditions and manage crossing the Whāingaroa/Raglan bar. The project needs to be of sufficient size to warrant this investment.

The site coordinates are:

Site	Minimum Distance from Coast	Corner	Northing (NZTM)	Easting (NZTM)
A	4 km	NW	1749789	5839373
		NE	1751690	5839995
		SE	1752156	5838570
		SW	1750255	5837948
B	3.1 km	NW	1753370	5830665
		NE	1755282	5831252
		SE	1755722	5829818
		SW	1753810	5829231
C	3.1 km	NW	1754536	5826283
		NE	1756486	5826724
		SE	1756817	5825260
		SW	1754866	5824820

Table 11 Site coordinates

The approximate distances between sites are:

- 7,500 metres between A and B.
- 3,000 metres between B and C.

Each site will have three rows of 60 hectares (2,000 x 3,000 metres) with each row comprising 41 150 metre backbone longlines. Site and layout plans are provided in Schedule A. The layout plan for Site A is replicated in Figure 10 below.

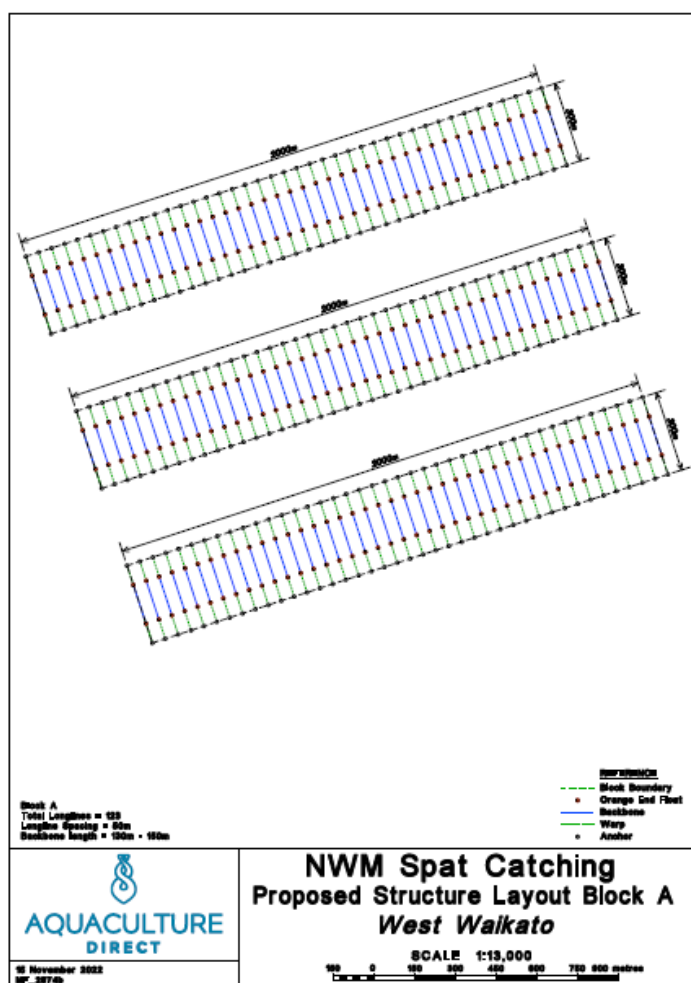


Figure 10 Layout for Site A (the same for Sites B and C)

4.4.3 Farm Design

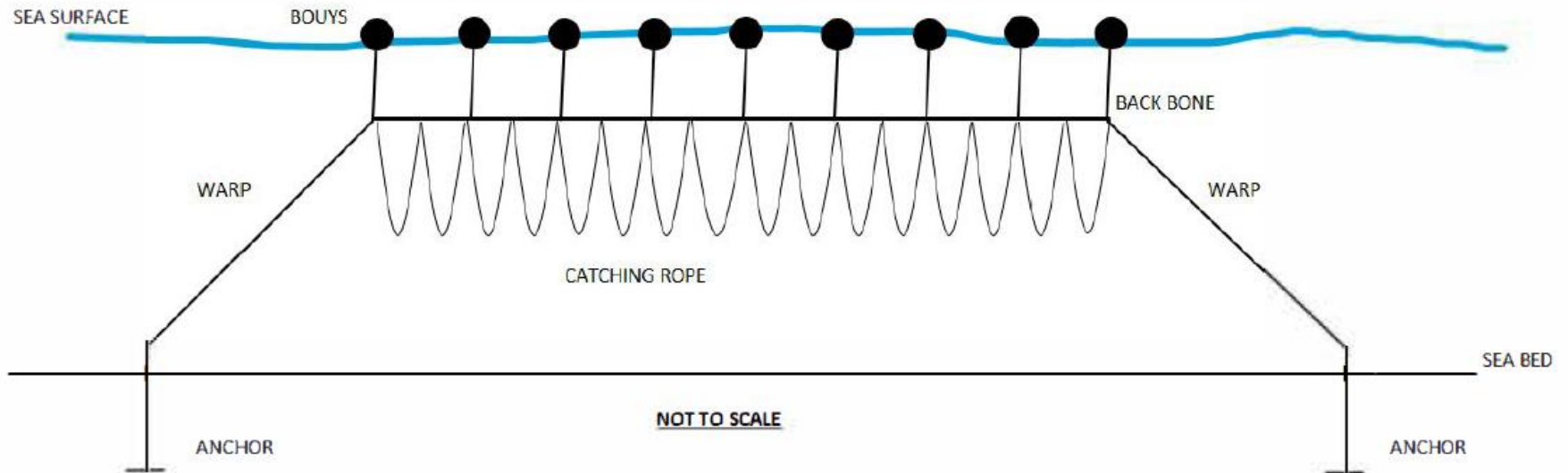
The structure layout will be conventional longline mussel farming structures adapted to suit the offshore environment and ensure infrastructure remains secure and appropriately tensioned.

NWML have sought to achieve this by adding coated lead to the catching rope which adds girth, weight, tension and sonar deflection to prevent entanglement. NWML propose a mix of single and double backbone longline structures, anchored at either end with anchors, 60 to 80 metres of 44 mm Durashield¹⁹ (or similar) warps with a breaking strain of 31,000 kg, and backbone of 40 mm with a breaking strain of 25,000 kg. The catching/nursery medium is heavily weighted hairy spat catching rope, of 75/80 mm in diameter.

This structural configuration has been trialled on 40 longlines of the open ocean mussel farm at Opotiki for more than 5 years with no marine mammal incidents.

¹⁹ Quality Equipment. [Durashield Mussel Farm Ropes](#) (accessed 1 September 2026).

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 11 Indicative spat/nursery farm design

The farm design is illustrated in Figure 11 above. In summary:

- Within each row, double (paired) or single backbone lines are 50 metres apart anchored by screw anchors.
- Deployment of single or double backbones will be according to operational requirements but as a guideline, double backbones may be installed over approximately half of the total area.
- The screw anchors will be buried to a depth of approximately 6-12 metres, depending on the substrate.
- The backbones will be oriented parallel to tidal flows.
- The backbone lines will each be suspended approximately 3 metres below the surface using approximately 20 300L buoys.
- The buoys will be separated by 2-10 metres, depending on the length of dropper lines.
- Dropper lines will be approximately 8 metres long and joined to the backbone in a continuous catching rope.
- The dropper lines consist of 'hairy' weighted 75/80 mm rope onto which the microscopic free-swimming spat larvae will settle and grow.



Figure 12 Underwater example of single backbone configuration (except floats sit flat on water due to paired strops)

4.4.4 Marking and Navigational Aids

Aids to navigation will be in accordance with Maritime New Zealand (MNZ) 'Marine farm guidelines: navigational safety (2018) and MNZ 'New Zealand's system of buoys and beacons' 2008 and/or as required by the Harbourmaster under delegated authority from MNZ.

The proposal is as follows:

- Orange buoys will be placed at each end of the backbone and one at the mid point of the outside longlines
- Navigation marker buoys with yellow flashing lights will be placed 200 metres outside the nursery sites
- Reflectors will be placed on the corner buoys of each block
- Perimeter lights will be placed at each 950 metre intervals along the length and 650 metre intervals along the width of each site, 200 metres outside the edge of the spat catching/nursery operation.
- Alternative marking and navigational aids will be installed as appropriate if guided by the

Harbourmaster.



Figure 13 Single backbone (left) and double backbone (right) layout examples from Hauraki Gulf/Tikapa Moana

4.4.5 Farm Development/Staging

Development is proposed to be undertaken in three stages commencing with 82 lines at Site C (which is closest to Raglan Harbour). The stages are set out in Section 2.2 above.

The proposed consent conditions require one year of baseline monitoring of marine mammals and three months of hydrodynamic monitoring prior to installation of structures at Site C. NWML will then commence development within three months of written confirmation from WRC and likely sooner. The NWML shareholders have committed funding, the necessary equipment is readily available, and the industry has a critical need for spat.

The proposed conditions also require that development of Stages Two and Three be informed by advice from a marine mammal expert and written confirmation from WRC.

For each stage of development 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.

Anchors will be installed with the use of a drill operating from a surface vessel. The anchors will be drilled to approximately 6-12 metres 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.

The proposed conditions require a statement from a qualified marine engineer that the structures have been designed and installed to withstand coastal processes occurring at the locations at full use and capacity.

An indicative timeline is provided:

Milestone	Timeline
Detailed design	Complete
Procurement	Within three months of granting consent
Funding	Already committed
Site works commencement	After one year of baseline monitoring
Stage one (82 lines at Site C)	Developed within two years
Completion of stage one	
Stage one monitoring expert consultation	Approximately six months dependent on expert timings and findings
Stage two (122 lines sites A and B)	Developed in groups of 25 lines taking six months per group
Completion of stage two	
Stage two monitoring expert consultation	Approximately six months dependent on expert timings and findings
Stage three (165 lines Sites A, B and C)	Developed in groups of 25 lines taking 6 months per group
Completion of stage three	

Table 12 Indicative development timeline

For the purpose of the economic assessment provided in Schedule DE1 it is assumed the farm will be fully developed within 11 years of the first structures being installed.

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 FTAA. This application is for consent for full development of all three sites.

4.4.6 Spat Catching/Collection Operations

As outlined above, NWML have been undertaking spat catching research in the area over the last 12 years and have a good understanding of the conditions required for timing of spat catch and when to deploy the spat catching ropes. Once deployed, microscopic spat will attach themselves to the dropper lines during the free-swimming larval stage (which lasts approx. 3-5 weeks each cycle). NWML will continue to use the same spat counting method they have been using during the research phase to assess how much spat has been caught on each rope and to determine whether tweaks are required to the spat catching methodology.

4.4.7 Spat Nursery Operations

Spat nursery options enable spat to be grown to 'seed' up to an average of 70 mm and a maximum of 90mm. The optimal size for transfer to the grow out farms will depend on a range of factors including the prevailing

ENSO cycle, seasonality, conditions at mussel growout sites (including snapper) and the qualities of the spat being caught at the site or brought in from a hatchery.

Potential options are:

- Remove the dropper lines from the farm when the spat is still at 'spat stage' then relocate those dropper lines to existing mussel growing areas, including in the Coromandel/Hauraki Gulf.
- Let the spat grow to a juvenile 'seed' stage prior to transfer.
- Introduce spat from an alternative source, such as a hatchery, in accordance with the proposed Biosecurity Management Plan (BMP), by introducing it onto the lines, then allowing it to grow to juvenile 'seed' stage prior to transfer.

This mussel seed will then be transferred to the Hauraki Gulf for on growth to harvest size.

4.4.8 Harvesting and Maintenance

The spat catching/nursery activity will be carried out year round. The dropper lines will be seeded, harvested and maintained by specialist vessels (e.g. a 25m long aluminium mussel barge) and supported by land based activities in that spat/seed will be transported to and from Whāingaroa/Raglan by road. As is normal in mussel farm seed nursery operations there will be instances where the spat will be transferred or reseeded onto other ropes in lower densities, particularly if they are being grown to the larger seed sizes of 70mm average.

Harvesting of the spat/seed ropes will occur on an average of 2 days each fortnight at full development with maintenance carried out as part of these visits, as required. If there are times where the spat/seed operation is not active, maintenance will be carried out monthly over 2 days. During maintenance activities NWML will assess the structural integrity and rectify any wear and tear on lines, buoys and lighting. The most common maintenance activities expected include:

- Tightening ropes and fittings.
- Replacement of worn ropes.
- Fixing or replacing navigational lights.
- Fixing or replacing buoys.
- Inspecting and tightening anchors.

The mooring system for each aid to navigation will be inspected at least annually.

NWML will take all necessary actions to ensure any breakages to structures are remedied as soon as is practical and ensure permanent repair as soon as possible. NWML will also visit the site to inspect and maintain structures as soon as practicable after any storm or similar event which might impact the security of the structures.

Maintenance requirements are set out in the OMP (provided in **Schedule E1**) and operation in accordance with the OMP is proposed as a condition of consent.

4.4.9 Best Management Practices

NWML recognise the unique high energy character of the proposed site means it will be particularly important to ensure ongoing structural integrity including securing structures and marine farming gear in a

high energy coastal environment.

As such, all appropriate industry best management practices will be undertaken including in accordance with A+, and the proposed Operational Management Plan (OMP), Marine Wildlife Management Plan (MWMP), and Biosecurity Management Plan (BMP) as required by the proposed conditions of consent. The OMP, MWMP and BMP are provided in **Schedule E**.

4.4.10 On-Shore Landing Requirements

The farm will be harvested and maintained by specialist vessels and supported by land based activities. The specialist boat will be based in Whāingaroa/Raglan Harbour and make its way to and from the sites from there. The specialist mussel barge will be moored in Whāingaroa/Raglan Harbour (using an existing mooring) and once the dropper lines have been harvested, the lines will be transported overland to the Hauraki Gulf/Coromandel Peninsula for further on-growing and eventual harvest.

4.5 Alternative Options Considered

4.5.1 Alternative Locations

As noted above, NWML has carefully considered the locations of the proposed spat catching/nursery sites after undertaking many years of research over multiple sites across the North Island. In summary, alternative locations were discounted for the reasons set out in Table 13.

Area	Reason
Northland northern west coast	Good spat catches but economically and logistically unviable due to a lack of port infrastructure
Northland Whangape Harbour	Some spat catch but little spat retention observed
Auckland west coast	Inconsistent spat catches
Waikato east coast	Inconsistent spat catches
Waikato west of Kawhia	Inconsistent spat catches, shallow water and landscape and sensitivity issues

Table 13 Alternative sites discounted

In contrast, the proposed sites on the Waikato west coast have consistent spat catches, the locations are appropriate in the context of marine values and the proximity to Whāingaroa/Raglan Harbour makes them economically and logistically viable.

NWML have also ensured that the sites are located over soft sediment seabed and located outside the natural character, landscape, indigenous biodiversity and regionally and nationally significant surf break overlays in the PWRCP.

4.5.2 Alternative Spat Supplies

The industry has identified that mussel hatcheries will be an important component of the future total spat strategy, but it is not economically or logistically feasible to develop sufficient hatcheries to supply the whole industry. Furthermore, it will always be essential to include wild caught spat in the total mix to ensure diversity, productivity, and resilience. Recent research²⁰ has indicated that *'improvements in spat retention*

²⁰ Skelton, B.M. Jeffs, A.G. (2021) The loss of spat following seeding onto coastal Greenshell™ mussel (*Perna canaliculus*) farms <https://www.sciencedirect.com/science/article/abs/pii/S004484862100778X>

may come from altering the arrangements for deploying spat to mussel farms, such as seeding out with larger, single seed spat.'

The ongoing requirement for sea based spat catching/nursery sites, particularly on the west coast of the Waikato region has been confirmed by the industry representative organisation Aquaculture New Zealand in its comment on the referral application (provided in **Schedule C3**).

Table 14 illustrates the significance of the ocean based spat catching and nursery sites in the context of alternative spat sources:

	Sea based catching/nursery	Beach cast spat	Hatchery spat
Availability	Yes	Fully Utilised	Not in Waikato
Capital outlay	Moderate	Low	Very High
Adaptable scalable operation	Yes	Yes	No
On farm resilience to fish predation	Manageable	Mostly	No/vulnerable
Autumn catch/supply	60%	Rare	Yes
Winter catch/supply	100%	Yes, weather dependent	Yes
Spring catch/supply	100%	Yes, weather dependent	Yes
Climate change adaptability	Yes, in nursery phase	No	Yes

Table 14 Alternative spat source considerations

Alternative sources, including hatchery production, are important components of a diversified industry strategy. However, they do not remove the need for sea based nursery capacity capable of catching, holding and/or on-growing spat and seed at operational scale.

4.6 The Existing Environment

4.6.1 Landscape/Seascape Context

Boffa Miskell undertook a Waikato Regional Seascape Study²¹ 2023 which informed identification of mapped overlays for outstanding natural landscape and seascape in the PWRCP. As shown in the maps in **Schedule A**, the sites sit outside these overlays.

The Natural Character Landscape/Seascape and Visual Effects Assessment undertaken by Wayfinder and provided as **Schedule DLNC1**²² sets the landscape/seascape context.

The landward environment of Sites A, B and C is a highly modified rolling rural landscape dominated by pastoral farming, with scattered remnant and regenerating indigenous bush, sparse settlement, and strong exposure to westerly winds. Access is limited to winding gravel roads, with no public coastal access and only limited private access because of the steep bluffs. Built form is confined to a small cluster of bach style buildings at Gibson Beach, two farmhouses and Pukerewa Marae. Although modified, the bold coastal landforms provide a strong and coherent backdrop to the seascape between Port Waikato and Raglan Harbour, with an overwhelming sense of remoteness.

²¹ Boffa Miskell (2023). [Waikato Regional Seascape Study](#).

²² Bray, S. (2023). Natural character, landscape/seascape and visual effects assessment. Wayfinder (**Schedule DLNC1**).

The wider coast presents 'a familiar west coast experience characterised by big surf and billowing sea spray', with weather a defining element of the experience of the area. Boating activity is predominantly fishing rather than general recreation. Most recreational fishing vessels leave Manu Bay or Raglan Harbour and head directly west to deeper water, there is very limited boat activity close to shore, and commercial fishing vessels operating from Raglan Harbour and Port Waikato also tend to head due west to deep water. There is no other marine farming in the immediate area, although NWML operate consented temporary research along the length of the coast between the sites, and there is a spat catching farm further south in Aotea Harbour and an oyster farm in Kāwhia Harbour. At night most of the coastal area is dark, with only limited lighting from the very small number of isolated dwellings.



Photo 04 (REF: 135) SITE A: Image taken from Pukerewa Road looking West towards proposed SITE A
Latitude: 37°35'10.76"S
Longitude: 174°40'1.89"E



Photo 05 (REF: 135) SITE C: SITE B, C: Image taken from Pukerewa Road looking South West towards proposed SITE B & C (REF: 135)
Latitude: 37°35'10.76"S
Longitude: 174°40'1.89"E

Figure 14 Landscape context from landscape assessment

4.6.2 Natural Character Context

Boffa Miskell undertook a natural character assessment within the mapped coastal environment of the Waikato region's east and west coasts in 2016. The resulting Natural Character Study of Waikato Coastal Environment²³ (NCSWCE) used 'a consistent assessment approach, incorporating both landscape and ecological expertise, to develop a method for natural character assessment under Policy 13 of the NZCPS 2013'.

²³ Ryder, R. Bentley, J. Saunders, L and De Luca, S. (2016) [Natural character study of the Waikato coastal environment](#). Report for the Waikato Regional Council

The wider coastal environment has two main components, the CMA from the Mean High Water Springs (MHWS) to the 12 nautical mile limit off the coast (referred to as Zone A in the NCSWCE) and the Coastal Significance Zone (CSZ) which extends inland from the MHWS to the first ridge/crest or escarpment (referred to as Zone B in the NCSWCE). The width of Zone B varies depending on the topographic environment. Sites A to C sit within the area identified as Waikato North Area D.

The Wayfinder NCLVEA notes that natural character is *'generally considered to be interpreted as the naturalness or degree of modification of a site or area, combined with the area's distinct combination of natural characteristics and qualities. An assessment of natural character tends to focus on the biotic, abiotic and experiential values of a particular area, this being of the coastline rather than just the sea or just the land'*.

The land adjacent to Sites A, B and C falls within Coastal Terrestrial Area 16, Opura, extending from the Waikato River mouth to Raglan Harbour. Its abiotic values relate to the high iron content of the sand and landforms, the significance of the coastal cliff geology, sand sheets and dune incursions. Biotic values relate mostly to watercourses and pockets of indigenous vegetation including wetland areas. Experiential values are limited to the few who can access the coast, giving rise to a sense of remoteness, balanced against extensive modification for farming. The overall terrestrial natural character rating for the area is moderate, with a high rating in specific locations where there are dune incursions, regenerating coastal vegetation, exposed stratification layers or exposed iron sand sheets.

The coastal marine area adjacent to Opura is identified in the Boffa Miskell study as Waikato North, Area D. Its key characteristics are the high energy environment, the littoral cells, and the shoreline fluctuations resulting from the combination of the two, together with the coastal cliff environment. While limited studies have been carried out about the biotic value of the coastal environment it is assumed that modification of the marine environment is minimal. Māui dolphins are known to use the coastal waters, as will seals, dolphins and sharks, and the sea will provide a transit route for migrating birds. Experiential and perceptual values are considered high due to the remoteness of the area.

Boffa Miskell assessed the broader Waikato North Area D coastal marine environment as having high natural character with the coastal waters at the immediate shoreline rated very high because of the dynamic nature of the shore break and the remoteness. As shown on the maps in Schedule A, the PWRCP mapping does not identify the application sites within a mapped high, very high or outstanding natural character overlay. The relevance of both the underlying study and the plan mapping to the proposal is addressed in the landscape, visual and natural character assessment and in the planning assessment.

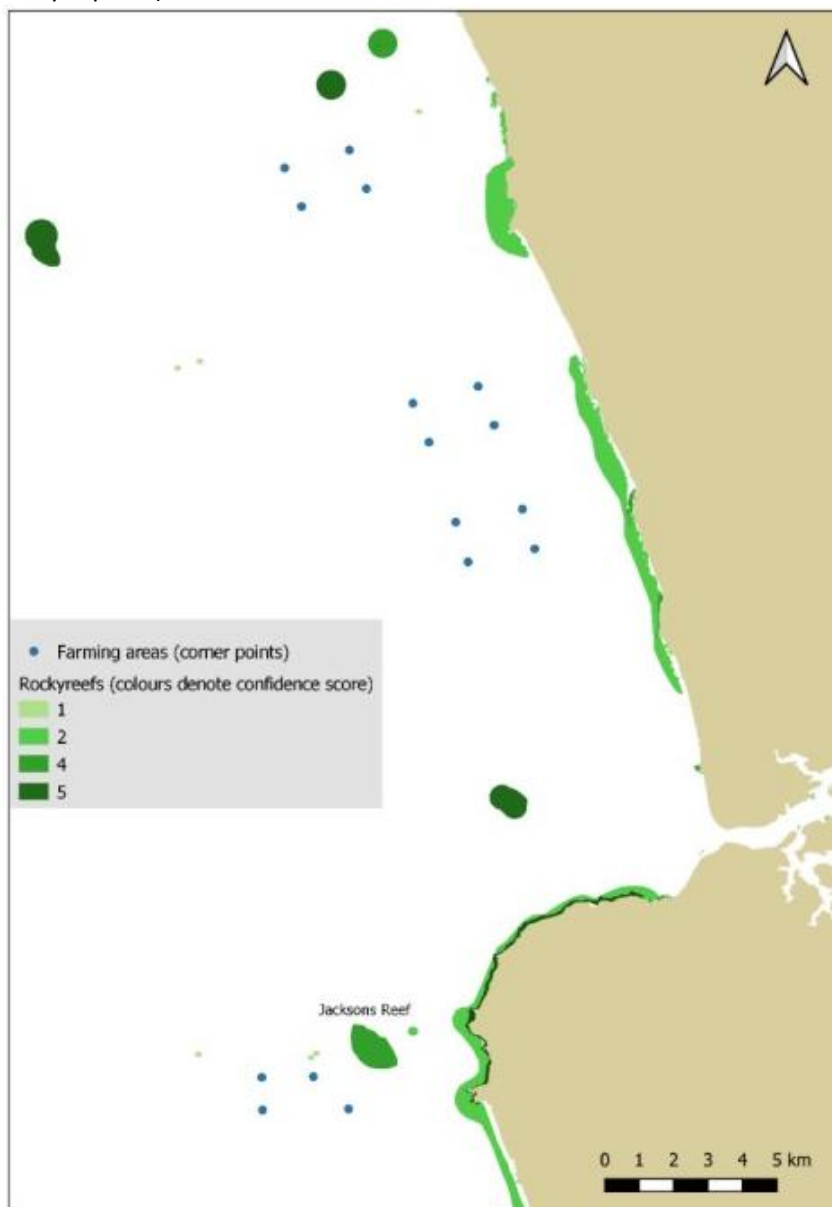
4.6.3 Ecological Context

The west coast of Waikato is exposed to almost continuous onshore oceanic swells that cause turbulence, turbidity and sediment movement in shallow marine and intertidal habitats. WRC obtained a technical report that mapped habitat for the Waikato region coastal marine area by bathymetry and substrate type in 2017²⁴.

The survey data from that report shows that there is an area of reef mapped approximately 1.4 km north of Site A (note that Site D was approximately 1.5km southwest of Jackson's reef, but Site D is no longer part of

21Gardiner,S, Jones, H. [*Habitat mapping for the Waikato region coastal marine area: Bathymetry and substrate type*](#). Waikato Regional Council Technical Report 2017/34 (2017).

this proposal).



Rocky reefs identified in WRC spatial layer 'East and west rocky reefs', including confidence scores (higher scores denote greater confidence). The spatial layer is described in Gardiner and Jones (2020). Source: WRC Data Catalogue, spatial data set 'Bathymetry - CMA habitat maps - bathymetry and substrate type (TR2017/34)'.

Figure 15 Assessment against Rocky reefs in the vicinity of the sites (noting that the southernmost Site D is no longer part of the proposal)

NIWA prepared a baseline ecological survey²⁵ in accordance with the Appendix IA of the WRCP, which is included as **Schedule DSWB1**. This consisted of a field survey of the four original sites in February 2017 during which they used a variety of sampling (such as high frequency side scan sonar, underwater video and drop camera, grabs and water quality).

The result of the survey indicates a featureless muddy sand sea floor with no sensitive habitats, reefs or rocky outcrops and very sparse (or non-existent) epifauna. The infauna was determined to be dominated by small mobile taxa that are common and widespread around the New Zealand coast and known to tolerate mobile

²⁵ Grange, K. (2017). Baseline survey for proposed mussel spat catching sites: Waikato west coast. NIWA (**Schedule DSWB1**).

sediments (and therefore resilient to minor changes to sediments).

The chlorophyll-a concentrations in water samples were lowest at Site C and greatest at Site A and values ranged from 0.19 µg/L at station D4 to 0.63 µg/L at station A6.

In recognition that the site locations had been adjusted between 2017 and 2024, Coast and Catchment undertook a supplementary survey²⁶ for parts of the sites that hadn't been previously surveyed. This is included as **Schedule DSWB5** and found that:

- The substrate throughout the blocks is predominantly sand with a minor proportion of mud.
- Visible sand ripples indicate strong wave/current action and associated sediment mobility.
- Concentrations of total organic carbon (TOC) were very low in all blocks.
- No large emergent epifauna, biogenic habitat or rocky reef were observed.
- The benthic macrofaunal community was diverse but present at very low abundances
- No marine invertebrates are specified to be nationally threatened or regionally uncommon for the Waikato Region.

The entire Waikato west coast coastline forms part of the West Coast North Island Marine Mammal Sanctuary²⁷. Within the sanctuary boundaries restrictions are placed on seabed mining activities and acoustic seismic survey work, as well as on commercial and recreational set net fishing, commercial trawl fishing and commercial and recreational drift netting. The purpose of the sanctuary is to provide greater protection to Māui dolphin from the risks resulting from these activities.

Anemone Limited prepared a marine mammal assessment in 2022, which is included as **Schedule DMW1**²⁸. Key marine species, their NZCPS status and New Zealand Threat Classification System (NZTS) status are as follows:

- Māui/Hector's dolphins (NZCPS Policy 11(a)(i) species; Māui dolphin classified as 'Threatened - Nationally Critical' by the NZTS and Critically Endangered by the International Union for Conservation of Nature (IUCN), and Hector's dolphin classified as 'Threatened – Nationally Vulnerable' by the NZTCS);
- Killer whales (NZCPS Policy 11(a)(i) species; classified as 'Threatened – Nationally Critical' by the NZTCS);
- Southern right whale (NZCPS Policy 11(a)(i) species; classified as 'At Risk – Recovering' by the NZTCS);
- Humpback whale (NZCPS Policy 11(a)(ii) species; classified as 'Endangered' by the IUCN);
- Common dolphin; and
- New Zealand fur seal.

Wildlands Consultants prepared a seabird assessment in 2022, which is included as **Schedule DMW4**²⁹. This noted a diverse seabird community a combination of species nesting on the mainland, such as shags, gulls and terns, those breeding on 'seabird islands', such as Karewa Gannet Island, and pelagic seabird species.

²⁶ Sim-Smith, C. (2024). Additional benthic survey of west coast Waikato mussel nursery. Coast and Catchment (**Schedule DSWB5**).

²⁷ Department of Conservation. [North Island Marine Mammal Sanctuary](#) (accessed 1 September 2026).

²⁸ Roberts, J. (2022 and updated 2026). Marine mammal assessment with respect to the potential effects of proposed mussel spat catching and nursery activities off the coast of Whāingaroa. Anemone (**Schedule DMW1**).

²⁹ Bennett, D. (2022). Assessment of effects of a proposed mussel spat-catching/nursery operation along the western Waikato coast on seabirds. Wildlands. (**Schedule DMW4**).

The seabird species fall into three ‘orders’: albatrosses, shearwaters, petrels, and storm petrels (*Procellariiformes*), gannets and shags (*Pelecaniformes*), and gulls and terns (*Charadriiformes*)’.

4.6.4 Community Context

Whāingaroa/Raglan is a renowned surf destination with world class surf breaks, three of which, Manu Bay, Whale Bay and Indicators, are listed in Schedule 1 – Surf breaks of national significance in the NZCPS³⁰. Whāingaroa/Raglan is therefore a popular tourist destination, particularly in summer, with the local economy providing a range of services to support that. Raglan Wharf supports recreational and commercial fishing and tourism activities and is a waterfront destination in its own right. Many residents commute to Hamilton for work.

Smaller townships to the north include Waikaretu and Te Akau, both more focussed on servicing the local rurally based populations. There is a strong Māori presence, with multiple marae in the vicinity detailed further in Section 5.1 below.

4.6.5 Marine Traffic

Mapping of recreational and commercial marine traffic shows that the proposed spat catching nursery sites are located outside of common navigational routes as follows:

- Global ship tracking³¹ shows the significant concentration of shipping out of Auckland and Tauranga and sparse commercial shipping on the west coast of the North Island.
- The Strava Global Heatmap³² shows the significant concentration of recreational water based activities in the Hauraki Gulf compared to the Raglan Harbour.
- The NABIS aerial fishing survey³³ shows the significant concentration of recreational fishing effort in the Hauraki Gulf and east coast of the North Island compared to the west coast.

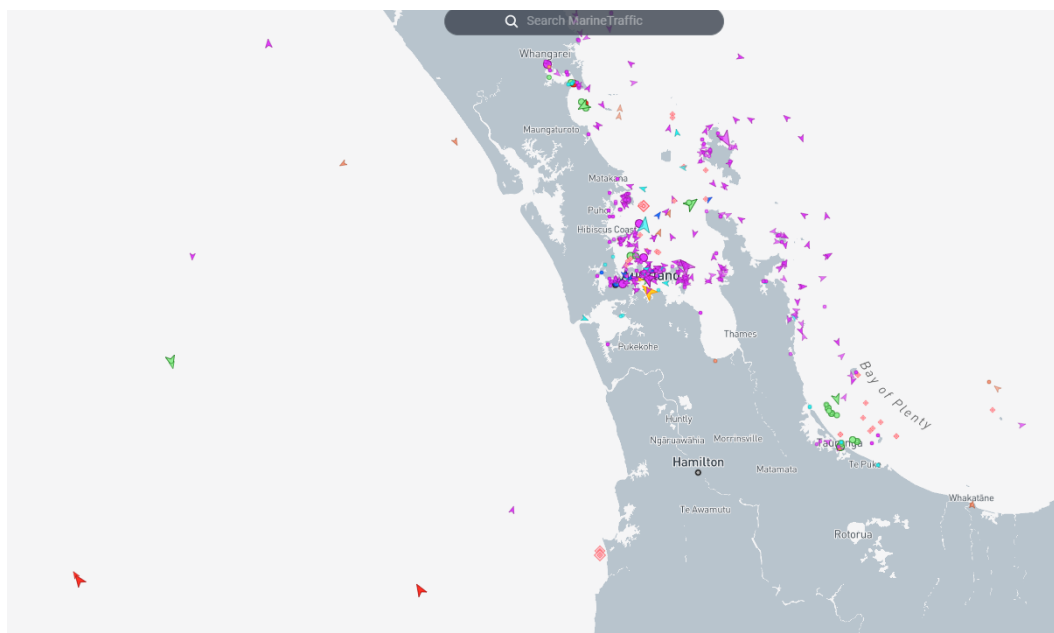


Figure 16 Global ship tracking

³⁰Department of Conservation. [New Zealand Coastal Policy Statement 2010: Schedule 1—Surf Breaks of National Significance](#) (accessed 1 September 2026).

³¹ [MarineTraffic vessel-tracking map](#) (accessed 1 September 2026).

³² Strava. [Global Heatmap](#) (accessed 1 September 2026).

³³ National Aquatic Biodiversity Information System. [Aerial Fishing Survey](#) (accessed 1 September 2026).

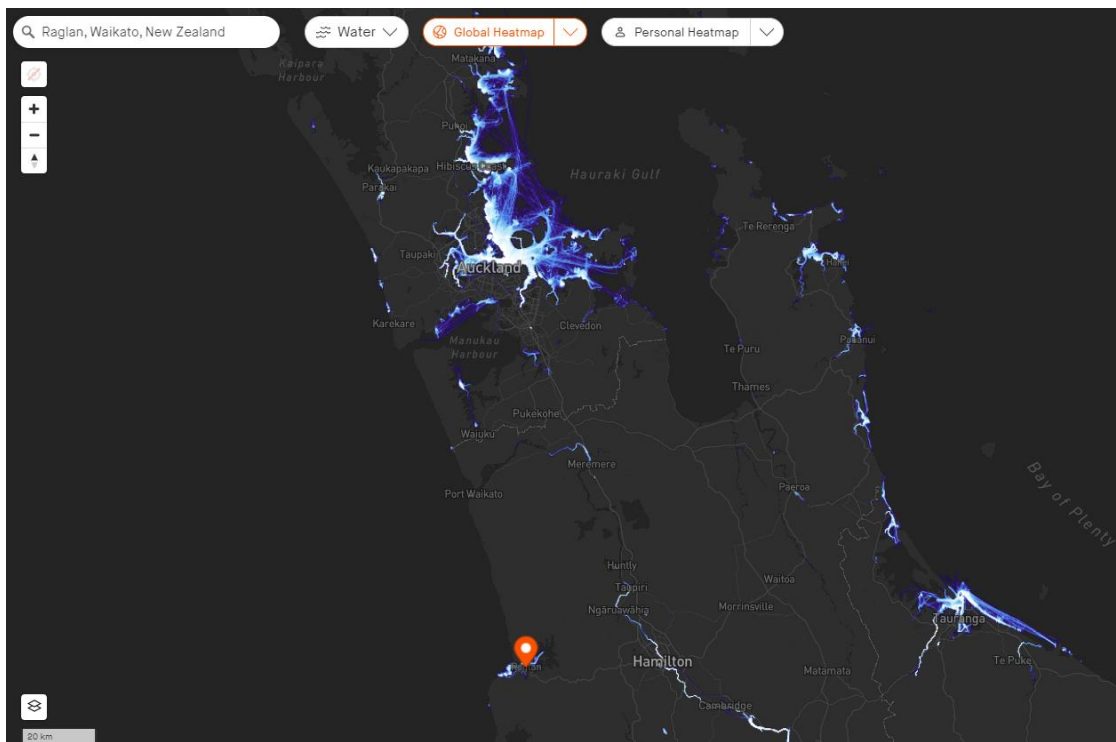


Figure 17 Strava recreational data

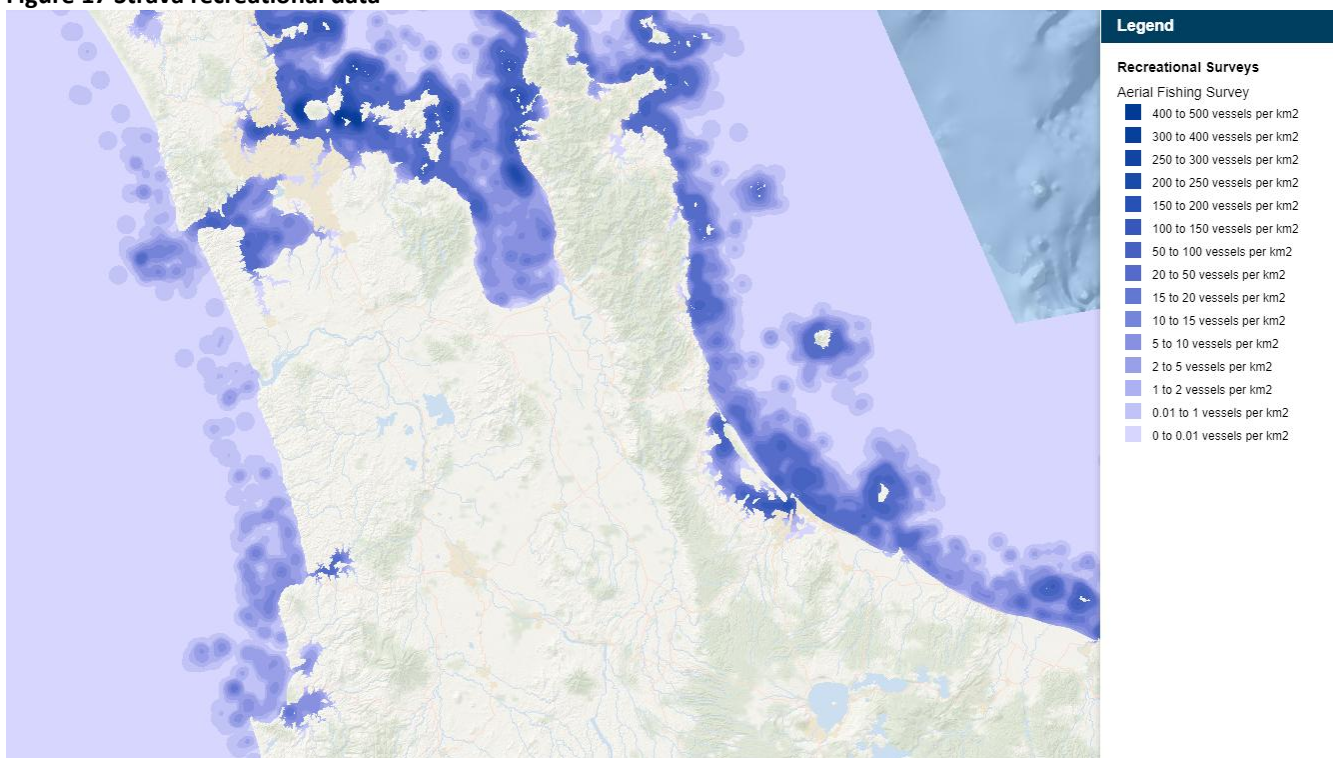


Figure 18 NABIS recreational fishing data

Part 5 Cultural Considerations

5.1 Cultural Context

NWML recognises that the proposed mussel spat nursery sits within a wider cultural landscape and rohe moana in which a number of Māori groups hold mana whenua, mana moana, customary fishing and other interests. NWML acknowledges the relationships that those groups have with the coastal and marine environment, including their cultural, environmental and customary responsibilities.

NWML recognises Waikato-Tainui as the relevant iwi authority and acknowledges the interests of the iwi, hapū, marae and Marine and Coastal Area (Takutai Moana) Act 2011 applicant groups identified in this application. NWML also recognises the particular relationship of Ngāa Uri o Tahinga with the project area, arising from their ancestral connection to the moana, ongoing kaitiakitanga responsibilities and the location of the Ngaati Tahinga marae inland of the application sites.

NWML understands that it is for mana whenua and other relevant Māori groups to describe their own cultural and historical associations, values, interests and aspirations in relation to the project area

NWML engaged with Māori groups prior to lodging the 2023 application with WRC. Some respondents set out the cultural context from their perspective.

Group	Statement
Ngaati Tahinga	‘Tahinga settled in this area for many years and remain to this day. Tahinga are descendants of Hotunui, brother to the captain of the Tainui Waka in the years of the great mitigation to Aotearoa. Tahinga people utilised the environment and the land that they settled on and all its taonga. Tahinga have always had symbiotic relationship as defined in this document. - The land block known as Te Akau was a large tract of country between Wahapu (port Waikato), Te Puaha o Waikato (Waikato River Inlet up to Mercer Te Paina), Whangape Lake, inward to Waihi Lake and across to Whaingaoa Harbour (Raglan)³⁴.
Tainui Hapū o Tainui Waka	‘Tainui, the applicant group, whakapapa to the original people of the Whaingaroa, Aotea and Kawhia area. Notable ancestors who link whānau and hapū together are: Hoturoa, Rakatāura and Kahukeke, Tāwhao, Pimioatekore and Marutehiakinaa, Kakati, tuirirangi, Koata, Kahfaru, Te Ikaunahi, Hounuku, and others. - Tainui whānau and hapū have continually occupied Te Whānga, Te Kopua and Rakaunui. Te Horea at Te Akau (north of Whaingaroa Harbour) was occupied until 1941 when the Native Land Court gave it to a Pākehā leaving us with a small urupā on that land. Our meeting house Lira te Kakara and papakainga at Te Kopua, were destroyed by the government in the same year to make way for an emergency aerodrome. However, whānau remained on the lands south of the confiscation and are still there today.³⁵
Ngāti Whakamarurangi hapū	‘Ngāti Whakamarurangi is a west coast hapu and our rohe begins at Otiu north of Papanui Point and includes the southern side of Karioi to the summit before descending to Te Hutuwai, then south to Te Mata, to Wairēinga Falls where it follows the Pākoka river to Aotea harbour. It then follows the main channel to the mouth of Aotea. It turns north from Pōtahi Point and follows the coastline to Taranaki Point, Haerepō, Papapounamu, Waiau, Paringatai,

³⁴ Ngā Uri o Tahinga Trust (2019). [Tahinga Environmental Management Plan](#).

³⁵ High Court of New Zealand. [Tainui Hapu o Tainui Waka, CIV-2017-419-000083](#).

	<i>Matawha, Raukura, Ruapuke, Pākaraka, Papanui Point to Otiu.</i> <i>The entire rohe of Ngāti Whakamarurangi is culturally significant, and has long been recognised as an outstanding landscape, with high coastal and natural character.</i> <i>Ngāti Whakamarurangi's CMA stretches from the shoreline to Karewa Island, a distance of some 20 kilometers and runs parallel from Aotea to Otiu. It includes the reef known as Rewatu (mapped as Aotea reef) and we share customary usage and responsibilities with our Ngāti Koata relations to Patuatini (Jackson's reef). This area is within that covered by the application³⁶.</i>
Te Rūnanga o Ngāti Mahuta ki te Hauāuru	<i>'Te Rūnanga o Ngāti Manuta ki te Hauāuru is the governance body representing the interests of the hapū of Ngāti Hamuta, a hapū of Waikato Tainu. Our marae are Maketu, Arauka and Te Kōraha. We are a coastal hapū with mana whenua and mana moana interests on the Waikato west coast.</i> <i>Our rohe moana encompasses the 'Kāwhia Harbour' including Port Tahāroa to the south, Te Puia Springs to the north and Karawea to the northwest. We have exclusively used and occupied this area since 1840 and have established kaitiakitanga over the moana. We continue to exercise this important customary right for the benefit of our hapū.</i> <i>In terms of the Northern Mussels proposal, we confirm that we do not have customary interests in the area subject to this application³⁷.</i>

Table 15 Cultural context from previous consultation

The Ngaati Tahinga marae of Ooraeroa, Pukerewa, Weraroa, and Te Ākau are located inland of the application sites³⁸. NWML have entered into an Oati with these marae as set out in Section 5.5 below. Poihakena and Waingaro marae sit away from the application sites but within the vicinity of Whaingaroa/Raglan Harbour, from where NWML will be accessing the nursery sites.

