

Schedule L – Explanation as to size of Guards Bay farm

The Guards Bay application is for an area of 78.47 ha. The referral decision in one part refers to ~76.8ha, but the plan attached to the decision is actually 78.5ha¹. This schedule provides the explanation for that difference.

The referral decision dated 5 May 2026 states:

Table 1: Overview of project details

Location	Activity	Area	Applicant
Pig Bay (Outer Marlborough Sounds)	Greenshell mussel spat and seed nursery farm	~90 hectares	Marine Farming Association Incorporated
Guards Bay (Outer Marlborough Sounds)	Greenshell mussel spat and seed nursery farm	~76.8 hectares	P H Redwood & Co Limited

Both the error and the correct figure were contained in the application documents. The 76.8ha figure was referred to in the application document dated 28 November 2025:

There are three applications for Greenshell mussel spat/seed nursery sites in Outer Marlborough Sounds locations. These are:

- *An application by the Marine Farming Association Incorporation and others for 90 hectares of mussel nursery space at **Pig Bay**.*
- *An application by PH Redwood & Co Limited for an additional 76.8 (totalling 88.8) hectares of mussel nursery space at **Guards Bay**.*
- *An application by Clearwater Mussels Limited for 28.03 hectares of mussel nursery space at **Hapuku Rock**.*

As best as we can ascertain the error was caused by transposing numbers followed by an inaccurate correction. The difference between the correct area and the area identified in the referral decision is 1.67 hectares.

The use of a tilde (~) symbol denotes approximation. As does the words in the referral decision.² The language of approximation has been noted as a feature of a number of descriptions of fast-track projects.³ The level of difference that the approximation allows for varies with context. Here the difference would not be discernable.⁴

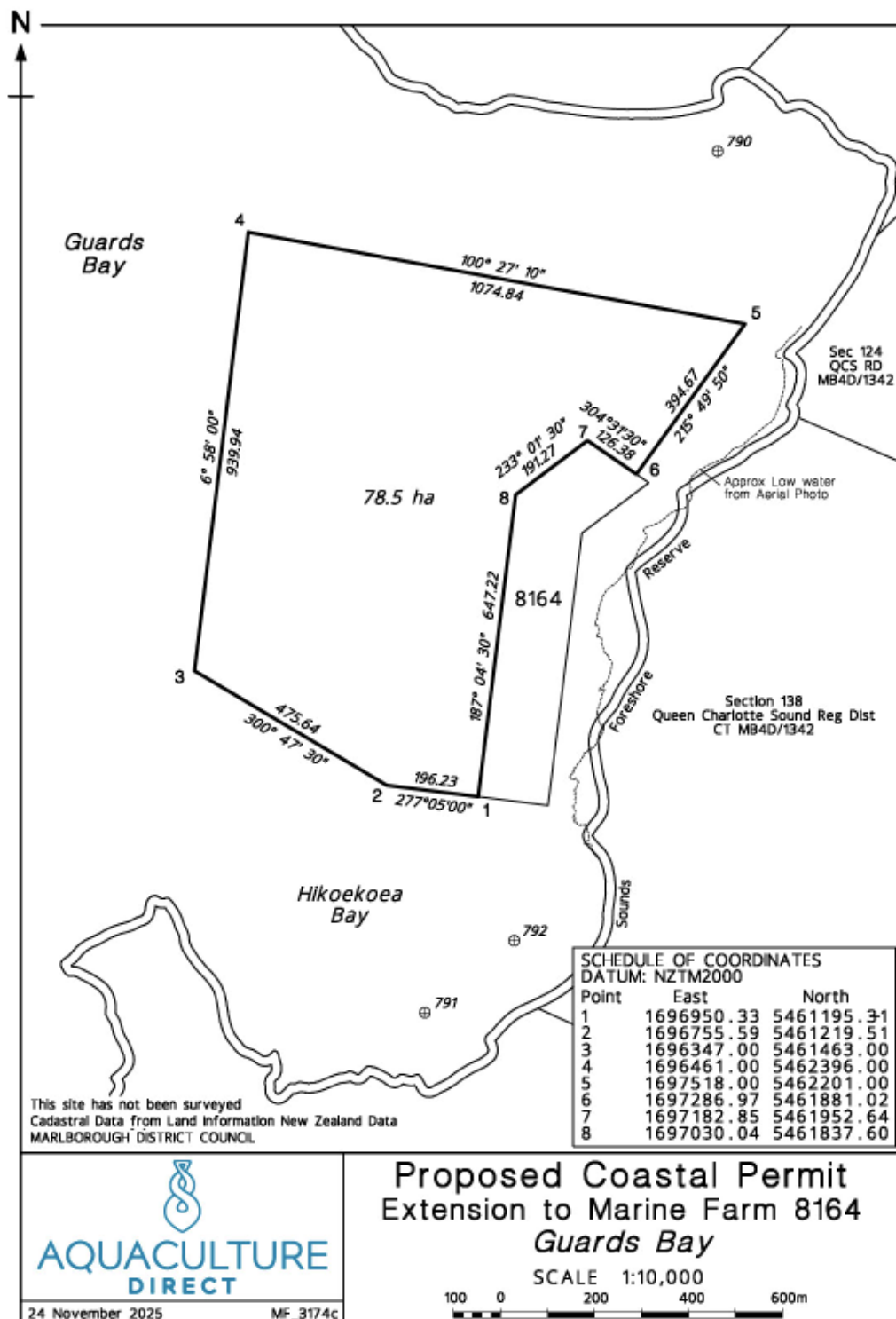
¹ As per Schedule A of the referral application. There was unfortunately an error in the written hectareage in the application documents which has come through