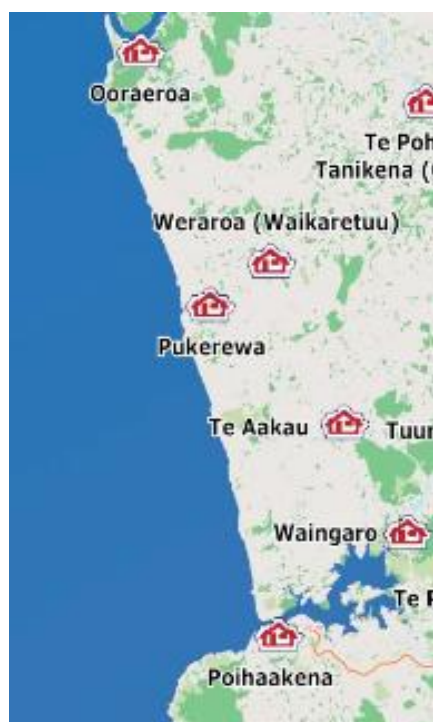


Figure 19 Marae in the vicinity of the application

³⁶ Heather Thompson communications during 2018 engagement process

³⁷ Shirley Tuteao communications during 2018 engagement process

³⁸ [Māori Maps](#) (accessed 1 September 2026).

The coastal land north of Whāingaroa is subject to the Waikato-Tainui Raupatu 1995 settlement³⁹ which was the first historical Treaty of Waitangi grievance settled with the Crown. A key component of their claim was the Waikato River and bylaws now *‘allow the tribe to exercise mana whakahaere in managing the use of the fishery in the rivers, lakes and streams within the Waikato Tainui Fisheries Area’*. There are remaining unsettled claims including over the west coast harbours.

The Waikato-Tainui Environmental Plan/Tai Tumu, Tai Pari, Tai Ao, identifies the Iwi’s key strategic objectives are *‘to grow our tribal estate and manage our natural resources.’* The overarching purpose of the Plan is *‘to provide a map or pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha’*. NWML have carried out an initial assessment of the application against this plan which is provided in Section 5.1 of **Schedule G**.

The Ngaati Tahinga Environmental Management Plan⁴⁰ *‘identifies Tahinga environmental base lines and provides policies and methods to help hapū and whānau to protect those base lines and achieve their environmental aspirations. The Tahinga EMP is driven by kawa, whakanoa and taikanga. Sustainability is the key foundation from which Tahinga makes decisions regarding the environment’*. NWML have carried out an initial assessment of the application against this plan in Section 5.2 of **Schedule G**.

Te Mata Herenga, the Ngāti Tamainupō Mātauranga and Taonga Management Plan⁴¹ sets out that the people of Ngāti Tamainupō are *‘rangatira over our mātauranga’* and *‘kaitiaki over our taonga’* and seeks to *‘ensure the identity, culture and traditions (our mauri and wellbeing) of Ngāti Tamainupō can continued to be seen in our environment, as well as practiced, by our future generations’*. NWML have carried out an initial assessment of the application against this plan in Section 5.3 of **Schedule G**.

5.2 Relevant Iwi Authorities, Treaty Settlement Entities and Other Māori Groups

As set out in the s18 report for the referral decision, Te Whakakitenga o Waikato Inc representing Waikato-Tainui is the relevant iwi authority for the project area.

The relevant Treaty settlement entities including mandated iwi organisations (MIO) under the Māori Fisheries Act 2004) and iwi aquaculture organisations (IAO) under MCACSA are:

- Te Whakakitenga o Waikato Inc representing Waikato-Tainui, MIO and IAO for Waikato-Tainui; and
- Te Ohu Kaimoana (TOKM) as the Fisheries Settlement trustee

Te Whakakitenga o Waikato Inc has a recognised mandate to negotiate a Treaty settlement in relation to the Waikato-Tainui remaining claims over an area which may include the project area, and is in the early stages of negotiating this Treaty settlement with the Crown. The s18 report for the referral decision notes that the Waikato-Tainui remaining claims define the West Coast Harbours as being bounded on the landward side by the line of mean high-water springs and on the seaward side by the outer limits of the Exclusive Economic Zone.

There are no groups with court orders or agreements that recognise protected customary rights (PCR) or

³⁹ Waikato-Tainui. [Settlements](#) (accessed 1 September 2026).

⁴⁰ Nga Uri o Tahinga Trust (2019). [Tahinga Environmental Management Plan](#).

⁴¹ Ngāti Tamainupō (2021). [Te Mata Herenga, Ngāti Tamainupō Mātauranga and Taonga Management Plan](#) (accessed 1 September 2026)

customary marine title (CMT) within the project area under MACAA.

The s18 report for the referral decision set out groups with MACAA applications in the application area. Table 16 shows their context for the purposes of this application for Sites A to C but not Site D.

Name of Group	Relevant for Sites A to C
MAC-01-04-012 / CIV-2017-404- 575 Te Ruunanga o Ngaati Mahuta ki te Hauaauru, CMT PCR	No
MAC-01-04-001 / CIV-2017-419- 080 Kawhia Tangata, Aotea Whenua, Whaingaroa Moana CMT	No
MAC-01-04-014 / CIV-2017-419- 084 Ngaa marae o te takutai moana o Waikato-Tainui, CMT PCR	Yes
MAC-01-04-011 / CIV-2017-419- 083 Tainui hapu o Tanui Waka, CMT PCR	Relevant for vessels transiting to and from the Raglan wharf
MAC-01-03-005 Ngāti Mahanga	
MAC-01-04-010 Ngāti Whakamarurangi/Tainui ie Ngāti Koata, Ngāti Motemote, Ngaati Tahinga	

Table 16 MACAA applicant groups relevant for Sites A to C

The project area does not include a taiāpure local fisheries area. The closest is the Aotea Harbour and Adjacent Waters Mātaitai Reserve which lies at least 25 km south of Site C.

The Fisheries Act 1996 establishes customary fishing areas under the Fisheries (Kaimoana Customary Fishing) Regulations 1998 which enable Māori to exercise their customary fishing rights in a contemporary context.

The sites are within the rohe moana of Ngaati Tahinga established by Fisheries (Kaimoana Customary Fishing) Notice (No. 4) 2013 (Notice No. MPI 149). The tangata whenua for this rohe moana is Te Akau marae, which affiliates with Ngaati Tahinga hapū.

The rohe moana of Nga Kaitiaki o Whāingaroa established by Fisheries (Notification of Tāngata Kaitiaki/Tiaki for (Poihākena Marae, Ngā Kaitiaki o Whāingaroa Rohe Moana) Notice 2025 (Notice No. MPI 1983) sits south of the southernmost block Site C. The tangata whenua for this rohe moana is Poihakena marae.

There are no Mana Whakahono ā Rohe or joint management agreements relating to the application area.

Ngā Hapū o Te Uru o Tainui Customary Fisheries Forum is a group having relevant interests in the project area, as this forum provides input on fisheries management on the west coast of the North Island from Mōkau to Manukau.

5.3 Relevant Principles and Provisions in Treaty Settlements and Other Arrangements

The 'Fisheries Settlement' was agreed through the signing of a Deed of Settlement in 1992 and then given effect through the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and the Māori Fisheries Act 2004. Te Whakakitenga o Waikato holds fishing quota in Fisheries Management Area 9 (FMA 9) which the application sites sit within. Effects on fishing are addressed in Section 6.13 of this application however these

will be determined by the Panel on the advice of MPI.

Te Whaakitenga o Waikato is an IAO for the purposes of the MCACSA which provides for the settlement of Māori claims to commercial aquaculture through the allocation and management of aquaculture settlement assets. Under the 'new space' requirements the Crown must provide iwi with settlement assets equivalent to 20% of the value of any new farming space created by this application, that is the equivalent of 108 hectares of spat nursery space if the full area is granted. This is in addition to the 20% (108 hectares) being gifted to coastal hapu by NWML.

Ngā Hapū o Te Uru o Tainui Customary Fisheries Forum is a group having relevant interests in the project area, as this forum provides input on fisheries management on the west coast of the North Island from Mōkau to Manukau.

5.4 Consultation with Māori Groups

At the time of lodging the referral application NWML had engaged extensively with Waikato Tainui and coastal hapū and were progressing discussions with representatives of Ngaati Tahinga regarding a proposal to gift 20% of any consented area to an appropriate representative entity.

Waikato Tainui had confirmed with NWML that they would support any decisions and views of the coastal hapu.

In the intervening period NWML have made substantial progress building a relationship with representatives of Ooraeroa, Wereroa, Pukerewa marae⁴² which has resulted in an Oati which sets out the basis for the relationship going forward. The Oati is included in **Schedule B1**.

NWML have engaged extensively with Ngaa Marae o Tahinga on this application, and they have provided a Cultural Values Impact Assessment (CVIA) included as **Schedule B2** and summarised in Section 5.6 below.

As engagement had not progressed in the same manner with coastal hapu in the vicinity of Site D, NWML have elected to remove that from the proposal.

NWML sent a letter to all Māori groups identified in this assessment, providing them with an update on the application on 5 September 2026. That letter is provided in **Schedule B4**.

Ngā Uri o Tamainupō ki Whaingaroa sent an email on 9 September 2026 responding to that letter which:

- Recorded respect for the rights of Ngaati Tahinga and other mana whenua and coastal hapū to determine their own positions and relationships with NWML
- Noted that neither Ngāti Tamainupō nor Ngā Uri o Tamainupō ki Whāingaroa Trust is separately identified among the Māori groups listed in Appendix 1 of the referral decision, despite the proposal's location within the Whāingaroa coastal environment and the interests of Ngāti Tamainupō articulated through Te Mata Herenga.
- Sought to clarify that:
 - The Oati or other arrangements relating to Sites A To C are not intended to represent, bind

⁴² Te Akau marae to follow

- or record a position on behalf of Ngāti Tamainupō.
- The removal of Site D is not intended to record or imply that Ngāti Tamainupō declined the opportunity, supported the wider proposal, or otherwise expressed a position unless that occurred through a directly authorised Ngāti Tamainupō process.
- Removal of Site D from the current application does not prejudice or otherwise affect any Ngāti Tamainupō mana whenua, mana moana, customary fishing, cultural landscape or other interests associated with that area.
- Identified that the removal of Site D does not necessarily resolve their interests in the proposal.
- Offered to engage with NWML as the application progresses.

Ngā Uri o Tamainupō ki Whaingaroa requested that they be identified to the Panel as a Māori group with relevant interests and to be provided the opportunity to participate directly in the substantive process.

NWML responded to Ngā Uri o Tamainupō ki Whaingaroa with a letter which is provided in **Schedule B5**.

5.5 Ngaati Tahinga Oati, Letter of Intent, and Acceptance

The Oati is 'a pledge of commitment and assurance' between Ngāa marae O Tahinga (Ngaati Tahinga) and NWML *'to advance the relationship and to jointly progress the negotiations to establish a 540ha Mussel spat collection and nursery operation on the Waikato West Coast, to create a sustainable, long-term supply of mussel spat for the aquaculture industry while providing shared benefits for te taiao, Ngāa marae O Tahinga and North Western Mussels'*.

It is underpinned by the values of manaakitanga, whakapono, rangimaarie, whakaiti, aroha, nahi tahi and kotahitanga and includes an expectation that the activity will be undertaken in a manner that:

- *'Recognises and protects the mauri of Taonga Maaori including Maatauranga Maaori affirmed as an intrinsic value in its own right;*
- *Gives due regard to the Ngaati Tahinga Environmental Management Plan and Te Oro o Te Wai, the cultural indicators framework that supports the enduring kaitiakitanga responsibilities of Ngaati Tahinga and its aroha for Tangaroa and the taiao; and*
- *Recognises the interconnected cultural, environmental and customary responsibilities of Ngaati Tahinga, including the implementation of raahui, where appropriate'.*

The Oati sets out the values that will underpin the opportunity for shared economic benefit including considering the wider aspirations of Ngaati Tahinga to grow capability into industry opportunities for education, employment, research, infrastructure and transport activities and that the parties will agree an appropriate legal framework (to be progressed upon the granting of the consent). The Oati is provided in **Schedule B1**.

Aligned with the Oati NWML have provided Ngaati Tahinga with a Letter of Intent (**Schedule B3**) which sets out the commitments NWML has made to enable their aquaculture aspirations to be realised. The letter acknowledges the Oati and commits to provide:

- A gift of 20% of any space that is consented under this application to be transferred to an entity nominated by the marae of Ngaati Tahinga
- A gift of infrastructure comprising five developed lines, to be installed during Stage One
- A commitment to educate and train iwi representatives in methods and techniques for the mussel

spat nursery activity, so they can build capability and experience before making additional commercial decisions

- A commitment to provide employment opportunities associated with the project for the people of Ngaati Tahinga.

Note that the gift of 20% of consented space sits outside any Crown obligation created under the MCACSA.

Ngaai Marae o Tahinga have responded to the Letter of Intent⁴³ (**Schedule B6**) welcoming NWML's ongoing recognition of the Oati and NWML's explicit acknowledgement of their cultural, environmental, and customary responsibilities, and enduring kaitiakitanga across te taiao and Tangaroa.

Ngaai Marae o Tahinga confirm their support in principle for the core commercial, capability, and community commitments made by NWML in particular:

- Accept the 20% space commitment and acknowledge that this voluntary commitment sits outside of the Crown's obligation for a further 20%.
- Accept the transfer of five developed longlines installed during Stage One subject to finalising terms governing operational handover, maintenance, health and safety, and regulatory compliance.
- Welcome the *'proactive framework to build practical industry knowledge and exposure for our people across nursery operations prior to broader commercial decision-making'*.
- Acknowledge NWML's commitment to *'prioritise notifications of employment opportunities and to work collaboratively on training-to-employment pipelines for our whaanau.'*

The next steps and progression to formal agreements will involve a small working group to advance the following workstreams:

- Confirmation of the appropriate receiving legal entity to hold the 20% space and infrastructure assets.
- Draft a formal infrastructure transfer agreement and licence/operating agreements and relevant terms of engagement.
- Codesign an operational schedule for training placements and local recruitment pathways ahead of Stage One deployment.
- Align environmental reporting and monitoring touchpoints with the marae to enable Ngaai Marae o Tahinga to uphold their customary duties to Tangaroa.

The economic assessment in **Schedule DE1** identifies the economic impacts associated with this gift. This is estimated at \$5.4m (8%) to \$12.2m (2%) in present value terms over the 30-year project life. The gift of five installed lines will have a development value of \$180,990.

NWML look forward to progressing their partnership with Ngaai Marae o Tahinga and for the project to enable Ngaati Tahinga intergenerational economic, social and cultural wellbeing.

5.6 Cultural Values Impact Assessment

Ngaai Uri o Tahinga has prepared a Cultural Values Impact Assessment (CVIA)¹ to identify, describe, and assess the potential cultural effects of the proposal within its rohe moana, which is included with this application as

⁴³ The Representatives of Ngaai Marae o Tahinga (22 September 2026). Response to Letter of Intent – North Western Mussels Limited Commitments to Ngaati Tahinga (**Schedule B6**)

Schedule B2.

For Ngaati Tahinga, the moana within the project area is not simply a physical environment or location for economic activity, but a living ancestral domain founded on whakapapa, tikanga, mātauranga Māori, mana moana and kaitiakitanga, and the CVIA assesses whether the activity can occur without diminishing the mauri of the moana, Ngaati Tahinga mana moana, customary relationships, kaitiakitanga, mahinga kai, and the interests of future generations.

The CVIA provides a table setting out cultural values, potential impact, key mitigations and impacts after mitigation, replicated here:

Cultural value	Potential impact	Pre-mitigation	Key mitigation	Residual
Mauri	Ecosystem, seabed and water-column change	High	Mauri monitoring, baseline, thresholds, adaptive management	Low–Moderate
Mana moana	Occupation of marine space	High	Formal Ngaati Tahinga governance and decision-making	Moderate
Kaitiakitanga	Reduced ability to exercise guardianship	High	Funded cultural monitoring and decision role	Low–Moderate
Mahinga kai	Access/species effects	High	Customary fishing assessment and monitoring	Moderate
Taonga species	Habitat or population effects	High	Species monitoring and incident response	Low–Moderate
Maatauranga Māori	Extraction or inappropriate disclosure	High	Data sovereignty and consent protocols	Low
Wairua	Change in cultural relationship with moana	Moderate	Cultural monitoring and tikanga	Low–Moderate
Waahi tapu/taonga	Potential disturbance	High	Confidential mapping and discovery protocol	Low
Marine mammals	Disturbance or entanglement	High	Marine Wildlife Management Plan and response thresholds	Low–Moderate
Biosecurity	Disease/invasive organism risk	High	Biosecurity Management Plan and rapid response	Low–Moderate
Seabed	Deposition and habitat change	Moderate–High	Baseline and annual benthic monitoring	Low–Moderate
Water quality	Nutrients, contaminants, spills	Moderate	Baseline and ongoing monitoring	Low
Customary access	Restricted use of marine space	Moderate–High	Customary access protocol	Low–Moderate
Future generations	Long-term cumulative effects	High	Intergenerational review and no expansion without CIA	Moderate

Table 17 Ngaati Tahinga cultural values impact assessment

The CVIA references the Ngā Hapū o Te Uru o Tainui Customary Fisheries Form Management Plan⁴⁴ and

⁴⁴ Ngāa Hapu o Te Uru o Tainui (2025). [Customary Fisheries Forum Management Plan Focus of 2025-2030](#) (last accessed 1 September 2026).

identifies particular effects on customary fishing and mahinga kai, noting that access constraints, changes in species distribution, vessel activity, and changes in habitat associated with the marine farm may affect Ngaati Tahinga's ability to gather kaimoana in accordance with tikanga.

The CVIA's recommended mitigation for these effects includes a customary fishing and access baseline assessment prior to construction, ongoing joint monitoring of mahinga kai indicators, and the maintenance of customary access wherever safely practicable, with the CVIA's proposed Whānau-Led Monitoring Framework specifically providing for whānau to record fishing access, fishing success, and any interference arising from vessel movements to and from the nursery.

The CVIA recommends the establishment of a Ngaati Tahinga Cultural Management Plan, supported by an enforceable cultural and navigational monitoring framework and adaptive management, as the primary mechanism through which cultural effects should be managed throughout the life of the activity. This includes a proposed Ngaati Tahinga Whānau-Led Cultural Effects and Navigational Monitoring Framework, under which a Ngaati Tahinga Whānau Monitoring Rōpū would monitor the mauri of the moana, kai moana, customary fishing, taonga species, and NWML's navigational route, incorporating mātauranga Māori, whānau observations and cultural indicators alongside relevant scientific and environmental information, with results reported through a Ngaati Tahinga Cultural Impact Rating and quarterly Cultural Monitoring Report.

The CVIA sets an expectation that the costs of establishing and maintaining this monitoring programme should be adequately resourced by the consent holder, and that any adverse cultural effect identified through monitoring should be formally considered by Ngaati Tahinga and the consent holder, with mitigation, adaptive management or further investigation undertaken where required.

The CVIA concludes that the proposal should only be considered culturally acceptable where the mauri of the moana, mana moana, kaitiakitanga, mahinga kai, customary access, taonga species, mātauranga Māori and intergenerational interests are demonstrably protected, and that the strongest form of mitigation is meaningful Ngaati Tahinga authority, participation, monitoring, and the ability to require change where the health of the moana is being compromised.

The CVIA records that NWML's offer to transfer ownership of 20 % of any consented space to a representative Waikato coastal hapū and marae entity is an opportunity for economic participation but must not be treated as compensation for cultural effects or as a substitute for mana moana, kaitiakitanga, or meaningful decision making.

5.7 Proposed Cultural Management Plan

NWML has responded to the CVIA by proposing conditions of consent (conditions 62 to 65) which require establishment of a Cultural Management Plan (CMP) prior to placing structures in the water.

The condition identifies, at a high level, examples the CMP may address:

- A cultural monitoring programme, which may incorporate whānau led observation, mātauranga Māori, and cultural indicators alongside relevant scientific and environmental information;
- Arrangements for the consent holder to provide Ngaati Tahinga with reasonable access to information relevant to monitoring the activity;

- A process for Ngaati Tahinga to raise concerns and for the parties to consider and respond to matters identified through cultural monitoring, including any agreed adaptive management approach;
- Arrangements for resourcing Ngaati Tahinga participation, monitoring, and reporting activities under the CMP;
- Protocols for the ownership, protection, and appropriate use of any mātauranga Māori or cultural information generated or shared under the CMP;
- A process for reviewing the CMP over time, including in the event of any proposed change, expansion, or renewal of this consent; and
- Any other matters agreed between the consent holder and Ngaati Tahinga relating to the exercise of kaitiakitanga in respect of the activity.

NWML consider the proposed conditions reflects the CVIA's emphasis on cultural authority and participation remaining active and meaningful throughout the life of the activity, while appropriately leaving the substantive design, methodology, resourcing and governance of that relationship to be agreed between the parties, rather than being prescribed or enforced by WRC. The proposed conditions are set out in **Schedule F**.

5.8 Cultural Considerations Summary

The project is located within a wider cultural landscape and rohe moana in which a number of Māori groups have mana whenua, mana moana, customary fishing and other interests.

Waikato Tainui is the relevant iwi authority, and the application area is also relevant to a number of groups with interests under the Marine and Coastal Area (Takutai Moana) Act 2011. Ngaa Uri o Tahinga have a particularly direct relationship with the application area, reflected in their ancestral connection to the moana, ongoing kaitiakitanga responsibilities and the location of the Ngaati Tahinga marae of Ooraeroa, Pukerewa, Weraroa and Te Ākau inland of the application sites.

NWML has engaged extensively with Māori groups throughout the development of the proposal. While relationships have not progressed uniformly with all groups, NWML has made substantial progress building a relationship with representatives of Ngaa Marae o Tahinga which has resulted in an that establishes the basis for an enduring relationship and joint progression of the proposed mussel nursery operation.

In recognition that engagement has not progressed with coastal hapū with rohe moana over Site D this site has been removed from this application.

The Oati with Ngaati Tahinga is founded on values including manaakitanga, whakapono, rangimaarie, whakaiti, aroha, mahi tahi and kotahitanga, and recognises the importance of protecting mauri, having regard to the Ngaati Tahinga Environmental Management Plan and Te Oro o Te Wai, and recognising the interconnected cultural, environmental and customary responsibilities of Ngaati Tahinga.

The Oati also provides a basis for shared economic benefit, and in this context NWML have offered to gift 20% of any consented space to an appropriate representative entity and consideration of wider Ngaati Tahinga aspirations for education, employment, research, infrastructure and transport opportunities. NWML have provided Ngaa Uri o Tahinga with a Letter of Intent which sets out their commitment to gift 20% of the space as well as five installed lines, and training and workforce opportunities. The economic

assessment finds the gift will deliver an estimated \$5.4m (8%) to \$12.2m (2%) in present value terms over the 30-year project life plus \$180,990 in the value of the five lines. This commitment is separate from, and in addition to, any statutory aquaculture settlement obligations that may arise in relation to new farming space.

As set out in the Ngaa Marae o Tahinga response, the parties will progress the elements of this commitment through a small working group including to agree an appropriate legal framework to give effect to these arrangements following the granting of consent.

Ngaa Uri o Tahinga have prepared a CVIA which finds that protecting their cultural values requires them to retain an active, ongoing and appropriately resourced role in governance, monitoring and decision making throughout the life of the activity, through a Cultural Management Plan and supporting cultural and navigational monitoring framework. In direct response to this CVIA, NWML has proposed a set of consent conditions (conditions 62 to 65) requiring the establishment of a Cultural Management Plan with Ngaati Tahinga prior to the placement of structures, while leaving the substance and ongoing operation of that Plan to be negotiated and agreed between the parties.

Overall, the cultural considerations arising from the proposal are appropriately addressed through an enduring, relationship based approach rather than a one off consultation process. This approach, comprising the Oati, the CVIA, and the proposed Cultural Management Plan condition, provides a mechanism for cultural authority and participation, including in relation to customary fishing, to remain active and meaningful, and for the management of cultural effects and enhancement of positive cultural outcomes to evolve through the ongoing partnership between NWML and Ngaati Tahinga.

The project is expected to provide significant economic and social benefits for Ngaa Marae o Tahinga.

Part 6 Assessment of Environmental Effects

6.1 Overview

The purpose of this **Part 6** is to establish the potential effects the spat catching/nursery operations can have on the environment. The section includes:

- Describing positive effects including economic effects;
- Describing potential and actual adverse effects; and
- Identifying avoidance, mitigation and other management methods to deal with the actual effects of the project.

Broadly speaking the effects of mussel farming are as outlined in the Ministry for Primary Industries (MPI) 'Overview of Ecological Effects of Aquaculture'⁴⁵ depicted here:

Source: Based on Keeley et al., 2009.

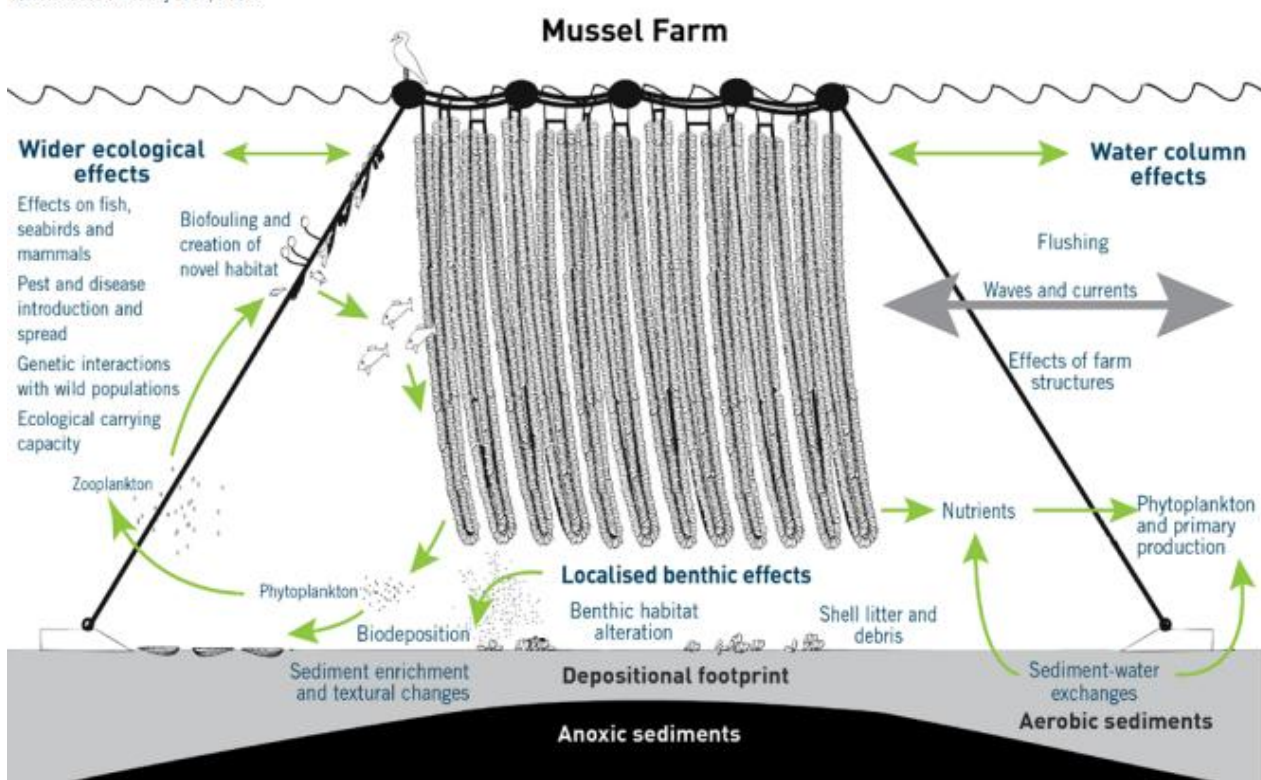


Figure 20 Ecological effects of mussel aquaculture

The MPI report finds that effects of spat catching activities are generally 'similar or lesser than for the cultivation stage with no issues that are likely to be of more significance than for the cultivation phase'. They note a potential exception being the potential for entanglement of medium to large sized whales (not dolphins) due to the lighter weight of spat ropes. The NWML proposal addresses this in its rope specification and farm design so that the ropes will be constantly under tension.

NWML obtained a range of technical assessments to support its 2023 application for a private plan change and concurrent resource consent. During the application process WRC obtained peer reviews of these technical assessments to ensure their methodologies and findings were robust.

⁴⁵ Ministry for Primary Industries (2013). [Overview of Ecological Effects of Aquaculture](#).

Where the peer reviews made recommendations, these were addressed either in updates to the technical assessments or in the suite of management plans being proposed by NWML. WRC confirmed in December 2024 that the application was complete and they had all necessary information to progress the application to notification.

Note that since the application was granted referral, Site D has been removed from the proposal. All the expert assessments and peer reviews (except for the economic assessment) were undertaken with Site D included but their findings are still relevant to the revised proposal for Sites A to C. A landscape addendum is provided which summarises the landscape, natural character and visual effects with Site D removed. The economics assessment has been prepared for Sites A to C.

Table 18 provides a summary of the effects that have been assessed including, proposed mitigations and references where relevant. Effects are described in more detail in the sections below.

Table 18 Summary of effects, mitigations and technical assessment references

Effect	Findings	Conditions and Mitigations	Technical Assessment 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.	- Conditions 7 to 8 (Staging), Conditions 24 to 26 (Discharges), Conditions 27 to 30 (Operational Management Plan), Conditions 34 to 35 (Codes of Practice). - Operational Management Plan (E1)	- Baseline Survey, by NIWA. - Ecological Assessment, by Coast and Catchment. - Peer Review of General Ecological Matters, by Pisces Consulting.	DSWB1 DSWB2 DSWB4
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.	- Conditions 24 to 26 (Discharges), Conditions 27 to 30 (Operational Management Plan), Conditions 34 to 35 (Codes of Practice), Conditions 54 to 55 (Benthic Monitoring). - Operational Management Plan (E1)	- Baseline Survey, by NIWA. - Ecological Assessment, by Coast and Catchment. - Supplementary Benthic Survey, by Coast and Catchment. - Peer Review of General Ecological Matters, by Pisces Consulting. - Peer Review of Supplementary Benthic Survey, by Pisces Consulting - Benthic Survey Recommendations, by Coast and Catchment	DSWB1 DSWB2 DSWB5 DSWB4 DSWB6 DSW8
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.	- Conditions 24 to 26 (Discharges), Conditions 9 to 15 (Structures), Conditions 27 to 30 (Operational Management Plan), Conditions 32 to 33 (Noise), Conditions 34 to 35 (Codes of Practice), Conditions 36 to 42 (Marine Mammals). - Operational Management Plan (E1)	- Marine Mammal Assessment, by Anemone. - Peer Review of Marine Mammal Assessment, by SLR Consulting. - Peer Review of Marine Wildlife Management Plan, by SLR Consulting.	DMW1 DMW2 DMW3

Effect	Findings	Conditions and Mitigations	Technical Assessment Reference	
	- There will be negligible to minor effects on other marine mammals - Mitigations and monitoring are set out in the Operational Management Plan (OMP) and the Marine Wildlife Management Plan (MWMP), including marine mammal monitoring and the proposed conditions. - The proposed 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 Wildlife Management Plan (E2)		
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.	- Conditions 24 to 26 (Discharges), Conditions 9 to 15 (Structures), Conditions 27 to 30 (Operational Management Plan), Conditions 32 to 33 (Noise), Conditions 34 to 35 (Codes of Practice), Conditions 43 to 47 (Seabirds). - Operational Management Plan (E1) - Marine Wildlife Management Plan (E2)	- Seabird Assessment, by Wildlands. - Initial Peer Review of Seabird Assessment, by Pisces Consulting. - Seabird Questions Responses, by Wildlands - Final Peer Review of Seabird Assessment, by Pisces Consulting.	DMW4 DMW5 DMW6 DMW7
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.	- Conditions 34 to 35 (Codes of Practice), Conditions 55 to 61 (Biosecurity). - Biosecurity Management Plan (E3)	- Biosecurity Assessment, by Coast and Catchment. - WRC Peer Review of General Ecological Matters, by Pisces Consulting. - Peer Review of Biosecurity Management Plan, by Coast and Catchment.	DSWB3 DSWB4 DSWB7
Landscape, Natural	The natural character of the marine environment has been modified by land based activities such as run off, and as the farm	Conditions 9 to 15 (Structures), Conditions 16 to 23 (Marking, Lighting	Landscape and Visual Assessment, by Wayfinder.	DLNC1

Effect	Findings	Conditions and Mitigations	Technical Assessment Reference	
Character, and Visual Amenity	is to be sited over soft habitat the effects on the biogenic components of natural character will be no more than minor. Overall, the landscape, natural character and visual amenity effects will be no more than minor and appropriate in the context of the location.	and Floats), Conditions 27 to 30 (Operational Management Plan), Conditions 32 to 33 (Noise), Conditions 34 to 35 (Codes of Practice). Operational Management Plan (E1)	- Response to Landscape Questions, by Wayfinder. - Peer Review of Landscape and Visual Assessment, by Graham Mansergh Landscape Architects. - Landscape Memo, by Wayfinder	DLNC2 DLNC3 DLNC4
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 a condition of consent.	- Conditions 7 to 8 (Staging), Conditions 9 to 15 (Structures), Conditions 27 to 30 (Operational Management Plan), Conditions 34 to 35 (Codes of Practice), Conditions 48 to 53 (Hydrodynamic Effects). - Operational Management Plan (E1)	- Hydrodynamic Assessment, by MetOcean (updated after Peer Review) - Peer Review of Hydrodynamic Assessment, by Tonkin and Taylor.	DH1 DH2
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 OMP.	- Conditions 9 to 15 (Structures), Conditions 16 to 23 (Marking, Lighting and Floats), Conditions 27 to 30 (Operational Management Plan), Conditions 34 to 35 (Codes of Practice), Conditions 66 to 67 (Removal of Unused And/or Abandoned Structures). - Operational Management Plan (E1)		
Fishing	Effects on fishing are not anticipated but will be appropriately assessed by FNZ. 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.	- Conditions 16 to 23 (Marking, Lighting and Floats), Conditions 27 to 30 (Operational Management Plan), Conditions 34 to 35 (Codes of Practice). - Operational Management Plan (E1)		

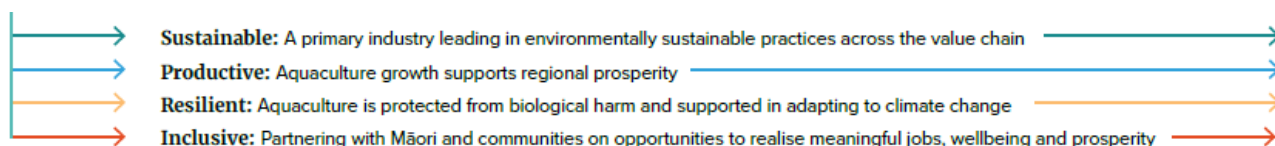
Effect	Findings	Conditions and Mitigations	Technical Assessment Reference	
Cultural Effects	- NWML have undertaken an extensive programme of engagement with Iwi, particularly the coastal hapū of Ngaati Tahinga as well as the Mandated Iwi Organisation Waikato Tainui. - During engagement with the coastal hapū NWML made an offer to transfer 20% of any consented space to an appropriate Waikato coastal hapū and marae entity. This proposal sits outside the Crown's aquaculture settlement obligation for 20% of representative space. - NWML have subsequently entered into an Oati with Ngaa Marae O Tahinga (Ngaati Tahinga) <i>'to advance the relationship and to jointly progress the negotiations to establish a 540ha Mussel spat collection and nursery operation on the Waikato West Coast, to create a sustainable, long term supply of mussel spat for the aquaculture industry while providing shared benefits for te taiao, Ngaa marae O Tahinga and North Western Mussels'</i>. - Ngaati Tahinga have provided a Cultural Values Impact Assessment, included with this application which recommends the establishment of a Cultural Management Plan to provide a mechanism for cultural effects to be managed through the life of the activity. - NWML have responded by proposing consent conditions which require that Cultural Management Plan to be established prior to placing structures in the water. The conditions allow for NWML and Ngaati Tahinga to set the framework for cultural monitoring and facilitate Ngaati Tahinga cultural authority and participation to remain active and meaningful as development progresses. - In recognition that engagement has not progressed with coastal hapū with rohe moana over Site D this site has been removed	- Oati between NWML and Ngaati Tahinga - Conditions 62 to 65 (Cultural Management Plan)	Cultural Values Impact Assessment, by Ngaa Marae O Tahinga	B2

Effect	Findings	Conditions and Mitigations	Technical Assessment Reference	
	from this application.			
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.	- Conditions 16 to 23 (Marking, Lighting and Floats), Conditions 27 to 30 (Operational Management Plan), Conditions 32 to 33 (Noise), Conditions 34 to 35 (Codes of Practice), - Operational Management Plan (E1)		
Noise	There will be no more than 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 A+ and the OMP.	- Conditions 32 to 33 (Noise) - Operational Management Plan (E1)		
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. - The economic assessment finds that the project will generate net positive economic effects over a 30 year period. Benefits exceeding costs both on a standalone basis and when the wider		Economic Assessment by Market Economics.	DE1

Effect	Findings	Conditions and Mitigations	Technical Assessment Reference	
	mussel farming and processing activity enabled by the activity. Its direct capital expenditure, recapitalisation and farming activity is estimated to generate \$144.9 million in GDP, return \$45.4 million in household income and support 1,938 job-years, while the regionally significant facilitated activity is estimated to generate \$3.4–\$3.9 billion in GDP, \$1.6–\$2.1 billion in household income, and 48,547–56,672 job-years, depending on the processing-location scenario. The economic benefits are considered to be regionally 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.			

6.2 Positive Effects

The Government has identified aquaculture as a transformative industry, with the potential to contribute positively to the wellbeing of the people of Aotearoa. The Government's Aquaculture Strategy, which was developed in response to the New Zealand Aquaculture Industry Strategy⁴⁶ sets out a vision that '*New Zealand is globally recognised as a world-leader in sustainable and innovative aquaculture management across the value chain*'. The strategy sets out the following four outcomes:



The proposed spat catching/nursery operation will provide NWML with a more certain model for catching spat and cultivating mussel seed. The Coromandel/Hauraki Gulf industry has experienced significant issues with spat shortages and spat losses (spat dies or fails to remain on the mussel lines) due for the most part to the changing Firth of Thames/Hauraki Gulf environment and the effects of climate change. As noted above the industry collectively is seeking urgent solutions to its spat issues and the development of a spat catching/nursery site in the more hospitable waters of the Tasman Sea is an integral component of the overarching strategy.

Finding a reliable spat catching/nursery area is crucial to the New Zealand mussel industry. It has been NWML's mission for many years to find a solution to this issue, which was the driving factor behind the resource consents allowing research to take place in Northland, Auckland and on the Waikato west coast. This research, carried out over several years, confirmed that spat can be successfully caught along the west coast, subject to suitable locations and spat catching methods. These findings are vital to the future of the aquaculture sector, which will rely on proposals such as this one for its continued success and growth.

The positive effects of the establishment of the site relate to the potential positive effects of the mussel industry generally. These include:

- Economic effects
- Social and cultural effects
- Food provisioning effects
- Ecosystem services effects

6.2.1 Economic Effects

The Government's 2019 Aquaculture Strategy recognises that '*aquaculture could be a much bigger part of our primary sector as we respond to the clear trends and forces shaping our future*'. It recognises the industry's opportunities for transformational development and finds there is a genuine opportunity for the industry to reach \$3 billion in annual sales by 2035⁴⁷.

In 2024, New Zealand's aquaculture sector generated over \$790 million in revenue and employed over 3,000

⁴⁶ Aquaculture New Zealand (2007). [New Zealand Aquaculture Strategy](#) (accessed 1 September 2026).

⁴⁷ ⁴⁷ Ministry for Primary Industries (2019). [New Zealand Government Aquaculture Strategy](#).

Kiwis⁴⁸. The mussel industry in the Coromandel/Hauraki Gulf region has significant capacity to increase productivity and thereby economic benefits. The New Zealand Institute of Economic Research (NZIER), modelled a 50% increase in mussel productivity in 2017 and found that *'The Thames-Coromandel District economy would gain directly from the expansion of marine farming and aquaculture processing, and also a share of indirect impacts on industries that support or receive proceeds from aquaculture in the Waikato region'*.

NZIER also commented that *'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.

Market Economics (M.E) undertook an economic assessment of the current application which is provided in **Schedule DE1**⁴⁹. The assessment uses two distinct economic tools to assess the project, a benefit-cost style assessment and an economic impact assessment. It does not combine the tools in any way, just provides a *'richer picture of the anticipated economic benefits the project will deliver'*. The assessment addresses the extent of the project's regional and/or national benefits under section 81(4) of FTAA, and the proportionality of those benefits relative to adverse effects under section 85(3), from an economic perspective. It does not extend to environmental, cultural or other non-economic effects.

M.E note that the proposal aligns directly with Action 1b of the New Zealand Aquaculture Development Plan and that *'aquaculture is well placed to capture economic wellbeing effects while delivering these effects without adding to overall environmental pressures.'*

The economic assessment examines the economic benefits of the spat nursery activity and then the facilitated economic benefits of the significant resulting increase in mussel production. The analysis covers a 30 year period and applies both a 2% and an 8% discount rate.

To inform the facilitated benefits production assumptions set out in Table 19 are made:

Production component		Assumption
a	Conversion ratio from nursery rope to grow-out rope	1 metre spat rope to 3 metres grow out rope
b	Production yields	2 – 10kg/metre of rope (7kg/metre used),
c	Growth period from spat to harvest (production cycle)	2 years
d	Total facilitated mussel yield	37,775 tonnes (to 40,682 tonnes)
e	Processing yield (greenweight to frozen half-shell product)	46%,
f	Export value	\$10.50/kg (half shell)
g	The total kg of exportable product	Estimated in the order of 17,377 tonnes of half shell per year (lower estimate).

Table 19 Facilitated economic benefits assumptions

Based on those assumptions, the proposed project is estimated to generate saleable product (spat) that is

⁴⁸ Aquaculture New Zealand. [Farm Facts 2024](#).

⁴⁹ McIlraith, L. (2026). Waikato West Coast Mussel Spat Nursery Economic Assessment in support of the Substantive Application under the Fast-Track Approvals Act (2024). Market Economics. (**Schedule DE1**).

valued at \$7.1 million per year when fully operational and the enabled export value (spat grown out then processed and exported as halfshell) is estimated at between \$182 million and \$196 million per year. This equates to an additional 50% of the New Zealand industry's current production.

6.2.1.1 Economic benefits and costs

Section 3.1 of the assessment sets out the economic benefits and costs for both the nursery activity and the facilitated activity. These are summarised here:

Assessment component	Total gross benefits	Total economic costs	Net economic benefit
Standalone nursery (2% discount rate)	\$136.9 million	\$59.2 million	\$77.7 million
Standalone nursery (8% discount rate)	\$59.1 million	\$28.6 million	\$30.5 million
Facilitated effects (2% discount rate)	\$3.2 billion	\$1.9 billion	\$1.3 billion
Facilitated effects (8% discount rate)	\$1.3 billion	\$781 million	Not stated

Table 20 Economic benefits and costs summary

On a standalone basis, the nursery is likely to deliver positive economic benefits after accounting for the economic resources used with a net benefit of \$77.7 million at a 2% discount rate and \$30.5 million at 8%. *'The project therefore remains economically justified under both discount rate scenarios, although the margin narrows at the higher discount rate'.*

For the facilitated effects, the scale is found to be regionally significant estimated to be between \$1.3 billion and \$3.2 billion with most of these benefits to be felt in the area where the mussel processing occurs.

M.E considered other matters in the economic benefits and costs assessment. They found that the economic benefit of the 20% gift of consented space is estimated at between \$5.4 million (at 8% discount) and \$12.2 million (at 2% discount) over 30 years. The assessment notes that this would provide a *'source of income that could support Iwi-led priorities over the life of the project'* and that the certainty of longevity of the financial flow will help *'spread the economic benefits of the project by enabling economic opportunities beyond the proposed activity itself'*.

M.E considered economic costs related to effects on Māui dolphin but was unable to quantify these. For transport costs, the social costs (accidents) were estimated at between \$51,750 and \$117,680 and the shadow price of carbon at \$318,640 to \$785,950 over the 30 years.

6.2.1.2 Economic impacts

The economic impact assessment used a multi-regional input-output (MRIO) model. The analysis covered five regions and three different project components focussing on:

- Capital expenditure (capex) associated with construction,
- Recapitalisation (periodic reinvestment in infrastructure over the life of the project),
- Farming activity (operational aquaculture activity at the nursery itself), and
- Production, which captures the wider economic activity that the nursery facilitates downstream (i.e. the mussel farming and processing activity enabled by the spat the nursery supplies).

Economic impacts are expressed in present value (PV) terms over the 30 year assessment period identifying Type I or open impacts and Type II or closed impacts. The Type I impacts comprise direct impacts of the project which cover the operation's own purchases of goods and services from its suppliers, and indirect impacts which relate to the purchases by the suppliers from their supplier, and so on. The Type II impacts include the Type I impacts as well as induced impacts which capture the economic supply chain effects resulting from salaries and wages, and how these are spent.

Table 3-7 of the report provides a summary of these economic impacts and is replicated here:

Category	GDP		Income	
	2%	8%	2%	8%
Capex (construction)	13.1	9.7	4.4	3.3
Recapitalisation	0.6	0.2	0.2	0.1
Farming activity	131.1	56.6	40.8	17.6
TOTAL	144.9	66.6	45.4	20.9
Facilitated impacts				
Production*	\$3.4bn to \$3.9bn	\$1.3bn to \$1.6bn	\$1.6bn to \$2.1bn	\$650m to \$854m
* The range reflects two spatial scenarios.				
Figures are rounded so might not sum perfectly				

Table 21 Economic impacts summary

M.E find that *'combining the project's own footprint with the facilitated production impacts gives the total economic contribution of the nursery, including the downstream farming and processing activity it enables'*.

The scenario-dependant production component leads to a range for the total project of:

- Total GDP impact of \$3.5 billion to \$4 billion at a 2% discount rate
- Total income returned to households of between \$1.7 billion and \$2.2 billion.

Over 95% of total GDP impact is attributable to the production category, underscoring the nursery's function as a facilitator of wider aquaculture sector activity rather than a significant direct economic contributor.

6.2.1.3 Employment impacts

The MRIO model assessed employment impacts covering the same categories used for GDP and income. These are reported in job-years which is the cumulative annual employment impact added up across the 30-year evaluation period and peak employment which is the highest employment level reached in any one year expressed as Modified Employee Counts (a headcount of employment plus an adjustment for working proprietors).

Table 3-10 of the report provides a summary of the employment impacts in job years and is replicated over:

Category	Type 1 (direct and indirect)	Type 2 (direct, indirect and induced)
Capex (construction)	84.3	149.5
Recapitalisation	5.3	9.3
Farming activity	1,133	1,779
Production	26,388-27,129	48,547-56,672
Total (all categories)	27,610-28,351	50,484-58,610

Table 22 Summary of employment impacts set out in job years over a 30 year period

The assessment finds that *'regardless of the category that is considered, there is a consistent split between where the nursery's own economic footprint falls and where the wider economic activity it enables and supplies falls':*

- Capex and recapitalisation employment is concentrated in the 'Rest of New Zealand'.
- Farming activity employment is concentrated in the Waikato District.
- Facilitated production is the largest category and is concentrated in Rest of Waikato (Coromandel) and/or the Bay of Plenty depending on where the mussels are processed.

M.E find that *'the facilitated employment effects are the largest part of the supported employment impacts. This underscores that the nursery's greatest employment contribution comes from the wider aquaculture activity it facilitates, rather than from its own construction, reinvestment or on-site farming operations'.*

6.2.1.4 Economic assessment conclusions

M.E conclude that, *'crucially, the project's direct/immediate benefits are material and positive'* however its true economic value is in addressing a known constraint in the mussel industry and facilitating realisation of its production potential.

In summary:

- *'The economic benefits outweigh the economic costs, for the project on a standalone basis as well as the wider view with the facilitated project included.*
- *The economic benefits of the wider, facilitated activity are regionally significant.*
- *The project's own economic footprint (capex, recapitalisation and farming activity) generates substantial economic impacts, with total GDP impacts estimated at \$144.9m (2%) and \$45.4m of income returned to households. Over the assessment period, the project will support 1,938 job-years (total across the wider economy).*
- *Facilitated production impacts (the wider mussel farming and processing activity the nursery enables) will deliver the largest positive economic impacts with total GDP impacts of \$3.4bn to \$3.9bn (2%) and income of \$1.6bn to \$2.1bn. The total number of supported jobs will range between 48,547 to 56,672 job-years with the range due to the processing location scenario'.*

The assessment finds that the project is likely to generate regional benefits of a scale consistent with section 81(4) of FTAA and that these benefits are proportionate to the project's economic costs. Overall, the project is economically viable with the facilitated effects being regionally significant.

6.2.2 Social and Cultural Effects

Aquaculture is widely recognised for providing a range of social benefits to the regional communities it

operates in including supporting a range of roles and career development opportunities both at sea and on land⁵⁰ from farm workers to skippers, from hatchery technicians to operations managers and including those shown below.



Figure 22 Career opportunities in aquaculture

A 2014 MPI study on the 'social value of a job'⁵¹ demonstrated the diverse range of positive social impacts that paid employment can have, not only for individuals but also for their wider communities. The report highlights that employment supports financial stability, enhances living standards, and provides a pathway out of poverty. It also contributes to improved health, wellbeing, and self perception, and is vital for sustaining vibrant communities.

Supplementary research conducted in Southland in 2015⁵² found similar broad reaching benefits for aquaculture roles, concluding:

- *'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.'*

Aquaculture also presents significant opportunities for Iwi to meet their intergenerational aspirations. The

⁵⁰ Aquaculture New Zealand. (2025). aquaculture.org.nz/careers

⁵¹ Ministry for Primary Industries. (2014). *The Social Value of a job*. MPI Information Paper No: 2014/24.

⁵² Ministry for Primary Industries. (2015). *The Social and Community Effects of Aquaculture*. MPI Information Paper No: 2015/06.

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*'.

Ngaati Tahinga recognise the potential economic and employment opportunities of the proposal in their CVIA in **Schedule B2** and response to the NWML Letter of Intent in **Schedule B6**.

Jake Bartrom set out the significant contribution the Coromandel mussel industry provides to its community in his evidence to the PWRCP hearings in **Schedule I1** including that '*something that really stands out in this industry is the active role many people play in their local communities. We employ local people, and they form part of the lifeblood of rural communities*'.

As noted above, M.E found that the project will generate jobs across the construction phase, during recapitalisation, within the farming activity and as facilitated effects in the spat is transferred to mussel production farms, the processed and exported. The total direct, indirect and induced employment effects over a 30 year period equates to between 50,484 and 58,610 job years. Employment⁵³ for the 'rest of Waikato' peaks at 811 for Type I activity and 1,381 for Type II.

Mussel spat/nursery operations can have positive effects for recreation, particularly providing opportunities for recreational fishing as the sites provide habitat for a range of pelagic species.

6.2.3 Food Provisioning Effects

Farmed Greenshell mussels are recognised as an affordable, nutritious and sustainable source of protein, high in essential omega-3 fatty acids and micronutrients including iron, zinc and magnesium. Farmed Greenshell mussels have a low carbon footprint comparable to tofu. With growing global recognition of the importance of seafood protein for health and wellbeing across all stages of life, and growing global consumption of aquaculture products, the food provisioning services of Greenshell mussels is set to increase further over time.

6.2.4 Ecosystem Benefits

Potential positive ecosystem effects of mussel farming are outlined in the NIWA report on the ecological benefits of mussel farms in the Marlborough Sounds⁵⁴. In summary, they are:

- Habitat creation – mussel farms create three dimensional habitat in the seawater column and on the seabed. Biodiversity in and around mussel farms is higher.
- Nutrient mitigation – the mussels on mussel farms filter and clean similar volumes of water to historic wild mussel beds as well as removing nitrogen products from the water column.
- Species support – mussel farms provide direct benefit to marine life by providing habitat, food and roosting/resting structures. Common and Bottlenose dolphins use farm structures to herd their prey (schools of fish), seals and seabirds use floatation equipment to roost. Recreational fish are always present around mussel farms but feed more actively during seeding and harvesting (and thereby

⁵³ Modified Head Count

⁵⁴Stenton-Dozey, J. Broekhuizen, N. (2019). [Provision of ecological and ecosystem services by mussel farming in the Marlborough Sounds](#). NIWA report prepared for Marine Farming Association.

attracting recreational fishers).

The report concludes that *'this work contributes to a global awakening around the positive ecological contributions that shellfish aquaculture brings to marine ecosystems and to the health of the planet'*.

Mussels are a key component in efforts to restore the mauri of the Hauraki Gulf through Revive Our Gulf⁵⁵, a partnership with iwi / hapū and communities to restore the mussel beds of the Hauraki Gulf, which were lost over time due to fishing and sedimentation, thus bringing the lungs of the Gulf back to life. NWML are a key supporter of this initiative. The project currently includes research⁵⁶ using hatchery spat to understand retention of the wild mussel populations and there is a valuable opportunity to also use nursery mussels from the NWML proposal which may contribute to a more rapid recovery of the ecosystem. Similar programmes could be undertaken in the west coast area.

Furthermore, as set out below, mussel farms can provide habitat for juvenile fish thus contributing positively to fisheries resources.

It is possible that the proposed spat nursery will provide some level of positive ecosystem effects in a similar manner to production mussel farms.

6.2.5 Climate Change Adaptation

The mussel farms most used by NWML are located in the Hauraki Gulf and Firth of Thames. In recent years these areas have been subject to repeated marine heat waves caused by climate change. 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 and summer conditions have been challenging ever since. The industry cannot tenably continue under these conditions without the ability to adapt. One proposed climate change adaptation is to locate spat in nursery areas where the waters are cooler.

The west coast of the Waikato has consistently cooler waters even during heat wave conditions as shown by data collected in the Moana Project⁵⁷. The most recent comparisons are shown over:

⁵⁵ [Revive Our Gulf](#) (accessed 1 September 2026).

⁵⁶ Radio New Zealand (2023). [Measures to Improve Depleted Auckland/Hauraki Gulf Mussel Beds](#)

⁵⁷ [The Moana Project](#) (accessed 1 September 2026).

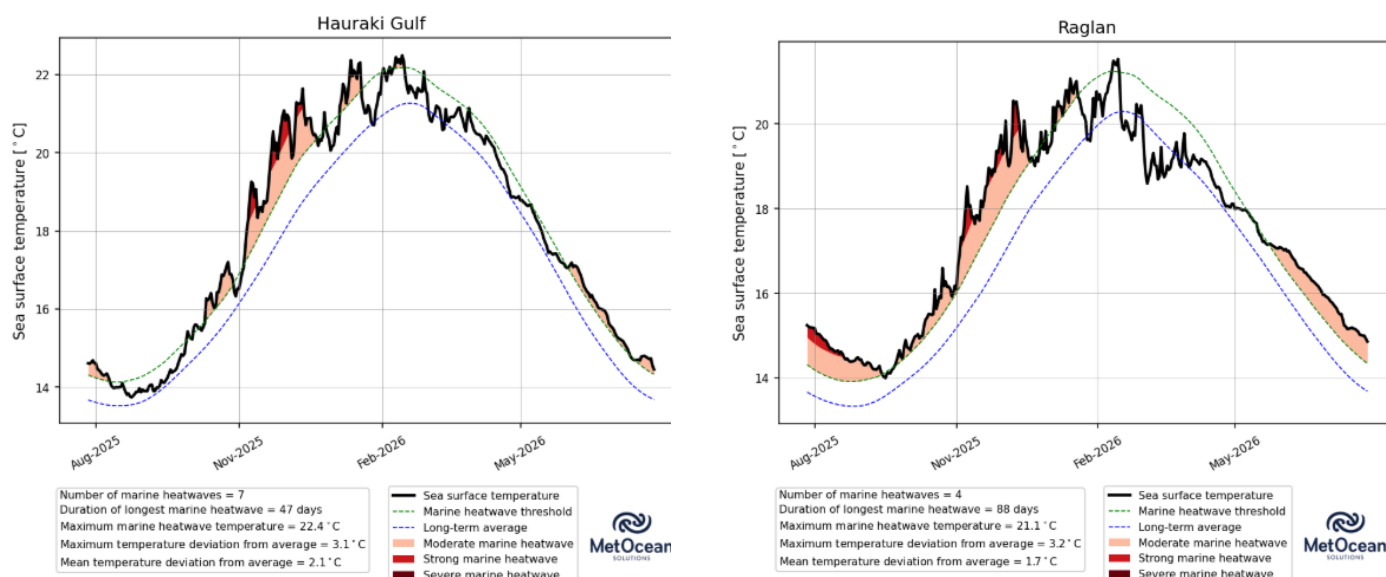


Figure 23 Differences between marine heat waves in the Hauraki Gulf and application area (Raglan)

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:

- Beach cast from Te Oneroa a Tōhe, as is currently undertaken
- Hatchery spat
- Wild caught spat, such as that proposed in this application

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 *Perna canaliculus* is a difficult animal to breed in a hatchery compared to species used elsewhere in worldwide hatcheries. Wild spat catching 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 the most viable and investment ready opportunity for the Waikato mussel industry to adapt to climate change and enable productivity to stabilise and grow.

6.2.6 Positive Effects Summary

The proposed nursery will provide significant positive economic, social, cultural, food provisioning,

ecosystem and climate adaptation effects for the Waikato region, the wider North Island mussel industry and New Zealand's aquaculture sector.

The proposal directly addresses the critical constraint on the viability and future productivity of the Waikato and wider North Island mussel industry, the availability, survival and retention of spat and seed. It will support the productive use of existing consented but underutilised marine farming space, and associated vessels, landing facilities, processing capacity, workforce and supporting services.

By improving spat supply, survival and retention, the proposal will help secure existing investment in farms, vessels, processing and associated services, and support the continued functioning and future productivity of an industry that has experienced reduced production, factory closures, job losses and community financial hardship.

The project will deliver economic benefits that are regionally significant for the Waikato region. On a standalone basis, the nursery is estimated to generate total economic benefits of \$136.9 million over 30 years, with the economic benefits outweighing the economic costs.

The more significant benefits arise from the facilitated activity enabled by the project. By providing a reliable source of plentiful and resilient spat and seed, the nursery will enable significantly increased aquaculture production, particularly in the Hauraki Gulf. The facilitated economic benefit is estimated at \$3.2 billion in gross terms over 30 years.

The social benefits will also be significant. The nursery is estimated to support approximately 1,938 job-years over 30 years. The facilitated aquaculture production and processing activity is estimated to support between 48,547 and 56,672 job-years over the same period.

The proposal will also support iwi and hapū participation in aquaculture. NWML has entered into an Oati with the coastal hapū/marae of Ngaati Tahinga and offered to gift 20% of any space consented under this application. This will provide tangible Māori aquaculture opportunities and support the exercise of mana moana, kaitiakitanga and intergenerational commercial and cultural aspirations.

The proposal is an important climate adaptation opportunity for NWML and the broader mussel farming industry in the Waikato and Bay of Plenty regions. The industry is increasingly affected by changing environmental conditions, including warming waters, marine heatwaves, declining spat survival, changing spat availability and increasing marine pest pressures.

The proposed nursery will improve the diversity, resilience and effective use of spat supply by enabling spat to be caught, held and on-grown in conditions that are optimal for growth and survival. It will enable spat to be transferred at the most appropriate stage for prevailing seasonal and environmental conditions, and provide more resilient seed for growout farms facing increasingly challenging conditions. This will help sustain industry production and its associated economic, social, cultural and ecosystem contributions.

The proposal will support increased production of Greenshell mussels, a healthy, high quality, environmentally sustainable and low carbon protein food. It will establish strategically important spat

nursery infrastructure, support the effective use of existing aquaculture infrastructure, and contribute to the continued development of a sustainable aquaculture industry.

The positive effects are directly consistent with the purpose of the FTAA. It will provide critical aquaculture industry infrastructure that will address a recognised constraint on the North Island mussel industry and enable its continued viability, productivity and growth.

The economic benefits are regionally significant.

6.3 Water Column Effects

Water column effects of mussel farms can include localised phytoplankton depletion (i.e. extraction of phytoplankton and organic particulates by the farmed shellfish). The effects of phytoplankton depletion through shellfish consumption are generally only detectable at approximately the farm scale and are of short duration. The significance of associated effects depends on a variety of factors, including the carrying capacity of the environment, prevailing water currents, weather patterns, and catchment derived nutrient inputs, with effects more pronounced if farms are located in physically constrained shallow areas with slow currents, compared to deep sites with strong flow and good flushing.

This proposal includes spat catching and nursery activities for mussels at the juvenile stage and up to 90mm in shell length. Even at 90mm shell length the biomass of mussels is measurably less than harvest sized mussels at growout farms. Furthermore, the rotational nature of the operation will further reduce the overall biomass compared to a full production farm, so the accompanying water column effects will also be less.

In addition, the NIWA baseline survey (**Schedule DSWB1**) confirmed that the variable currents and frequently strong water movement associated with wind, waves and swell at the three sites will reduce any phytoplankton depletion that may be caused by the feeding spat to below detectable limits (particularly when considering the fact that the open coastal water movement will constantly replenish phytoplankton).

Coast and Catchment prepared an assessment of the water column effects of this proposal in 2022, which is included in **Schedule DSWB2**⁵⁸. The assessment noted that:

- Potential effects of shellfish farming on the water column include filtration of plankton and particles from the water column and the release of nutrients and particulate waste into the water column.
- Harvesting results in a net reduction of nutrients (mainly nitrogen) from the environment
- There is a residual possibility that shellfish farms cause localised depletion of plankton from within a farm or an increase in dissolved nutrients around a farm.
- Despite modelling of large mussel farms in the Firth of Thames predicting a 20% depletion of phytoplankton within the farm, fortnightly monitoring over a decade did not detect any obvious effects on plankton communities.
- In a well flushed environment, mixing and dispersion will rapidly disperse dissolved nutrients.

The assessment concluded that, given the proposed sites are located in deep waters in a highly dispersive environment, the effects of the proposed nursery farm on the water column are assessed as negligible. Note

⁵⁸ Sim-Smith, C. (2022) Benthic and water column effects of Waikato west coast mussel nursery (**Schedule DSWB2**).

also that the activity is spat catching and mussel nursery rather than full production mussels so the effects will be even less than otherwise anticipated.

WRC obtained a peer review of the ecological assessment from Pisces Consulting which is provided as **Schedule DSWB4**⁵⁹. The peer review agreed that the environmental conditions at the proposed sites create a low risk of adverse effects, and that the proposed spat catching and holding activities will result in smaller effects than mussel on-growing and that water column effects will be negligible.

In summary, the effects of mussel farming on the water column are well understood, and include potential for localised phytoplankton depletion and changes to water column nutrients. Despite lengthy studies of existing mussel farms, little if any effects have been detected beyond the boundaries of the farm if the farms are well sited. This proposal is for mussel nursery sites in a well flushed environment and overall, the effects on the water column will be negligible. No monitoring was recommended or is proposed.

6.4 Benthic Effects

The MPI effects overview identifies the possibility of shellfish farming causing benthic effects, i.e. effects on the seafloor. Such effects result from the sedimentation of organic rich, fine grained particles (biodeposits of faeces and pseudofaeces) and the deposition and accumulation of live shellfish, shell litter and other biota onto the seabed, which may have an impact on the seabed communities. The primary benthic effect is typically enrichment of the seabed due to organic content of the deposited particles, which in turn effects the infauna (being sediment dwelling species) by enhancing their productivity (meaning some smaller species become more prolific).

MPI further determines that in most instances, benthic effects will be low to moderate when farming occurs over soft sediment habitat where there are no particular sensitive, vulnerable or special benthic communities. In addition, increased flushing (determined by current speed and water depth) reduces localised sedimentation and accumulation of organic matter. This in turn means that deep marine farms (over 30 metres) located in strong water currents have less depositional footprints than shallow, poorly flushed sites.

For the purposes of this application, the NIWA baseline survey and Coast and Catchment supplementary survey (**Schedule DSWB5** peer reviewed by Pisces Consulting **Schedule DSWB6**⁶⁰) both confirmed that the identified infaunal species under the four blocks were abundant and common (rather than sensitive or vulnerable) in the proposed locations.

The Coast and Catchment ecological assessment (**Schedule DSWB2**) found that:

- ‘The benthic effects of inshore mussel farming are well understood and are mainly related to the accumulation of biodeposits (mussel faeces and pseudofaeces), shell, live shellfish and other organisms below the farm, which alter the physical, chemical and biological characteristics of the seafloor.
- Multiple assessments of inshore Coromandel and Firth of Thames mussel farms show that

⁵⁹ Giles, H. (2023). Technical review of general ecological matters (benthic, water quality, and biosecurity). Pisces Consulting (**Schedule DSWB4**).

⁶⁰ Giles, H. (2023). Review of 2024 benthic survey. Pisces Consulting (**Schedule DSWB6**).

concentrations of organic matter are very slightly elevated under the farms. This tends to increase benthic productivity and cause minor changes in the composition of infaunal benthic communities.

- Deposition of organic matter from offshore farms such as the application sites is dissipated over a much wider area, reducing the accumulation of organic matter under the farm.
- While 'very little information' is available on the benthic impacts of offshore mussel farms, the magnitude of benthic impact will depend on the farm stocking density, hydrodynamics, and the substrates and benthic community present.
- Overall, given the lack of sensitive habitats at the site, the common macrofaunal species present, and the highly dispersive environment, the potential benthic effects of the proposed nursery farm are likely to be less than minor.
- However benthic monitoring was recommended to confirm this.

WRC obtained a peer review of the ecological assessment from Pisces Consulting which is provided as **Schedule DSWB4**. The peer review agreed that the benthic effects of mussel farms are well understood, that the locations are appropriate, and that the effects of the proposed farms will be similar and likely less intense than the effects of grow out farms. The peer review also found overall that the benthic effects will be positive (or at least neutral) due to the known positive biogenic effects of mussel farms placed over soft sediment. On whether benthic monitoring is required the peer review did not consider benthic monitoring necessary to ascertain benthic enrichment effects. Despite the findings that the benthic effects would be no more than minor, recommendations have been made to survey the areas around the sites to ensure there are no reefs that might be affected by shell drop off.

NWML have consulted Coast and Catchment about what form the monitoring might take and that advice is included as **Schedule DSWB8**⁶¹ and replicated here:

1. A benthic survey pre development (side scan sonar would be the best as video was near impossible) of the area within 200 metres of the farm boundaries to confirm there are no reefs.
2. If no reefs are found, surveys at 5 yearly intervals starting at year 5 to confirm the limitation of shell drop off. This could be done by photo/drop cam transects away from the farm, and probably could be dropped after a couple of surveys if the results are favourable. Only the developed sections would need to be monitored.
3. If reefs are found within 200 metres of the farm, then more frequent monitoring would probably be required initially to check the farm is not affecting the reef.

The proposed consent conditions in **Schedule F** include a requirement for this monitoring.

The nearest mapped reef is 1.4 km from Site A, the activity will not be full production mussels, the site is high energy, and the lines are 50 metres apart, and any shell drop off that does occur could potentially have a positive effect. Coast and Catchment found the benthic effects would be less than minor and the WRC peer reviewer concurred. NWML have agreed to undertake monitoring to ensure shell drop off does not affect any as yet unidentified reefs in the vicinity of the site. In summary, the benthic effects of are likely to be less than minor.

⁶¹ Sim-Smith, C. (2026). Benthic monitoring comment. Coast and Catchment (**Schedule DSWB8**).

6.5 Fisheries Resources Effects

There is now substantial evidence that well located (eg over soft sediment habitat) shellfish and seaweed culture can provide positive effects for fisheries resources. For example, in the Hauraki Gulf *'both mussel and kelp-mussel co-culture supported fish populations equivalent to or greater than that of the non-farm sites (in both richness and abundance), with wild fish found to be foraging and recruiting within the farms'*⁶².

An Auckland University study in the Hauraki Gulf⁶³ verified that mussel farms provide effective nursery habitats for young fish by providing food and physical structure for shelter, outperforming areas of soft sediment. A summary of the study⁶⁴ depicted the effects.

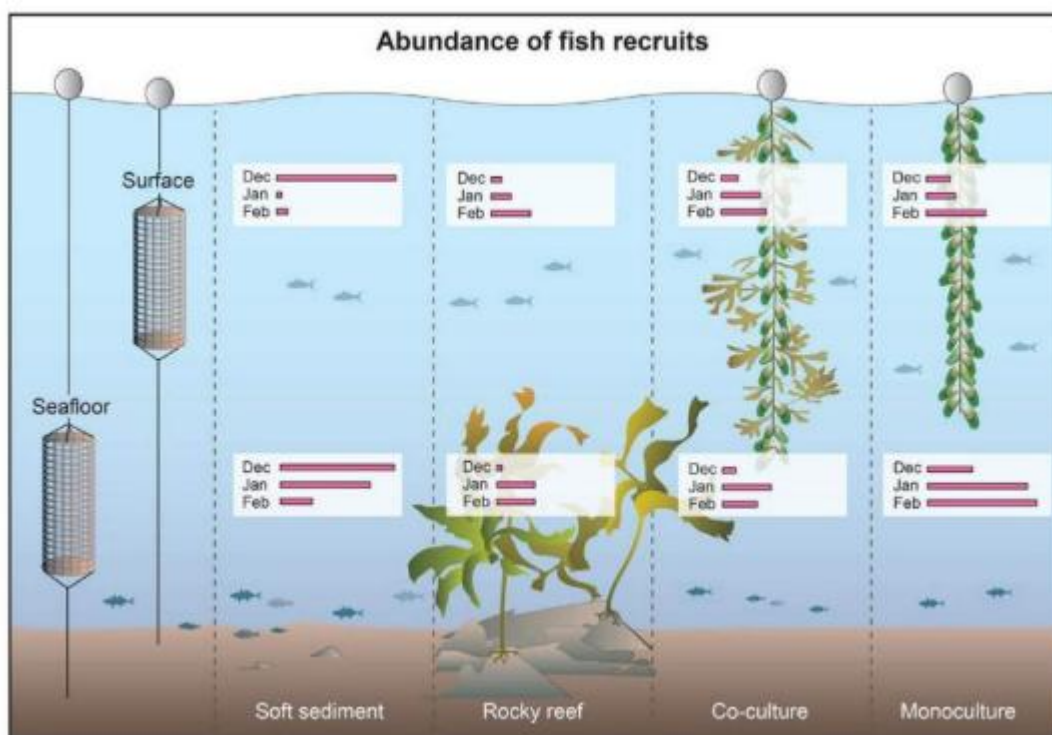


Figure 24 Fish recruitment in a range of habitats

In Marlborough, NIWA found that mussel farms provide habitat (through food and shelter) for a range of species including spotties, triplefins, leatherjackets, stargazers, blue cod, mullet and flatfish. Pelagic species (snapper, kingfish, kahawai and yellow eyed mullet) pass through farms. Snapper and blue cod are of particular importance for recreational fishing.

A Cawthron review of 13 years of monitoring data from mussel farms in Tasman and Golden Bays⁶⁵ found that the accumulation of live mussels, shells and shell debris from the farms on previously bare sediment represent a positive step towards the recovery of structurally complex seafloor habitat in an environment which has lost most of its natural habitat due to excessive inputs of fine sediments over time.

⁶² The Nature Conservancy. [Habitat Value of Kelp Aquaculture](#) (accessed 1 September 2026).

⁶³ Underwood, L.H., Jeffs, A. G. (2023). [Settlement and Recruitment of Fish in Mussel Farms](#). Aquaculture Environmental Interactions Vol. 15: 85–100, 2023.

⁶⁴ University of Auckland (17 May 2023). [Mussel farms may act as fish nurseries, research shows](#)

⁶⁵ Alder A, Howarth L, Weiss F, Atalah J. 2025. [Is mussel farming helping to restore degraded seafloor habitats in Golden and Tasman Bays?](#) Nelson: Cawthron Institute. Cawthron Report 4172. Prepared for Envirolink and Marine Farming Association.

Overall, the effects on fisheries resources anticipated to be less than minor and potentially positive.

6.6 Marine Mammal Effects

6.6.1 Māui Dolphin Context

The Hector's and Māui Dolphin Threat Management Plan (TMP), noted above, is a New Zealand Government framework to manage human caused threats to Māui and Hector's dolphins. The 2020 TMP introduced new fishing area restrictions along the west coast of the North Island and the instigation of an action plan for better understand and managing the threat posed by toxoplasmosis.

The TMP is underpinned by a risk assessment⁶⁶ undertaken in 2019 which identified that toxoplasmosis is likely to be the main 'anthropogenic' threat to both sub-species, being responsible for an estimated annual death of 1.9 Māui dolphins, compared with approximately 0.1 annual Māui dolphin deaths in commercial set nets. The risk assessment is currently under review.

More recently, research⁶⁷ into Hector's dolphins in Akaroa Harbour, which is part of the Banks Peninsula Marine Mammal Sanctuary, found that cruise ships visiting Akaroa Harbour may be responsible for a change in their behaviour and specifically a clear shift in their distribution. That research notes that *'set net and trawl fishing and the parasitic disease toxoplasmosis are the biggest threats to the dolphins, with threats also from seismic surveying, seabed mining, tourism, vessel traffic, oil spill risk, coastal development, pollution, sedimentation and climate change'*.

Notably, the mussel spat catching and farming industry in Golden Bay has been carrying out observational studies of marine mammals in the area as part of their consent conditions with Hector's dolphins observed travelling between farm lines and swimming around structures (discussed further in Section 6.6.5 below). No entanglements have occurred during the 40 years of mussel farming in Golden Bay or Banks Peninsula.

6.6.2 Marine Mammal Assessment

An expert marine mammal assessment was conducted by Anemone Consulting Limited (Anemone) in 2022⁶⁸ (**Schedule DMW1**). WRC obtained a peer review of the marine mammal assessment from SLR Consulting which is provided as **Schedule DMW2**⁶⁹.

The species that are expected to occur in the vicinity of the sites are set out in Table 23.

⁶⁶ Roberts, J.O, Webber, D. N, Roe, W.D. Edwards, C.T.T, Doonan, I. J. (2019). [Spatial risk assessment of threats to Hector's and Māui dolphins](#). Report for Fisheries New Zealand.

⁶⁷ Department of Conservation (2022). [Research Shows Change to Hector's Dolphin Distribution in Akaroa](#).

⁶⁸ Roberts, J. (2022 and updated 2026). Marine mammal assessment with respect to the potential effects of proposed mussel spat catching and nursery activities off the coast of Whāingaroa. Anemone (**Schedule DMW1**).

⁶⁹ McConnell, H. (2023). Peer review of marine mammal assessment. SLR (**Schedule DMW2**).

Species	New Zealand Threat Status ⁷⁰	Frequency of Sightings and Habitat Use
Māui/Hector's dolphins (odontocete)	(NZCPS Policy 11(a)(i) species; Māui dolphin classified as 'Threatened - Nationally Critical', and Hector's dolphin classified as 'Threatened – Nationally Vulnerable' by the NZTCS and 'Critically Endangered' by the IUCN)	The proposed marine farm sites are within the core range for this subspecies and validated sightings have been made in the wider area. Modelled density data suggests that highest densities in summer occur directly off Raglan Harbour entrance and along the coast to the north of the harbour entrance in water depths of at least 20 metres in winter.
Common dolphins (odontocete)	Not Threatened	Common dolphins are abundant around the North Island of New Zealand and are also predicted to be relatively abundant off the West and North Coasts of the South Island. Common dolphins predate on a variety of fish and cephalopod species, with arrow squid, jack mackerel and anchovy identified as the primary prey species.
Killer whales (odontocete)	NZCPS Policy 11(a)(i) species; classified as 'Threatened – Nationally Critical' by the NZTCS;	Orca occurring off the West Coast of the North Island are likely to comprise part of a small wider ranging New Zealand population. The main prey of orca around New Zealand include rays, sharks, finfish, and other cetaceans.
Southern right whales (baleen whale)	(NZCPS Policy 11(a)(i) species; classified as 'At Risk – Recovering' by the NZTCS)	Southern right whales undertake seasonal migrations from the Antarctic region to the Subantarctic islands of New Zealand and mainland coastal waters, where they occur between July to November. Sightings of southern right whales have been reported within shallow and sheltered areas of the West Coast of the North Island during the winter period, including in the mouth of Raglan Harbour, within 20 km of the proposed mussel spat farm. Southern right whales use shallow coastal waters for winter calving and for nursery grounds.
Humpback whales (baleen whale)	(NZCPS Policy 11(a)(ii) species; classified as 'Endangered' by the IUCN).	Humpback whales are considered a non resident seasonal migrant visitor to New Zealand, passing around the coast of New Zealand when migrating between summer feeding grounds around Antarctica and winter calving / breeding grounds in tropical or near tropical waters. Northbound humpbacks predominantly migrate along the East Coast of the South Island, through the Cook Strait then up the West Coast of the North Island in winter months, and southbound humpbacks return along the West Coast in spring. Humpback whale sightings have been reported immediately offshore of the proposed

⁷⁰Baker, C. Boren, L. Childerhouse, S. Constantine, R. van Helden, A. Lundquist, D. Rayment, W and Rolfe, J. (2019). [Conservation status of New Zealand mammals](#), Department of Conservation.

		mussel spat farm in winter months.
New Zealand fur seals (pinniped)	Not Threatened	Few breeding rookeries exist on North Island offshore islands, with the most northern sites off Waikato, at Gannet Island and off Taranaki at Sugar Loaf Islands representing areas where pup numbers are few (but consistent pupping occurs each year) and expansion is unlikely due to the small area of available habitat.

Table 23 Marine mammal species in the area

Anemone considered seven potential effects on marine mammals, being entanglement, habitat exclusion, trophic effects, marine debris, vessel strike, underwater noise and cumulative effects with entanglement and habitat exclusion the principal effects to be considered. SLR confirmed that all actual and potential effects had been identified.

Anemone set out effects on Māui dolphin in a separate section given their highly threatened status. Of note the assessment referenced *‘the lack of any reported odontocete (dolphin and toothed whale) entanglements in mussel farm structures in New Zealand, including the lack of any reported Hector’s dolphin entanglements in farms around Banks Peninsula, despite the relatively high density of dolphins there.’*

Anemone noted that the total spatial extent of the proposal is small relative to the range of the Māui dolphin sub-species and the proposal to deploy droppers with strong negative buoyancy and in loops reduces the potential for entanglement.

Anemone found that the potential effects of the activity would be negligible to minor on Māui dolphin when considering effects at the sub-species level, so long as: best operational practises were followed, including maintaining a vessel speed of no more than 12 knots at any time.

Anemone considered that, within the area of the application, juveniles appear more likely to be present south of Raglan (around Site D), but Site D is no longer part of this proposal.

For the other marine mammal species identified, Anemone also found that the potential effects were likely to be negligible to minor so long as best operational practises were followed, and there was increased vigilance of marine mammal monitoring during months when southern right whales (July to November) and humpback whales (June and October) are most likely to be present off the west coast of the North Island.

WRC obtained a peer review of the marine mammal assessment from SLR Consulting which is provided as **Schedule DMW2**. Effects on Māui dolphin and then other marine mammals are set out in Tables 24 and 25.

Effects on Māui dolphin		
Aspect	Anemone Finding	SLR Peer Review
Entanglement	Entanglement effects will be minor conditional on the dropper lines being impregnated with lead cores so as to achieve strong negative buoyancy and assist	SLR agreed with this conclusion and noted that there is only one record globally of a dolphin being caught in a spat line (a harbour porpoise in Iceland; see Price et al., 2017). On this basis, the likelihood of a Māui dolphin becoming entangled in the proposed farm

	echolocation, being deployed in loops rather than as individual spread droppers, and on the structures, including anchor warps and backbones, being adequately tensioned	structures is very low. • The significant overlap between Hector's dolphin distribution and mussel farms at Banks Peninsula and the fact that no dolphin entanglements have been reported also supports this finding. • SLR noted that in the unlikely event that an individual Māui dolphin were to become fatally entangled in any proposed marine farm structure, then population level effects would ensue.
Habitat exclusion	• Habitat exclusion effects will be minor on the basis that the spatial extent of the proposal is small relative to the range of the Maui dolphin sub-species.	• SLR noted the density data suggest that displacement effects would be limited primarily to the winter months when dolphins are typically found further offshore (i.e. have a greater distributional overlap with the proposed farm sites). • Given that the alongshore and offshore distribution for this subspecies increases in winter, it follows that displacement in winter would be of lower relative concern as an individual's overall home range is largest at this time. • SLR agreed with the conclusion that habitat exclusion effects from the proposed farm are likely to be minor for Māui dolphins.
Trophic effects	• Trophic effects will be minor, noting the conflicting evidence as to the effect of mussel farms on Hector's and Māui dolphin prey, that benthic effects from spat catching and nursery activity are likely to be less than from a cultivation farm, and that the baseline surveys describe a featureless muddy sand seafloor with no sensitive habitats and few if any epifauna.	• The proposed farm sites possibly represent existing foraging habitat for Māui dolphins; hence some trophic effects from the proposed marine farms should be expected and these could be positive (aggregation of prey species in and around the proposed farm structures) or negative (displacement of prey species from within farm structures). • SLR agreed that any trophic effects on Māui dolphins are likely to be minor.
Marine debris	• Effects from marine debris will be negligible, as long as high quality UV stabilised rope products are used on the farm and that all structures (including ropes) are regularly inspected and maintained or replaced as required.	• SLR agreed with this conclusion and noted that when these management procedures are coupled with effective waste management strategies, the potential for non-biodegradable waste to be lost from marine farms to the surrounding environment is very low
Vessel strike	• Effects of vessel strike will be minor conditional on operational	• SLR recommend that the ≤12 knot speed restriction be always adopted by all farm vessels and that if

	vessel speeds not exceeding 12 knots, speeds being further reduced to the lesser of 10 knots and the speed of the slowest marine mammal within 300 metres of an observed dolphin, and extra vigilance during and immediately after the November to February calving period.	these recommendations are implemented, the magnitude of effect, as it relates to vessel strike, can be managed to a minor level. It is noteworthy that farm vessels will confer no greater risk of boat strike to marine mammals than any other marine users of the Waikato CMA, indeed farm vessels will present a lower risk than other vessels as skippers will be required to implement the specific recommendations outlined above.
Underwater noise	Effects of underwater noise will be minor, with the highest noise effects occurring during construction (placement of screw anchors)	- Screw anchor construction installation has been characterised as low relative to other coastal construction activity such as pile driving and would be predicted to elicit behavioural reactions only within a localised radius of approximately 375 metres, with no physical injury or hearing loss expected. It would also be short in duration and intermittent. - SLR agreed with the conclusion that the effects of underwater noise from the construction and operation of the proposed marine farm will be (at most) minor for Māui dolphins.
Cumulative effects	The available information for considering potential cumulative effects was extremely limited, although this was assumed to be minor at the sub-species level, based on the greatest magnitude of any single effect being minor.	Being one of the rarest marine mammals in the world, it is particularly important to consider the potential cumulative effects on Māui dolphins. Anemone does an excellent job of summarising the known threats to this subspecies and is exceptionally well placed to do this given his previous involvement in developing the latest 'Spatial Risk Assessment of Threats to Hector's and Māui dolphins'.

Table 24 Assessment of effects on Māui dolphin

Effects on other marine mammals		
Aspect	Anemone Finding	SLR Peer Review
Entanglement	- Entanglement effects on common dolphins and killer whales will be minor so long as dropper lines are weighted and adequately tensioned. - Entanglement effects on baleen whales will be minor so long as lines are adequately tensioned, and increased vigilance is afforded during migration periods - Entanglement effects on New Zealand fur seals will be negligible so long as lines are adequately tensioned.	SLR agreed with the Anemone's conclusions adding that despite baleen whales having the highest chance of entanglement, the likelihood of entanglements can be minimised if the farm is well constructed and maintained. Population effects are therefore unlikely. It is also noteworthy that both humpback whales and southern right whale populations are showing signs of population recovery around New Zealand, hence in the unlikely event that an individual whale dies as a result of entanglement, population level effects are not predicted.

Habitat exclusion	- Habitat exclusion on all other marine mammal species will be minor. - Specifically, habitat exclusion is unlikely to be an issue for baleen whales which have vast distributional ranges compared to the small area within which the proposed marine farm activities would be restricted	SLR agree with Anemone's conclusion, noting that the proposed farm sites occupy a relatively small spatial footprint compared to the home ranges of most marine mammals.
Trophic effects	Trophic effects will be negligible given the small proposal area relative to their home ranges and the generalist foraging behaviour of those species that take benthic prey.	SLR agreed with Anemone's conclusion.
Marine debris	Marine debris effects will be negligible subject to the rope specification and maintenance measures.	SLR agreed with Anemone's conclusion.
Vessel strike	Vessel strike effects will be negligible subject to speed restrictions and vigilance.	SLR agree with this conclusion and note that the easiest way to ensure implementation is for the farm operators to adopt a ≤ 12 knot speed restriction at all times and locations.
Underwater noise	Underwater noise effects from the construction and operation of the farm will be negligible.	SLR agreed with Anemone's conclusion.
Cumulative effects	The available information for considering potential cumulative effects was extremely limited, although this was assumed to be minor at the sub-species level, based on the greatest magnitude of any single effect being minor.	SLR agreed that cumulative effects for these other species are unlikely to be more than minor.

Table 25 Assessment of effects on other marine mammals

The peer review concluded '*adverse effects on threatened marine mammal species can be avoided as required by the NZCPS, and significant effects on habitats that are important during the vulnerable life stages of indigenous species are not predicted*'.

6.6.3 Marine Mammal Mitigation Measures

Anemone recommended a range of best operational practices including staging development of the sites, in conjunction with a monitoring programme, and an MMMP. SLR peer reviewed the proposed mitigation measures (at Table 3) and made a number of recommendations to be incorporated into the MMMP.

NWML subsequently drafted a Marine Wildlife Management Plan (MWMP) (for both marine mammals and seabirds) incorporating the recommendations of Anemone and SLR as well as the FNZ national guidelines to

minimise and mitigate the interactions between finfish open ocean aquaculture and marine mammals⁷¹.

SLR then peer reviewed the MWMP (provided as **Schedule DMW3**)⁷² and made additional recommendations. These have all been incorporated into the draft MWMP provided in **Schedule E2**, and where relevant the proposed consent conditions in **Schedule F**. The key mitigations are as follows:

Effect	Protocol
Entanglement	All staff will be trained in all aspects of the marine farm operation that are required to mitigate the risk of entanglement.
	The farm layout will include sufficient spacing between the lines for dolphins to swim between them.
	The rope specifications shall be sufficient to ensure structural integrity and avoid breakage.
	Anchoring will be sufficient to ensure structural integrity.
	Anchor warps shall not overlap or cross between blocks.
	Warps and backbones will have adequate tensioning.
	Spat rope will be self-tensioned with added negative buoyancy.
	Infrastructure will be regularly inspected and maintained to ensure structural integrity including that ropes and lines remain adequately tensioned and secure.
	Farm structures and equipment shall be maintained to avoid free, loose, or floating lines or ropes capable of causing entanglement.
	Artificial lighting will be minimised to that necessary for navigational safety.
	All staff will be aware of, and follow where required, an emergency disentangling protocol.
Marine debris	All farm vessels shall have covered waste bins and debris retrieval nets onboard.
	All waste shall be collected, retained onboard and disposed of at an appropriate facility onshore.
	If any loose debris does enter the water around the marine farm, it must be promptly retrieved.
	All structures will be maintained to ensure that they are restrained, secure and in working order at all possible times so as not to create a navigational hazard or pose a risk to marine mammals or seabirds.
	Retrieval of any lost farm structures (e.g. anchors, lines, droppers, ties, or floats) from the seabed, water column or foreshore shall occur as soon as practicably possible.
Vessel strike	Vessel operators shall maintain vigilance for marine mammals and seabirds during all on-water operations.
	All staff will be aware of the need for increased vigilance from June to November for southern right whale and humpback whale migrations and from November to February for Māui dolphin breeding season. A dedicated staff member will have the responsibility to provide additional vigilance to support the vessel operator during these times.
	Vessel operators shall endeavour not to disrupt the normal movement or behaviour of marine mammals.
	Care shall be taken not to separate any individuals from a group, or scatter any groups of

⁷¹ Clement D, Milard M, Cumming S 2021. [Best practices and technologies available to minimise and mitigate the interactions between finfish open ocean aquaculture and marine mammals](#). New Zealand Aquatic Environment and Biodiversity Report No. 273, 12 p.

⁷² McConnell, H. (2023). Peer review of marine mammal assessment. SLR (**Schedule DMW3**).

	marine mammals and no vessel shall proceed through a pod of dolphins.
	No sudden or repeated change in the speed or direction of any vessel shall occur in the vicinity of marine mammals (except in emergency circumstances).
	No vessel shall cut off the path of a marine mammal.
	Vessels shall not exceed 12 knots at any time including moving between the farm and the shore.
	Vessels less than 300 metres from a marine mammal shall move at a constant slow (no wake) speed. In the case of dolphins, vessels may exceed this speed in order to outdistance the dolphins but must increase speed gradually and shall not exceed 10 knots within 300 metres of any dolphin.
	No vessel shall approach within 50 metres of a whale, and if a whale approaches a vessel, the vessel shall make every attempt to keep out of the path of the whale and to maintain a minimum distance of 50 metres.
	No vessel shall approach within 200 metres of a whale with a calf.
	Vessels shall use routes that avoid rock stacks, islets and islands used by shags, terns and gulls for roosting by at least 100 metres.
	All staff shall be aware of and comply with the Marine Mammal Regulations 1992 with respect to vessel speeds, approach angles and proximity to marine mammals.
	All vessels shall display in a position visible to the skipper, the DOC sticker setting out vessel rules in relation to approaching marine mammals.
	All vessel operators shall be aware of, have access to, and abide by the rules detailed in the DOC pamphlet 'Sharing our Coasts with Marine Mammals'.
Underwater noise	Underwater noise will be minimised during the construction of the farm and during farm operations.
	To ensure minimal underwater noise levels resulting from farming activities, regular maintenance will be conducted on all farming equipment and vessels. Proper upkeep measures will be implemented to minimise the generation of underwater noise and vibrations.
	All noise suppression equipment on vessels, including mufflers and ventilation baffles, shall be consistently maintained in optimal working condition.
Lights	Navigation lights will be flashing or rotational lights rather than constant lights to reduce the potential for disorientation of seabirds.

Table 26 Marine mammal effects and mitigations

Anemone recommended utilising passive acoustic monitoring devices for assessing the spatial and seasonal occurrence of Maūi dolphin (noting that this can also be used to monitor other marine mammal species of using hydrophones) during the initial stage and then using that information to reappraise the effects of developing the remaining blocks.

SLR agreed with this approach noting that the establishment of any temporal pattern around the farms could then support definition of period when increased vigilance may be needed. Note that NWML intend to undertake activities with high vigilance at all times of operation. SLR agreed with the proposal to undertake development of the farm in stages, informed by the monitoring. SLR recommended that indicators of concern be pre-defined in the MWMP and that monitoring results from initial stages are evaluated against these indicators before the next stage can proceed.

NWML have subsequently developed a Marine Mammal Monitoring Plan in consultation with Simon Childerhouse of Blue Planet Marine, which is described in detail in Section 6.6.4 and included in the MWMP provided in **Schedule E2**.

The staging set out in the proposed consent conditions (**Schedule F**), provides a framework within which to undertake sufficient monitoring to inform future stages. Progression to each stage would be undertaken in conjunction with a marine mammal expert. In particular the conditions require:

- One year of baseline passive acoustic monitoring prior to installing structures for Stage One (82 lines at Site C) to establish information on marine mammal occurrence and behaviour and further passive acoustic monitoring as determined by a marine mammal expert.
- Preparation of a MWMP in consultation with DOC and FNZ which identifies potential effects on marine mammals and sets out specific requirements to mitigate those effects including reporting and response protocols.
- Operation in accordance with the MWMP.
- Operational monitoring including for interactions between marine mammals and farm infrastructure and vessels.
- Consultation with a marine mammal expert to assess the effectiveness of mitigation measures and determine adverse effects on marine mammals to inform decisions on progression to Stages Two and Three.
- Operation in accordance with the OMP which ensures structures are well maintained, kept tensioned and no debris is lost to the marine environment.
- Certification from a chartered marine engineer that the structures are sound.

The MWMP mitigation measures are also in line with those proposed by the National Oceanic and Atmospheric Administration (NOAA)⁷³:

- *'Site farms in areas which minimise the likelihood of overlap with the migration routes or critical breeding and feeding habitats of protected species. Locate farms away from haul out sites and rookeries.*
- *Monitor regularly to detect the presence (and absence) of protected species at farms, document their behaviour and any interactions with gear.*
- *Train farm workers about legislation regarding interactions (no feeding, chasing, harassment, etc.) with protected species.*
- *Keep all anchor and backbone lines properly tensioned.*
- *Dispose of all garbage and potential marine debris properly.*
- *Purchase farm gear from aquaculture supply companies which offer products uniquely manufactured to allow the materials to be tracked back to specific farms. For example, rope designed with unique patterns can be used so that it can be identified (and quantified) as belonging to a certain farm if it is lost as marine debris.*
- *Use caution when operating vessels around protected species'.*

In addition to these mitigations, the proposed consent conditions include a mechanism for WRC to undertake a s128 review in the highly unlikely event of a Māui dolphin entanglement.

⁷³ Price CS, Morris Jr JA, Keane E, Morin D, Vaccaro C, Bean D 2016. [Protected species and longline mussel aquaculture interactions](#). NOAA Technical Memorandum NOS-NCCOS -211. 80 p.

6.6.4 Marine Mammal Monitoring

NWML propose to undertake one year of baseline passive acoustic monitoring (PAM) at each site prior to commencing development of that site in accordance with a marine mammal monitoring plan and in accordance with the proposed conditions set out in **Schedule F**.

The proposed conditions require that the marine mammal monitoring plan include, as a minimum, clear monitoring objectives, specification of monitoring methods, identification of key monitoring metrics and how monitoring data will be recorded, summarised and reported and how results will be used. The marine mammal monitoring will inform each stage of development. The MWMP meets all these requirements.

The MWMP also includes a requirement for a suitably qualified and experienced marine mammal expert to prepare an Integrated Stage One Monitoring Report to inform any decisions on progressing to Stage Two. That will summarise and assess the baseline and Stage One monitoring results, including passive acoustic monitoring, visual observations, sightings, interactions, incidents and any indicators of concern.

The report will include:

- A summary of monitoring undertaken, including monitoring methods, locations, timing, effort and any limitations.
- A summary of marine mammal detections and sightings, including species, timing, location, numbers where observed, behaviour where practicable, and any relevant seasonal or spatial patterns.
- A summary of any observed or suspected interactions with farm structures or vessels, and any observed or suspected entanglement, injury or mortality.
- An assessment of whether marine mammal occurrence, behaviour, interactions and incidents are consistent with the effects anticipated in the marine mammal assessment and peer review.
- An assessment of the effectiveness of the mitigation measures and operational protocols in this MWMP.
- A summary of any indicators of concern and the actions taken in response.
- Recommendations for any changes to monitoring, mitigation measures, operational procedures or reporting for Stage Two and any later stage.
- Advice on whether Stage Two would create any unacceptable risk of adverse effects on marine mammals.

NWML will provide the report and the marine mammal expert's advice to WRC before seeking confirmation to proceed to Stage Two. The report will also be provided to DOC.

6.6.5 Dolphin Research

Hector's dolphins have been cohabiting with mussel farms (which include spat nursery activities) in Banks Peninsula and Te Tau Ihu since commencement of the industry in those regions and no adverse interactions, including entanglements have been reported in that time. While research into interactions between Hector's and Māui dolphin and mussel farms is limited a recent Golden Bay report does provide some context.

Mussel farming consent holders in Golden Bay/Mohua were granted resource consents in 2019 to develop mussel farms totalling 200 hectares in Stage 1 and 1,000 hectares at full development (Stage 2). Golden Bay/Mohua is subject to numerous marine mammal stranding events and the decisions identified that further

information was warranted on how farm development might affect marine mammals, particularly in the context of these strandings.

As part of their consent conditions, the consent holders were required to undertake a marine mammal monitoring programme while Stage 1 was developed. The criteria of the monitoring were to understand marine mammal stranding and entanglement rates within Golden Bay and observe any interactions with the structures as the farms developed. This involved visual monitoring undertaken by the vessels operating the farms over a period of three years and one year of passive underwater acoustic monitoring. The acoustic monitoring comprised two devices placed at the outer edges of the farm. The acoustic monitoring was carried out between February 2024 and February 2025 when Stage 1 was fully developed and in a stable state.

The programme was carried out by Cawthron, and the Stage 1 marine mammal monitoring summary report⁷⁴ is included as **Schedule I3**.

Findings of note are as follows:

- New Zealand fur seals and Hector's dolphins were the species most commonly detected near the farms;
- Sightings of both species increased through Stage 1a development and their presence continued through Stage 1b;
- Fur seals were the only species reported to interact physically with farm structures or lines, while Hector's dolphins were observed travelling between farm lines and swimming around structures;
- Hector's dolphins initially appeared attracted to the farm vessels, but as the farms developed more sightings occurred in proximity to the structures;
- Hector's dolphins were not excluded by the farm blocks, being observed travelling through and within the developed farms, and no report was made of this species physically interacting with farm structures or lines as observed from the surface; and
- Acoustic monitoring demonstrated that Hector's dolphins and orca visited farm blocks more frequently overnight than during the day across most seasons.

The report noted that '*as fulfilling the objectives of the consent conditions, monitoring results demonstrate how visual and acoustic findings can be used to inform expectations around further farm development*'.

In summary, Hector's dolphins were observed both visually and acoustically to travel within the farms without any detected adverse interactions. While this report is on a different subspecies and in a different location, and the acoustic monitoring devices were at the outer edges of the farm, NWML consider the study provides some indication of potential behaviour at the application site as well as supporting the proposal to undertake Passive Acoustic Monitoring as set out in the MWMP (**Schedule E2**) and the proposed consent conditions (**Schedule F**).

Furthermore, as noted above NWML have been operating spat research structures in the area since 2018 with no record of Māui dolphin sightings, interactions or incidents.

⁷⁴ Clement D, Floerl L, Brownlee A. 2025. Golden Bay / Mohua AMA 2 subzones: Stage 1 marine mammal monitoring summary. Cawthron Report 4192. Prepared for consent holders in subzones (l), (m), (n) and (o) in AMA 2, Golden Bay / Mohua (**Schedule I3**).

6.6.6 USMMPA Alignment

During pre-application engagement with FNZ, NWML were directed to consider whether and how 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 provide proof that the activity will not cause any Māui dolphin mortalities. NWML are absolutely confident that this standard can be met, particularly considering, as set out above, that 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.

FNZ provided NWML with an information sheet setting out the requirements of the USMMPA and its relationship with the TMP. Of note:

- New Zealand's mussel industry is currently classified as an 'exempt' fishery. The relevant requirement is that New Zealand has prohibited the intentional mortality or serious injury of marine mammals in the course of commercial fishing operations.
- MPI would need to update its comparability documentation, to include the presence of a farm that overlaps with Māui dolphin habitat.
- There is potential for the US to then reconsider its 'comparability finding' in which case MPI might need to provide further information on estimated bycatch injuries/mortality, what monitoring is in place, and research related to marine mammal bycatch in the fishery.

In that regard, provisions need to be in place to give sufficient assurance that no Māui dolphin mortalities will arise from the spat nursery activity. NWML consider the proposed consent conditions, which include a comprehensive package of mitigations, monitoring and consent conditions, including the ability for WRC to review the conditions in the event of a Māui dolphin entanglement provide the appropriate guardrails for the activity to align with the fisheries objectives of the TMP.

6.6.7 Engagement with DOC

NWML have approached the Department of Conservation (DOC) a number of times to engage on this proposal. Engagement is set out in full in **Part 7** but in summary, NWML had previously provided DOC the Anemone marine mammal assessment, both SLR peer reviews and the MWMP.

DOC's comments on the referral application were:

- *'Marine mammals may interact with or be impacted by aquaculture gear, facilities, and activities in a number of ways, including entanglement and other interactions, habitat exclusion and modification, noise disturbance, and vessel strike.'*
- *'Marine aquaculture infrastructure could increase the threat of entanglement and non-lethal injury, including the arrangement of anchor lines, horizontal support longlines, vertical mussel grow lines, and marker buoy lines. The spat collection and surface buoy lines are considered to pose the greatest risk.'*
- *'As aquaculture increases in scale, so does the risk of physical interactions with some marine mammals. Based on some species' inherent curiosity and tendency to remain within inshore waters, it is expected that individuals will be initially attracted to farm activities and most likely investigate any structures at close range. While the risk of entanglement does not necessarily increase with scale (given appropriate precautions and best practice methods), the effect of an actual entanglement does'*

if farms begin to encroach upon the habitats of threatened or endangered species.

- *A single incidental mortality, in particular a pregnant or reproductive female, would be significant for a Nationally Critical population like Māui dolphins.*
- *In that regard, I consider the applicant will need to demonstrate that no mortalities will result from the Project. This would require intensive monitoring with sufficient rigour to rule out adverse interactions. It is unclear what monitoring methodology could achieve this standard'.*

NWML have addressed each of these elements of the DOC comments in the preceding sections. NWML have also provided DOC with a copy of the updated MWMP including the proposed consent conditions as set out in **Part 8**.

6.6.8 Toxoplasmosis Research Proposal

Toxoplasmosis is recognised as a significant threat to Maui dolphins⁷⁵. Dolphins can become infected with the *Toxoplasma gondii* parasite by swallowing infectious oocysts shed in the faeces of cats which are then transported through freshwater systems and into the coast. Toxoplasma oocysts survive for long periods under a range of conditions in water. A 2013 Massey University study found that 25% of 28 beach cast Māui and Hector's dolphins had died from toxoplasmosis. It also showed that 61% of the dolphins that died were also infected noting that Toxoplasmosis can also lead to changes in behaviour, stillbirths, and lower reproductive success.

A Massey University thesis in 2021⁷⁶ noted that bivalves make excellent bio-sentinel candidates for toxoplasmosis as they are predominately collected (or farmed) in nearshore waters where *'the concentration of T. gondii oocyst pollution runoff is likely to be highest'*.

That study recognised that, while fish could be an efficient vector for piscivorous marine mammals like cetaceans (Maui dolphin), *'their mobility means that it may be harder to ascertain where they were contaminated, whilst bivalves are sedentary and can be outplanted for surveillance purposes'*.

A 2017 Massey University study⁷⁷ detected toxoplasmosis oocysts in 13 of 104 mussels collected from a range of retail outlets but was not able to locate where the mussels had been grown. Given the location of the study they were most likely harvested from farms in the Hauraki Gulf, which doesn't provide any useful data for Maui dolphin risk management.

NWML have offered to partner with DOC and/or any appropriate research agency to host a programme of surveillance for toxoplasmosis at the nursery sites. While the farms are a significant distance from shore compared to commercial production mussel farms, they may provide useful information for understanding and managing risk.

SLR concurred that analysis of mussel samples from the farm sites would provide useful information for

⁷⁵Department of Conservation. [Māui Dolphin Toxicology and Disease Research](#) (accessed 1 September 2026).

⁷⁶ Coupe, A. [Investigating Toxoplasma gondii in the marine environment in New Zealand: from cats to kai moana \(shellfish\)](#). A thesis presented in partial fulfilment of the requirements for the degree of Doctor of Philosophy in Veterinary Science at Massey University.

⁷⁷Hayman, D.T., et al. [First Report of Toxoplasma gondii Sporulated Oocysts and Giardia duodenalis in Commercial Green-Lipped Mussels \(Perna canaliculus\) in New Zealand](#)

determining the seasonal and spatial distribution of *T. gondii* oocysts in the water column and for the potential genetic identification of source populations.

NWML does not advance this as mitigation of any adverse effect of the proposal, and it forms no part of the effects assessment. It is offered as a positive effect, the proposal would place permanent, fixed, precisely located bivalve arrays within Māui dolphin habitat, and would thereby create a surveillance platform for the principal threat to the sub-species which does not presently exist.

6.6.9 Wildlife Act Considerations

SLR reviewed the proposal against the Wildlife Act 1953 and the Marine Mammal Protection Act 1978 and concluded that with the proposed mitigations in place only low levels of disturbance are predicted from the proposal and no effects of ecological significance are predicted. In that respect no additional approvals are required under the Wildlife Act 1953 or the Marine Mammal Protection Act 1978.

6.6.10 Marine Mammal Summary

Anemone and SLR concur that the effects of the proposal on Māui dolphin, including risk of entanglement will be no more than minor, and therefore in alignment with the NZCPS. NWML recognise that the activity requires consistency with the fisheries objectives in the TMP and there is remaining uncertainty about Māui dolphin presence in the vicinity of the sites. NWML consider the proposed conditions appropriately diminish risk and uncertainty because:

- There will be good baseline information about the receiving environment;
- The conditions provide for effective monitoring of adverse effects using appropriate indicators;
- Thresholds are set to trigger remedial action before the effects become overly damaging; and
- Effects that might arise can be remedied before they become irreversible.

In addition to the comprehensive set of requirements relating to marine mammals the conditions enable WRC to review the conditions in the highly unlikely event of a Māui dolphin entanglement.

In summary, with the implementation of the OMP, the MWMP including Maui dolphin monitoring, and the proposed consent conditions, it is considered that, the effects on marine mammals including Māui dolphin will be no more than minor.

6.7 Seabirds

6.7.1 Context and Methodology

Wildlife Management International reported on the potential effects of offshore aquaculture in New Zealand on seabirds⁷⁸ in 2020 noting that New Zealand is a biodiversity hotspot, with more species of seabird regularly occurring than anywhere else on the globe. The waters around New Zealand provide important foraging areas with high seabird richness in the north and south so any human food production activity in the marine environment is likely to lead to seabird interactions.

⁷⁸ Connor-McClean, B.; Ray, S.; Bell M. & Bell, E. 2020. [Offshore aquaculture in New Zealand and its potential effects on seabirds](#). Unpublished Wildlife Management International Technical Report to the Ministry of Primary Industries.

Wildlands Consultants have undertaken an expert seabird assessment of the proposal (**Schedule DMW4**⁷⁹). WRC then obtained an initial peer review from Pisces Consulting of the seabird assessment (**Schedule DMW5**⁸⁰) which Wildlands responded to in two response letters (**Schedule DMW6**⁸¹). The final Pisces Consulting peer review is provided in **Schedule DMW7**⁸².

Wildlands identified the range of seabird species in the areas, assessed their conservation status, and assessed the effects of the proposal on those species.

The west coast of Waikato coast supports abundant and diverse seabirds, including albatrosses, petrels, shearwaters, prions, gannets, shags, gulls, terns and coastal shorebirds.

The assessment draws on two principal datasets:

- eBird records, comprising 10,259 birds from 452 observations, dominated by Australasian gannets associated with Karewa Gannet Island; and
- MPI fisheries observer records comprising 43,999 birds from 2,919 observations, dominated by shy mollymawks and other pelagic species attracted to fishing vessels.

The higher offshore counts of albatrosses and mollymawks reflect vessel attraction rather than natural abundance and that these species generally forage further offshore. The principal inshore pelagic species overlapping the proposal are fluttering shearwater, fairy prion and grey faced petrel.

Two Important Bird Areas (IBAs) are relevant:

- Karewa Gannet Island (NZ029), supporting a nationally significant Australasian gannet breeding colony is approximately 35km south of Site D.
- The West Coast North Island IBA (NZ M003), a 14,993 km² area which extends from below Kawhia Harbour in the south to above Kaipara Harbour and is identified principally for Australasian gannets and New Zealand fairy terns.

Wildlands provided a list of the species and their threat status in Appendix 1 of their assessment (**Schedule DMW4**). Those that are Nationally Threatened or At Risk, rare in the region, or otherwise have the potential to be affected by the proposed farm are as follows:

Seabirds	Species, Status and Presence	Potential Effects
Albatrosses and mollymawks	• Northern royal albatross (Threatened – Nationally Vulnerable), Salvin's albatross / Salvin's mollymawk (Threatened – Nationally Critical), New Zealand white-capped albatross / shy mollymawk (At Risk – Declining), Black-browed mollymawk (Not Threatened)	• These species are very unlikely to be significantly affected by the proposed farm, given their preference for deeper, offshore waters.

⁷⁹ Bennett, D. (2022). Assessment of effects of a proposed mussel spat-catching/nursery operation along the western Waikato coast on seabirds. Wildlands. (**Schedule DMW4**).

⁸⁰ Giles, H. (2023). Technical review of the seabird effects assessment. Pisces Consulting (**Schedule DMW5**).

⁸¹ Bennett, D. (2024). Seabird questions responses. Wildlands (**Schedule DMW6**).

⁸² Giles, H. (2024). Peer review of further information on seabirds. (**Schedule DMW7**).

	Overall observations are rare.	
Shearwaters, petrels, prions, storm petrels and fulmars	- Black petrel (Threatened – Nationally Vulnerable), Buller's shearwater (At Risk – Declining), Flesh-footed shearwater (At Risk – Relict), Fluttering shearwater (At Risk – Relict), North Island little shearwater (At Risk – Recovering), Sooty shearwater (At Risk – Declining), Fairy prion (At Risk – Relict), New Zealand white-faced storm petrel (At Risk – Relict), Northern diving petrel (At Risk – Relict), Northern giant petrel (At Risk – Recovering), Cape petrel (Non-resident Native – Migrant), Grey-faced petrel (Not Threatened) - The coastal observations are dominated by pakahā/fluttering shearwaters, followed by 20 unidentified shearwater species, ōi /grey-faced petrel and pāngurunguru/northern giant petrel. The eBird data set indicates that all of these species are present within the coastal zone, four kilometres from shore.	- Individual birds may be attracted to boat activity as fish may be brought to the surface through maintenance or spat harvesting activity. - However, it is unlikely to have any significant effect on these species.
Gannets	The tākapu/Australasian gannet (Not Threatened) breed on Karewa Gannet Island. This area has significant conservation values as an island wildlife sanctuary and is a major gannet breeding site.	- The species regularly attends 'boil ups' of dense fish schools brought to the surface by dolphins and predatory fish. It feeds on a variety of fish and squid, usually diving to less than six metres deep. - If the spat catching/nursery farm structures act as a fish aggregating device, dolphins and predatory fish forage within the area could positively affect tākapu/Australasian gannet.
Shags	- Black shag (At Risk – Relict), Little black shag (At Risk – Naturally Uncommon), Little shag (At Risk – Relict), Pied shag (At Risk – Recovering) - The eBird data indicates that the most common is pied shag. - Population sizes are unknown, although numbers of pied shags in northern New Zealand are estimated to have been increasing. - A small number of māunga/black shag, kawau tūi/little black shag and kawaupaka/little pied shag (<i>Microcarbo melanoleucos melanoleucos</i>, were also observed along the coast. - The eBird data suggests the feeding distributions of	The buoys will provide suitable roosting structures and the potential for aggregating fish; this will positively affect shag species.

	all four species overlap with the proposed spat catching/nursery locations and are coastal foraging species.	
Gulls and terns	• Red-billed gull (At Risk – Declining), Caspian tern (Threatened – Nationally Vulnerable), white-fronted tern (At Risk – Declining), southern black-backed gull (Not Threatened) • Red-billed gull, white-fronted tern and southern black-backed gull are common inshore species. • The red-billed gull population in the northern North Island has undergone a significant decline over the last decades. • White-fronted terns roost and nests on beaches, headlands and small offshore islands with gannets, gulls and other terns that over-winter in New Zealand. The species is in decline nationally, with predation by introduced predators thought to be the primary threat. Disturbance of breeding colonies by people may also be an issue. • Small numbers of tara teo/eastern little tern and Caspian tern are present in the location of the proposed spat catching/nursery farm. • Eastern little tern may be present from October to March and are mostly in non-breeding plumage. Small flocks or individual birds may be seen around the North Island and are mainly seen at estuaries and coastal lakes. • Caspian tern number as low as 1,300-1,400 pairs nationwide, but cosmopolitan in distribution. It nests in small colonies or as single pairs. The species mainly forage on fish in estuaries, harbours, and other inshore locations but is not often seen further out to sea.	• The buoys may provide suitable roosting structures for white-fronted tern and southern black-backed gull. • However, the farm is unlikely to have any significant effect on any gull or tern species.

Table 27 Seabirds in the area

Following the initial peer review, Wildlands withdrew reliance on the EIANZ ecological impact assessment guidelines, accepting that they were less suited to marine environments. The assessment instead adopts the Department of Conservation Policy 11 guidance and a species specific risk assessment framework. Pisces Consulting accepted this revised approach.

6.7.2 Seabirds Assessment

In assessing effects, Wildlands referenced the Marlborough King Shag Project⁸³. This was a project co-funded

⁸³ Marine Farming Association. [King Shag Project](#) (accessed 1 September 2026).

by the Marine Farming Association and Seafood Innovations and undertaken in conjunction with a King Shag Working Group which included DOC, MPI, MDC, iwi and industry companies. The project delivered ground breaking new research on the difficult to study species. It included chick banding and GPS tracking of adult birds which demonstrated that King Shag have very individual foraging behaviour, with some birds preferring shallow water over a soft bottom, while others prefer to dive deep around reef structures. The data showed that the tracked birds used farms markedly more than control sites with Pelorus Sound based birds using farms more most likely because there were more farms within foraging range. The project also included findings for a range of other seabird species.

Table 28 sets out potential effects and considerations for those effects:

Effect	Considerations
Entanglement	- Entanglement presents the greatest potential consequence because it could result in injury or drowning and for NZCPS Policy 11(a) species, must be avoided. - Entanglement risk at mussel farms is very low because the ropes are thick and tensioned and that no seabird deaths have been reported from interactions with mussel farms. - The spat nursery activity does not present a greater risk than production farms because the dropper ropes provide a clear visual cue to diving birds, become more visible as spat develops, and are unlikely to entangle birds if properly maintained. - This conclusion is dependent on implementation of a maintenance programme requiring ropes, fittings, buoys and anchors to remain secure, with damaged equipment repaired or replaced and loose lines or debris removed. - Overall, entanglement risk is considered less than minor
Habitat exclusion	- Farm structures may deter birds from foraging within the farm footprint or alter movement through it. - Given the extensive foraging habitat available along the western North Island coast and exclusion effects would generally be negligible. - For fluttering shearwater, fairy prion and grey-faced petrel, it remains uncertain whether individuals will forage within the farm. Even assuming some avoidance, any effect is assessed as less than minor because of their extensive foraging ranges and the relatively small area occupied by the proposal. - For Australasian gannets, observations from Pelorus Sound found birds diving adjacent to, but not within, mussel farms. Given their extensive foraging range, any deterrence effect is considered negligible. - Overall, habitat exclusion effects are assessed as less than minor to negligible.
Benthic habitat change	- Organic deposition beneath spat catching structures may alter benthic communities, potentially affecting benthic feeding birds. - These changes will be less pronounced than beneath conventional mussel farms because biomass is lower, sites are further offshore and water movement is greater. - Overall the effects will be no more than minor.
Prey abundance changes	- The king shag study found that seabirds used mussel farms significantly more than adjacent waters, indicating that farms provide additional roosting opportunities and food resources. - Observations included: - King, little, spotted and pied shags regularly roosting and foraging within farms;

	○ Southern black-backed gulls foraging around structures and vessels; ○ Red-billed gulls frequently using farms; ○ Caspian terns roosting on buoys but not diving within farms; and ○ White-fronted terns occasionally roosting on buoys. • Although undertaken at inshore grow out farms rather than offshore spat catching sites, the study consistently showed greater seabird use of farms than surrounding waters and recorded no entanglement or injury. • Farm structures may increase prey availability by attracting small fish and invertebrates while also providing secure roosting habitat. • Effects on prey abundance and roosting opportunities are therefore assessed as negligible to positive, with potentially significant benefits for gulls, shags and terns.
Disturbance	• Construction, maintenance and harvest vessels may disturb seabirds. • Foraging birds already experience recreational and commercial vessel traffic along the western Waikato coast. Additional vessel movements associated with the proposal are unlikely to materially increase disturbance. Some species, particularly gulls and shags, are expected to forage behind working vessels, while others may temporarily avoid activity. • Breeding birds require greater protection. Vessels approaching nesting rock stacks, islets and islands could temporarily disturb nesting birds, exposing eggs and chicks to predation or thermal stress. • Disturbance effects will be less than minor as long as: ○ Vessels maintain a distance of at least 100 metres from nesting features; and ○ Vessel speeds remaining below five knots within 200 metres of the shoreline.
Noise	• Noise effects are intermittent and vessel generated. • After the boat has gone, birds will eventually resume their activities within and around the farm. • Overall, the occasional presence of noise from vessels will have a less than minor effect on birds. At most, it represents a short term disturbance.
Ingestion of foreign debris	• Marine waste, particularly plastics, can be consumed by seabirds and could cause death by dehydration, blockages, and release of toxins. • During maintenance and harvesting, all cordage, plastics, and general waste should be collected on board and disposed of ashore. Any debris that does accidentally fall overboard should be retrieved as soon as possible. • This will prevent entanglement, ingestion and pollution of the environment. • Overall the effect will be less than minor if well managed.
Lights causing attraction or disorientation	• Some seabird species (e.g. petrels and shearwaters) can become disorientated or be attracted to lights, which can lead to injury or death through collision with structures or the inability to take flight. • Where possible, the farm's navigation lights should be flashing or rotating lights rather than constant lights, as this can reduce the potential for disorientation of seabirds. • If seabirds were attracted to navigational lighting, the risk of collision is likely to be low given the small, low structures involved. • Overall the potential effect of navigational lighting is considered to be less than minor.

Table 28 Assessment of effects on seabirds

Removal of Site D further reduces potential effects by:

- Increasing the separation from Karewa Gannet Island;
- Reducing the proposal area from approximately 700 hectares to 540 hectares and correspondingly reducing habitat exclusion; and
- Reducing the overall coastal extent of the proposal and associated vessel movements.

While the initial peer review prompted the provision of more information it did find that *'I have no particular concern about the outcomes of the seabird assessment and, in principle, agree that effects of the proposed farming activity on seabirds will likely be small.'*

6.7.3 Seabird Mitigation Measures

The key mitigation measures for seabirds are as follows:

- Ensure that loss of debris is minimised and where at all possible retrieved. All rubbish/debris from the marine farm and service vessels shall be disposed of in an appropriate manner on land.
- Maintenance and harvest work to only occur during daylight hours.
- Maintenance programme to tighten ropes and fittings, replace worn ropes, fix or replace buoys, and inspect and tighten anchor ropes. Ensure there are no loose lines or debris accumulating around buoys or ropes from other sources (e.g. fishing lines or plastic rubbish).
- Maritime rules require vessels to reduce speed to less than five knots within 200 metres of the shore.
- Vessels servicing the spat farm should avoid rock stacks, islets and islands where bird's breed.
- Disturbance and noise during harvesting activity will either attract birds (e.g. gulls and shags) which will forage behind the vessel and care should be taken accordingly. Other seabird species may choose to forage away from the activity.

NWML have incorporated all the relevant mitigation recommendations into the MWMP provided in **Schedule E2** including maintaining a seabird sighting log. Where relevant, mitigations are also included in the proposed consent conditions in **Schedule F**.

6.7.4 Seabird Effects Summary

The NWML seabird expert assessment and peer reviews found that the effects on seabirds would be no more than minor, and therefore in alignment with the NZCPS, contingent on operation of the best management mitigations set out in the MWMP and requirements of the proposed conditions.

Considerations include that:

- Entanglement, habitat exclusion, benthic habitat change, disturbance, noise, lighting and water quality effects on seabirds are each less than minor or negligible contingent on operation in accordance with the MWMP and proposed conditions
- The potential for ingestion of and entanglement in foreign debris is less than minor contingent on the debris controls and waste management procedures in the MWMP and the proposed conditions.
- Effects on prey abundance and the provision of roosting habitat are neutral to positive
- No adverse effect on any Threatened or At Risk species arises at a population, local population or genetic level

The final seabird peer review from Pisces Consulting (**Schedule DMW7**) found that *'adverse effects on birds*

have been adequately assessed and will be appropriately managed under the proposal'.

In summary, with the implementation of the OMP, the MWMP and the proposed conditions it is considered that, the effects on seabirds will be less than minor.

6.8 Biosecurity

Biosecurity is defined in the MPI Aquaculture Biosecurity Handbook as *'the exclusion, eradication or effective management of risks posed by pests and diseases to the economy, environment and human health'*⁸⁴. Biosecurity risks can be triggered by animals, plants and microorganisms capable of causing diseases or otherwise adversely affecting New Zealand's natural, cultural, recreational, amenity or economic values.

New Zealand's geographical isolation has kept the industry relatively free from the pests and diseases that commonly affect aquaculture production elsewhere in the world however the nature of coastal waters and activities mean that the industry needs to be vigilant and prepared.

Coast and Catchment provided an expert assessment of the proposal in July 2022 which is included as **Schedule DSWB3**.⁸⁵ The peer review that WRC obtained from Pisces Consulting is in **Schedule DSWB4**.

There are currently very few harmful organisms known to be present in west coast waters. The only known pest is the Asian data mussel which inhabits sheltered inshore locations. The only disease known to have caused significantly mortality in New Zealand mussels is the digestive epithelial virosis, which caused significant spat mortality in 1994 but has only been present sporadically at low levels since. Harmful algal blooms occasionally occur around Raglan and at Te Oneroa a Tohe where 85% of the industry's spat is obtained. NWML has volunteered a condition that spat from Te Oneroa a Tohe will not be introduced onto the farm as a precautionary biosecurity measure.

Table 29 provides an assessment of the proposal against the four main biosecurity risks:

Risk	Consideration	Finding
Farm placement and its structures	- Mussel farms may act as reservoirs for pests and diseases, with farms facilitating their persistence in the environment and increasing their abundance and spread to new areas. - Biofouling of the proposed farm by pests is expected to be minimal due to the lack of known pests in the area and the exposed, offshore location of the farm. - All the diseases known to adversely affect mussels are ubiquitous to New Zealand's marine environment and are likely to be able to survive in the area without the presence of the farm.	The biosecurity risk of the proposed farm acting as a reservoir for pests and diseases is assessed as less than minor, as long as no new pests or diseases are introduced into the area that are able to survive on the farm.
Transfer of	The translocation of aquaculture stock is considered to be one	As the farm is only going to be

⁸⁴ Ministry for Primary Industries (2016). [Aquaculture Biosecurity Handbook: Assisting New Zealand's Commercial and Non-Commercial Aquaculture to Minimise On-Farm Biosecurity Risk](#)

⁸⁵ Sim-Smith (2022). Biosecurity assessment of proposed Raglan mussel farm (**Schedule DSWB3**).

stock	of the most important transmission pathways for harmful organisms. • The biosecurity risks of the proposed farm associated with the transfer of aquaculture stock depends on whether the farm is used for spat catching and holding only, or as a grow out farm. • If the proposed farm is used for: ○ Spat catching and holding only, then there is no chance of introducing harmful organisms to the Raglan area via stock movements as no stock will be moved onto the farm. ○ On-growing hatchery spat, then the biosecurity risk is expected to be less than minor due to hatchery spat being produced in a controlled environment with appropriate water treatment and biosecurity procedures in place.	used for catching spat on site (and on-growing that spat) or introducing and on-growing hatchery spat the risk of introducing new pests via this pathway is less than minor.
Transfer of equipment	• Farm equipment that is transported and redeployed in another location without cleaning and disinfection may facilitate the introduction and spread of pests and diseases. • In particular, untreated used spat rope that is redeployed on the spat farm poses a high risk of introducing harmful organisms to the site. The likelihood of introducing new pests or diseases to the area via submerged equipment can be minimised by: ○ Using new equipment; or, ○ Cleaning and disinfecting used impermeable equipment such as floats prior to use on the spat farm; ○ Cleaning used rope and storing on land for at least 12 weeks before use on the spat farm.	Provided that used equipment is treated as recommended above, the risk of introducing pests to the Raglan area via farm equipment is assessed as minor.
The movement of farm vessels	• Service vessels used by the aquaculture industry can transfer pests and diseases via hull fouling, or water or sediment discharged from decks, bilges, and other contained spaces. The biosecurity risks associated vessel and vehicle movements can be mitigated by: ○ Regular cleaning and antifouling of the vessel's hull and niche areas; ○ Washing down decks and equipment, and flushing or emptying contained water once the vessel has left a farm and prior to arriving at its destination, and vice versa; ○ Washing down trailer vessels and vehicles, and emptying any contained water before moving between operational zones, management areas or distant locations.	Given the lack of pests in the Raglan area and the limited normal movements of the farm vessels, the biosecurity risks associated with farm vessel movements are assessed as minor, provided the recommended mitigation methods are implemented.

Table 29 Assessment of biosecurity effects

NWML propose to follow the recommendations in the assessment including implementation of a Biosecurity Management Plan (BMP) which includes:

- Requirements for no stock transfers onto the nursery, apart from hatchery spat;
- Mandatory cleaning and 12 week land storage for any ropes that have been used outside of the nursery;
- Regular surveillance and recording of the abundance of pest species, new species to the area, or any unusual mortality on the farm;
- Reporting the occurrence of unwanted organisms or suspected disease to the Ministry for Primary Industries (MPI);
- Providing appropriate training for farm staff in pest surveillance and biosecurity management;
- Cleaning and decontaminating all removable farm equipment prior to redeployment in distant areas;
- Cleaning fouling organisms off floats and ropes during harvest, and rotating floats to expose fouled surfaces to the sun;
- Antifouling all farm vessels according to the manufacturer's recommendations;
- Cleaning and decontaminating farm vessels and vehicles before travel between management areas or operational zones;
- Washing down vessel decks and emptying or flushing bilges and any other contained spaces before leaving the farm or arriving at the farm;
- Keeping accurate records of all stock transfers (i.e., date, origin and destination locations, quantity transferred, and health and performance of stock);
- Regular review of the plan periodically, or in response to a new biosecurity incursion.

NWML obtained a review of the BMP from Coast and Catchment (provided in **Schedule DSWB7**⁸⁶) which made a number of minor recommendations for amendment. It noted that *'if all the above points are made to the draft BMP, I am satisfied that it adequately implements the requirements described in my biosecurity assessment'*.

Coast and Catchment have confirmed that the BMP adequately implements the requirements described in their biosecurity assessment.

The draft BMP was sent to Biosecurity New Zealand (BNZ) prior to lodging the referral application and they responded with some additional amendments including to have regard to relevant measures set out in their technical guidance document for shellfish BMPs⁸⁷. These have all been incorporated into the BMP in **Schedule E3**.

The Pisces Consulting peer review found the biosecurity assessment to be scientifically robust and comprehensive and that *'overall, it is apparent that the applicant has made a strong effort in minimising biosecurity risk, including by making the decision not to bring spat from Te Oneroa a Tōhe (Kaitia spat) onto the farm.*

In summary, with implementation of the A+ standards and the BMP, the biosecurity effects of the proposal will be no more than minor.

⁸⁶ Sim-Smith, C. (2026). Review of NWML Biosecurity Management Plan. Coast and Catchment (**Schedule DSWB7**).

⁸⁷ Biosecurity New Zealand (2020). Technical Guidance Document, [High Level Biosecurity Management Plans Shellfish](#)

6.9 Landscape, Visual and Natural Character Effects

6.9.1 Context and Methodology

Wayfinder provided an expert natural character, landscape/seascape and visual effects assessment (LVA) in 2023 (**Schedule DLNC1**). This was supplemented during the RMA s92 further information process by a letter from Wayfinder referencing the Waikato Regional Seascape Study and expanding on the policy assessment (**Schedule DLNC2**⁸⁸). WRC obtained a peer review of the landscape assessment from Mansergh Graham Landscape Architects which is provided in **Schedule DLNC3**⁸⁹. Wayfinder have provided a subsequent landscape addendum commenting on the removal of Site D (**Schedule DLNC4**⁹⁰). Taken together the peer reviewed Wayfinder assessment is therefore considered the appropriate reference to assess landscape, visual and natural character effects.

Note that Site D has now been removed from the proposal therefore any specific effects on Site D or the Mount Karioi Outstanding Natural Landscape/Seascape associated with Site D, are no longer relevant to this application.

Sites A, B and C are located outside all mapped natural character, outstanding natural landscape and seascape, significant indigenous biodiversity and surf break and swell corridor overlays in the PWRCP and are not within any area mapped as high, very high or outstanding natural character in the operative WRCP.

The key aspects contributing to landscape, seascape and natural character around the sites are:

- The generally remote nature of the area, with limited built form and limited public access, but within highly modified landscapes used for grazing;
- The wild, high energy coastline with large surf breaks and sea spray; the expressive, bold cliff faces that form a sequence along the coast;
- The black sand beaches with dune structures extending inland;
- The littoral cells and their movement within the high energy environment; and
- The darkness at night resulting from the lack of onshore buildings and limited boat movements.

There is little documented associational value in the vicinity of Sites A, B and C, and no specifically identified wāhi tapu or rāhui areas within the vicinity of the sites. The naming of landscape features indicates historical mana whenua connections, reinforced by the location of the marae in the elevated landforms east of Site A.

Wayfinder's assessment was informed by a site and locality visit on which included visiting each of the site areas by boat, measuring and recording distances of 500 metres, 1,000 metres and 2,000 metres from the centre of each site area by boat, traversing the coastline by boat at a distance of approximately 500 metres from shore, and driving and walking a series of land based viewpoints including the full length of Pukerewa Road from Matira Road to Waikaretu Valley Road, stopping at the highest points where there were vantage points to the sea. The graphics supplement contains viewpoint mapping, representative photography from each viewpoint, and visual simulations prepared from 500 metres and 1,000 metres enabled by placement

⁸⁸ Bray, S. (2024). Further information on landscape. (**Schedule DLNC2**).

⁸⁹ Mansergh, D. (2024). Review of the Natural Character, Landscape/Seascape, & Visual Effects Assessment. (**Schedule DLNC3**).

⁹⁰ Bray, S. (2026). Addendum to natural character, landscape/seascape and visual effects assessment considering the removal of Site D. Wayfinder (**Schedule DLNC4**).

on a physical buoy in the water to provide scale reference.



Image Capture:
iPhone 14 Pro
2 November 2023 - 08:27am
Lens: 24mm

Geo Location:
Latitude: 37° 35' 15.882" S
Longitude: 174° 42' 36.678" E

Note: Buoys have been depicted black with a separation of 2m
(depending on length of dropper lines distance may vary between 2-50m)



Viewpoint A
Visual Simulation
500m from edge of Site A

Image from proposed Site A looking East towards
Pukerewa Road

Figure 25 Visual simulations 500 metres from the edge of Site A

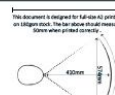


Image Capture:
iPhone 14 Pro
2 November 2023 - 08:27am
Lens: 24mm

Geo Location:
Latitude: 37° 35' 15.882" S
Longitude: 174° 42' 36.678" E

Elevation / Eye Level:

Note: Buoys have been depicted black with a separation of 2m
(depending on length of dropper lines distance may vary between 2-50m)



Viewpoint B
Visual Simulation
From within Site A

Image from proposed Site A looking East towards
Pukerewa Road

Figure 26 Visual simulations within Site A

The assessment follows the New Zealand Institute of Landscape Architects (NZILA) rating scale⁹¹ as follows:

This Assessment	Very-Low	Low	Low-Mod	Moderate	Mod-High	High	Very-High
RMA	Less than Minor		Minor		More than Minor		
						Significant	

Figure 27 NZILA rating scale

6.9.2 Visibility Assessment

The assessment also undertook a visibility assessment to inform identification of effects. It found that:

- From the water, a representative buoy deployed at the centre of a site area was visible from 500 metres away, intermittently visible from 1,000 metres away, and not visible with the naked eye from 2,000 metres away.
- From the water to the north of Raglan, it was not possible to make out any buildings on land when the boat was 3 km offshore, although on the return journey built form and landform expression could be made out at approximately 500 metres from shore.
- From elevated land based viewpoints, it was possible to see Karewa (Gannet Island), located approximately 20 km distant, but it was not possible to see either the assessment vessel or the deployed buoy with the naked eye.
- Even when following the assessment vessel with the ability to pinpoint it using a live GPS tracker, the vessel was invisible to the naked eye beyond 3 km.

The visibility of detailed features is generally good within 1–1.5 km but declines rapidly beyond that. At distances greater than 2 km, individual landscape or seascape features are difficult to distinguish, even from elevated viewpoints where reduced sea swell is offset by atmospheric conditions. Larger objects, such as rows of buoys, are more likely to be perceived as single entities than as individual buoys.

This conclusion is supported by three physical factors:

- The floats are approximately 500 millimetres high, so swells exceeding that height regularly obscure them in wave troughs, creating inconsistent visibility along each row;
- Most floats are black and visually recessive, blending into the sea more readily than the orange navigational floats, making the edges of a farm block more apparent than the block as a whole;
- Sea spray along the coast reduces seaward visibility. Climate data for Raglan shows clear or mostly clear skies about 40% of the year, a daily precipitation chance of 20–40%, and predominantly westerly and southerly winds that increase sea spray.

6.9.3 Natural Character Effects Assessment

Table 30 sets out the effects on natural character:

⁹¹ Tuia Pito Ora New Zealand Institute of Landscape Architects (July 2022). [Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines](#).

Component	Effect	Considerations
Abiotic	Very low	- The only interaction between the proposal and the abiotic values will be the anchors which are removable and will have a negligible impact on the structure of the soft sediment seabed. - The floats may create very localised changes to wave patterns but are of magnitudes smaller a scale than the surrounding ocean
Biotic	Very low	- The scale of changes in the food chain from the removal of spat is insignificant within the extent of the coastline. - Based on the relevant technical assessments, the effects on marine wildlife are no more than minor and mussel farms can potentially have positive effects on biotic systems.
Experiential	Low	- The main experiential values relate to the wild, high energy coastline framed by bold, legible landforms and narrow beaches, and none of those values will be affected by the proposal because all of the structures are located several km from shore. - The majority of the time the farms will simply be an element of built form on the water, with little associated human activity. This has the potential to diminish the feeling of remoteness but in essence, the proposed farms are not dissimilar in activity as the pastoral farming on the landscape. - For the most part, and particularly from sea level, the structures are unlikely to be visible from distant locations, so that it is only a viewer on the water within 2 to 3 km who will readily experience their presence.
Overall	Low	- Considering the abiotic, biotic and experiential values combined, it is considered that the overall effect of the proposal will be low. - It will introduce a degree of modification to the seascape, but the extent of human activity associated with the proposal is minimal. - It will have very low effects on the benthic environment, and no effects on the high energy coastline.

Table 30 Assessment of natural character effects

6.9.4 Landscape and Seascape Assessment

Table 31 sets out the effects on landscape and seascape:

Component	Effect	Considerations
General	Low	- There are very limited biophysical and associational effects (if any), and perceptual effects pertain only to the remoteness values. - The spat farms introduce new activity to this location, and have non-natural characteristics, but such forms can only be experienced from the very few people who travel in relatively close proximity to the sites.
Seascape values	Low	The seascape values are similar to the landscape values including the high energy coastline, dynamic sedimentation, limited settlement, sparse coastal vegetation, and sense of remoteness. As such the assessment of effects is the same.
Visual effects	Very low	The farms are only likely to be seen on bright, clear days, and will be most noticed by local farmers who are familiar with the wider seascape. Even then, the detailed

		features of the farms will be difficult to discern, and they will most likely take the appearance of a darker hue within the wider seascape.
Night effects	Low	The farms will be more visible than they are during daylight hours and detract slightly from the remoteness values. However, they are unlikely to be eye catching and will not compete with the wider night sky.
Suitability of the wider landscape for the proposal	Low	- The proposal has a functional need to be located in the coastal environment and constitutes use of a natural resource. In that respect it connects with the resource, is small scale, and will largely be non perceptible. - The wider landscape is appropriately suited for this type of proposal.

Table 31 Assessment of landscape effects

6.9.5 Landscape Peer Review

As noted above, WRC obtained a peer review of the landscape assessment from Mansergh Graham Landscape Architects which is provided in **Schedule DLNC3**.

The peer review noted that different approaches by different landscape experts can result in different assessments:

- 'In my experience, it is not uncommon for landscape architects to agree on the key characteristics and values of an existing landscape and proposed development, while reaching different conclusions around the magnitude of effects in their assessment. This is because the assessment of landscape effects (including visual) and the assessment of effects on natural character contains both objective and subjective aspects.'*

The peer review generally concurred with the Wayfinder findings for viewers beyond 2km from the site but considered there is potential for effects to be greater within 2km. The peer review recommended a precautionary approach, particularly in relation to Site D. Wayfinder responded to that recommendation in their addendum noting that:

- 'The relevant near-water viewing audience is expected to be small. The original assessment identified that boating activity in this part of the coast is limited, with most recreational and commercial vessels tending to travel west from Raglan Harbour or Manu Bay toward deeper water. The proposal will not create buildings, platforms or permanent above-water structures of substantial scale. The visible components remain low in profile, will move with the swell, and will be seen within a large, open and dynamic seascape.*
- Accordingly, while the effects experienced by a person on the water within close proximity to Sites A, B or C may be greater than those experienced from land or from more distant marine locations, those effects remain localised, intermittent and limited in their overall influence on the wider landscape, seascape and natural character values of the area.'*

If a precautionary approach was preferred NWML would support a condition requiring a suitably qualified landscape architect to assess the Stage One landscape, natural character and visual effects from both the water and elevated Pukerewa Road viewpoints before any progression to Stage Two. This would enable assessment of actual effects rather than relying on differing expert opinions

6.9.6 Landscape, Natural Character and Visual Effects Conclusions

The Wayfinder addendum finds that the removal of Site D is a '*material reduction*' in the geographic extent and landscape sensitivity of the proposal. The removal of Site D means that the proposal is now located further away from the Waikato Karioi Outstanding Natural Landscape coastal context, including Mt Karioi, Whaanga Road, Ruapuke Beach, Te Toto Gorge, Papanui Point and the associated Waikato Karioi outstanding landscape/seascape values.

The addendum summarises the conclusions as they relate to remaining Sites A to C.

Values	Effects
Natural character	- The main natural character effect remains experiential. The proposed farms will introduce a visible human made and productive element into a seascape that presently has little marine farming activity. - That change has the potential to slightly reduce the perceived remoteness of the immediate seascape, particularly for people on the water close to the proposed sites. - However, the receiving environment is expansive, access is limited, the number of viewers is likely to be low, and the level of human activity associated with the farms will be infrequent. - With Site D removed, there is also a reduced potential for effects on the more sensitive Karioi coastal context. - Overall, the natural character effects of the revised proposal will be low.
Landscape and seascape	- The revised proposal will still introduce a degree of built or modified form into the seascape through the presence of buoy lines in a structured arrangement. - This will be most apparent from the water and in relatively close proximity to the farms. - The proposal will not alter the coastal landforms, cliff faces, beaches, dune systems, surf breaks, sea spray, coastal vegetation patterns or rural landforms that contribute to the broader landscape and seascape character of the Te Akau coast. - The key landscape and seascape effect remains the potential effect on perceptual values, particularly the sense of remoteness. - The proposal will introduce a new activity into the seascape, but it will not introduce a high level of human presence. The farms will be largely untended and will not contain buildings or platforms. For most of the time they will be static, low profile elements within a very large and dynamic marine setting. - While the removal of Site D reduces the overall effects, the remaining sites will still introduce a structured marine farming activity into an otherwise open seascape, and this will still be apparent to people on the water within approximately 2 km of the farms. - For that reason, while the geographic extent and sensitivity of the effects are reduced, the overall landscape and seascape effects rating remains low.
Visual effects during daylight	- Sites A, B and C are located several kilometres offshore. From land based locations, the proposed farms are likely to be difficult to discern, except potentially in clear viewing conditions from elevated locations. The detailed arrangement of individual buoys is unlikely to be readily apparent from land. - From the water, the farms will be more visible at closer distances. Within approximately 2 km, and particularly within 1 to 1.5 km, the buoy pattern and activity will be more legible. - However, this effect will be experienced by a limited number of marine users and within a

	very large seascape context. • Beyond that closer viewing range, the farms are expected to become less distinct and increasingly absorbed into the movement, colour and texture of the sea surface. • Overall, the visual effects of the revised proposal during daylight hours will remain very low from land based locations and low to very low from marine locations, depending on proximity.
Night effects and navigation lights	• While the December 2023 assessment referred to the navigation lights being visible from at least 2 km away rather than 2 nautical miles the findings regarding effects at night remain relevant. • The key assessment question is not whether the lights will be visible, but whether their visibility would materially affect the values of the surrounding landscape and seascape. • The navigation lights will introduce intermittent points of light into a generally dark coastal and marine environment. This may slightly reduce the perceived remoteness of the night time seascape, however the effects are unlikely to compete with the wider night sky. • Overall, because the navigation lights associated with Sites A, B and C may still be visible from parts of the coastal landform, including around Gibson Beach, the night time visual effects of the revised proposal will be low.

Table 32 Landscape and visual effects summary

Overall, the evidence supports the finding that the landscape and natural character effects will be no more than minor.

6.10 Hydrodynamic Effects

6.10.1 Context and Methodology

MetOcean Solutions (MetOcean) provided an original assessment of the proposal in November 2022, prior to the relocation of Site D, which was at the time located partially within a regionally significant swell corridor. WRC obtained a peer review of the hydrodynamic assessment from Tonkin and Taylor. This then informed an updated assessment from MetOcean dated October 2024 which is included as **Schedule DH1**⁹². The subsequent updated Tonkin and Taylor peer review is included as **Schedule DH2**⁹³.

Note that Site D has now been removed from the proposal therefore any specific effects on Site D or regionally and nationally significant surf breaks, or the shoreline of Ruapuke in the vicinity of Site D are no longer relevant to this application.

Waves approach the sites predominately from the southwest, most commonly at wave heights of 1.5 to 2 metres and peak periods of 12 to 14 seconds. Waves from the west and northwest account for the balance. The coast is a high energy, open ocean environment exposed to the full fetch of the Tasman Sea. Currents are relatively slow in the context of the high wave energy area. The coast adjacent to the sites is a dynamic mix of sandy beach and rocky headland, and the dominant sediment transport pathway is from south to north, with sediment eventually moving towards Port Waikato.

⁹² Cussioli M., Berthot A. (2024). Mussel spat catching farm west coast Waikato. **Schedule DH1 MetOcean Hydrodynamics Assessment**

⁹³ Beetham, E. (2024). Second review of hydrodynamic assessments for west coast mussel nursery. **Schedule DH2 T+T Hydrodynamics Peer Review**

The MetOcean report showed the relevant surf breaks of regional and national significance as shown below:

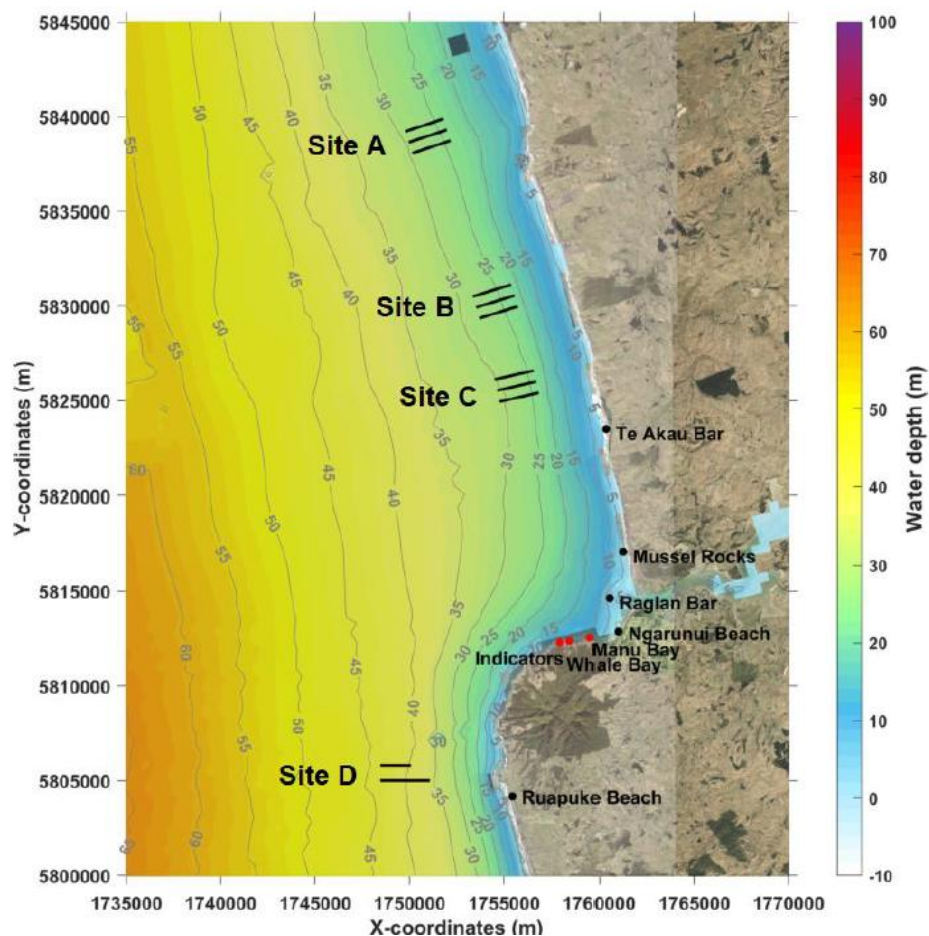


Figure 28 Application sites in relation to surf breaks of regional significance (in black) and national significance (in red)

The MetOcean assessment employed the Delft3D-WAVE modelling system using the SWAN spectral wave model. A nested grid approach was adopted, with a regional model at 500 metre resolution and site specific models at 50 metre resolution.

The model was calibrated against wave buoy data collected offshore from Manu Bay during February and March 2020, demonstrating consistency between measured and modelled wave height, period and direction.

Each longline was represented as a porous obstacle using transmission coefficients derived from Plew⁹⁴. Two transmission coefficients were assessed, representing the maximum and lower proposed dropper densities. All reported results were based on the more conservative coefficient (64% transmission), corresponding to the maximum double backbone dropper density proposed. Single backbones would produce lower attenuation. MetOcean consider the modelling is conservative as the same transmission coefficient was applied irrespective of wave period, despite published evidence that longer period waves (the dominant condition in the application area) experience less attenuation.

Two published thresholds were adopted:

⁹⁴ Plew, D., 2005. [The Hydrodynamic Effects of Long-line Mussel Farms](#). A thesis submitted in partial fulfilment of the requirements for the Degree of Doctor of Philosophy in Civil Engineering at the University of Canterbury.

- A change in significant wave height of less than 1% has previously been accepted as producing no more than minor effects on surfing conditions; and
- A change in wave direction of less than 2 degrees is treated as very small.

Tonkin and Taylor concurred with the methodology apart from the actual wave transmission coefficient and the consequence of the upper bound of the modelled reduction in longshore transport. These are discussed further in Section 6.10.6 below.

6.10.2 Effects on Waves

Table 33 sets out the effects on waves:

Wave direction	Effects
Northwest	Wave height is reduced by approximately 10% immediately in the lee of Site A and 12–13% at Sites B and C. Nearshore reductions are approximately 4% at Site A and 6–7% at Sites B and C. Changes in wave direction do not exceed 0.85°
West	Wave attenuation immediately behind the structures ranges from 13–15%, reducing to 6–9% nearshore. Maximum changes in wave direction are between 1.3° and 1.7°, representing the greatest directional changes modelled.
Southwest	Southwest waves comprise approximately 82% of the offshore wave climate. Wave height reductions immediately behind the structures are approximately 15%, reducing to 6% at Site A and up to 10% at Sites B and C nearshore. Maximum changes in wave direction are approximately 1.4°.

Table 33 Assessment of wave effects

MetOcean rates wave attenuation as localised and minor, and the associated change in wave direction as very small.

6.10.3 Effects on Currents

Current effects were assessed using published literature supported by ROMS current data rather than numerical current modelling.

Three design characteristics underpin the assessment:

- Published research identifies farm orientation as the principal factor influencing current attenuation. The proposed rows are aligned so that longlines run broadly parallel with the predominant current direction, thereby minimising reductions in current velocity.
- The structures are fully submerged, leaving a gap beneath the sea surface and above the seabed. As a result, more than 60% of the water column remains unobstructed. This exceeds the clearances identified in published studies as necessary to minimise diversion of vertical flow.
- The proposed dropper densities are comparable with those previously studied, but the proposed farms occur in deeper water supporting much smaller spat rather than mature mussels. Combined with the relatively slow ambient currents, current attenuation is expected to be similar to, or less than, that reported elsewhere.

A localised wake of reduced current velocity is expected immediately downstream of the structures,

extending generally north-northwest and south-southeast with the prevailing flow. However, the assessment concludes that any reduction in current velocity will be minor and insufficient to affect beach equilibrium or sediment transport.

MetOcean conclude is that the effects on currents will be localised and minor, and that because current speeds are slow there will be no significant impact on the dynamic equilibrium of any beach in the environs or on the movement of any detritus.

6.10.4 Effects on the Foreshore and Coastal Processes

Potential shoreline effects arise indirectly through reductions in wave height and small changes in wave direction, which may influence longshore sediment transport. MetOcean estimated reductions in longshore sediment transport of approximately 2–20%, depending on site location and wave direction. Under the dominant southwest wave climate this represents a reduction in northward transport and may slightly reduce storm erosion. Under west and northwest wave conditions, southward transport would be similarly reduced.

MetOcean concludes that the resulting changes to coastal processes are localised and minor. The highest modelled reduction in nearshore wave height (10%) occurs only adjacent to Sites B and C and within a limited area.

Tonkin and Taylor considered the upper end of the predicted reduction in longshore transport warrants further consideration. This is discussed further in Section 6.10.6 below.

6.10.5 Effects on Surf Breaks

The three nationally significant surf breaks at Manu Bay, Whale Bay and Indicators lie south of Whāingaroa/Raglan Harbour and at least 12 km south of Site C. The 1% cent change contour does not extend to the surf breaks of national significance under any modelled scenario, including the four scenarios specifically constructed to represent the conditions that produce high quality surfing waves at those breaks. There is no modelled change in wave direction near the surf breaks of national significance.

Te Akau is the closest regionally significant surf break, around 4 km south of Site C. Two important considerations are that effects would only arise from northwest waves which are rare and that the optimum swell direction for all surf breaks is southwest. MetOcean modelled a potential change in wave height near the shoreline at Te Akau of the order of 3 to 4 % for waves propagating from the northwest, with an associated change in wave direction of the order of 0.2°.

MetOcean found the effects on surf breaks of national significance as less than minor and on those of regional significance as minor.

6.10.6 Hydrodynamics Peer Review and Monitoring Proposed

Tonkin and Taylor found that MetOcean provided a suitable assessment of the proposal on the hydrodynamics of the coastal environment but noted two areas of remaining uncertainty:

- The actual wave transmission coefficient, which is based on an analytical model that is only validated for small wave environments.
- The consequence of effects with regards to the receiving environments sensitivity has not been

accounted for in terms of coastal effects relating to the upper bound reduction in longshore transport (20%).

Tonkin and Taylor note that for Sites A to C there is remaining uncertainty about the impact of wave shadowing on slowing alongshore transport, the sensitivity of the shoreline to change and therefore how the shoreline and updrift sites will respond.

Tonkin and Taylor proposed monitoring to address this uncertainty. To validate the modelling wave buoys on the offshore and inshore side of Site C are to be deployed for at least 3 months prior to the installation of structures to characterise the baseline change between the two measuring locations. Measurements from the buoys will then be reviewed 6 months and 12 months after installation to confirm the transmission coefficient. Tonkin and Taylor also recommended shoreline monitoring to be undertaken by satellite or other means at a suitable stage in development to characterise any effects of the farm.

On the advice of MetOcean⁹⁵ a satellite based assessment of the shoreline could be undertaken for a two year period after full development of one of the sites. As Stage One includes 2/3 development of Site C (120 hectares of the full 180 hectares) and no site will be fully developed until the end of Stage Three, it is proposed to conduct satellite based monitoring at the end of Stage One. The results of that monitoring will be assessed by a suitably qualified expert to determine whether any farm related effects are detected.

In consultation on the shoreline monitoring WRC have commented that the monitoring plan should give consideration to:

- Clarifying the shoreline proxy to be assessed,
- Satellite source and suitable pixel resolution,
- Frequency of imagery to be analysed (e.g. monthly)
- Filtering of tides and swash.

NWML and WRC have agreed conditions of consent which incorporate this monitoring and any appropriate management responses as set out in **Schedule F**.

6.10.7 Hydrodynamic Effects Conclusion

MetOcean summarised the effects of the proposal in Table 1 of their assessment, replicated here:

Physical elements	Qualitative and/or quantitative assessment	Effects statement
Wave attenuation	• 8.5-15% potential reduction in wave height in the lee of the farm depending on Site and incident wave direction. • Change in wave direction less than 1.7 degrees.	Localised and minor Very small
Current attenuation	• Farm is aligned with flow to minimise attenuation. • More than 60% gap in water column giving local depth and length of longlines, i.e. not restricting flow. • Sites present slow currents in a high wave energy area.	Localised and minor

⁹⁵ Alexis Berthot, personal communication.

	Potentially more localised effect on the flow over a smaller area compared to areas with faster currents.	
Effect on foreshore	• 4-10% potential reduction in wave height on the nearshore directly in front of the sites. Percent reduction depending on Site and incident wave direction. • Change in wave direction less than 1.2 degrees. • 2-20% potential reduction in longshore transport along the beach, site dependent.	Minor Very small Very small and localised
Effect on surf breaks of national significance	• 1% change contour do not extend to the surf breaks of national significance. • No change in wave direction near the surf breaks.	Less than minor
Effect on surf breaks of regional significance	• Potential 3-4% change near Te Akau for northwest waves and 2-4% change near Ruapuke for northwest and west waves. Northwest waves have low occurrence. • Change in wave direction less than 0.3 degrees.	Minor Very small

Table 34 Assessment of hydrodynamic effects

Note that the removal of Site D, the site closest to surf breaks of national significance, and the sensitive shoreline of Ruapuke Beach, could be considered a positive mitigation of effects.

In summary, subject to the hydrodynamic monitoring set out in the proposed conditions, it is considered that likely that the hydrodynamic effects, including on surf breaks and the shoreline, are likely to be no more than minor.

6.11 Structural Integrity

In a spat/nursery operation, the structure largely consists of moorings, rope and buoys. The anchors will be located deep in the seabed, meaning that any breakages would be highly unlikely. In terms of the mooring lines, these will be made of Duradan⁹⁶ rope (or similar) with 30 tonne breaking strength. The sites will also be monitored and maintained regularly to limit any risk of breakages. Even so, if a break was to happen, the ropes would end up sinking to the seabed floor, as they are too heavy to float on the surface. The disappearance of that rope would be noticed during the regular maintenance and/or harvesting and could (if required) be collected at that point. In saying that, based on the regularity of maintenance (significantly reducing the risk of breakages) it is anticipated that any line failures would be minimal, meaning that the impact on the seabed or the marine environment would be insignificant regardless.

In terms of the risk of buoys breaking lose, this would again be mitigated by regular maintenance and repairs. In the commercial long line proposed in this application mussel buoys will be tied to the backbone with 2 individual 24mm rope strops. Should one fail, the float will stand up on end and the second strop will serve to hold the buoy to the structure until the next site visit. These stand-up buoys are easily noticeable as requiring attention. This technique was developed from trialling 30 of these proposed mussel lines off Opotiki in a similar robust wave and wind environment. However, in the event of a buoy getting away, it would simply float on the surface and could be picked up by either passing vessels or when it returns to shore.

⁹⁶ Quality Equipment. [Duradan Mussel Farm Ropes](#) (accessed 1 September 2026).

NWML will maintain vigilance for any floating buoys and retrieve them as soon as possible.

It is also noted that the occasional buoy washing ashore will not have significant or noticeable adverse environmental effects on the surrounding environment (including the shore). The buoys have a surface area of 1.3m x 0.62m, being 0.806 m² and will largely be grey (other the navigational buoys, which will be orange and yellow). This means that they are of a size that is insignificant in relation to the landscape they are in and will not be obtrusive to the landscape. In any event, the regular inspections will mean that any inadvertent loss of a buoy will come to light and NWML will retrieve the same as soon as possible. The prevailing wind direction means that the large majority of any lost buoys (if any) will float towards the west coast and therefore be easily retrievable. Should the conditions be too rough for such retrieval, NWML will simply wait until the weather settles to ensure a safe operation.

As such, the impact on marine life is anticipated to be no more than minor.

6.12 Navigation Effects

Initial engagement with Maritime New Zealand (MNZ) revealed that there don't appear to be any material navigation issues related to the site. They noted the open ocean nature of the site and that 5 NM range lights will be required. Initial engagement with the Harbourmaster confirmed this view.

The farm will be marked with Aids to Navigation in accordance with the Marine Farm Guidelines: Navigational Safety⁹⁷ including daymarks, and coloured and/or retro reflective floats as required by the Harbourmaster.

Single and/or double backbone subsurface structures are proposed. Non floating ropes with riding weights will hold up the submerged backbones using surface flotation. Standard dark grey and/or black mussel buoys (up to 20 per line) are proposed for surface flotation along with subsurface floats as required (refer attached diagram). This provides maximum visibility for navigational purposes, and a management advantage through positive buoyancy. If required, orange or yellow buoys, with the site occupier's name marked, can be implemented at the end of each backbone line.

Subsurface lines allow free navigation through the areas applied for by vessels of up to 3 metre draught, however, as the attached maps indicate, the site is located out of common navigational routes. With the proposed navigational buoyage and lighting regime, mariners will be well warned of the existence of the proposed farm, and can choose to easily avoid it, or go inside it to enjoy the recreational fishing benefits well known around marine farm sites. The proposed site, if accepted by council, will be marked on future navigational charts and publicly notified by the national "Update to Mariners" service.

The general layout of the sites means that extensive 'open' space is retained in each 'block' and in the overall site area, and navigation through and around can continue safely and unimpeded.

6.13 Commercial, Recreational and Customary Fishing Effects

The aquaculture decision report assessing the effects on fishing for the research permit⁹⁸ granted in the same

⁹⁷Maritime New Zealand (2018). [Marine farm guidelines: Aids to navigation](#).

⁹⁸Ministry for Primary Industries (2018). Aquaculture Decision Report: Gulf Mussel Farms Limited Coastal Permit WRC139018—West Coast Waikato Region.

location provides a helpful guide to the potential effects of this application on fishing.

On recreational and customary fishing, it found that:

- Of the recreational and customary fishing occurring in the area, only longlining and drift line fishing from boats might be excluded from the area.
- Diving, hand gathering and rod/line fishing from shore are unlikely to be displaced by the proposed structures as these are likely to be carried out further inshore.
- Rod/line fishing from anchored boats could continue and fishers commonly use this method in other areas.
- There are alternative areas in the wider coastal marine area which could absorb any recreational fishing displaced from around the proposed structures.

It found the cumulative effects on recreational and customary fishing would not be undue because:

- *'Some recreational and customary fishing (eg, anchored rod/line fishing) can still occur within marine farms; and*
- *The area of the proposed site is minimal with regard to all of the space available for recreational and customary fishing along the open west coast'.*

For this application, recreational fishing methods and species caught in the area would not be precluded as, even though the proposal is for a larger area than the research permit, there remains a large amount of open sea for recreational fishing and the marine farm structures are likely to become preferred locations for rod/line methods from private or chartered boats. Marine farms can enhance opportunities for recreational fishing, as they generally tend to create an ecosystem which is conducive to the presence of reef fish and other fish species.

Cultural fishing is considered in **Part 5**.

Regarding commercial fishing, the application is located within Fisheries Management Area 9 (FMA9). A 4 nautical mile trawl prohibition is in place along the west coast of the Waikato to protect Māui dolphins⁹⁹ however other methods including longlining and Danish seining are permitted.

The research consent aquaculture decision report found that there would be no undue adverse effect because:

- Most commercial fishing is prohibited in the area due to controls for Māui dolphin
- There are alternate fishing grounds within SA 041 and SA042 and FMAs 8 and 9 for any commercial fishing that might get displaced;
- Occupation of the proposed site will result in no increase in the cost of commercial fishing
- In the worst case, that the structures are installed beyond 2 nautical miles from shore where trawling and Danish seining is permitted, no more than 150 kg of annual catch would be displaced'

Note that this proposal is for a larger area than the research proposal but there is still significant area within FMA9 for commercial fishing. The proposal is less than 2 nautical miles from shore so Danish seining will not be affected.

⁹⁹ Ministry for Primary Industries (June 2020). [Dolphin Threat Management Plan Factsheet: North Island](#).

In their response to the referral application TOKM noted that while Moana New Zealand operate their Danish seine and longline vessels north of the application site *'if fish stocks move southward in the future or should iwi decide to expand their Danish seine and longline vessel operations toward Raglan, the application could result in potential constraints or impacts on those future operations.'* NWML is not in position to quantify this potential future effect but considers the benefits of this project would outweigh it.

NWML recognises that an aquaculture decision report on this proposal will be provided by FNZ to the Panel, but this initial assessment is that the effects on fishing will be no more than minor.

6.14 Public Access, Recreation and Tourism Effects

Whāingaroa/Raglan Harbour is a popular location for recreation and tourism, including sailing, surfing, recreational fishing, kayaking and paddleboarding. However, most of these activities are not carried out beyond the Whāingaroa/Raglan bar. As noted above, the predominant recreational activity in the location of the proposed sites is recreational fishing, including charter fishing tours. Rather than an impediment to these activities, mussel farming sites are known to attract recreational fishers due to the creation of an ecosystem which is conducive to the presence of fish populations.

The nature of the farming structures means they will not preclude public access. NWML proposes to ensure that the public are well aware of the presence of the marine farm including inclusion on applicable marine charts, and information signage can be posted at the Whāingaroa/Raglan wharf. Guidance regarding fishing on the site such as that provided by the Coromandel Marine Farmers' Association¹⁰⁰ can also be provided.

Whāingaroa/Raglan offers a number of options for walking¹⁰¹ including the two tracks to the summit of Mount Karioi and a track into the Lower Te Toto Gorge. The landscape visual assessment found that the visual effects of the farms from publicly accessible locations are 'insignificant in the overall view'.

Whāingaroa/Raglan is renowned as a surfing destination and hosts a number of popular surf breaks¹⁰² including three of national significance in Schedule 1 of the NZCPS. Surfing tourism is a significant element of the Whāingaroa/Raglan economy. As noted above, the hydrodynamic assessment identified surf breaks of national and regional significance in the vicinity of the sites and found the effects to be no more than minor. Note that Site D, which was the closest to these surf breaks no longer forms part of the proposal. Hydrodynamic monitoring is proposed to validate the findings of the assessment.

Overall, the effects on public access, recreation and tourism will be no more than minor.

6.15 Noise Effects

The only noise would be from the vessels and harvesting equipment. This would be at least 3.1 km offshore and intermittent and would be no different to current noise levels created by the existing fishing vessels and their transporters.

The MWMP includes measures to mitigate underwater noise.

¹⁰⁰ Coromandel Marine Farmers' Association. [Fishing on marine farms](#) (accessed 1 September 2026).

¹⁰¹ [Raglan.net.nz. Walking Tracks](#) (accessed 1 September 2026).

¹⁰² [Raglan.net.nz. Raglan Surf Report](#) (accessed 1 September 2026).

In summary, noise effects are considered negligible.

6.16 Historic Heritage Effects

The general Whāingaroa/Raglan land area contains a number of historic heritage sites identified in the PWRCP including historic landing sites. The PWRCP notes that sites around the edge of Whāingaroa Harbour are predominantly the landing places used by European settlers before travel by road became ubiquitous.

There are three heritage sites in the vicinity of Whāingaroa/Raglan in the PWRCP.

- Heritage site 8814, the Echo shipwreck, at Whāingaroa/Raglan, north of Mussel Rocks
- Heritage site 9106, the Falcon shipwreck, at the north head of Whāingaroa/Raglan Harbour
- Heritage site (near site) R14/50, the Sarah Berry shipwreck off the coast of Whāingaroa/Raglan



Figure 29 Historic heritage sites in the vicinity

As these are all along the shoreline of the coast, eg at least 3km from the proposed farm sites, it is not expected that the proposal will impact the heritage value or experience of these sites.

Overall, the effects on historic heritage will be no more than minor.

Cultural landscapes are a component of historic heritage as set out in the CVIA in **Schedule B2**.

6.17 Effects Summary

The assessment of environmental effects has been informed by a range of technical assessments and associated peer reviews. Where recommendations have been made through those assessments and reviews, they have been addressed through updates to the assessments, the proposed management plans and the proposed consent conditions.

The proposed spat catching and nursery activity will occur at three offshore sites selected following more than twelve years of research into spat catch, survival and retention, and following consideration of environmental, cultural, operational and navigational factors. The application has also been refined to remove Site D, with Sites A to C located outside mapped outstanding natural character, outstanding natural landscape, significant indigenous biodiversity, nationally significant surf break and swell corridor overlays.

Overall, the technical assessments conclude that, subject to the proposed management and monitoring framework, actual and potential adverse effects will be no more than minor. Water column effects are assessed as negligible. Benthic habitat, biosecurity, landscape, natural character, visual amenity,

hydrodynamic, navigation and fishing resource effects are assessed as no more than minor. Seabird effects are assessed as neutral, and effects on other marine mammals are assessed as negligible to minor.

The principal matter requiring a precautionary approach is the potential effect on Māui dolphin. The marine mammal assessment concludes that effects will be no more than minor, subject to the proposed farm design, rope specifications, staged development, baseline and ongoing marine mammal monitoring, and implementation of the Marine Wildlife Management Plan. The proposed monitoring will also contribute to a better understanding of Māui dolphin use of the area.

Cultural effects are addressed through the Oati with Ngāa Marae O Tahinga, the Cultural Values Impact Assessment and the proposed Cultural Management Plan. These provide for an enduring relationship, cultural authority and meaningful participation by Ngāati Tahinga in the management and monitoring of the activity, as well as shared economic, employment, training and aquaculture opportunities.

The proposed Operational Management Plan, Marine Wildlife Management Plan, Biosecurity Management Plan, Cultural Management Plan, baseline and ongoing monitoring, staged development, adaptive management, navigation marking and lighting, and consent review mechanisms provide an integrated and precautionary framework to avoid, remedy or mitigate adverse effects.

The proposal will also deliver significant positive effects by establishing strategically important spat and seed nursery infrastructure, improving the resilience and effective utilisation of spat supply, supporting existing farming, processing, vessel and workforce capacity, generating substantial economic and employment benefits, providing iwi and hapū aquaculture opportunities, and assisting industry adaptation to changing marine conditions

NWML consider that it is of national importance to sustain aquaculture by ensuring diversity and resilience of the Greenshell mussel spat supply.

Part 7 Consultation

7.1 Introduction

NWML have been undertaking consultation on the proposal since 2016, predominantly with iwi and hapu entities in the early stages of development then broadening ahead of lodging the Private Plan Change and Concurrent Resource Consent (the RMA application) in May 2023 and the application for referral to the Fast-track Approvals Act (FTAA) (the Fast-Track application) in November 2025.

Consultation up to November 2025 was set out in Appendix B of the application for FTAA referral, which is included as **Schedule C1**.

Consultation since the referral application was lodged has been primarily focussed on iwi and hapu entities. In August 2026 NWML made a decision to remove Site D from the proposal in recognition that discussions with the iwi and hapu whose rohe moana included Site D had not progressed while discussions regarding Sites A to C had.

Once this decision was made, NWML engaged with WRC on a set of proposed conditions and then reengaged

with DOC and FNZ.

The following sections detail consultation undertaken between making the referral application and lodging this substantive FTAA application. Consultation has been undertaken with relevant local authorities (Section 7.2), relevant Iwi authorities, hapū and treaty settlement entities (Section 7.3), relevant applicant groups with applications for Customary Marine Title (Section 7.4), and relevant administering agencies (Section 7.5). No further consultation has been undertaken with other parties (Section 7.6).

7.2 Relevant Local Authorities

At the time of lodging the referral application the Waikato Regional Council had placed the NWML application for a private plan change and concurrent resource consent on hold, confirmed that application was deemed complete and approved for notification and agreed to liaise with NWML on draft consent conditions ahead of lodging a substantive application.

Table 35 provides an outline of consultation since then.

Date	Consultation	Discussion Points/Outcome
22/05/26 to 22/07/26	Emails between NWML planning consultant and WRC consents advisor	The purpose of engagement was to agree a set of draft consent conditions.
11/08/26	Meeting between NWML planning consultant and WRC consents advisor	- NWML advised WRC that the scope of the application was being amended to remove Site D. - WRC indicated the Principal Consents Advisor is on leave until 10 September so further discussion on draft consent conditions would be best to wait until then.
11/08/26	s30(3) notification	NWML emailed WRC notifying them of the intention to lodge a substantive application
20/08/26	s30(3) response	WRC provided a letter advising that any existing resource consents to which sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) would apply if the NWML project were to be applied for as a resource consent under the RMA.
11/09/2026	Meeting between NWML and WRC to discuss proposed consent conditions.	NWML and WRC discussed the proposed consent conditions. WRC agreed to provide an updated version with all agreed changes for NWML to lodge with the application.
22/09/2026	Email from WRC to NWML	WRC and NWML agreed the version of the consent conditions which are uploaded with this application.
25/09/26	Phone call between NWML and WRC	NWML requested confirmation from WRC that the peer reviews obtained by WRC and paid for by NWML can be uploaded with the application.
28/09/2026	Email from NWML to WRC	NWML provided a link to the full application.

Table 35 Consultation with local authorities

In summary, WRC have acknowledged the change in scope of the application to remove Site D, NWML and

WRC have agreed a set of consent conditions and WRC have confirmed that there are no competing applications for the application sites.

7.3 Relevant Iwi Authorities, Hapū and Treaty Settlement Entities

At the time of lodging the referral application NWML had engaged extensively with Waikato Tainui and the coastal hapū whose rohe moana included the application areas. NWML had progressed discussions with representatives of Ngaati Tahinga regarding a proposal by NWML to gift 20% of any consented area to an appropriate representative entity and to participate in partnerships for commercialisation of the project.

Waikato Tainui had confirmed with NWML that they would support any decisions and views of the coastal hapu.

Table 36 provides an outline of consultation since then.

Date	Consultation	Discussion Points/Outcome
28/03/26	Hui at Pukerewa marae between representatives of NWML and representatives of Ngaati Tahinga (Pukerewa Marae, Weraroa Marae and Ooraeroa Marae)	- NWML representatives provided an overview of the application and the proposal to gift space and contribute capital and expertise to the proposed partnership. Ngaati Tahinga representatives also sought support for community initiatives. - NWML answered questions on a range of topics. Discussion included matters relating to resource depletion, customary fisheries and provisions for a bond to ensure complete removal of the farm if that was required. NWML committed to observing any relevant rahui. - The hui concluded with an agreement to move to negotiation of terms of a partnership, considerations for community support and the commissioning of a Cultural Impact Assessment.
6/05/2025	Email from NWML to Ngaati Tahinga	NWML emailed a representative of Ngaati Tahinga informing them that referral had been granted and seeking continued engagement towards a positive commercial and social outcome for all parties.
6/05/26	Email from NWML to Waikato Tainui	NWML emailed a representative of Waikato Tainui copying them into their email to Ngaati Tahinga.
12/06/26	Representatives of NWML, and Pare Hauraki Kaimoana hosted representatives of Ngaati Tahinga (Pukerewa Marae, Weraroa Marae and Ooraeroa Marae) on a mussel farming and processing field trip in the Coromandel	- NWML hosted participants on a visit to seed, intermediate and adult mussel farms in the Coromandel which were growing spat from the west coast. Participants also visited the OPC processing facility at Whitianga. - NWML answered questions on a range of topics. Discussion included spat sources, mussel life cycle, farming and harvesting, sustainability, public and recreational fishing relationships, climate and snapper predation issues, and business and employment opportunities. - The visit served to increase Ngaati Tahinga participants' understanding of the industry and the issues that the application is seeking to solve.
23/06/26	Meeting between	Discussion included:

	representatives of NWML and a representative of Ngaati Tahinga	○ The programme for commissioning additional information and timing for lodging a substantive application. ○ The programme for commissioning a CIA, arranging a community hui and visiting various marae-based community initiatives which would benefit from NWML support. ○ The potential to remove Site D from the proposal in recognition that the southern marae were not engaged or supportive. ○ The potential to enter into a high level Oati (pledge) which sets out the basis for the relationship going forward.
24/06/26	Email from NWML to Waikato Tainui	• NWML emailed representatives of Waikato Tainui informing them of progress with respect to discussions with Ngaati Tahinga
8/07/26	Meeting between representatives of NWML and Ngaati Tahinga	• The purpose of the meeting was to progress drafting of an Oati which would then be taken to each of the marae and kaumatua for approval.
9/07/26	Email from NWML to Waikato Tainui and follow up phone call	• NWML provided Waikato Tainui with an update on engagement with Ngaati Tahinga including the field trip, the proposal to enter into an Oati and plans for an upcoming visit to marae-based community initiatives. • Waikato Tainui reiterated the position that they would support any position of Ngaati Tahinga but the format of that support would be subject to internal approval.
12/7/26	Hui at Weraroa marae between representatives of NWML, representatives of Ngaati Tahinga (Pukerewa Marae, Weraroa Marae, Te Akau Marae and Ooraeroa Marae) and a representative of Neoen Windfarms followed by further marae site visits	• The purpose of the hui was to progress whakawhanaungatanga and discussion of marae priorities and initiatives which NWML could support. • Another purpose was to inform the drafting of the Oati. • At Weraroa initiatives include water supply and water education. At Te Akau a new wharenuī and kai whare are under construction after many years of disuse in the wake of fire damage. At Ooraeroa significant work is underway to repair flood damage and the marae supports rangitahi and whanau in a number of health and education initiatives. • Participants stopped at a point near Pukerewa marae to view the locations of the sites. • The visit served to increase NWML participants' understanding of the range of marae-based community initiatives that Ngaati Tahinga are involved in and ways they could provide support.
31/07/26	Email from Nga Marae o Tahinga to NWML	• Ngaati Tahinga sent a copy of the Oati between Nga Marae o Tahinga and NWML signed by representatives of Pukerewa Marae, Weraroa Marae and Ooraeroa Marae with space for a future signature from Te Akau Marae).
7/08/26	Email from NWML to Waikato Tainui	• NWML provided Waikato Tainui with copy of the Oati and the plan for continued engagement to progress community support and the commercial partnership.
14/08/26	Email from Ngaa Uri o Tahinga to NWML	• Ngaa Uri o Tahinga provided NWML with the Cultural Values Assessment provided in Schedule B2.

5/09/26	Letter from NWML to all relevant iwi authorities, hapū and Treaty Settlement entities	NWML sent a letter to all relevant iwi authorities, hapū and Treaty Settlement entities that NWML have entered into an Oati with Ngaa Uri o Tahinga, that the scope has been refined to remove Site D and of the intention to lodge the application in mid-September. Provided in Schedule B4.
12/09/26	NWML to Ngaa Uri o Tahinga	NWML signed and sent a Letter of Intent to Ngaa Uri o Tahinga setting out a record of the commitments that NWML has made in respect of the application including the gift of 20% of consented space, installed infrastructure for five lines and promotion of education and workforce opportunities. Provided in Schedule B3.
8/09/26	Ngā Uri o Tamainupō ki Whaingaroa to NWML	- Ngā Uri o Tamainupō ki Whaingaroa sent an email to NWML which: - Recorded respect for the rights of Ngaati Tahinga and other mana whenua and coastal hapū to determine their own positions and relationships with NWML - Noted that neither Ngāti Tamainupō nor Ngā Uri o Tamainupō ki Whāingaroa Trust is separately identified among the Māori groups listed in Appendix 1, despite the proposal's location within the Whāingaroa coastal environment and the interests of Ngāti Tamainupō articulated through Te Mata Herenga. - Sought to clarify that: - The Oati or other arrangements relating to Sites A to C are not intended to represent, bind or record a position on behalf of Ngāti Tamainupō. - The removal of Site D is not intended to record or imply that Ngāti Tamainupō declined the opportunity, supported the wider proposal, or otherwise expressed a position. - Removal of Site D from the current application does not prejudice or otherwise affect any Ngāti Tamainupō mana whenua, mana moana, customary fishing, cultural landscape or other interests associated with that area. - Identified that the removal of Site D does not necessarily resolve their interests in the proposal. - Offered to engage with NWML as the application progresses.
9/09/2026	Email from Ngaa Uri o Tahinga to NWML	Ngaa Uri o Tahinga provided NWML with the Cultural Values Impact Assessment provided in Schedule B2.
10/09/2026	NWML to Ngā Uri o Tamainupō ki Whaingaroa	NWML sent a letter of response to Ngā Uri o Tamainupō ki Whaingaroa. Provided in Schedule B5.
25/09/26	Letter from Ngaa Marae o Tahinga to NWML	Ngaa Marae o Tahinga provided a response to the Letter of Intent confirming support in principle for the core commercial, capability, and community commitments. Provided in Schedule B6.
29/09/26	Email from NWML to all groups	NWML provided a link to the full application.

Table 36 Consultation with relevant iwi authorities, hapū and Treaty Settlement entities

In summary NWML has continued to seek engagement with all relevant iwi authorities, hapū and Treaty Settlement entities. NWML has entered into an Oati with Ngāa Marae o Tahinga and provided them with a Letter of Intent to formalise the gift of 20% of consented space. Ngāa Marae o Tahinga have responded with support in principle and a proposed pathway forward.

NWML has refined the scope of the application to remove Site D in recognition that engagement has not progressed to a similar stage with southern marae. NWML has also continued to keep Waikato-Tainui updated. NWML provided all parties with a letter summarising the updated application on 5 September and provided a link to the full application at the time of lodgement.

7.4 Relevant Applicant Groups with Applications for Customary Marine Title

For the purposes of the referral application NWML engaged with groups who had applications for customary marine title by emailing them copies of the draft application in June and inviting engagement in any format that they preferred. At the time of lodging the referral application in November, no specific responses had been received.

The list of relevant applicant groups has changed now that Site D has been removed from the proposal as set out in **Part 5** of the application. However, on 5 September NWML sent an email to all applicant groups previously contacted. That letter noted that that NWML have entered into an Oati with Ngāa Uri o Tahinga, that the scope has been refined to remove Site D and of the intention to lodge the application in mid-September. It is provided in **Schedule B4**.

NWML provided all relevant applicant groups with a link to the full application at the time of lodgement.

7.5 Relevant Administering Agencies

The referral decision lists the relevant administering agencies as the Ministry for the Environment¹⁰³ and the Department of Conservation (DOC). NWML consider that the Ministry for Primary Industries, both Fisheries New Zealand (FNZ) and Biosecurity New Zealand (BNZ) are relevant to this application.

At the time of lodging the referral application NWML and DOC had agreed to engage on a set of draft consent conditions (acknowledging that engagement does not signal support). NWML and FNZ had agreed to undertake further engagement during preparation of the substantive application with regard to marine mammals and FNZ had agreed to coordinate any further responses from BNZ.

The Minister for Oceans and Fisheries and Regional Development provided comments on the referral application acknowledging the project will improve mussel spat and seed supply, aligns with the Government's Aquaculture Development Plan and clearly aligns with the Government's ambitions to drive economic growth by doubling the value of New Zealand's exports by 2034.

The referral decision specified that the Panel must invite comments from the Minister for Trade and Investment.

¹⁰³ Now the Ministry for Cities, Environment, Regions and Transport

Table 37 provides an outline of consultation since then.

Date	Consultation	Discussion Points/Outcome
4/09/26	Letter from NWML to DOC and the Minister for Conservation	Letter informing DOC and the Minister that NWML have entered into an Oati with Ngaa Uri o Tahinga, that the scope has been refined to remove Site D and of the intention to lodge the application in mid September. Provided a copy of the draft Marine Wildlife Management Plan and the proposed consent conditions.
4/09/26	Letter from NWML to MPI (BNZ and FNZ)	Letter informing MPI that NWML have entered into an Oati with Ngaa Uri o Tahinga, that the scope has been refined to remove Site D and of the intention to lodge the application in mid September. Provided a copy of the draft Marine Wildlife Management Plan and the proposed consent conditions. Requesting that letter be shared with appropriate colleagues in BNZ and FNZ.
4/09/26	Letter from NWML to the Minister for Oceans and Fisheries	Letter informing the Minister that NWML have entered into an Oati with Ngaa Uri o Tahinga, that the scope has been refined to remove Site D and of the intention to lodge the application in mid September. Provided a copy of the draft Marine Wildlife Management Plan and the proposed consent conditions.
18/09/26	Letter from NWML to the Minister for Trade and Investment	Letter providing information to the Minister pertaining to the project's alignment with the Hector's and Maui Dolphin Threat Management Plan in the context of any potential implications for trade in the US under the United States Marine Mammal Protection Act import provisions.
18/09/26	Letter from NWML to the Minister for Economic Growth	Letter informing the Minister of the intention to lodge the substantive application and summarising the findings of the economic assessment.
21/09/26	Letter from NWML to the Minister for Māori Development	Letter informing the Minister of the intention to lodge the substantive application and summarising the opportunities for Māori development.
28/09/26	Email from NWML to all relevant administering agencies	NWML provided a link to the full application.

Table 37 Consultation with relevant administering agencies

In summary NWML has provided the relevant administering agencies with information pertaining to their respective portfolios and provided a link to the full application at the time of lodgement.

7.6 Other Consultation

At the time of lodging the referral application NWML had received letters of support from Pare Hauraki Kaimoana, the Coromandel Marine Farmers' Association and AQNZ. The AQNZ letter is provided in **Schedule C3**. NWML sent a letter to AQNZ on 18 September informing them of the intention to lodge the substantive application and summarising the findings of the economic assessment.

NWML sent a link to the full application to TOKM at the time of lodgement.

No other parties have been identified as potentially affected to the degree that would warrant pre-application consultation, but NWML remain open to engagement with any interested parties as appropriate.

7.7 Changes Made as a Result of Consultation

Five key changes have been made to the application since it was referred as a result of consultation as follows:

- The scope has been refined to remove Site D as a result of consultation with coastal hapū and in particular in recognition that an Oati has been agreed with Ngāa Marae o Tahinga whose rohe moana includes Sites A to C.
- As a result of the removal of Site D, the site closest to surf breaks, the hydrodynamic monitoring being carried out as conditions of consent will no longer inform development between stages.
- As a result of engagement with BNZ, NWML have updated the BMP including to reference relevant provisions of the BNZ guidance document, High Level Biosecurity Management Plans Shellfish.
- As a result of engagement with FNZ regarding alignment with the TMP, NWML have proposed a condition which enables WRC to review the consent conditions in the highly unlikely event of Māui dolphin entanglement.
- As a result of the CVIA provided by Ngaati Tahinga, NWML have proposed conditions requiring development of a Cultural Monitoring Plan.
- NWML and WRC have agreed the proposed set of consent conditions set out in **Schedule F**.

Part 8 Proposed Conditions

NWML are mindful that the application sites sit within Māui dolphin habitat and that the activity requires consistency with the fisheries objectives in the TMP. In recognition that there is remaining uncertainty about Māui dolphin presence in the vicinity of the sites, an adaptive management approach is proposed. NWML consider the proposed conditions allow for this approach to diminish risk and uncertainty because:

- There will be good baseline information about the receiving environment;
- The conditions provide for effective monitoring of adverse effects using appropriate indicators;
- Thresholds are set to trigger remedial action before the effects become overly damaging; and
- Effects that might arise can be remedied before they become irreversible.

Specifically, in relation to marine mammals, the proposed conditions require the following:

- One year of baseline passive acoustic monitoring prior to installing structures for Stage One (82 lines at Site C) to establish information on marine mammal occurrence and behaviour and further passive acoustic monitoring as determined by a marine mammal expert.
- Preparation of a Marine Mammal Management Plan in consultation with DOC and FNZ which identifies potential effects on marine mammals and sets out specific requirements to mitigate those effects including reporting and response protocols.
- Operation in accordance with that Marine Mammal Management Plan
- Operational monitoring including for interactions between marine mammals and farm infrastructure and vessels.
- Consultation with a marine mammal expert to assess the effectiveness of mitigation measures and

determine adverse effects on marine mammals to inform decisions on progression to Stages Two and Three.

- Operation in accordance with an Operational Management Plan which ensures structures are well maintained, kept tensioned and no debris is lost to the marine environment.
- The ability for WRC to review the conditions in the highly unlikely event that a Māui dolphin becomes entangled.

In relation to hydrodynamic effects, the proposed conditions require the following:

- The deployment of wave monitoring buoys prior to and during Stage One development to validate the hydrodynamic modelling.
- Satellite based shoreline monitoring after development of Stage One to determine any reduction of longshore transport.

In recognition of the ongoing relationship set out in the Oati with Ngaati Tahinga and recommendations in the Cultural Values Assessment, the proposed conditions require establishment of a Cultural Management Plan. Note that WRC and NWML agree that it is for Ngaati Tahinga to provide comment on these conditions.

Other relevant consent conditions include:

- Certification from a chartered marine engineer that the structures are sound.
- Benthic monitoring to determine whether there are any reefs in the vicinity and any extent of shell drop off beyond the farm boundaries.
- Operation in accordance with a Seabird Management Plan
- Operation in accordance with a Biosecurity Management Plan
- Operation in accordance with A+
- Payment of a bond.

NWML have prepared the proposed conditions in liaison with the Waikato Regional Council. These are provided in **Schedule F**.

Part 9 Conclusion

This substantive application is made by NWML for a coastal permit and associated aquaculture decision to establish and operate a 540 hectare Greenshell mussel spat and seed nursery across Sites A to C off the coast of Whaingaroa/Raglan. The proposal comprises conventional longline aquaculture infrastructure for spat catching, seed holding and transfer, developed in stages and supported by an integrated framework of proposed conditions, management plans, monitoring and adaptive management.

The project will enable a step change in productivity for New Zealand's Greenshell mussel industry by providing a plentiful and reliable source of resilient mussel spat and seed. The proposed sites have been selected following more than twelve years of research in the west coast Waikato environment and have demonstrated an unprecedented ability to catch and hold plentiful and resilient spat. The project will provide strategically important nursery capacity capable of supporting existing and consented farming space, associated processing infrastructure, employment and export returns.

Through the process of cultural engagement NWML have entered into an Oati with Ngaa Marae o Tahinga to establish an enduring partnership approach and refined the scope of the application so the sites solely within the rohe moana of those marae. NWML have committed to gifting Ngaa Marae o Tahinga 20% of the consented space as well as five installed lines and education, training and workforce capabilities.

Ngaa Marae o Tahinga have responded with appreciation of NWML's acknowledgement of their cultural, environmental, and customary responsibilities, and enduring kaitiakitanga across te taiao and Tangaroa.

Ngaa Marae o Tahinga have:

- Accepted the 20% space commitment and acknowledge that this voluntary commitment sits outside of the Crown's obligation for a further 20%.
- Accepted the transfer of five developed longlines installed during Stage One subject to finalising terms governing operational handover, maintenance, health and safety, and regulatory compliance.
- Welcomed the *'proactive framework to build practical industry knowledge and exposure for our people across nursery operations prior to broader commercial decision-making'*.
- Acknowledged NWML's commitment to *'prioritise notifications of employment opportunities and to work collaboratively on training-to-employment pipelines for our whaanau.'*

The project is consistent with the purpose of the FTAA. It will facilitate the delivery of critical aquaculture industry infrastructure that will provide significant regional and national benefits, including increased industry resilience and productivity, economic and employment benefits, food provisioning benefits, and support for Government and sector objectives to grow the value of New Zealand aquaculture. It is shovel ready, self-funded, and able to commence following the completion of baseline monitoring required by the proposed conditions.

The economic assessment finds that the nursery activity will generate total economic benefits of \$136.9 million over 30 years, with economic benefits outweighing economic costs, and will support around 1,938 job-years. The economic assessment also finds that **the facilitated aquaculture production and processing enabled by the supply of resilient spat and seed will generate gross economic benefits of \$3.2 billion over 30 years** and support between 48,547 and 56,672 job-years, although these benefits are subject to greater uncertainty, particularly in relation to the availability of processing infrastructure.

The assessment of environmental effects, informed by specialist technical assessments and associated peer reviews, concludes that actual and potential effects, including cumulative effects, will be no more than minor, subject to the proposed management and monitoring framework set out in the proposed conditions.

The proposed sites avoid mapped outstanding natural character, outstanding natural landscape, significant indigenous biodiversity, sites of significance to Māori, nationally significant surf breaks and swell corridors, marine reserves, mooring areas and navigable river mouths. Potential effects on marine mammals, including Māui dolphin, are addressed through staged development, baseline and ongoing monitoring, implementation of the MWMP, consultation with a suitably qualified marine mammal expert, and adaptive management.

Overall, the proposal is consistent with Part 2 of the RMA, and the relevant objectives and policies of the NZCPS and the decisions version of the PWRCP. While the activity is prohibited under the operative WRCP, the FTAA enables a substantive application to seek resource consent for a prohibited activity, and the circumstances that would require the application to be declined are not met.

For these reasons, NWML considers that the Panel can grant the coastal permit sought, subject to the proposed conditions. The proposal represents a well-researched, appropriately located and carefully managed response to a critical industry issue, and will deliver substantial and enduring regional and national benefits.

Schedule A

Maps and Plans Index

The following maps and plans are uploaded with the application as Schedule A.

Maps and Plans
Application Site Locations (Sites A to C)
Referral Decision Site Locations (Sites A to D)
Sites and Rows with Marine Chart Overlay
Sites and Rows with Proposed Waikato Regional Coastal Plan Overlays and Customary Fishing Areas
Site Layout Site A
Structure Layout Site A
Site Layout Site B
Structure Layout Site B
Site Layout Site C
Structure Layout Site C
Structure Cross Section and Detail

Schedule B

Cultural Engagement Index

The following cultural engagement documents are uploaded with the application.

Document	Date	Schedule
Ngaa Marae o Tahinga and NWML Oati	07/26	B1
Ngaa Uri o Tahinga Cultural Values Assessment	09/26	B2
NWML Letter of Intent for Ngaa Uri o Tahinga	09/26	B3
NWML Fast-Track Letter to Iwi Māori	09/26	B4
NWML Letter to Ngā Uri o Tamainupō ki Whaingaroa	09/26	B5
Ngaa Marae o Tahinga Response to NWML Letter of Intent	09/26	B6

Schedule C

Consultation Detail Index

The following consultation documents are uploaded with the application.

Document	Date	Schedule
Record of Previous Consultation Uploaded with the Referral Application	11/25	C1
Confirmation from WRC of No Competing Applications	08/26	C2
Letter of Support from Aquaculture New Zealand	02/26	C3

Schedule D

Technical Assessments Index

The following effects assessments are uploaded with the application.

Effect	Assessments	Date	Schedule
Economics	Economic Assessment, by Market Economics	09/26	DE1
Seabed, Water Column and Biosecurity	Baseline Survey, by NIWA.	04/17	DSWB1
	Ecological Assessment, by Coast and Catchment.	11/22	DSWB2
	Biosecurity Assessment, by Coast and Catchment.	08/22	DSWB3
	Peer Review of General Ecological Matters, by Pisces Consulting.	08/23	DSWB4
	Supplementary Baseline Survey, by Coast and Catchment.	04/24	DSWB5
	Peer Review of Supplementary Baseline Survey, by Pisces Consulting.	04/24	DSWB6
	Peer Review of Biosecurity Management Plan, by Coast and Catchment.	09/24	DSWB7
	Benthic Survey Recommendations, by Coast and Catchment.	07/26	DSWB8
Marine Wildlife	Marine Mammal Assessment, by Anemone.	12/22 updated 08/26	DMW1
	Peer Review of Marine Mammal Assessment, by SLR Consulting including Memo by Anemone in response.	08/23	DMW2
	Peer Review of Marine Wildlife Management Plan, by SLR Consulting.	03/24	DMW3
	Seabird Assessment, by Wildlands.	09/22	DMW4
	Initial Peer Review of Seabird Assessment, by Pisces Consulting.	08/23	DMW5
	Seabird Questions Responses, by Wildlands.	02/24 and 05/24	DMW6
	Final Peer Review of Seabird Assessment, by Pisces Consulting.	07/24	DMW7
Landscape and Natural Character	Initial Landscape and Visual Assessment, by Wayfinder.	12/23	DLNC1
	Response to Landscape Questions, by Wayfinder.	02/24	DLNC2
	Peer Review of Landscape and Visual Assessment, by Graham Mansergh Landscape Architects.	05/24	DLNC3
	Landscape and Visual Assessment Addendum with Site D Removed and Graphic Attachment, by Wayfinder.	09/26	DLNC4
Hydrodynamics	Hydrodynamic Assessment, by MetOcean (updated after Peer Review).	10/24	DH1
	Peer Review of Hydrodynamic Assessment, by Tonkin and Taylor.	10/24	DH2

Schedule E

Management Plans Index

The following management plans are uploaded with the application.

Management Plan	Reference
Operational Management Plan (OMP).	E1
Marine Wildlife Management Plan (MWMP).	E2
Biosecurity Management Plan (BMP).	E3

Schedule F

Proposed Consent Conditions

RESOURCE CONSENT

Resource Consent: XXXXX

File Number: 61 70 90A

Consent Holder: North Western Mussels Limited

C/- Gulf Mussels Limited

321 Tiki Quarry Road RD 1

Coromandel 3581

Consent Type: Coastal Permit

Consent Subtype: Occupation

Activity Authorised: To undertake mussel spat catching and nursery activities in the Tasman Sea off the coast of Raglan/Whāingaroa including use and maintenance of marine farming structures including navigational safety aids, occupation of the coastal marine area, and associated discharges, disturbances, and deposits.

Location: An area of the Tasman Sea in the west coast of the Waikato region, at least 3.1 km from the coastline, and generally between Te Hara Point in the south and Parikotuku Point in the north.

Map Reference: See Schedule 1 (survey plan and coordinates)

Site	Minimum Distance from Coast	Corner	Northing (NZTM)	Easting (NZTM)
A	4 km	NW	1749789	5839373
		NE	1751690	5839995
		SE	1752156	5838570
		SW	1750255	5837948
B	3.1 km	NW	1753370	5830665
		NE	1755282	5831252
		SE	1755722	5829818
		SW	1753810	5829231
		NW	1754536	5826283

Consent Duration: This consent will expire 35 years from the date of commencement under s116A RMA.

Subject to the Conditions Overleaf:

CONDITIONS

General

1. The activities authorised by this resource consent must be undertaken in general accordance with the application documentation for this resource consent and information that supported the application:
 - a) XXXXX (Application title, date, prepared by...;
 - b) Further information/technical reports...; and
 - c) Other

If there are any discrepancies or inconsistencies with the consent conditions and the aforementioned documents, the consent conditions will prevail.

2. This resource consent authorises:
 - a. Spat catching and mussel seed nursery activities of Greenshell mussels (*Perna canaliculus*) up to an average size of 70mm in length and maximum size of 90 mm in length; and
 - b. The construction, placement, use and maintenance of longline marine farming structures including anchors; and
 - c. The associated discharges, disturbances, and deposits; and
 - d. The occupation of 540 hectares of space in the coastal marine area (CMA), in three blocks, as shown on the attached survey plan and schedule of coordinates.
3. The consent holder must be responsible for all contracted operations relating to the exercise of this resource consent and must ensure operators and contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.

Lapse

4. This coastal permit will lapse, if not give effect to, within 3 years from the date of commencement.

Occupation Boundary and Area

5. The boundary of the marine farming space authorised under this resource consent, including all surface and subsurface structures, must be as shown on the survey plan and schedule of coordinates appended as Schedule 1 to this resource consent.
6. The consent holder must, if requested by the Waikato Regional Council (hereinafter referred to as the 'WRC') in writing, provide the following:
 - a. A survey plan prepared by a registered surveyor that defines the boundary of the marine farm (to an accuracy as stated in the request from the WRC); and/or
 - b. Global Positioning System (GPS) coordinates of the corner points of the marine farm (to an accuracy of at least plus or minus ten metres).

This information must be provided to the WRC no later than one month from the date of receipt of that request. Unless otherwise agreed in writing by the WRC, the survey plan must be in accordance with the Surveyor General's Rules for Cadastral Survey 2010-LINZS65000, or any regulations made in substitution thereof. The location coordinates are to be in Geodetic Datum 2000, New Zealand Transverse Mercator Projection.

Staging

7. The exercise of this coastal permit must be staged as follows:

- a. Stage One must be no more than 120 hectares including no more than 82 lines at Site C.
- b. Stage Two must be Stage One plus no more than 90 hectares including no more than 61 lines at Site A and no more than 90 hectares including no more than 61 lines at Site B.
- c. Stage Three must be Stage Two plus no more than 90 hectares including no more than 62 lines at Site A, no more than 90 hectares including no more than 62 lines at Site B, and no more than 60 hectares including no more than 41 lines at Site C.

Figure 1 Overview of Staging

		Stage One	Stage Two	Stage Three	Total
Site A	Area		90ha	90ha	180ha
	Rows		1.5	1.5	3
	Lines		61	62	123
Site B	Area		90ha	90ha	180ha
	Rows		1.5	1.5	3
	Lines		61	62	123
Site C	Area	120ha		60ha	180ha
	Rows	2		1	3
	Lines	82		41	123
Total	Area	120ha	180ha	240ha	540ha
	Rows	2	3	4	9
	Lines	82	122	165	369

8. Development of Stages Two and Three must not occur unless:
 - a. The consent holder has advised that the previous stage has been substantially completed and requested to progress to the next stage of development; and
 - b. The marine mammal monitoring required in accordance with condition 42 of this coastal permit for the relevant stage has been completed; and
 - c. A suitably qualified and experienced person has assessed the results from marine mammal monitoring carried out in accordance with condition 42 and advised on the level of effect on marine mammals as a result of marine farm activities during relevant development stages and whether progression to the next development stage will pose a no more than minor risk to marine mammals, and
 - d. WRC is satisfied that marine mammals will likely be protected during the next stage of development and has provided written confirmation that the next stage of development can progress.

Advice Note: For the purposes of condition 8 of this coastal permit, the term 'substantially completed' means 70% of the cumulative maximum of longlines authorised for the relevant stage of this coastal permit.

Structures

9. Within one month of erecting or changing any structures, the consent holder must provide WRC with a structures plan showing the details of the marine farming structures within the space authorised by this resource consent, and details of navigation lighting and marking. For the avoidance of doubt, the purpose of the structure plan is to provide information on the marine farming structures including details of lighting and anchoring.
10. Within one month of erecting the first longline structure and upon completion of each stage of development, the consent holder must provide the WRC with as-built plans and a statement by a chartered marine engineer confirming that the longline structures, including the anchoring and mooring warp systems, have been designed and constructed in accordance with sound engineering practice and to a design standard to withstand coastal processes occurring at the locations at full use capacity.
11. The consent holder must maintain all structures authorised by this resource consent to ensure that they are restrained, secure and in working order at all times so as to not create a navigational hazard or an entanglement hazard, and take whatever steps are necessary to ensure that the structural integrity of the farm is maintained at all times.
12. Should any part(s) of the marine farm's structures be lost into the CMA, they must, to the greatest extent practicable, be recovered by the consent holder. Where the recovered parts are deemed, by the consent holder, to be waste, they must be disposed of in accordance with condition 28e of this resource consent. Where the recovered parts can be reused on the marine farm, the consent holder must ensure that they are reinstalled in a manner that is consistent with condition 11 of this resource consent.
13. Should the lost part(s) of the structures authorised by this resource consent be of a size that could constitute a navigation hazard, the consent holder must:
 - a. Immediately notify the WRC Harbourmaster of the loss. For the purposes of this condition, the term 'immediately' means 'no longer than four hours after the consent holder becomes aware that part of the marine farm has been lost'.
 - b. Undertake all necessary steps to find the lost part(s) and once found, undertake all actions that are necessary to recover the part. Should recovery of the lost part not be practicable (in full or in part) the consent holder must take all actions that are necessary to ensure it does not constitute a navigation hazard; and
 - c. Inform the WRC Harbourmaster should the lost part(s) be recovered, or of the actions that have been undertaken to ensure that the lost part does not present a navigation hazard.
14. The notification required by condition 13(a) of this resource consent must be in writing and must state:
 - a. When the consent holder became aware that it had lost part of the marine farm;
 - b. The size and dimension of the part of the marine farm that has been lost;
 - c. The last known location of the lost part of the marine farm;
 - d. The efforts that are being undertaken by the consent holder to recover the lost part.
15. No rafting up of floats or storage of floats related to this marine farm must occur at or near the marine farm, for any period in excess of seven consecutive days.

Marking, Lighting and Floats

16. Marking and lighting must be in accordance with the "Marine farm guidelines: Aids to Navigation" (December 2018) issued by Maritime New Zealand (or any successor document) unless otherwise approved by Maritime New Zealand or the Harbourmaster under delegated authority in writing. Where a conflict exists between the "Marine farm guidelines: Aids to Navigation" and the conditions of this resource consent, the conditions will prevail.
17. Marking and lighting must include, as a minimum, corner and perimeter lights, orange buoys and reflectors.
18. For each stage of development, the boundaries of the area occupied by marine farm structures in each marine farm block must be marked and lit in accordance with authorisation(s) issued by Maritime New Zealand or the Harbourmaster under delegated authority. A copy of the authorisation must be provided to the WRC within ten working days of receipt.
19. All navigational marks and lights must be maintained to remain substantially upright and remain operational in all sea conditions reasonably anticipated at the site.
20. The end of every longline and the middle of each outer boundary longline must be marked with an orange float of a minimum diameter of 500 millimetres and reflectors unless otherwise approved by the Maritime New Zealand or the Harbourmaster under delegated authority in writing. Orange floats must be maintained in a condition that ensures the orange colour is readily visible.
21. For each stage of development, the boundaries of the area occupied by marine farm structures in each marine farm block must be clearly marked with the consent holder's name or consent number on all of the orange corner marker buoys, unless otherwise agreed in writing by the WRC.
22. Except for orange floats required for the purpose of navigational safety, the consent holder must ensure that all floats at the marine farm are of the same dark recessive colour.
Advice Note: For clarification, dark recessive colours do not include white, yellow or olive green.
23. Prior to each stage of development, the consent holder must notify the New Zealand Hydrographic Authority of Land Information New Zealand and provide information of any structures planned to be erected during that stage including timing and location. A copy of the notification must be provided to WRC within 10 working days of notification.

Discharges

24. There must be no discharges of contaminants such as oil, diesel, or petrol, to surface water or the coastal marine area as a result of the exercise of this resource consent, excluding any discharges associated with the normal operation of any vessel.
25. There must be no discharges of feed, medicinal or therapeutic compounds to the coastal marine area as a result of the exercise of this resource consent.
26. Inorganic waste discharges must be prevented.

Advice Note: Inorganic waste includes but is not limited to, any material used as part of the activity such as ties, rope, buoys, etc but does not include naturally occurring organic material generated by the activity.

Operational Management Plan

27. Prior to placing any structures in the water, the consent holder must submit to the WRC for approval in a technical certification capacity, an operational management plan (OMP). The basis of the WRC's

certification will be limited to a technical assessment as to whether or not the plan, and any updates to the plan, have been developed in sufficient detail so as to meet the plan's purpose. The placement of structures must only occur once the OMP is certified.

28. The purpose of the OMP is to describe the operational activities to achieve the conditions of this consent related to structural integrity, maintenance of all structures, noise management, loading and unloading facilities, discharges and waste management. The OMP must include the following, as a minimum:
- a. A schedule including minimum frequencies, of regular inspections including inspections of servicing and maintenance performance carried out on all structures, ropes, buoys and navigational aids;
 - b. Noise management details;
 - c. Description and location of loading and unloading facilities;
 - d. Procedures that will be followed to ensure that all waste from the activity is collected and transported in a safe manner to a site that is authorised for the disposal of such waste, including:
 - i. Details of best practice processes and procedures to prevent waste discharges to the coastal marine area during farming activities;
 - ii. Details of best practice processes and procedures to remove accidental waste discharges from the coastal environment including nearby beaches;
 - iii. Details of staff training and awareness;
 - iv. Details of how complaints will be recorded and responded to; and,
 - v. Details of record keeping and reporting of waste management practices and their effectiveness in achieving the purpose of this plan.
29. An updated OMP must be submitted by the consent holder for certification by no later than 30 September 2031 and at five yearly intervals thereafter, and within two months of any request from WRC. The certified plan and any subsequent certified updates must be implemented by the consent holder.
30. Any information recorded in accordance with the requirements in the OMP must be made available to the WRC within two weeks of a request in writing from the WRC.

Loading and Unloading

31. The consent holder must not use any part of the coastline within the WRC boundary as a loading/unloading facility for the operation of the marine farm unless that area is designed for the loading and unloading of cargo carried by sea.

Noise

32. The consent holder must adopt the best practicable option to ensure that the emission of noise from the operation of the farm does not exceed a reasonable level.
33. There must be no unreasonable noise on land from radios on vessels working at the marine farm, other than maritime radio for communication and maritime safety purposes.

Codes of Practice

34. The marine farm must be operated in general accordance with the industry best practice as documented in the Aquaculture New Zealand 'A+ Sustainable Management Framework for New Zealand Greenshell Mussels' (A+ Programme) or any successor document.

Where a conflict exists between the A+ Programme and the conditions of this resource consent, the conditions prevail.

35. The consent holder must provide an annual certificate of participation under the A+ Programme by 30 September of every year of operation, unless an alternative date is agreed in writing by WRC.

Marine Mammals

36. To minimise entanglement risk, the ropes catching and/or holding spat and mussel seed (dropper lines) must be looped; and weighted to achieve negative buoyancy.
37. All ropes at the marine farm must be tensioned to minimise the risk of entanglement.
38. Vessels travelling to and from the marine farms must travel at a speed of no more than 12 knots to minimise the risk of vessel strike.
39. At least three months prior to placing structures in the water, the consent holder must submit to WRC for approval in a technical certification capacity, a marine mammal management plan (MMMP) prepared by a suitably qualified and experienced person. The basis of the WRC's certification will be limited to a technical assessment as to whether or not the plan, and any updates to the plan, have been developed in sufficient detail so as to meet the plan's purpose. The placement of structures must only occur once the MMMP is certified.
40. The MMMP must be prepared in consultation with the Department of Conservation and Fisheries New Zealand (FNZ), must be based on the draft plan submitted with the application and must align with national guidelines produced by FNZ to minimise and mitigate the interactions between open ocean aquaculture and marine mammals. The guidelines identify that the main effects that need to be addressed include:
 - a. Attraction or avoidance, because marine farm structures represent a new physical, visual, or acoustic obstruction that marine mammals may choose to ignore, investigate, or avoid. Attraction might alter natural foraging and passage patterns, potentially lead to interactions and also to incidents.
 - b. Interactions with farm structures, defined as events when a marine mammal makes physical contact with the farm structure, which may lead to:
 - c. Incidents that cause injury (e.g., rope cut, abrasion), entrapment, or entanglement (live or fatal) of a marine mammal.
41. The purpose of the MMMP is to minimise the risk of potential adverse interactions of marine mammals with the activities related to the marine farm including stock, structures, equipment, and vessels. The plan must include the following:
 - a. Description of the marine mammals likely to occur in the area of the marine farm;
 - b. Description of potential adverse effects;
 - c. Critical periods for marine mammal occurrence (e.g., migration and calving periods);
 - d. Details of best practice management and procedures to minimise the risk of adverse interactions;

- e. Procedures if adverse interactions occur;
- f. Details of training for operational staff;
- g. A marine mammal monitoring plan.

An updated MMMP must be submitted by the consent holder for certification by no later than 31 September 2031 and at five yearly intervals thereafter, and within two months of any adverse marine mammal interactions. The updated MMMP must be submitted along with explanation by a suitably qualified and experienced person that the content of the MMMP remains appropriate to achieve the purpose of the plan. The certified plan and any subsequent certified updates must be implemented by the consent holder.

Any information recorded in accordance with the requirements in the MMMP must be made available to WRC within two weeks of a request in writing from WRC.

42. The consent holder must undertake marine mammal monitoring in accordance with the marine mammal monitoring plan for the purpose of:

- a. Establishing information on marine mammal occurrence and behaviour in the vicinity of the sites including travel routes
- b. Detecting and characterising interactions between marine mammals and farm infrastructure and vessels
- c. Assessing the effectiveness of mitigation measures
- d. Evaluating the monitoring information to determine adverse effects on marine mammals to inform decisions on progression between development stages of the farm.

The marine mammal monitoring plan must, as a minimum:

- a. State clear monitoring objectives, including:
 - i. Identifying and documenting which marine mammal species use the area and when
 - ii. Identifying, describing and documenting any interactions between marine mammals and marine farm structures and vessels
 - iii. Evaluating monitoring information and mitigation practices to inform decisions at each development stage of the marine farm.
- b. Specify how monitoring results will be used to inform management and development decisions, including:
 - i. How monitoring results will be used to assess whether effects on marine mammals are consistent with those anticipated in the application documentation
 - ii. How monitoring results will inform decisions to modify monitoring effort or methods (for example, increasing effort in particular seasons, or adding or retiring particular technologies)
 - iii. How monitoring will inform changes to mitigation measures
 - iv. How monitoring results will inform decisions on whether it is appropriate to proceed to subsequent development stages, in conjunction with other consent conditions.
- c. Specify the monitoring methods to be used (for example, visual observations, acoustic monitoring, fixed cameras, and operational sightings records) and outline, at a high level:

- i. Where monitoring will occur in relation to the marine farm and vessel travel routes
 - ii. How often monitoring will occur and at what times of year
 - iii. What core information will be recorded.
- d. Identify key monitoring metrics, including measures of:
 - i. Marine mammal presence and absence and general use of the area
 - ii. The frequency and nature of any observed interactions with marine farm structures or vessels
 - iii. Any observed or suspected entanglement, injury, or mortality.
- e. Set out how monitoring data will be recorded, summarised, and reported (including the timing and general content of regular reports), and how the results will be used:
 - i. To check whether effects are within those anticipated
 - ii. To inform any changes to the monitoring design
 - iii. To inform any changes to mitigation measures
 - iv. To inform decisions about progressing or modifying later stages of development.

Seabirds

- 43. Maintenance and harvest activities must only occur during daylight hours.
- 44. Vessels must travel at a speed of less than five knots within 200 metres of the shore and must maintain a distance of at least 100 metres from all rock stacks, islets and islands when enroute to or from any of the marine farm blocks.
- 45. At least three months prior to placing structures in the water, the consent holder must submit to WRC for approval, in a technical certification capacity, a seabird management plan (SMP) prepared by a suitably qualified and experienced person. The basis of the WRC's certification will be limited to a technical assessment as to whether or not the plan, and any updates to the plan, have been developed in sufficient detail so as to meet the plan's purpose. The placement of structures must only occur once the SMP is certified.
- 46. The purpose of the SMP is to minimise the risk of potential adverse interactions of seabirds with the activities related to the marine farm including stock, structures, equipment, and vessels. The plan must include the following:
 - a. Description of the seabirds likely to occur in the area of the marine farm;
 - b. Description of potential adverse effects;
 - c. Details of best practice management and procedures to minimise the risk of adverse interactions in accordance with the recommendations made in the application including further information detailed in condition 1(b) prepared by Wildlands (Ref:6972a), dated 31 May 2024 including management practices to achieve conditions 43 and 44;
 - d. Procedures if adverse interactions occur;
 - e. Programme for monitoring seabird interactions including record keeping and reporting procedures; and,
 - f. Details of training for operational staff.

47. An updated SMP must be submitted by the consent holder for certification no later than 30 September 2031 and at five yearly intervals thereafter, and within two months of a seabird entanglement. The updated SMP must be submitted along with explanation by a suitably qualified and experienced person that the content of the SMP remains appropriate to achieve the purpose of the plan. The certified plan and any subsequent certified updates must be implemented by the consent holder.

Any information recorded in accordance with the requirements in the SMP must be made available to the WRC within two weeks of a request in writing from the WRC.

Hydrodynamic Effects

48. Prior to and during Stage One development, the consent holder must undertake hydrodynamic monitoring to validate the wave transmission coefficient used in the analytical model for the assessment of hydrodynamic effects submitted in support of the consent application. The monitoring must include baseline monitoring prior to the placement and use of structures and impact monitoring following the deployment and use of the structures.

Advice Note: The analytical model is the model described in Appendix x of the application or detailed in condition 1(d) or else...

49. If the monitoring required by condition 48 identifies that more dissipation is occurring than was considered in the analytical model, the consent holder must update the risk assessment on the shoreline and surf breaks and undertake adaptive actions to ensure the level of effects are as originally modelled. The consent holder must provide information on the efficacy and effectiveness of the adaptive actions.
50. The consent holder must undertake satellite based shoreline monitoring when Stage One is fully developed, in accordance with the hydrodynamic monitoring plan, to determine whether, as a result of the placement and use of the marine farm structures for Stage One, there is a reduction of longshore transport and the shoreline is accreting locally in the lee of the Site C which would likely result in erosion elsewhere.
51. If the monitoring required by condition 50 identifies that the shoreline is accreting and/or eroding as a result of the marine farm structures the consent holder must describe the shoreline changes and resulting type and levels of effects, and undertake adaptive actions to ensure the level of effects are as originally modelled. The consent holder must provide information on the efficacy and effectiveness of the adaptive actions.

Advice Note: Adaptive actions include the reduction of marine farm lines and/or crop to lower density and associated drag.

52. The monitoring required by conditions 48 and 50 must be undertaken in accordance with a monitoring plan, approved by the WRC in a technical certification capacity. The basis of the WRC's certification will be limited to a technical assessment as to whether or not the monitoring plan, and any updates to the monitoring plan, have been developed in sufficient detail so as to meet the monitoring purpose. The monitoring plan must be prepared by a suitably qualified and experienced person and must include the following information, as a minimum:
- Monitoring objectives to achieve the monitoring purpose;
 - Monitoring details including location, frequency, timing, parameters to be measured, method of data collection and equipment for baseline and impact monitoring;
 - Data analysis and interpretation;
 - Provision of raw data to provide for re-analysis; and

e. Reporting.

53. The results of the monitoring must be interpreted and evaluated by a suitably qualified and experienced person and a monitoring report must be submitted to the Waikato Regional Council prior to progression of development to Stages Two and Three.

Benthic Monitoring

54. The consent holder must undertake benthic monitoring to determine the intensity and spatial extend of shell/crop drop-off beyond the farm block boundaries and associated effects on reefs that may be present within the area of shell/crop drop-off.
55. The monitoring required by condition 54 must be undertaken in accordance with a monitoring plan, approved by the WRC in a technical certification capacity. The basis of the WRC's certification will be limited to a technical assessment as to whether or not the monitoring plan, and any updates to the monitoring plan, have been developed in sufficient detail so as to meet the monitoring purpose. The monitoring plan must be prepared by a suitably qualified and experienced person and must include, as a minimum:
- a. Monitoring objectives to achieve the monitoring purpose;
 - b. Monitoring details including location, frequency, timing, parameters to be measured, method of data collection and equipment for baseline and impact monitoring;
 - c. Data analysis and interpretation;
 - d. Provision of raw data to provide for re-analysis; and
 - e. Reporting.

Biosecurity

56. No wild spat other than spat collected on the marine farm structures must be introduced onto the farm.

Advice Note: For clarity, wild stock does not include spat sourced from a hatchery.

57. The consent holder must clean and store, for a minimum period of 12 weeks, any used ropes prior to deployment at the farm unless the ropes have only been used within the coastal marine area on the west coast of the Waikato region.
58. The consent holder must clean and decontaminate any used impermeable equipment prior to use or deployment at the farm unless the equipment has only been used within the coastal marine area on the west coast of the Waikato region.

Advice Note: Impermeable equipment includes equipment such as floats.

59. At least three months prior to placing structures in the water, the consent holder must submit to the WRC, for approval in a technical certification capacity, a biosecurity management plan (BMP) prepared by a suitably qualified and experienced person. The basis of the WRC's certification will be limited to a technical assessment as to whether or not the plan, and any updates to the plan, have been developed in sufficient detail so as to meet the plan's purpose. The placement of structures must only occur upon certification of the BMP.
60. The purpose of the biosecurity management plan is to minimise the risk of introducing, exacerbating and spreading disease, unwanted marine organisms or pest species. The plan must be in general accordance with the biosecurity management plan submitted with the application and must include the following:

- a. Description of the biosecurity and disease risks related to the marine farm
 - b. Details of diseases, marine pests, unwanted and notifiable organisms and marine fouling organisms identified by the Ministry for Primary Industries, WRC and the marine farming industry for the area of operation including transport pathways and whether they are known to spread via fragmentation
 - c. Details of best practice farm management (including stock, equipment and vessels) including management practices to achieve conditions 56 to 58 and methods for removing biofouling from moveable and fixed structures to minimise the risk of introducing, exacerbating and spreading diseases and species of concern
 - d. Protocols to ensure that any hatchery stock introduced to the farm is introduced in a biosecure manner
 - e. Procedures (including disposal protocol and notification of relevant authorities) if any new disease or new or unwanted organisms or species of concern have been detected in the area of operation
 - f. Details of training for operational staff on biosecurity and disease management, requirements and responsibilities
 - g. Programme for monitoring for diseases and marine pests including identification, record keeping and reporting procedures.
61. An updated BMP must be submitted by the consent holder for certification no later than 30 September 2031 and at five yearly intervals thereafter, and within two months of the identification of a new disease, pest or unwanted marine organism in the coastal marine area on the west coast of the Waikato region. The updated BMP must be submitted along with explanation by a suitably qualified and experienced person that the consent of the BMP remains appropriate to achieve the purpose of the plan. The certified plan and any subsequent certified updates must be implemented by the consent holder.

Any information recorded in accordance with the requirements in the BMP must be made available to the WRC within two weeks of a request in writing from the WRC.

Cultural Management Plan¹⁰⁴

62. Prior to placing any structures in the water, the consent holder must confirm in writing to the Waikato Regional Council (WRC) that it has established a Cultural Management Plan (CMP) with Ngaati Tahinga (Ngaa Uri o Tahinga), setting out the basis on which the consent holder and Ngaati Tahinga will maintain an ongoing relationship in respect of the exercise of this resource consent.
63. The CMP is a matter to be negotiated and agreed directly between the consent holder and Ngaati Tahinga. For the avoidance of doubt, the content, form, scope, and administration of the CMP is not subject to certification, approval, or enforcement by WRC. WRC's role is limited to receiving written confirmation that a CMP has been established between the parties.
64. The CMP may address such matters as are agreed between the consent holder and Ngaati Tahinga as reasonable and appropriate to the scale and nature of the activity, which may include, at a high level and by way of example only:

¹⁰⁴ Note that WRC and NWML agree that it is for Ngaati Tahinga to comment on these conditions

- a. A cultural monitoring programme, which may incorporate whaanau led observation, maatauranga Maaori, and cultural indicators alongside relevant scientific and environmental information;
 - b. Arrangements for the consent holder to provide Ngaati Tahinga with reasonable access to information relevant to monitoring the activity;
 - c. A process for Ngaati Tahinga to raise concerns and for the parties to consider and respond to matters identified through cultural monitoring, including any agreed adaptive management approach;
 - d. Arrangements for resourcing Ngaati Tahinga participation, monitoring, and reporting activities under the CMP;
 - e. Protocols for the ownership, protection, and appropriate use of any maatauranga Maaori or cultural information generated or shared under the CMP;
 - f. A process for reviewing the CMP over time, including in the event of any proposed change, expansion, or renewal of this consent; and
 - g. Any other matters agreed between the consent holder and Ngaati Tahinga relating to the exercise of kaitiakitanga in respect of the activity.
65. If, as at the date structures are first placed in the water, the consent holder and Ngaati Tahinga have not reached agreement on a CMP despite reasonable and good faith efforts, the consent holder must provide WRC with a written record of the engagement undertaken to date, and may proceed to place structures on the basis of that record. Nothing in this condition prevents the consent holder and Ngaati Tahinga from continuing to negotiate and adopt a CMP, or from amending an existing CMP, at any later time during the term of this consent.

Advice Note: This condition is intended to ensure that a mechanism exists for an ongoing cultural relationship to be established prior to construction, consistent with the matters raised in the Ngaati Tahinga Cultural Values Impact Assessment. The specific design, methodology, resourcing and governance arrangements of that relationship, including any cultural monitoring programme, are intentionally left to agreement between the consent holder and Ngaati Tahinga, reflecting their respective knowledge of what is reasonable and practicable, rather than being prescribed or enforced by WRC

Removal of Unused and/or Abandoned Structures

66. The consent holder must inform the WRC as soon as practicable should the marine farming operation cease within all or part of the space authorised by this resource consent. Unless otherwise agreed in writing by the WRC, the structures authorised by this resource consent, except anchors, must be removed and suitably disposed of at an approved land based disposal facility within one year of the date of ceasing to farm the area or earlier if the marine farming structures are not being maintained, or at the expiry, lapse, cancellation or surrender of this resource consent.
67. Any removal of structures upon expiry of this resource consent must not apply where the consent holder has applied to the WRC pursuant to s 165ZH of the Resource Management Act 1991 or any successor regulation, to replace this resource consent and a final decision on the application has not been determined.

Bond

68. Prior to the establishment of each long line, the consent holder must provide a legally enforceable bond made payable to the WRC. The bond must be for the purpose of removing and disposing of marine farming structures in accordance with condition 66 in the event of default by the consent holder. The bond must be in a form approved by the WRC and must be on the terms required by the WRC. Unless the bond is a cash deposit, the performance of the bond must be guaranteed by a guarantor which is acceptable to the WRC. The guarantor must bind itself to pay for, or, if no payment is made, undertake the work necessary for the carrying out and completion of any works to ensure compliance with condition 66 of this resource consent in the event of any default of the consent holder. Alternatively, the bond requirement may be met by a legally enforceable industry pooled fund and/or security scheme which has been approved by the WRC.
69. The bond amount will be set by WRC and reviewed including an inflation adjustment in 2031, and every 10 years thereafter. The consent holder must propose a bond sum in 2030, and every 10 years thereafter, by providing an estimate for the removal and disposal of the structures from an independent and suitable person experienced in removing and disposing of coastal structures.
70. Unless the WRC agrees to an earlier release, the consent holder must maintain the bond in favour of the WRC until two years after the expiry of this resource consent. Where the consent holder has applied to the WRC pursuant to s 165ZH of the Resource Management Act 1991, or any successor regulation, to replace this resource consent, the consent holder must maintain the bond in favour of the WRC until one year after the decision including decisions on subsequent appeals or until the bond for the new consent has been executed. There must only be one bond for the authorised structures at any one time. The bond may be varied or cancelled at any time by agreement in writing between the consent holder and the WRC.
71. The transfer of this resource consent is subject to the transferee providing a bond on the same terms as the existing bond, unless otherwise approved by the WRC in writing. In the case of any transfer in part or in whole to another person, the bond lodged by the transferor must be retained until any outstanding work at the date of transfer is completed to ensure compliance with condition 68 of this resource consent.
72. Should WRC undertake any work in relation to the preparation, administration and execution of the bond, the costs will be recovered from the consent holder.

Review

73. The WRC may, within 3 months either side of date and at five yearly periods thereafter and within 6 months of a request to progress to the next stage of development and within 6 months after a Māui dolphin entanglement, serve notice on the consent holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent. The review will be for the following purposes:
 - a. To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; and/or
 - b. For any discharges, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; and/or
 - c. To review the adequacy of and the necessity for monitoring undertaken by the consent holder.

74. Within twelve months of the notification of a proposed regional coastal plan or regional coastal plan change and within twelve months of a regional coastal plan or plan change becoming operative, the WRC may serve notice on the consent holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the purpose of ensuring that the consent is consistent with the provisions of the notified or operative plan or plan change.
75. Within twelve months of a national environmental standard or a national environmental policy statement becoming operative, the WRC may serve notice on the consent holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the purpose of ensuring that the consent is consistent with the provisions of the national environmental standard or national environmental policy statement.

Advice Notes

General

1. The consent holder may apply to change the conditions of this resource consent under s127 of the RMA or the Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020.
2. The consent holder is advised that they have a general duty under s17(1) of the RMA to avoid, remedy or mitigate any adverse effect on the environment arising from the marine farming activity.
3. The consent holder has a preferential right to apply for a replacement resource consent under section 165ZH RMA.

Extent of Occupation

4. This resource consent does not grant exclusive occupation rights to the consent holder. The consent holder may not occupy the coastal marine area outside the space authorised by this resource consent.

Structural Integrity

5. A separate resource consent may be required as a result of the need to undertake additional works. Any such consent must be obtained by the consent holder at their sole expense prior to any works being undertaken.

Administration

6. The reasonable costs incurred by WRC arising from supervision and monitoring of this resource consent will be charged to the consent holder (s36 of the RMA). This may include, but not be limited to, routine inspection by WRC officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the marine farm, and review and assessment of compliance with the conditions of consent.

Schedule G

Planning Assessment

1.0 Introduction

The project is for a resource consent that would otherwise be a prohibited activity under the Resource Management Act (RMA) pursuant to rule 16.5.6 of the operative Waikato Coastal Regional Plan (WRCP). The decisions version of the Proposed Waikato Regional Coastal Plan (October 2025) (PWRCP) provides for the application as a discretionary activity under rule AQA-R7, however the PWRCP is currently under appeal in the Environment Court meaning the prohibited activity status remains in place at the time of this application.

Section 42(5) of Fast-track Approvals Act (the Act) allows a substantive application to seek resource consent for a prohibited activity under the RMA.

Schedule 5 of the Act requires a consent application to include an assessment against sections 5, 6 and 7 of the Resource Management Act (RMA), this is provided in Section 2.0 below. Schedule 5 also requires assessment against relevant provisions of planning instruments including national environmental standards, national policy statements, the New Zealand Coastal Policy Statement (NZCPS), regional policy statements, plans, and planning documents recognised by iwi authorities and lodged with local authorities. An assessment against the NZCPS is provided in **Section 3.0**, assessments against the Waikato Regional Policy Statement, the WRCP and the PWRCP are set out in **Section 4.0** and assessments against relevant iwi management plans are set out in **Section 5.0**.

Where relevant the experts and/or peer reviewers undertaking technical assessments have included assessments of the proposals against the relevant policies in the NZCPS and/or WRCP/PWRCP. These findings are set out in **Section 6.0**

Taken overall, while the proposal constitutes a prohibited activity under the WRCP, it is consistent with the PWRCP and the NZCPS. More importantly, the proposal is also consistent with the purpose of the FTAA in that any adverse impacts can be appropriately managed through project design, avoidance measures, mitigation, monitoring and proposed conditions and are not out of proportion to the project's significant regional and national benefits.

2.0 Resource Management Act

2.1 Section 104

Part 6, Section 104 of the RMA lists the matters that a consent authority must, subject to Part 2, have regard to when considering an application for a resource consent. It states:

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–*
- (a) any actual and potential effects on the environment of allowing the activity; and*
 - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the*

environment that will or may result from allowing the activity; and

(b) any relevant provisions of—

(i) a national environmental standard:

(ii) other regulations:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement:

(v) a regional policy statement or proposed regional policy statement:

(vi) a plan or proposed plan; and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application’.

Applications for resource consent under the Fast-track Approvals Act are not required to meet the requirements of Section 104. Nevertheless, consistent with Section 104 (1)(a), the actual and potential effects on the environment associated with the establishment, operation and maintenance of the proposed activities, are set out in **Part 4** of the application and the relevant technical assessments referenced in **Part 6** and **Schedule D**. In accordance with Section 104 (1)(b), consistency with the relevant provisions of relevant policy statements, plans and proposed plans are set out below.

2.2 Part 2

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and their communities to provide for their social, cultural, and economic wellbeing, while avoiding, remedying or mitigating adverse effects on the environment. Section 6 sets out the matters of national importance that are to be recognised when managing the use, development, and protection of natural and physical resources. Section 7 sets out the matters to which decision makers must have regard and Section 8 requires the Treaty of Waitangi to be taken into account.

Provision	Assessment
Section 5(1): Sustainable management	• The proposal provides for the use and development of coastal space and associated natural and physical resources for a Greenshell mussel spat catching and seed nursery. • It will maintain and improve the productive capacity and resilience of an established regional primary industry that is currently constrained by unreliable spat supply and reduced spat retention. • The application identifies that the nursery could support spat and seed supply for a substantial proportion of North Island mussel production, help secure existing farming, processing and employment capacity, and provide wider regional and national economic benefits. • The economic benefits are regionally significant and include direct economic benefits for Ngāti Tahinga. • The proposal therefore enables people and communities to provide for their social, economic and cultural wellbeing.

Section 5(2)(a): Sustaining the potential of natural and physical resources to meet reasonably foreseeable needs of future generations	• The proposal is intended to improve the long term resilience of the mussel industry by diversifying access to spat and enabling seed to be held and grown in cooler west coast waters before transfer to grow-out farms. • The activity uses conventional, removable longline infrastructure and does not involve permanent reclamation or irreversible modification of the coastal environment. • The site selection process has identified locations with consistently high spat catch, survival and growth, proximity to Whāingaroa/Raglan Harbour, and suitable access to land based services and infrastructure. • The proposed staged development, monitoring, adaptive management and review mechanisms provide safeguards to ensure that use of the coastal marine area remains within environmental limits over the consent term. • The gift of 20% of consented space will enable Ngāti Tahinga to provide for future generations.
Section 5(2)(b): Safeguarding the life-supporting capacity of air, water, soil and ecosystems	• The technical assessments conclude that the predicted effects of the nursery on water column processes, benthic ecology, hydrodynamics, seabirds, biosecurity, navigation, recreation and landscape/natural character values are no more than minor, subject to the proposed management measures and conditions. • The proposal avoids known reefs, including Jackson’s Reef, and the three application sites avoid mapped outstanding natural character areas, sites of significance to Māori, significant indigenous biodiversity areas, nationally significant surf breaks and swell corridors, marine reserves, mooring areas and navigable river mouths identified in the decisions version of the PWRCP. • The ecological evidence indicates that the seabed beneath the sites is suitable for the proposed activity and does not contain identified significant habitats or species. • Staging, baseline monitoring, ongoing marine mammal monitoring, hydrodynamic and shoreline monitoring where required, and the OMP, MWMP and BMP provide a framework to confirm predictions and manage effects within appropriate limits.
Section 5(2)(c): Avoiding, remedying or mitigating adverse effects on the environment	• The sites are located several kilometres offshore, away from known reefs and from the coastal edge, and are configured in rows to retain passage through and around the sites. • Potential effects are further avoided, remedied or mitigated through the use of conventional, low profile tensioned longline infrastructure; navigational marking and lighting; staged development, an OMP, MWM and BMP, baseline and operational monitoring, adaptive management responses and proposed review conditions. • No biodiversity offsetting or compensation is relied on or proposed.
Section 6(a): Preservation of natural character of the coastal environment, including the coastal marine area, and	• The proposal will introduce longline structures, floats and navigational lighting into an open coast environment with high natural character values. The landscape and natural character assessment concludes that effects are low overall, with the principal potential effect being a limited change to experiential values, particularly remoteness and isolation. • The application sites are located offshore and outside mapped areas of outstanding natural character in the PWRCP.

protection from inappropriate subdivision, use and development	The proposed structures occupy a small component of the wider seascape, do not involve development on the coastal edge, and do not affect the biophysical coastal processes or the principal landform values of the adjacent coast. On this basis, the proposal is not inappropriate development and is consistent with Section 6(a).
Section 6(b): Protection of outstanding natural features and landscapes from inappropriate subdivision, use and development	- The application sites avoid mapped outstanding natural landscape and outstanding natural feature areas identified in the decisions version of the PWRCP. Site D, which partly overlapped an outstanding natural seascape overlay, has been removed from the proposal. - The landscape assessment identifies no physical effects on notable landforms, geological features, or the biophysical and associational values of the adjacent landscape. - Any potential effect is limited to low level experiential effects associated with distant marine farm infrastructure, principally in relation to perceived remoteness. - The proposal is therefore consistent with the protection of outstanding natural features and landscapes from inappropriate development.
Section 6(c): Protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna	- The principal Section 6(c) issue is the potential effect on significant habitats of indigenous fauna, including the broader habitat of Māui dolphin and relevant seabird values. - The application sites avoid mapped significant indigenous biodiversity areas and known reef habitat. - The marine mammal assessment concludes that, with the MWMP, monitoring and staged development, effects on marine mammals, including Māui dolphin, are expected to be no more than minor. - The relevant peer review identifies the need for careful application of the avoidance direction in NZCPS Policy 11, particularly in relation to threatened species and protected areas. - The proposal responds by providing a precautionary framework comprising baseline information, a staged pilot, expert input, monitoring, operational protocols, and review. - The seabird assessment identifies neutral overall effects, with potential positive habitat related effects, and the benthic and water column assessments do not identify significant habitats beneath the proposed sites. - On the assessments presently available, the proposal is capable of being undertaken in a manner that protects significant habitats, subject to the comprehensive set of consent conditions, including the MWMP, staging and review.
Section 6(d): Maintenance and enhancement of public access to and along the coastal marine area	- The proposal is located several kilometres offshore and does not impede public access to or along the shoreline. - NWML does not seek exclusive occupation other than the practical exclusion necessary in the immediate vicinity of the physical farm structures for safety and operational purposes. - The farm layout is intended to enable passage through and around the sites, subject to normal navigational safety requirements. - The activity will therefore maintain public access to and along the coastal marine area.

Section 6(e): Relationship of Māori and their culture and traditions with ancestral lands, water, sites, wāhi tapu and other taonga	• The application recognises the enduring relationship of tangata whenua with the coastal environment, including the importance of mauri, kaimoana, customary use, cultural authority and intergenerational stewardship. • NWML has undertaken engagement with relevant iwi authorities, hapū, Treaty settlement entities and Marine and Coastal Area (Takutai Moana) Act applicant groups. • Engagement with Ngaati Tahinga has resulted in an Oati that establishes an enduring relationship based approach, and a Letter of Intent to gift 20% of any consented space. This sits outside the Crown's aquaculture settlement obligation. • The proposal has been refined to exclude Site D, in part because engagement with the relevant mana whenua interests for that site had not reached an equivalent stage. • The Oati provides for continuing engagement, cultural input and appropriate responsiveness through the life of the consent.
Section 7(a): Kaitiakitanga	• Kaitiakitanga is recognised through the Oati with Ngaati Tahinga, and the management of effects on marine water, kaimoana, biodiversity and customary interests. • The Oati provides a practical mechanism for Ngaati Tahinga participation in the project and for the relationship to remain active as the proposal progresses. • The management framework, particularly the staged development, environmental monitoring, MWMP, BMP and OMP, also provides a basis for the exercise of kaitiakitanga in relation to the ongoing management of the coastal environment.
Section 7(b): Efficient use and development of natural and physical resources	• The proposal makes use of a location demonstrated through twelve years of research to provide consistent spat catch, survival and growth. • It is close to Whāingaroa/Raglan Harbour and associated land based access, services and infrastructure. • The scale of the three sites and the proposed longline layout are intended to provide sufficient production capacity to create a commercially viable and resilient source of spat and seed, while retaining access through and around the sites and avoiding identified sensitive overlays. • The proposal is therefore an efficient use and development of coastal space and related infrastructure.
Section 7(c): Maintenance and enhancement of amenity values	• The proposal will introduce offshore structures and lighting that may be perceived from particular locations and by users at sea. • The landscape and visual assessment finds that amenity effects are low, because the sites are distant from the coast, are generally of limited visibility from land, and do not change the dominant high energy coastal landforms and open seascape character. • The most notable potential effect is a limited reduction in perceived remoteness and darkness in some circumstances.
Section 7(d): Intrinsic values of ecosystems	• The proposal has been assessed for effects on water column, benthic habitat, seabirds, marine mammals, seabirds, biosecurity and hydrodynamics. The assessments find the activity will have no more than minor effects on these values, subject to the proposed management framework.

Section 7(f): Maintenance and enhancement of the quality of the environment	• The proposal is designed as a low impact, passive longline operation. Predicted discharges and sedimentation effects associated with the holding and harvesting of spat and seed are localised and transitory, with no more than minor effects on water quality or the seabed anticipated. • The OMP and BMP, together with monitoring and review conditions, provide an integrated framework to maintain environmental quality. • The application also identifies that mussel farming may provide ecosystem services, although this potential benefit is not relied upon to offset adverse effects.
Section 7(g): Any finite characteristics of natural and physical resources	• The coastal marine area has finite capacity to accommodate structures, assimilate discharges, support indigenous biodiversity and provide for overlapping customary, recreational, commercial and navigational interests. • The proposal addresses those constraints by selecting sites away from identified sensitive features, reducing the project from four sites to three, using a staged approach, avoiding exclusive occupation beyond that necessary for the structures, and applying monitoring and adaptive management. • Those measures recognise that the capacity of the receiving environment and coastal space must not be exceeded.
Section 8: Treaty of Waitangi	• The proposal has been developed through engagement with relevant iwi and hapū, including Ngaati Tahinga, and through assessment of relevant iwi management plans. The Oati, proposed gift of 20% of consented space, removal of Site D, ongoing engagement commitments and the opportunity for cultural input to management arrangements are material ways in which the proposal seeks to recognise partnership, active protection and rangatiratanga. • NWML recognises that it is for tangata whenua to determine alignment with Section 8.
Overall Part 2 conclusion	• The proposal enables significant social, economic and cultural benefits associated with a resilient and productive mussel spat and seed supply, while providing a comprehensive set of conditions to avoid, remedy or mitigate adverse effects. • The activity has a functional and operational need to be located in the coastal marine area. • Subject to the proposed conditions—particularly staged development, monitoring, adaptive management, the MWMP, OMP, BMP, navigational requirements and continuing tangata whenua engagement—the proposal is considered consistent overall with Sections 5 to 8 of the RMA.

2.3 Part 3

Part 3 Section 12 sets out the requirement for a resource consent for the activities to be carried out in the coastal marine area. This application is for such a consent. While Section 12(3) precludes an activity that contravenes a rule in a regional coastal plan, and the relevant regional coastal plan (the WRCP) makes the application a prohibited activity, Section 42(5)(a) of the FTAA provides for a substantive application to seek approval for a prohibited activity. This application does not involve the discharge of contaminants into the environment under Part 3 Section 15 of the RMA.

Part 3 Section 16 sets out a duty to avoid unreasonable noise. Noise effects have been assessed as no more

than minor. Part 3 Section 17 sets out a duty to avoid, remedy or mitigate adverse effects. This application includes a comprehensive assessment of environmental effects. Where relevant NWML have proposed mitigations are set out in the proposed conditions and the proposed management plans. Subject to the implementation of those measures, NWML considers that the adverse effects of the activity will be appropriately avoided, remedied or mitigated, consistent with Section 17.

3.0 New Zealand Coastal Policy Statement

The NZCPS came into effect in 2010 and was reviewed in 2025. Its purpose is to state policies in order to achieve the sustainable management of natural and physical resource in relation to the coastal environment of New Zealand. The 2025 review broadened Policy 8 Aquaculture to recognise its ecological, cultural, social and economic benefits including any available assessments of national and regional benefits.

Relevant provisions	Purpose and direction	Assessment
Objective 6; Policy 6; Policy 8 (aquaculture, appropriate use and development)	These provisions recognise that protection of coastal values does not preclude use and development in appropriate places, forms and limits. They recognise that some activities have a functional need to locate in the coastal marine area and direct recognition of aquaculture's significant existing and potential contribution to social, economic and cultural wellbeing. Policy 8 also directs provision for aquaculture in appropriate places, taking account of its environmental benefits, including national and regional economic benefits.	• The proposal provides strategically important spat catching and nursery infrastructure for the Waikato mussel industry. It is intended to address the current shortage and unreliability of spat and seed supply, secure existing investment in farming and processing, support employment and facilitate increased mussel production. • The economic assessment finds that the project's direct/immediate benefits are material and positive and outweigh the economic costs. The facilitated benefits are regionally significant. • The project's own economic footprint generates substantial economic impacts, with total GDP impacts estimated at \$144.9 million (2%) and \$45.4 million of income returned to households. • Facilitated production impacts will deliver the largest positive economic impacts with total GDP impacts of \$3.4 to \$3.9 billion (2%) and income of \$1.6 to \$2.1 billion. • The project itself will support 1,938 job-years and the facilitated activity will support between 48,547 and 56,672 job-years across the wider economy. • The project will deliver between \$5.4 and \$12.2 million over the 30 year project life to Ngāti Tahinga. • The economic assessment quantifies direct benefits from the nursery and wider facilitated benefits associated with enabling existing and future mussel production. • The proposal has a functional and operational need to occur in the coastal marine area, because it depends on

		natural settlement and marine holding of spat in suitable west coast water conditions. • It has been sited following long term research into spat catch, survival, growth, access and operational viability, and the scale is intended to produce a commercially viable and resilient supply. • The proposal is therefore consistent with the enabling direction of Objective 6, Policy 6 and Policy 8.
Objective 1; Policy 3; Policy 6 Integrated management and precaution	Objective 1 seeks to safeguard the integrity, form, functioning and resilience of the coastal environment and to sustain ecosystems, including by maintaining natural biological and physical processes, protecting significant ecosystems and biodiversity, and maintaining coastal water quality. Policy 3 requires a precautionary approach where effects are uncertain, unknown or little understood but potentially significantly adverse.	• The application is supported by assessments of water column and benthic effects, hydrodynamics, marine mammals, seabirds, biosecurity, landscape and natural character, navigation, fisheries and recreation. • The proposal is low intensity and involves passive, largely submerged and tensioned longline structures. Nevertheless, the setting is an open west coast environment and includes marine mammal values, including Māui dolphin habitat, requiring a precautionary management response. • The proposed staged development is central to that response. It provides for baseline monitoring, ongoing marine mammal monitoring, and expert advice prior to developing further stages. • The OMP, MWMP, BMP and proposed monitoring and review conditions are intended to ensure that the activity remains within environmental limits and that any unexpected effects can be responded to. • This is an appropriately precautionary approach for the proposal.
Objective 3; Policy 2 Tangata whenua, Treaty principles and kaitiakitanga	Objective 3 seeks to take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki, and provide for tangata whenua involvement in coastal management. Policy 2 directs recognition of the ongoing and enduring relationship of tangata whenua with lands, rohe and resources; meaningful relationships between tangata whenua and those exercising statutory functions; incorporation of mātauranga	• NWML has engaged with relevant iwi authorities, hapū, Treaty settlement entities and MACA applicant groups. • NWML have entered into an Oati with Ngaati Tahinga, whose rohe moana includes Sites A–C, establishing an enduring relationship based approach and providing for a gift of 20% of any consented space. • The project has also been refined to exclude Site D, in circumstances where engagement with relevant mana whenua interests was not sufficiently advanced. • The proposal acknowledges the importance of mauri, kaimoana, customary access and use, and the role of tangata whenua in the ongoing management of the coastal environment. • NWML recognises that it is for tangata whenua to determine alignment with these provisions.

	Māori; and protection of coastal characteristics of special value to tangata whenua.	
Objective 1; Policy 11 Indigenous biodiversity and ecosystems	Policy 11 requires protection of indigenous biological diversity in the coastal environment. It directs avoidance of adverse effects on specified categories of significant indigenous biodiversity, including threatened taxa and areas set aside for protection, and avoidance of significant adverse effects and avoidance, remediation or mitigation of other adverse effects on other indigenous biodiversity.	• The application avoids mapped significant indigenous biodiversity areas and known reef habitat, including Jackson's Reef. • The benthic and water column assessments identify the proposed seabed and water column environment as suitable for the activity and do not identify significant benthic habitats beneath the proposed sites. • Seabird effects are assessed as neutral overall, with potential habitat related benefits in some circumstances. • The key issue is marine mammals, particularly as the wider area is recognised as habitat for Māui dolphin and the relevant NZCPS avoidance direction must be carefully addressed. • The marine mammal assessment concludes that effects will be no more than minor with a MWMP, monitoring and staged development. The relevant safeguards are the siting and farm design, staged development, operational protocols, marine mammal monitoring, and progression of future stages in consultation with a marine mammal expert. • On that basis, the proposal is capable of protecting indigenous biodiversity in accordance with Policy 11.
Objective 1; Policy 12 Biosecurity and harmful aquatic organisms	Policy 12 directs regional policy statements and plans to provide for control of activities that could cause harmful aquatic organisms to be released or spread, and for consent conditions, where relevant, to manage that risk.	• The proposal involves farm structures, stock movement, vessel activity and equipment that could create biosecurity risks if not appropriately managed. • The biosecurity assessment concludes that effects can be managed to no more than minor through implementation of the BMP. • The proposed BMP includes procedures for vessel and equipment hygiene, surveillance, reporting, response, stock transfer and fouling management. • Overall the proposal is consistent with Policy 12.
Objective 2; Policy 13; Policy 14 Natural character	Objective 2 and Policy 13 seek preservation of natural character and protection from inappropriate subdivision, use and development. Policy 13 directs avoidance of adverse effects on natural character values of areas of outstanding natural character, avoidance of	• The proposal will introduce longlines, floats and navigational lighting into a relatively undeveloped open coast seascape. • The landscape and natural character assessment finds that overall effects are low. • The principal potential effect is on experiential values, particularly a limited effect on perceived remoteness, isolation and, potentially, darkness of the night sky.

	significant adverse effects, and avoidance, remediation or mitigation of other adverse effects. Policy 14 promotes restoration or rehabilitation of natural character where appropriate.	• The sites are offshore, the structures occupy a small proportion of the wider seascape, no development is proposed on the coastal edge. • The three sites are outside mapped outstanding natural character areas. • Overall, the proposal is consistent with Policy 13.
Objective 2; Policy 15 Natural features and landscapes	Objective 2 and Policy 15 seek protection of natural features and natural landscapes from inappropriate development. Policy 15 directs avoidance of adverse effects on outstanding natural features and landscapes, avoidance of significant adverse effects on other natural features and landscapes, and avoidance, remediation or mitigation of other adverse effects.	• The three sites avoid mapped outstanding natural feature and landscape overlays. The refinement of the project to exclude Site D further avoids potential effects associated with its partial location within an outstanding natural seascape. • The landscape assessment finds no physical effect on the biophysical or associational values of adjacent landscapes, including no effect on notable landforms. • Potential effects are limited to low level changes to perceptual values of the offshore seascape. • Overall, the proposal is consistent with Policy 15.
Policy 16 Surf breaks	Policy 16 requires protection of the surf breaks of national significance listed in the NZCPS from adverse effects of activities in the coastal environment.	• The application identifies that the nationally significant surf breaks are at least 12 km from Site C and that the proposed Sites A–C are outside mapped swell corridors. • The hydrodynamic modelling predicts no adverse effects on those surf breaks or their swell corridors. • The proposed conditions include placement of wave buoys to confirm the modelling and shoreline monitoring once Stage One is developed. • Overall, the proposal is consistent with Policy 16.
Policy 17 Historic heritage	Policy 17 directs protection of historic heritage in the coastal environment from inappropriate subdivision, use and development.	• The application identifies mapped shipwrecks in the wider Whāingaroa/Raglan area, but these are remote from the proposal, being at least 3 km inshore and approximately 12 km south of the application area. • The proposal does not involve disturbance of those sites or of the coastal edge. • No adverse effects on identified historic heritage are anticipated. • Overall, the proposal is consistent with Policy 17.
Objective 4; Policy 18; Policy 19 Public open space, access and recreation	Objective 4 and Policy 18 seek to maintain and enhance the public open space qualities and recreation opportunities of the coastal environment. Policy 19 directs recognition of the social, economic and cultural benefits of	• The sites are several kilometres offshore in an area with relatively low recreational use because of open coast conditions. • They will not affect public walking access to or along the shore.

	recreational use and enjoyment of the coastal environment.	- NWML is not seeking exclusive occupation other than the practical exclusion necessary immediately around structures for operational and navigational safety. - The proposed layout allows passage through and around the farm blocks, subject to safe navigation. - The activity may also provide structure associated opportunities for recreational fishing, although this is not relied upon as mitigation. - Overall, public open space qualities, recreation opportunities and public access will be maintained, and the proposal is consistent with these policies.
Objective 1; Policy 22; Policy 23 Sedimentation and discharges	Policy 22 directs assessment of sedimentation levels and avoidance of use or development that would result in a significant increase in sedimentation. Policy 23 directs management of discharges to water in the coastal environment, including consideration of contaminant characteristics and concentrations, receiving environment capacity, avoidance of significant adverse effects on ecosystems and habitats after reasonable mixing, and minimisation of adverse effects on life supporting capacity.	- The relevant potential discharges are principally biodeposits and limited, transitory releases of silts and organic material associated with harvesting and handling of spat and seed. - The water column and benthic assessments conclude that effects are localised, temporary and no more than minor, with no material change to wider water quality or seabed condition anticipated. - Mussel farming may contribute to filtration and related ecosystem services, but those potential benefits are not relied on to justify residual adverse effects. - Overall, the proposal is consistent with these policies.
Overall NZCPS conclusion	The NZCPS provides for appropriate aquaculture while requiring coastal values, biodiversity, natural character, landscape, public access, coastal processes and water quality to be protected and effects managed within appropriate environmental limits.	- The proposal provides critical spat catching and nursery infrastructure with clear regional and national benefits. The sites are located in an area demonstrated to be suitable for spat catch, survival and nursery operations and selected to avoid identified sensitive overlays and known reef habitat. - The activity's potential effects are addressed through design, location, offshore siting, management plans, staged development, monitoring, adaptive management, navigation measures and ongoing tangata whenua engagement. - Subject to conditions that secure and give effect to those commitments, particularly staged development, the MWMP, OMP, and BMP, the proposal is consistent overall with the NZCPS.

4.0 Regional Policies and Plans

4.1 Waikato Regional Policy Statement

The Waikato Regional Policy Statement (RPS) addresses the requirement for integrated management by cross referencing a range of issues, objectives, and policies. The RPS has recently been restructured to relocate provisions in accordance with the National Planning Standards.

The primary issue of relevance to this application is Issue SRMR-I1 State of resources – *‘declining quality and quantity of natural and physical resources impacts their life-supporting capacity, reduces intrinsic values and ecosystem services and in general reduces our ability to provide for our wellbeing’*.

Also of relevance is SRMR-I2 Effects of climate change, as the application is a direct response to these and SRMR-I5 – Relationship of tangata whenua with the environment (te taiao).

An analysis of the application against the relevant objectives in conjunction with their most relevant related policy is provided here.

Waikato Regional Policy Statement		
Objective	Policies	Assessment
IM-O2 Resource use and development – Recognise and provide for the role of sustainable resource use and development and its benefits in enabling people and communities to provide for their economic, social and cultural wellbeing, including by maintaining and where appropriate enhancing: a) access to natural and physical resources to provide for regionally significant industry and primary production activities that support such industry; b) the life supporting capacity of soils, water and ecosystems to support primary production activities;	IM-P4 Regionally significant industry and primary production	• Aquaculture is a significant primary industry in the region and contributes to the region’s economic, social and cultural wellbeing. • However, the regional mussel industry is experiencing declining productivity due to spat retention issues. This proposal will enable the industry to optimise its productivity while managing effects on the quality of the natural resources at the site. • The economic assessment finds that the project’s direct/immediate benefits are material and positive and outweigh the economic costs. The facilitated benefits are regionally significant. • The project’s own economic footprint generates substantial economic impacts, with total GDP impacts estimated at \$144.9 million (2%) and \$45.4 million of income returned to households. • Facilitated production impacts will deliver the largest positive economic impacts with total GDP impacts of \$3.4 to \$3.9 billion (2%) and income of \$1.6 to \$2.1 billion. • The project itself will support 1,938 job-years and the facilitated activity will support between

		48,547 and 56,672 job-years across the wider economy. • The project will deliver between \$5.4 and \$12.2 million over the 30 year project life to Ngāti Tahinga.
CE-O1 Coastal environment – The coastal environment is managed in an integrated way that: a) preserves natural character and protects natural features and landscape values of the coastal environment; b) avoids conflicts between uses and values; c) recognises the interconnections between marine-based and land-based activities; and d) recognises the dynamic, complex and interdependent nature of natural biological and physical processes in the coastal environment.	CE-CMA-P3 Interests in the coastal marine area	• The proposed spat nursery operation is an efficient use of this part of the coastal marine area. The technical assessments support the finding that natural character, natural features, landscape values and coastal processes of the coastal environment will be preserved. • The proposal is in keeping with the implementation method 7.1.4 ‘to recognise the existing and future contribution of aquaculture to the region’. Without the proposed spat nursery, the region will continue to suffer productivity issues. • The spat nursery has a functional and operational need to be located in the coastal environment. • The Waikato mussel industry, including the applicant, has a proven record of the provision of social and economic benefits to the local community. • The proposal is in an appropriate location for marine farming in terms of water quality of the location and access to infrastructure. It is of appropriate form and will operate within appropriate limits.
IM-O5 Climate change -	CE-O1 Coastal environment	• This proposal will enable the Waikato mussel industry to respond to the damaging effects of climate change by undertaking an activity in the coastal environment that will have no more than minor effects on natural character and landscapes, uses and values.
IM-O6 Ecosystem services – The range of ecosystem services associated with natural resources are recognised and maintained or enhanced to enable their ongoing contribution to regional wellbeing.	CE-P2 Safeguard coastal/marine ecosystems	• Adverse effects to 1) habitats of indigenous species that are listed as threatened and 2) areas set aside for full or partial protection of indigenous biological diversity under legislation (including the West Coast North Island Marine Mammal Sanctuary) are no more than minor. • Mussel farms have the potential to provide ecosystem services. While the ecosystem services of the proposed nursery may be of

		lower extent than those of production mussel farms, the provision of a reliable and resilient source of mussel seed to the Waikato mussel industry will ensure that the ecosystem services of those farms can continue.
IM-O7 Relationship of tāngata whenua with the environment – The relationship of tāngata whenua with the environment is recognised and provided for, including: a) the use and enjoyment of natural and physical resources in accordance with tikanga Māori, including mātauranga Māori; and b) the role of tāngata whenua as kaitiaki.	IM-P3 Tangata whenua	• NWML have entered into an Oati with Ngaati Tahing which recognises their relationship with the environment. • NWML recognises that it is for tangata whenua to determine alignment with this policy.
IM-O8 Sustainable and efficient use of resources – Use and development of natural and physical resources, excluding minerals, occurs in a way and at a rate that is sustainable, and where the use and development of all natural and physical resources is efficient and minimises the generation of waste.	CE-CMA-P3 Interests in the coastal marine area	• The proposed spat nursery activity will not affect the life supporting capacity and environmental amenity of the coastal environment. • The technical assessments support the finding that effects on natural resources will be no more than minor and are appropriate. • The proposal is situated well away from the coast and will not affect the ability of people and communities to benefit from and enjoy the region's natural resources.
CE-CMA-O2 Mauri and health of marine waters – Recognise and provide for the mauri and health of marine waters by a) maintaining the following: i) natural character and natural function; ii) health and functioning of indigenous biodiversity, ecosystems and habitats; iii) human relationships with marine water including: i. the cultural and traditional relationship of tāngata whenua with marine waters; ii. harvesting of aquatic food species and mahinga kai that is safe to eat; and iii. recreation values including swimming; b) improving the life-supporting capacity of marine waters where they have been degraded as a result of human activities; c) to enable people and communities to provide for their social, economic and cultural	IM-P1 Integrated approach	• The technical assessments support the finding that the proposal will not compromise the natural character landscape conservation, biodiversity, cultural, or recreational values of the coastal environment. • A new reliable and resilient supply of mussel spat is critical to ensuring that the existing marine farms can continue to contribute to the region's economic and social wellbeing.

wellbeing and for their health and safety; and d) managing adverse cumulative effects of land use activities on water in the coastal marine area.		
HCV-O1 Historic and cultural heritage – Sites, structures, landscapes, areas or places of historic and cultural heritage are protected, maintained or enhanced in order to retain the identity and integrity of the Waikato region's and New Zealand's history and culture.	HCV-P1 Managing historic and cultural heritage	- The proposal is not within or adjacent to an area of mapped historic or cultural heritage. - Ngaati Tahinga have provided a Cultural Values Impact Assessment which seeks an ongoing relationship with NWML. - NWML recognise it is for tangata whenua to determine alignment with the cultural heritage provisions in this policy.
ECO-O1 Ecological integrity and indigenous biodiversity – the full range of ecosystem types, their extent and the indigenous biodiversity that those ecosystems can support exist in a healthy and functional state.	ECO-P1, ECO-P2, ECO-P3 Indigenous biodiversity	The technical assessments support the finding that the proposed sites are an appropriate location for mussel spat nursery activities in that they are in an open coastal environment and there are no significant habitats or species under the sites. Effects on seabirds are anticipated to be neutral and, in some instances, potentially positive. Effects on marine mammals including the significant species Māui dolphin are assessed as being no more than minor and staging, monitoring and management protocols are proposed.
NFL-O1 Outstanding natural features and landscapes – The values of outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.	NFL-P1 Outstanding natural features and landscapes	The technical assessments support the finding that the effect on landscapes will be no more than minor.
IM-O9 Amenity – The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.	IM-P5 Maintain and enhance areas of amenity value	The technical assessments support the finding that the effect on amenity will be no more than minor.
NATC-O1 Natural character – The natural character of the coastal environment, wetlands, and lakes and rivers and their margins are protected from the adverse effects of inappropriate subdivision, use and development.	NATC-P1 Preserve natural character	The proposed sites sit outside of mapped areas of very high natural character in the NCSWCE and the effects on natural character values are anticipated to be no more than minor.
IM-O10 Public access – Public access to and along the coastal marine area, lakes and rivers is maintained and enhanced.	IM-P6 Maintain and enhance public access	NWML acknowledges that it is a privilege to occupy public space in the coastal marine area. The public will still have access around and through the site, and the proposal will not

		affect the ability of future generations to enjoy that public space.
Summary of RPS provisions		The proposed spat nursery activity is consistent with the objectives and policies of the Regional Policy Statement

Taken overall, the application is consistent with the relevant objectives and policies of the Waikato Regional Policy Statement.

4.2 Waikato Regional Coastal Plan

The WRCP became operative in 2005 and is due to be replaced by the Proposed Waikato Regional Coastal PWRCP when Environment Court appeals on that plan are resolved. The WRCP recognises the importance and contribution of marine farming to the economic and social outcomes. The plan's objective is that marine farming is developed in an efficient and sustainable manner which avoids adverse effects as far as practicable.

Note that the WRCP 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. In particular it does not appropriately provide for spat nursery activities in the west coast of the region, which are provided for in its replacement, the PWRCP. Nevertheless, an assessment of the application against the provisions of the WRCP is included below.

Waikato Regional Coastal Plan				
Objective			Policies	Assessment
6.1 Marine farming developed in an efficient and sustainable manner which avoids adverse effects on the coastal environment as far as practicable.			Policy 6.1.1 Marine farm structures	- Aquaculture is a significant primary industry in the region and contributes to the region's economic, social and cultural wellbeing. - NWML acknowledges the importance to New Zealanders of having unrestricted access to the coast. The site design ensures that the public will continue to have access through the site and along the shore. - The proposal ensures the sustainability of natural resources, as the adverse effects of mussel spat nursery activities at the site are likely to be limited. Within months of removing the farms, any trace of their presence will dissipate. Therefore, the proposal does not restrict the ability of future generations to decide how they wish to use these resources. Adverse effects are avoided as far as practicable by locating the proposal more than 3 km out to sea. - Existing farming already occurs in the broader area of the west coast of Waikato. The proposal is consistent with this primary production character. - The structures have a functional need to be located in the coastal marine area.
			Policy 6.1.2 Recreation and navigation	
			Policy 6.1.3 Integrated management	
			Policy 6.1.4 Efficient use and development of coastal space	

2.4 Recognise and provide for the special relationship which tangata whenua have with the coastal environment	Policy 2.4.1 Kaitiakitanga	- NWML have entered into an Oati with Ngaati Tahing which recognises their relationship with the environment. - NWML recognises that it is for tangata whenua to determine alignment with this policy. - NWML are committed to ongoing engagement as appropriate.
	Policy 2.4.2 Protection of sites	- The structures have a functional need to be located in the coastal marine area. - There are no specifically identified sites of cultural or spiritual significance in the vicinity of the farm but NWML are committed to ongoing engagement with tangata whenua as appropriate.
3.1 Preservation of the natural character of the coastal environment by: - Protecting it from inappropriate subdivision, use and development; and - Restoring it where appropriate	Policy 3.1.2 Protection of other natural features Policy 3.1.3 Remote and isolated areas Policy 3.1.4A Use and occupation of coastal space	It is accepted that the CMA of the west coast of Waikato has very high natural character values which is the reason for locating the proposed spat nursery operation several kilometres offshore and away from any key features, such as reefs. That will ensure that any adverse effects are avoided or minimised insofar as practicable. At the same time, this type of operation has to be located in the CMA in order to work, which serves a social and economic need (namely mussel farming).
3.2 Areas of significant indigenous vegetation and significant habitat of indigenous fauna protected	Policy 3.2.1 Protection of significant vegetation and habitat	- The effects of the application on ecological integrity and indigenous biodiversity will be minor or less than minor and the effects are not likely to impact on the values which contribute to ecological integrity and indigenous biodiversity. - There are no areas of significant conservation value (ASCV) in the vicinity of the farm. The farm is appropriately positioned away from Jackson's reef.
	Policy 3.2.2 Protection of habitats of commercially, traditionally or culturally important species	
3.3 Amenity and heritage values within the CMA maintained or enhanced	Policy 3.3.1 amenity Values	The application is sited well away from shore and will not compromise the area's amenity values. Best practice operations will ensure that any amenity effects in the vicinity of the farm are minimised to the extent practicable.
	Policy 3.3.2 Protection of heritage values	- There are no identified heritage resources, historic places, areas, sites or structures in the vicinity of the marine farm. - The farm will not prevent access to areas or sites of cultural and historic significance in the area.
3.4 The integrity,	Policy 3.4.1	

functioning and resilience of coastal processes protected from the adverse effects of use and development	Precautionary approach	- NWML recognise the sites are within Māui dolphin habitat and have proposed comprehensive consent conditions to apply sufficient precaution. - The proposal includes staged development in conjunction with the MWMP and consultation with a marine mammal expert. - The expert assessments determine that the effects of the activity will be no more than minor.
	Policy 3.4.2 Recognising coastal processes	- The proposal ensures the sustainability of coastal processes, as the adverse effects of mussel nursery activities at the site are likely to be limited. - The expert hydrodynamic assessment finds the effects are expected to be no more than minor. - Within months of removing the farm, any trace of its presence will dissipate. Therefore, the proposal does not restrict the ability of future generations to decide how they wish to use these resources.
	Policy 3.4.3 Biodiversity	- The west coast of the Waikato region is an ever changing environment and is at times subject to strong winds and wild weather. - As such, it is a relatively resilient environment, both in terms of characteristics of the environment as well as the fauna in the water. - Also, the spat nursery operation will be a passive, largely under water structure which will have minimal or very small effects on the surrounding environment.
4.1 Water quality in the CMA maintained or enhanced	Policy 4.1.1 Maintaining or enhancing water quality characteristics	The effects of the proposal on water quality in and around the spat nursery sites will be negligible.
5.1 Development, maintenance and removal of structures	Policy 5.1.3 Appropriate structures Policy 5.1.4 Notification of structures and works	- As noted above, the proposal will have no more than minor effects on the natural character of the west coast of the Waikato region and will not otherwise constitute a hazard to navigation. - Also, the operation needs to be situated in the CMA in order to serve its function of catching and cultivating spat. - All necessary approvals from statutory and non-statutory authorities will be or have been sought and notifications to the same will occur prior to constructing the proposed sites.
6 Development of marine farming	Policy 6.1.1 Marine farm structures Policy 6.1.1A Diversification	- The spat nursery operation will have no more than minor effects and presents an opportunity to diversify the Waikato mussel farming industry's spat supply and significantly increase productivity. - Navigation will remain safe as a result of the use of navigation

	of aquaculture in the region Policy 6.1.2 Recreation and navigation	buoys and lights.
7.1 Foreshore and/or seabed disturbances	Policy 7.1.1 Low impact activities	• The proposal will not impact on people's use and enjoyment of the coast based on its location offshore (and the fact that it is barely visible from land). • In addition, the operation will have a very low impact on the seabed.
9.1 Public access to and along the CMA maintained and enhanced, while recognising the need to protect some areas	Policy 9.1.1 Restrictions on access	• NWML acknowledge that it is a privilege to occupy public space in the coastal marine area. The public will still have access around and through the site, and the proposal will not affect the ability of future generations to enjoy that public space.
11.1 Use of surface water	Policy 11.1.1 Conflicting surface water activities	• It is accepted that any surface water activity (which the operation will partially be) has the possibility of creating conflict with other activities, such as recreational and boating movements. • Nevertheless, the spat nursery will have sufficient navigational buoys and lights to safeguard both the structures as well as those who may pass through or around the same (although it is anticipated that the numbers of boats passing in the vicinity of the structures will be very small, based on the low level of boating traffic along the west coast of the Waikato region).

Taken overall, the application is consistent with the relevant objectives and policies of the Waikato Regional Coastal Plan.

4.4 Proposed Waikato Regional Coastal Plan

Decisions on the PWRCP were notified in October 2025, and it is currently subject to Environment Court appeals, including in relation to aquaculture. The decisions version seeks to:

- Recognise the benefits that aquaculture activities can provide to ecosystems, local communities, tangata whenua and the region through policy AQA-P1. This proposal is particularly important for ensuring that both the existing and future benefits of the mussel farming industry in the region can continue to be realised. This proposal has the best chance of providing much needed resilient spat in a short timeframe to prevent further decline of the industry and enable the optimisation of existing and future mussel farming space. This proposal is imperative for the region to achieve this policy.
- Particularly acknowledge the importance of spat catching and spat farming (nursery activities) through policy AQA-P10B '*recognise the importance of spat supply and survival by providing for spat catching and spat farming in appropriate locations*'.
- Avoid commercial aquaculture in areas of outstanding natural character, sites of significance to Māori, significant indigenous biological areas, nationally significant surf breaks and swell corridors

and any gazetted marine reserve, mooring area or navigable river mouth. This proposal avoids all these 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. The technical assessments and peer reviews support the finding that the proposal will have no more than minor effects.
- 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. The technical assessments support the finding that the proposal will have no more than minor cumulative effects.
- Adopts a similar approach to the NZCPS with respect to the utilisation of the precautionary approach. While most of the effects of the nursery are known the proposal for staged development and operation in accordance OMP, MWMP and BMP provide an additional level of precaution particularly in relation to Māui dolphin.
- Ensure public recreational use is provided for within marine farms. Public recreation is not common in the proposed area however mussel farms are known to support recreational fishing.

The following is an assessment against the relevant provisions of the proposed PWRCP.

Proposed Waikato Regional Coastal Plan		
Objective	Policies	Assessment
IGM – Integrated Management		
IGM-O1 Integrated management of resources - Resources and activities in the coastal environment are managed in an integrated manner that recognises the inter-relationships between resources and people.	IGM-P1 Recognise and provide for ki uta ki tai - the interconnectedness between resources, activities and their effects on water quality, sedimentation, indigenous biodiversity, climate change and coastal hazards in the coastal environment.	- The spat nursery is a direct response to a changing environment in the Hauraki Gulf, in part related to anthropogenic activities that have not been managed well including sedimentation, reducing water quality and climate change. - Through the provision of a resilient supply of mussel seed, mussel farming production in the Gulf can be optimised, in turn providing measurable ecosystem services to contribute to restoration of the mauri of its waters.
	IGM – P4 Protect, restore and enhance the mauri, the life supporting capacity of the environment and the associated human values of Tīkapa Moana/Hauraki Gulf and ensure activities are managed in an integrated manner, so that marine habitats and their fisheries support the pātaka kai for customary, recreational and commercial uses.	
	IGM-P12 Sustain and protect the life-supporting capacity of the coastal marine area while enabling appropriate use and development to provide for the cultural, social and economic wellbeing of communities.	The technical assessments find that the effects of the activity will be no more than minor and the proposal will contribute significantly to the social and economic wellbeing of communities.
	IGM-P13 Safeguard the dynamic, complex and interconnected nature of ecological and physical processes and functions in the coastal environment and the interconnections between marine ecosystems and people, in order to provide for the cultural, social, recreational and economic health and wellbeing of present and future generations	The technical assessments support the finding that the coastal processes of the coastal environment will be preserved. The proposal has the potential to contribute positively to ecosystem services and provide for the social and economic health and wellbeing of present and future generations.

	IGM-P14 Ensure the following when considering use and development in appropriate areas: 1. Activities have a functional need, or an operational need for infrastructure, to be located in the coastal marine area 2. Activities that could otherwise be practicably located outside the coastal marine area are avoided.	• Spat nursery activities have a functional and operational need to be located in the coastal marine area.
	IGM-P15 Promote the efficient use of space in the coastal marine area by: 1. Ensuring space occupied is of a scale appropriate to the size and scale of the activity 2. Requiring use and development in the CMA to be adequately supported by land-based access, services and infrastructure 3. Requiring use and development to avoid sprawling or sporadic patterns of development 4. Requiring redevelopment and new infrastructure to provide for shared and/or multipurpose uses when possible; and 5. Ensuring space is allocated in a way that recognises and provides for protected customary rights.	• The scale of the proposal is necessary to ensure a resilient and productive supply of mussel spat to the Hauraki mussel farming industry and the operation needs to be of a certain scale in order to be an economical and affordable enterprise. • The sites have been chosen in part for their proximity to Whāingaroa / Raglan Harbour for land-based access, services and infrastructure. • NWML have entered into an Oati with Ngaati Tahinga and provided a Letter of Intent to gift 20% of consented space and 5 installed lines as well as promote education and workforce opportunities.
	IGM-P16 Adopt a precautionary approach when the effects of an activity are uncertain, unknown, or little understood, but potentially significantly adverse, or when use, development, or coastal resources are vulnerable to the effects of climate change and sea level rise. Measures to manage any uncertainty or lack of understanding in the potential effects of an activity may include one or more of the following: 1. Declining resource consent 2. Limiting the duration of a resource consent term 3. Applying an adaptive management approach:	• The technical assessments indicate that the effects of the activity are anticipated to be no more than minor however as a precautionary measure in recognition that the proposal is located within Maui dolphin habitat, staged development is proposed contingent on the recommendations of a marine mammal expert as well as additional benthic and hydrodynamic monitoring. NWML

	a. Taking into account any coastal adaptative management strategy adopted by a local authority 4. Requiring monitoring (including additional baseline monitoring) 5. Staging of development 6. The review of consent conditions 7. The scope of consent conditions (including the use of expert panels where necessary).	have proposed consent conditions that set out these requirements.
	IGM-P17 Apply an adaptive management approach to the management of coastal resources, including but not limited to: 1. Using evidence-based decision-making that assesses whether the environmental risk and consequences and the degree of uncertainty can be addressed through consent conditions, in a way that reduces risk and uncertainty 2. Requiring monitoring where appropriate to address: a. baseline information on the effects of the activity (or multiple activities) on the receiving environment b. effects that are unknown but where the risk of the activity proceeding is considered to be acceptable 3. Setting thresholds or boundaries and identifying and managing adaptation actions or decisions to be taken, if potential adverse effects arise 4. Specifying the circumstances when a review of consent conditions will be undertaken, including to ensure best management practices are undertaken 5. Enabling indigenous biodiversity habitats affected by climate change, including marine acidification, to be remedied, restored or relocated	• The technical assessments indicate that the cumulative adverse effects will be acceptable however adaptive management in the form of

	2. Assessing the direct, indirect and consequential impacts of the proposed activity on existing uses, and on ecological, cultural, social and economic values and pressures, now and in the reasonably foreseeable future 3. Assessing whether the proposed activity exacerbates an existing environmental issue or threshold, or results in reverse sensitivity effects.	staged development is proposed as a precautionary measure.
	IGM-P20 Require a bond or equivalent assurance, for activities where it is deemed necessary relative to risk, to cover potential costs including for: 1. The removal of abandoned or derelict structures 2. The restoration or reinstatement of the environment 3. The restoration or reinstatement of a cultural site/ cultural site of significance 4. Any emergency repairs or response required due to a failure of structural integrity.	• The proposed consent conditions provide provision for a bond.
	IGM-P21 Consider the application of financial contributions, as set out in Schedule 10, to address residual adverse effects that cannot be avoided, remedied or mitigated.	• The technical assessments indicate that the effects of the activity are anticipated to be no more than minor and financial contributions are not indicated in the context of this proposal.
ECO		
ECO-O1 Maintain, enhance, restore and protect ecosystems and indigenous biodiversity - Ecosystems and indigenous biodiversity in the coastal marine area	ECO-P1 Avoid adverse effects of activities on: 1. The values of SIBA-A identified in Schedule 7A 2. Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists 3. Taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened 4. Indigenous ecosystems and vegetation types that are threatened or are naturally rare 5. Habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare	• The technical assessments indicate that the effects of the activity are anticipated to be no more than minor however as a precautionary measure in recognition that the proposal is located within Maui dolphin habitat staged development is proposed contingent on marine mammal monitoring and management in consultation with a marine mammal expert. NWML have proposed a range of mitigations including operation in

are maintained, and enhanced and restored where appropriate, and areas of significant indigenous biodiversity are protected.	6. Areas containing nationally significant examples of indigenous community types 7. Areas set aside for full or partial protection of indigenous biological diversity under other legislation. ECO-P2 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on: 1. The values of SIBA-B identified in Schedule 7B 2. Areas of predominantly indigenous vegetation not identified in Schedule 7, including sub-tidal indigenous vegetation 3. Habitats that are important during the vulnerable life stages of indigenous species 4. Indigenous ecosystems and habitats that are particularly vulnerable to modification, including but not limited to estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, seagrass and saltmarsh habitats, including areas and routes important to migratory species 5. Habitats of indigenous species that are important for recreational, commercial or cultural purposes 6. Ecological corridors and areas important for linking or maintaining biological values identified under this policy and ECO-P1. ECO-P3 When assessing the extent and consequence of any adverse effects of activities on indigenous biodiversity, consider as a minimum the following matters: 1. That a minor or transitory effect may be an acceptable adverse effect 2. Recognise that significant indigenous biodiversity is not limited to SIBA-A and SIBA-B 3. That some areas contain ongoing lawfully established use and development that: a. Were present when the area was identified as high or outstanding values; and b. May be dynamic, diverse or seasonal 4. That there may be the potential for cumulative effects that are more than minor	accordance with an OMP, MWMP and BMP. Those plans are provided with the application in conjunction with a set of proposed consent conditions.
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	5. That where the effects are or may be irreversible, then they are likely to be more than minor 6. That habitats may change over time, be wide ranging and may be seasonal in nature 7. How climate change will change the nature and distribution of habitats and species 8. Impacts on the resilience of habitats and species identified in ECO-P1 and ECO-P2 to the effects of climate change 9. Any proposed restoration, enhancement or offsetting of indigenous biodiversity values 10. The effects on the tangata whenua cultural and spiritual values of indigenous biodiversity, in accordance with tikanga Māori 11. That threatened and at risk species may be present for any part of their life cycle.	
ECO-O2 Prevent loss of ecosystem processes and habitat quality - The degradation and loss of ecosystem processes, and the cumulative loss of and decline in habitat quality and extent is prevented in the coastal marine area.	ECO-P6 Promote enhancement and restoration of indigenous biodiversity values, including by: 1. Enhancing water quality, for example by reducing the amount of sediments, nutrients or other contaminants entering the coastal marine area 2. Removing abandoned, derelict or unnecessary structures, where structures are having adverse effects on indigenous biodiversity values 3. Restoring or enhancing natural elements including dunes, saline wetlands, inter-tidal saltmarsh, riparian margins and other natural coastal features or processes 4. Restoring or enhancing indigenous species, habitats and ecosystems (using local genetic stock where practicable) including restoring habitats of species that are important for cultural purposes (such as mahinga kai, kaimoana or raranga areas) identified in collaboration with tangata whenua 5. Supporting the natural regeneration of indigenous species, including effective weed and animal pest management 6. Identifying ecological and culturally appropriate sites for enhancement and restoration 7. Declaiming land where it will restore the natural character of the coastal marine area.	• Mussel farms are known to provide ecosystem services. The NIWA report on the ecological benefits of mussel farms in the Marlborough Sounds finds that these include habitat creation (mussel farms create three dimensional habitat in the seawater column and on the seabed) and water cleansing (through filtering). Further research by the University of Auckland supports the common understanding that mussel farms act as fish nurseries.

	8. Recognising the importance of some indigenous species that provide a buffer for coastal processes causing erosion including inundation and enable carbon sequestration 9. Taking a collaborative approach to enhancing and restoring indigenous biodiversity through engagement with territorial authorities, tangata whenua and local communities 10. Minimising sediment deposition from direct and indirect sources	
NATC – Natural Character		
NATC-01 Preserve and protect natural character – The natural character of the coastal marine area is preserved, and protected from inappropriate use and development.	NATC-P1 Avoid adverse effects of activities characteristics and qualities identified in Schedule 4 that contribute to the areas of outstanding natural character	The proposed sites are not identified on Schedule 4 and the landscape and natural character assessment finds a no more than minor effect on natural character values.
	NATC-P2 Avoid significant adverse effects of activities on the characteristics and qualities that contribute to natural character, and avoid, remedy or mitigate other adverse effects on natural character, in all areas of the coastal marine area that are not areas of outstanding natural character.	The landscape and natural character assessment finds a no more than minor effect on natural character values.
	NATC-P3 Recognise that transient or minor adverse effects on the characteristics and qualities that contribute to outstanding natural character may be acceptable.	
NATC-02 Restore natural character - Restore or rehabilitate the natural character of the coastal environment where appropriate.	NATC-P4 Promote the restoration or rehabilitation of natural character characteristics and qualities of the coastal environment, particularly in relation to estuaries, wetlands, coastal indigenous vegetation and habitats, ecological corridors, improving coastal water quality and reducing the adverse effects of sediment on sensitive coastal receiving environments.	As noted above, mussel farming (and thus in some respect mussel nursery activities) have been shown to provide positive ecosystem services and can contribute to restoration of natural character.

NFL – Natural Features and Landscapes (Seascapes)		
NFL-01 Protect natural features, landscapes and seascapes	NFL-P1Avoid adverse effects of activities on the values and attributes identified in Schedule 3 that contribute to outstanding natural features and landscapes in the coastal marine area	• The proposal is not within an area identified in Schedule 3.
	NFL-P2 Avoid significant adverse effects of activities on the values and attributes that contribute to natural features and landscapes, and avoid, remedy or mitigate other adverse effects on natural features and landscapes, in all areas of the coastal marine area that are not identified as outstanding natural features and landscapes.	• The landscape and natural character assessment finds a no more than minor effect on natural landscape values.
	NFL-P3 Recognise that transient or minor adverse effects on the values and characteristics that contribute to outstanding natural features and landscapes may be acceptable.	
NH Natural Hazards		
NH-O3 Climate change - Resource management decisions in the coastal environment have particular regard to the potential effects of climate change, including exacerbated natural hazards and sea level rise.	NH-P8 Manage the potential effects of climate change on existing and proposed use and development in the coastal marine area by: 1. Taking into account any activity included in: a. an emissions reduction plan made in accordance with Section 5ZI of the Climate Change Response Act 2002; or b. a national adaptation plan made in accordance with Section 5ZS of the Climate Change Response Act 2002; and 2. Ensuring resource consent applicants have adopted the most recent national guidance on climate change projections, in assessing risk and in designing scale, resilience, design-life and future adaptations of the activity; and 3. Taking into account any strategy or plan prepared to manage natural hazard risks; and	• This proposal is a critical response to the warming waters of the mussel farming areas of the Hauraki Gulf and thus an important response to climate change and should be enabled.

	4. Recognising that some activities will need to adapt to the potential effects of climate change including marine warming, acidification, sea level rise, and increased storm surge, coastal inundation and coastal erosion 5. Recognising the benefits of those activities which assist in reducing greenhouse gas emissions.	
PA – Public Access, Open Space and Recreation		
PA-O1 Maintain and enhance public access - Public access to, along and through the coastal marine area is maintained and enhanced, except where a restriction on public access is necessary. PA-O2 Public open space for public use, recreation and cultural	PA-P1 - Maintain and enhance public to, along and through the coastal marine area by avoiding, remedying or mitigating any adverse effects of activities on public access. PA-P2 Maintain and enhance public open space in the coastal marine area to ensure opportunities for public use, recreation and cultural purposes, including by: 1. Retaining and enhancing the connection of areas of public open space 2. Providing access to kaimoana and mahinga kai 3. Providing access to sites of historical and/or cultural importance 4. Improving outdoor recreation opportunities 5. Improving access to surf breaks 6. Providing access for people with disabilities. While taking account of future needs for public space and the likely impacts of climate change and coastal processes.	• 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.

practices - Recognise the need for public open space in the coastal marine area to provide for public use, recreation and enjoyment and traditional cultural practices.	PA-P4 Maintain or enhance qualities and characteristics of areas and features valued for their contribution to public amenity, with particular regard given to: 1. Avoiding where practicable, or otherwise mitigating any sense of encroachment or domination of built form along the interface of the land and coastal marine area 2. Avoiding where practicable, or otherwise mitigating forms and locations of development that effectively privatise the interface of the land and common marine and coastal area 3. Recognising the contribution that open space makes to amenity values 4. Recognising that some areas derive their particular character and amenity value from existing structures, modifications or activities 5. Encouraging design of new structures and development to enhance existing amenity values	• The landscape and natural character assessment finds a no more than minor effect on visual amenity.
SASM Sites of Significance to Māori		
SASM-O1 Sites and areas of significance to Māori - Sites and areas of significance to Māori are recognised, protected and maintained. SASM-O2 Relationship of tangata whenua with sites and areas of significance - The relationship of tangata	SASM-P2 - Maintain and enhance tangata whenua access to sites of cultural significance in order to undertake customary activities, including mahinga kai.	• The sites are not within any mapped sites or areas of significance to Māori. • Ngaati Tahinga have provided a Cultural Values Impact Assessment which seeks an ongoing relationship with NWML and is reflected in the Oati.

whenua with their taonga, and sites and areas of significance in the coastal marine area, including the role of tangata whenua as kaitiaki, are recognised and provided for.		
SB – Surf Breaks		
SB-O1 Protect significant surf breaks - Significant surf breaks are protected from inappropriate use and development.	SB-P1 Protect significant surf breaks, and their use and enjoyment by: 1. Avoiding adverse effects on nationally significant surf breaks identified in Schedule 8A. 2. Avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on regionally significant surf breaks identified in Schedule 8B. SB-P2 Adverse effects on the quality or consistency of the surf break, by considering: a. changes to swell within the swell corridor, including reflection, refraction or diffraction of wave energy b. changes to natural coastal sediment processes and dynamics c. changes to the morphology of the foreshore or seabed 2. Effects on other qualities that contribute to the use and enjoyment of the surf break including water quality, amenity and cultural heritage and access to the surf break.	• The hydrodynamic assessment finds a no more than minor effect on surf breaks. As a precautionary measure, wave modelling and shoreline monitoring are proposed as conditions of consent.
TW – Tangata Whenua		
TW-O1 Active involvement of tangata whenua –	TW-P1 Avoid use and development that would restrict the access of tangata whenua to sites used for cultural practices, mahinga kai and areas of cultural significance in the common marine and coastal area, unless:	• Engagement with Naati Tahinga has resulted in an Oati that establishes an enduring relationship based approach, and a Letter of Intent to gift 20%

Tangata whenua are actively involved in resource management decisions affecting the management of the coastal environment. TW-O2 Tangata whenua values - Te ao Māori, tangata whenua values, mātauranga Māori and tikanga Māori, and the relationships and responsibilities tangata whenua have with the coast, are recognised and provided for in decision making. TW-O3 Mauri and life supporting capacity - The mauri and life-supporting capacity of the coastal	1. The restriction is consistent with one of the matters listed in PA-P3 and 2. Alternative access can specifically be provided for; or 3. The effects of the loss of access can be adequately remedied or mitigated. TW-P2 Ensure statutory obligations to Māori and tangata whenua are safeguarded and met through decision making on resource use, development or protection, including those embodied in: 1. Treaty settlement legislation and statutory acknowledgements 2. Customary rights and interests under the Marine and Coastal Area (Takutai Moana) Act 2011 3. Formal partnership arrangements and joint management agreements between local authorities and tangata whenua 4. Taiāpure and mātaimai under the Fisheries Act 1996 5. Iwi management plans prepared under the RMA. TW-P3 Recognise and provide for the special relationship tangata whenua have with their ancestral lands, water, sites, wāhi tapu and other taonga, including by: 1. Protecting taonga, sites, resources and values (including historical, spiritual, cultural, and traditional values) of cultural significance, acknowledging that some of these may not be publicly identified 2. Ensuring tangata whenua have the opportunity in consent decision-making to identify sites and values that have cultural and spiritual significance, and protect these sites from the adverse effects of use and development 3. Enabling tangata whenua to undertake customary activities in the coastal marine area, including management of kaimoana, mahinga mātaimai and cultural sites of significance.	of any consented space. This sits outside the Crown's aquaculture settlement obligation. • The proposal has been refined to exclude Site D, in part because engagement with the relevant mana whenua interests for that site had not reached an equivalent stage. • The Oati provides for continuing engagement, cultural input and appropriate responsiveness through the life of the consent.
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environment is safeguarded from the adverse effects of use and development.	TW-P4 Enable tangata whenua to exercise kaitiakitanga and the restoration, protection and enhancement of the mauri of coastal resources and ecosystems, marine habitats and marine life for present and future generations.	A spat catching nursery is not considered likely to adversely affect the marine biodiversity in or around the proposed sites. However, Oati with Naati Tahinga establishes an enduring relationship based approach, including with regard to effects on the mauri of the waters (particularly any spiritual components of mauri) including as expressed through mātauranga Māori.
	TW-P5 Recognise and provide for, where practicable, the importance of mātauranga Māori and customary knowledge, in accordance with tikanga Māori, to: 1. Improve and safeguard the coastal environment for future generations 2. Monitor the state of the environment and impacts of activities 3. Enhance resources or degraded areas 4. Contribute to decision-making.	
	TW-P6 Require resource consent applications to provide a cultural impact assessment if a proposed activity may result in one or more of the following, unless tangata whenua determine that such assessment is not required: 1. Adverse effects on mahinga kai or access to kaimoana beds 2. Adverse effect on wāhi tapu, sites of significance and other taonga identified in Schedule 6, or as otherwise identified by tangata whenua 3. Adverse effects on indigenous biodiversity that would affect tangata whenua carrying out cultural and traditional activities 4. Adverse effects on taiāpure, mahinga mātaimai or Māori non-commercial fisheries 5. Adverse effects on the relationship tangata whenua have with their ancestral lands, water, sites, wāhi tapu and other taonga 6. Introduction of new species to the Waikato region.	Ngaati Tahinga have provided a Cultural Values Impact Assessment included with this application.
	IGM-P20 Require a bond or equivalent assurance, for activities where it is deemed necessary relative to risk, to cover potential costs including for: 1. The removal of abandoned or derelict structures 2. The restoration or reinstatement of the environment	NWML acknowledge that a bond may be imposed.

	3. The restoration or reinstatement of a cultural site/ cultural site of significance 4. Any emergency repairs or response required due to a failure of structural integrity.	
	IGM-P21 Consider the application of financial contributions, as set out in Schedule 10, to address residual adverse effects that cannot be avoided, remedied or mitigated.	The technical assessments indicate that the effects of the activity are anticipated to be no more than minor and financial contributions are not indicated in the context of this proposal.
WAQ – Water Quality		
WAQ-O2 Protect the mauri and life supporting capacity of coastal water - The mauri, life-supporting capacity, and the community and recreational values of coastal water are protected and maintained or enhanced.	WAQ-P1 Avoid, remedy or mitigate the adverse effects of activities to maintain: 1. The life-supporting capacity of coastal water 2. The mauri and wairua of coastal water 3. The integrity and functioning of natural coastal processes 4. The ability of coastal water to provide for public use and enjoyment.	The technical assessments indicates that the proposal will have a less than minor effect on water quality including the integrity and functioning of natural coastal processes.
WAQ-O3 Water quality fit for aquaculture - Use and development	WAQ – P3 Ensure that development in the coastal environment does not make water quality unfit for aquaculture activities in areas approved for that purpose, and that existing marine farms, and areas set aside for aquaculture activities, including Aquaculture Management Areas, are not adversely affected by other uses or by activities that degrade water quality.	- The spat nursery is a direct response to degrading water quality in the Hauraki Gulf, in part related to anthropogenic activities that have not been managed well including land based activities and climate change. - Through the provision of a resilient supply of mussel seed, mussel farming production in the Gulf can be optimised, in turn providing measurable ecosystem services to contribute to restoration of the mauri of its waters.

in the coastal environment maintains water quality fit for aquaculture in and around aquaculture management areas and areas consented for aquaculture.		
AQA - Aquaculture		
AQA-O1 Aquaculture in appropriate locations - Sustainable aquaculture is provided for in appropriate locations. AQA-O4 Existing aquaculture activities are provided for where adverse effects can be appropriately managed.	AQA-P1 Recognise the benefits that existing and new aquaculture activities can provide to ecosystems, local communities, tangata whenua and the region, by taking potential benefits into account when considering aquaculture activities, including: 1. Employment opportunities 2. Opportunities for enhancing Māori economic and social development, particularly in areas where alternative opportunities are limited 3. Research and training opportunities that would grow the community's knowledge base and upskill the labour force 4. Opportunities to restore, supplement or complement natural fish, shellfish or seaweed stocks, benthic habitats, or improve water quality 5. The contribution to primary and secondary industries, and the diversification of the overall regional and national economy 6. The provision of ecosystem services.	• Aquaculture plays a key role in the Government's growth agenda. A new spat nursery 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 Government's Aquaculture Strategy. • This in turn would support contribution to the range of 'wellbeings' envisioned by the Government in its support of aquaculture as a transformational industry. • The economic assessment finds that the project's direct/immediate benefits are material and positive and outweigh the economic costs. The facilitated benefits are regionally significant.

		• The project's own economic footprint generates substantial economic impacts, with total GDP impacts estimated at \$144.9 million (2%) and \$45.4 million of income returned to households. • Facilitated production impacts will deliver the largest positive economic impacts with total GDP impacts of \$3.4 to \$3.9 billion (2%) and income of \$1.6 to \$2.1 billion. • The project itself will support 1,938 job-years and the facilitated activity will support between 48,547 and 56,672 job-years across the wider economy. • The proposal also provides opportunities for Māori economic and social development through the relationship established with Ngāti Tahinga, including the Oati and the proposed gift of 20% of any consented space. This creates an enduring opportunity for participation in, and benefit from, aquaculture development within the relevant rohe moana. • The project will deliver between \$5.4 and \$12.2 million over the 30 year project life to Ngāti Tahinga. • The project is founded on more than a decade of research and operational trials in the Waikato west coast environment and will continue to generate knowledge about spat catch, retention, growth, marine conditions and sustainable nursery
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		management. It will therefore support ongoing research, training and skills development in the regional aquaculture workforce. • 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.
	AQA-P2 New aquaculture (excluding changes in species under NES-MA Part 4, changes in species or methods under AQA-R4, aquaculture in possible aquaculture areas, or marae-based aquaculture) is inappropriate in the following areas of the coastal marine area unless adverse effects are avoided on the attributes and values of these areas: 1. Outstanding natural character identified in Schedule 4 2. Sites of significance to Māori identified in Schedule 6 3. SIBA-A identified in Schedule 7A 4. Nationally significant surf breaks and swell corridors identified in Schedule 8A 5. Any gazetted marine reserve, mooring area or navigable river mouth.	• The proposal is not in any of the areas proposed to be inappropriate for commercial aquaculture and the technical assessments support the finding that the effects on outstanding and significant values will be no more than minor.
	AQA-P4 Ensure the following matters are considered and assessed when making decisions on any application for new aquaculture activities: 1. 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 2. Sensitivity of the receiving environment, including effects on water quality and the benthic environment, habitat and species 3. Potential adverse effects of the proposed aquaculture activities on other environmental, social, cultural and economic values, including: a. productivity and functioning of other marine farms	• The proposed sites are considered to be unprecedented in their suitability for spat catching and nursery activities. • The technical assessments indicate that the effects of the activity are anticipated to be no more than minor however as a precautionary measure in recognition that the proposal is located within Maui dolphin habitat adaptive management in the form of staged development is proposed, with

	b. potential conflict with existing uses and values of the coastal marine area, including significant surf breaks identified in Schedule 8, and their swell corridors, shipping routes and recreational activities 4. Measures to avoid or minimise the introduction and spread of marine pests and harmful aquatic organisms 5. Potential social, cultural and economic benefits of the proposed aquaculture activity 6. Navigation safety issues 7. Provision of appropriate site access, and the potential effects associated with any off-site structures, facilities or activities forming part of the proposal.	staging to be contingent on the recommendations of a marine mammal expert. • The proposal includes the implementation of a MWMP, a BMP and an OMP, as provided with the application. • The proposal is considered to provide significant social and economic benefits and through the Oati with Ngaati Tahinga significant cultural benefits. • Maritime New Zealand and the Harbourmaster have confirmed that the location is appropriate from a navigation perspective.
	AQA-P6 Provide for aquaculture activities to respond to climate change, innovation and best practices, through providing a flexible operating environment. This may include new farming methods within existing consented space, or enabling suitable alternative locations for existing aquaculture activities, and allowing for new species.	• This proposal is an innovative and critical response to the warming waters of the mussel farming areas of the Hauraki Gulf and thus an important response to climate change and should be enabled.
	AQA-P8 Ensure public access is provided for within and around aquaculture activities except where access restrictions are reasonably necessary to: 1. Protect public health and safety and animal welfare; or 2. Protect the operational health and safety of farm operators and their vessels and structures; or 3. Ensure a level of security consistent with the purpose of a resource consent; or 4. Manage biosecurity risks.	• The layout and location of the proposed sites will provide for continued public access to and within the coastal marine environment.

	AQA-P9 Require that structures, vessels and equipment used for aquaculture, including the introduction or relocation of stock, are managed to minimise the risk of introduction or spread of diseases, marine pests and harmful aquatic organisms, including by requiring a biosecurity management plan to manage aquaculture activities	The biosecurity assessment indicates that biosecurity can be appropriately managed, and a BMP is provided with the application.
	AQA-P10B Recognise the importance of spat supply and survival by providing for spat catching and spat farming in appropriate locations.	More than ten years of research support the finding that the proposed sites are unprecedented for the consistent and reliable supply of healthy and resilient mussel spat and seed, and are the most appropriate locations for a mussel spat nursery to ensure the ongoing viability of the mussel industry in the Waikato region.
	AQA-P11 Provide for aquaculture activities for scientific trials and research purposes in appropriate locations for a limited duration and scale.	NWML have a consent to undertake research in the broader area and this proposal is a result of that research.
AQA-O3 Tangata whenua aspirations for aquaculture - Tangata whenua aspirations for aquaculture activities are provided for in accordance with tikanga Māori.	AQA-P16 Recognise and provide for areas identified as aquaculture settlement areas under the Māori Commercial Aquaculture Claims Settlement Act 2004.	If the full 540 ha proposal is consented, the Crown's new space obligations are expected to require provision of settlement assets equivalent to 20% of the value of the new farming space, or the equivalent of 108 hectares of spat nursery space, for allocation through the relevant iwi aquaculture settlement arrangements. NWML are committed to enabling iwi aquaculture aspirations in the region and will seek to assist iwi with

		information sharing and engagement where practicable.
BIO - Biosecurity		
BIO-O1 Marine ecosystems and biosecurity - The connectivity, health, and ecological integrity of marine ecosystems are protected from marine pests and harmful aquatic organisms.	BIO-P1 Minimise the risk of introduction and spread of marine pests and harmful aquatic organisms to the coastal marine area from activities, including (but not limited to): 1. Maintenance (including hull cleaning) of vessels and structures 2. Navigation, mooring or anchoring of a vessel with a marine pest on the vessel hull or niche areas 3. Introduction or placement of a structure or installation 4. Movement of contaminated equipment or machinery 5. Movement of material potentially contaminated with marine pests or harmful aquatic organisms	• The technical assessments indicate that biosecurity can be appropriately managed, and a BMP is provided with the application.
DD – Disturbances and Deposition		
DD-O2 Manage adverse effects from deposition or disposal of material - Adverse effects on natural coastal processes, water quality and ecology, resulting from deposition of material in the coastal marine area, are	DD-P5 - Ensure that activities that involve disturbance or deposition in the coastal marine area: 1. Avoid significant adverse effects, and remedy or mitigate other adverse effects, on: a. the feeding, spawning and migratory patterns of indigenous fauna, including bird roosting, nesting and feeding, and native fish migrations b. indigenous ecosystems and habitats that are particularly vulnerable to modification, including: estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, seagrass and saltmarsh c. habitats of indigenous species that are important for recreational, commercial, cultural or traditional purposes, including mahinga kai	• The technical assessments indicate that the deposition effects of the activity are anticipated to be less than minor.

avoided, remedied or mitigated.	2. Avoid significant adverse effects from any disturbance that results in the release or mobilisation of contaminants 3. Avoid causing long-term coastal erosion or damage to any authorised structure within the coastal marine area or on adjacent land 4. Reinstatement of the foreshore or seabed in keeping with the natural character and visual amenity of the area where appropriate.	
HH – Historic Heritage		
HH-O1 Historic heritage values - Historic heritage sites are protected from inappropriate use and development retain the history and culture of the heritage site.	HH-P2 Have regard to the following matters when making decisions on any use or development that may have an adverse effect on historic heritage sites in the coastal marine area: 1. The effects of the use or development on the significance and values of the historic heritage site as assessed by a suitably qualified archaeologist or heritage professional 2. Integrated management of heritage values in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki.	The five identified historic heritage sites are all along the shoreline of the coast, eg at least 3km from the proposed farm sites, and it is not expected that the proposal will impact the heritage value or experience of these sites.
MOA – Moorings and Anchoring		
MOA-O3 Enable anchoring - Anchoring of vessels is provided for while ensuring navigational safety and protecting significant indigenous biodiversity.	MOA- P6 Enable the anchoring of a vessel provided: 1. It is for the construction, maintenance, repair or replacement of regionally significant infrastructure or within a development area; or 2. It is for maintenance, repair or replacement of lawfully established structures; or 3. The anchoring: a. Is not located in an area identified in the operative Waikato Regional Council Navigation Safety Bylaw as being a restricted or prohibited anchorage area; b. Avoids any disturbance or damage to seagrass beds in a SIBA-A where seagrass is identified in Schedule 7A;	The activity will require the temporary anchoring of vessels during construction and maintenance however the technical assessments confirm the seabed is appropriate for anchoring and no specific anchoring restrictions apply to the sites.

	c. Is not in a mooring area identified in Schedule 2; and d. Is for no more than seven days in any one location.	
NOISE – Noise and Vibration		
NOISE-O1 Manage noise and vibration - Noise and vibration from activities undertaken in the coastal marine area, including underwater noise, does not adversely affect natural character, amenity values, or compromise the health and well-being of marine fauna or people	NOISE-P3 - Provide for the generation of underwater noise, subject to the management of any adverse effects, where that noise is associated with the following activities: 1. The operational requirements of vessels 2. Construction or operation of marine and port activities, marine and port facilities, marina activities, marine and port accessory structures and services, maritime passenger facilities and dredging 3. Sonar not including marine seismic surveys.	Vessels are required to be operated as part of the proposed activity, but the technical assessments indicate that the effects of underwater noise will be no more than minor. The noise will meet the permitted activity standards set out in this chapter.
WD – Discharges to Water		
WD-O1 Discharges to coastal water - Discharges to the coastal marine area ensure the health of people and	WD-P1 Discharges of contaminants to the coastal marine area are managed to: 1. Avoid adverse effects on the characteristics and qualities of outstanding natural character areas identified in Schedule 4, the values of SIBA-A identified in Schedule 7A, and nationally significant surf breaks identified in Schedule 8A 2. Avoid significant adverse effects, including cumulative effects, on the values of SIBA-B identified in Schedule 7B, kaimoana sources (including shellfish gathering), ecosystems,	The technical assessments indicate that the proposal will have a less than minor effect on water quality including the integrity and functioning of natural coastal processes.

communities is safeguarded, and the life-supporting capacity, ecosystem health and mauri of the receiving environment is maintained.	regionally significant surf breaks identified in Schedule 8B, contact recreation and amenity values 3. Avoid significant adverse effects on the values of sites of significance to Māori identified in Schedule 6 4. Occur in a manner that recognises and provides for the cultural values of tangata whenua 5. Minimise adverse effects on the life-supporting capacity of water within the mixing zone, including the ability to support indigenous flora and fauna and kaimoana beds 6. Avoid the discharge of persistent harmful contaminants into the environment, including those that accumulate in sediment 7. Avoid, remedy or mitigate adverse effects due to localised erosion and scour resulting from the discharge 8. Avoid exceedance (either individually or cumulatively with other discharges) of water quality standards and trigger values identified in Schedule 9 9. When considering the appropriateness of a discharge, have particular regard to: a. The sensitivity of the receiving environment b. The capacity of the receiving environment to assimilate contaminants c. The nature of the contaminants to be discharged, the existing water quality in the receiving environment as compared with the water quality standards and trigger values identified in Schedule 9, and the risks if that concentration of contaminants is exceeded.	
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Overall, it is considered the proposal will be consistent with the relevant policy outcomes currently sought by the PWRCP.

5.0 Iwi Management Plans

5.1 Waikato-Tainui Environmental Plan/Tai Tumu, Tai Pari, Tai Ao

The Waikato-Tainui Environmental Plan/Tai Tumu, Tai Pari, Tai Ao, identifies the Iwi's key strategic objectives are *'to grow our tribal estate and manage our natural resources.'* The overarching purpose of the Plan is *'to provide a map or pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha'.* Provisions of particular relevance are outlined below:

Waikato-Tainui Environmental Plan/Tai Tumu, Tai Pari, Tai Ao		
Objective	Policy	Assessment
24.3.1 The mauri of marine waters in the Waikato-Tainui coastal area is protected and enhanced and the marine biodiversity in the Waikato-Tainui coastal area is restored and protected	24.3.1.1 To ensure that the mauri of marine waters in the Waikato-Tainui coastal area is protected and enhanced and that the marine biodiversity in the Waikato-Tainui coastal area is restored and protected	The spat nursery will not adversely affect the marine biodiversity in or around the proposed sites.
24.3.3 Waikato-Tainui access to coastal areas for customary activities is protected and enhanced	24.3.3.1 To ensure that Waikato-Tainui access to coastal areas for customary activities is protected and enhanced	The proposal will not affect existing access to the CMA and the proposed navigational measures will ensure that the structures are easy to identify from the water (such as from boats etc).
24.4.3 Activities in the Waikato-Tainui coast area only occur when adverse effects to the environment, community, and customary activities are managed, as determined in consultation with Waikato-Tainui.	24.3.4.1 To ensure a precautionary approach to activities in the coast area that may result in adverse effects to the environment, community, and customary activities.	The spat nursery has a functional need to be located in the CMA, based on the fact that this is where the spat pass through on the current. At the same time, the adverse effects on the environment are less than minor or negligible.

In summary, the proposal is not considered contrary to the Waikato-Tainui Environmental Plan.

5.2 Ngaati Tahinga Environmental Management Plan

The Tahinga Environmental Management Plan (TEMP) was developed by the Nga Uri o Tahinga Trust and identifies Tahinga environmental baselines and provides policies and methods to help hapū/whānau to protect those base lines and achieve their environmental aspirations.

Under the plan Tahinga play a crucial role in ensuring that whatever activities are undertaken in the rohe,

'the mana of our tūpuna and mauro of the taonga they left us are preserved.' The TEMP identifies a range of issues, objectives, policies and implementation methods and includes, for Tangaroa (marine) that:

- *'Tangaroa is the great provider of kaimoana. For generations Tahinga have looked after many of Tangaroa creatures and the environment they live in. Tahinga people access and use the sea to collect food and medicine to sustain our people.'*
- *'Access to the sea and an ability to harvest sea food that is abundant and healthy is central to our customs and traditions. Activities that lead to poor water quality, loss of habitat and a degradation of kai moana are of primary concern to Tahinga.'*

NWML have entered into an Oati with Engagement with Ngaati Tahinga, and they have provided a Cultural Values Impact Assessment as set out in **Schedule B**.

5.3 Te Mata Herenga - Ngāti Tamainupō Mātauranga and Taonga Management Plan 2021

Te Mata Herenga identifies that the Ngāti Tamainupō coastal environment includes properties and landscapes that adjoin Raglan and the coastal waters of the inner Whāingaroa Harbour. The inner harbour coastlines and coastal waters are inhabited by taonga species (eg shellfish) and provide homes and food for other taonga species (such as indigenous insects), which in turn provide habitats for other taonga species (such as shorebirds and dotterels).

Te Mata Herenga recognises that *'Ngāti Tamainupō have unextinguished customary rights and interests in the coastal and marine environment within the Whāingaroa / Raglan harbour'* and expresses a set of position statements relating to Te Taiao Moana.

NWML recognise that vessels used for the activity will transit Whāingaroa Harbour and will ensure all vessel activity is undertaken with respect for the moana.

6.0 Technical Experts' Policy Assessments

Where relevant, technical experts have provided assessments of the proposals against policies in the NZCPS, the WRCP and the PWRC. The following table collates those assessments:

Policy	Finding	Reference
Landscape and Natural Character		
NZCPS Policy 13 – Preservation of natural character	<i>'The assessment has considered the potential effects on the natural character of the coast. This has included a detailed assessment of the existing natural character, informed by reports that have been adopted by the Waikato Regional Council, before considering the potential effects on abiotic, biotic and experiential values. It finds that the most notable effect is on experiential values, but that this is limited only to the sense of remoteness and isolation. Overall, it is considered that the effects on natural character will be low'.</i>	CLNC1 Wayfarer Landscape Assessment page 20
NZCPS Policy 15 – Natural features and natural landscapes	<i>'The assessment notes that there will be no effects on the biophysical or associational values of the adjacent landscape, including no physical effects on any notable landforms. The only</i>	

	<i>potential effect relating to natural features and natural landscapes relates to the perceptual values of remoteness, as outlined for natural character effects. Overall, it is considered that the effects on landscape will be low'.</i>	
WRCP Policy 3.1.2 – Protection of other natural features	<i>'The proposed activity largely sits within the water and requires only minimal impact to the benthic natural environment. There is no impact on any other natural features'.</i>	CLNC2 Wayfarer Landscape Response Pages 2 to 5
WRCP Policy 3.1.3 – Remote and isolated areas	<i>'The presence of buoys could be considered a human activity or modification. However, the proposed farms retain a sense of remoteness. They do not contain platforms or buildings, and they are tended infrequently. For the most part they are set and left to their own devices – much as the stock are within the landscape. Equally, by its very nature, there are few people around to experience this remoteness. As identified, most recreational and commercial boats head due west from Manu Bay or Raglan Harbour, avoiding the Site Areas. There are also very few land-based viewing locations where the proposals will be openly visible, and visibility on sea is also equally limited. Therefore, the proposal will have very limited effects on the feeling of remoteness and isolation'.</i>	
WRCP Policy 3.1.4A – Use and occupation of coastal space	<i>'The scale of buoys on the surface of the water is very small, and only visible from short distances away. The vast expanse of the seascape still dominates. Therefore, the use and occupation of the coastal space will be barely perceived, and it is considered effects of this use on natural character will be low'.</i>	
WRCP Policy 3.3.1 – Amenity values	<i>'Amenity values derive primarily from the perceptual values in the seascape/landscape. The majority of these values are unaffected by the proposal, it will retain its high energy and the bold landforms against the coast will remain dominant. There will be a slight impact on the feeling of remoteness and how such feelings contribute to overall amenity, but this is limited by the generally low visibility of the proposals. Therefore, it is considered effects on amenity values will be low'.</i>	
PWRCP Policy NATCP1 – Avoid adverse effects of activities on the values and characteristics identified in Schedule 4 that contribute to the natural values of areas of outstanding natural character	<i>'This has been detailed in our original report and is summarised in each of the conclusions, with particular reference to effects on remoteness and isolation and very limited (if any) effects on other characteristics such as the high energy coastline, the expressive bold cliff faces, the black sand beaches, the littoral cells. Some effects on the darkness of the night sky are noted in our assessment, detailed in a section starting on Page 19'.</i>	
PWRCP Policy NATCP2 – Avoid significant adverse effects of	<i>'Our assessment considers that there are no significant adverse effects on the values and characteristics of the</i>	

activities on the values and characteristics that contribute to natural character, and avoid, remedy or mitigate other adverse effects on natural character, in all areas of the CMA that are not areas of outstanding natural character	<i>seascape/landscape. A low level of effects will be experienced on remoteness values and impacts on the darkness of the night sky'.</i>	
PWRCP Policy NATCP4 – Promote the restoration or rehabilitation of natural character values and characteristics of the coastal environment, particularly in relation to estuaries, coastal indigenous vegetation and habitats, ecological corridors, improving coastal water quality and reducing the adverse effects of sediment on sensitive coastal receiving environments.	<i>'Note that mussel farming (and thus mussel nursery activities) have been shown to provide positive ecosystem services and can contribute to restoration of natural character. Our overall assessment is that the effects of the proposal on natural character will be low'.</i>	
PWRCP Policy NFLP1 – Avoid adverse effects of activities on the values and characteristics identified in Schedule 3 that contribute to outstanding natural features and landscapes in the coastal marine area.	<i>'We consider that the experiential effects of the proposal on the ONL will be, at most, low. This is because the proposal site is 5km distant from the key aspects of the landscape that contribute to its value. People experiencing this landscape do so by being right in it, focussed on the immediate surroundings – and I consider it unlikely this experience will be diminished by a distant activity in the sea'.</i>	CLNC2 Wayfarer Landscape Response Page 6
PWRCP Policy NFLP2 – Avoid the significant adverse effects of activities on the values and characteristics that contribute to natural features and landscapes, and avoid, remedy or mitigate other adverse effects on natural features and landscapes, in all areas of the CMA that are not outstanding natural features and landscapes.	<i>'Our assessment considers that there are no significant adverse effects on the values and characteristics of the seascape/landscape. A low level of effects will be experienced on remoteness values and impacts on the darkness of the night sky'.</i>	CLNC2 Wayfarer Landscape Response Pages 2 to 5
PWRCP Policy NFLP3 – Recognise that transient or minor adverse effects on the values and characteristics that contribute to outstanding natural features and landscapes may be acceptable.	<i>'I note that we have identified that there may be a low or minor adverse effect on the remoteness of the seascape location and darkness of the night sky values'.</i>	
PWRCP Policy NFLP4 – Protect the significant geopreservation sites	<i>'The proposal will have no impact on any geopreservation sites or features'.</i>	

identified in Schedule 3A by: 1. Avoiding significant adverse effects of use and development on significant geological features 2. Avoiding, remedying or mitigating other adverse effects of activities on significant geological features.		
PWRCP Policy NPLP5 – Maintain or enhance qualities and characteristics of areas and features valued for their contribution to public amenity, with particular regard given to: 1. Avoiding a sense of encroachment or domination of built form along the coastal edge 2. Avoiding forms and location of development that effectively privatise the coastal edge 3. Recognising the contribution that open space makes to amenity values 4. Recognising that some areas derive their particular character and amenity value from existing structures, modifications or activities 5. Managing land use to address potential adverse effects of climate change induced weather variability and sea level rise on amenity 6. Encouraging design of new structures and development to enhance existing amenity values	<i>'I note that we have identified that there may be a low or minor adverse effect on the remoteness and darkness of the night sky values.</i> <i>The proposal does not include any built forms on the coastal edge and does not privatise the landscape, and the extent of the farm areas in the wider seascape is very small such that any privatisation effects are negligible.</i> <i>Amenity values derive primarily from the perceptual values in the seascape/landscape. The majority of these values are unaffected by the proposal, it will retain its high energy and the bold landforms against the coast will remain dominant. There will be a slight impact on the feeling of remoteness and how such feelings contribute to overall amenity, but this is limited by the generally low visibility of the proposals. Therefore, it is considered effects on amenity values will be low'.</i>	
Marine Mammals		
NZCPS	<i>'Having reviewed the relevant provisions of the above-referenced documents with regard to marine mammals, I conclude that the application aligns with the provisions outlined therein'.</i>	CMW2 SLR Marine Mammal Peer Review page 22
WRCP		
WRPS Policy CEP2	<i>'I note that the Waikato Regional Policy Statement (2016), however requires (under Coastal Environment Policy 2: CE-P2)</i>	CMW2 SLR Marine

		<i>that adverse effects to 1) habitats of indigenous species that are listed as threatened and 2) areas set aside for full or partial protection of indigenous biological diversity under legislation (including the West Coast North Island Marine Mammal Sanctuary) are avoided. I consider that this warrants further consideration as to whether minor adverse effects (as determined by Roberts (2023) and reiterated in this report) are acceptable under this policy'.</i>	Mammal Peer Review pages 22 and 23
Seabirds			
NZCPS Policy 11 Significant indigenous biodiversity		<i>'Section 4.1 in Wildlands (2022) outlines the important habitat areas for seabirds. Karewa Gannet Island (37.972282°S, 174.565973°E; Forest and Bird 2015) is designated as an Important Bird Area (IBA) and is located approximately 18 kilometres southwest of proposed Site D. This site is an Island Wildlife Reserve and is a significant breeding site for the tākapu/Australasian gannet (Morus serrator, Not Threatened). This IBA triggers Policy 11 (a)(vi) in the New Zealand Coastal Policy Statement 2010.</i> <i>The west coast of the North Island, from Waitakere Ranges Regional Park to north of Marokopa, is a proposed extension of IBA triggered by the presence of Australasian Gannet and tara iti/New Zealand fairy tern (Sternula nereis, Threatened – Nationally Critical) foraging sites (Forest and Bird 2014). The IBA criteria is A4ii and triggers Policy 11 (a)(vi) in the New Zealand Coastal Policy Statement 2010'.</i>	CMW6 Wildlands Seabird Questions Response

7.0 Conclusion

Overall, the Planning Assessment supports the finding that the proposal:

- Aligns with the NZCPS, WRPS and decisions version of the PWRCP, and is consistent with the purpose of the FTAA.
- Provides a secure, diverse and resilient source of spat and seed that supports the continued viability, productivity and growth of the Waikato and wider North Island mussel industry.
- Delivers regional social and economic benefits through support for farming, processing, employment, investment and related services.
- Recognises and provides for tangata whenua relationships, kaitiakitanga and cultural values through the Ngāti Tahinga Oati, and tangible Māori aquaculture opportunities.
- Avoids sensitive mapped areas and provides for effects to be managed through site selection, farm design, monitoring, staged development, adaptive management and proposed consent conditions.
- Has actual and potential adverse effects that are generally assessed as no more than minor, subject to the proposed management framework.

Schedule H

Referral Decision

The referral decision is uploaded separately.

Schedule I

Reference Documents Index

The following reference documents are uploaded with the application.

Effect	Reference	Schedule
Economics (Mussel Spat Issues)	Statement of Evidence of Jake Bartrom before the Proposed Waikato Regional Coastal Plan Hearing Panel.	I1
	Stobart, R.L., Jeffs, A. G., Hillman, J. R., Skelton, B. M. (2026). Quantifying Mussel Losses from Fish Predation on New Zealand Greenshell Mussel (<i>Perna canaliculus</i>) Farms. Aquaculture and Fisheries. 2026; 6:e70263.	I2
Marine Wildlife	Clement D, Floerl L, Brownlee A. 2025. Golden Bay / Mohua AMA 2 subzones: Stage 1 marine mammal monitoring summary. Cawthron Report 4192. Prepared for consent holders in subzones (l), (m), (n) and (o) in AMA 2, Golden Bay / Mohua.	I3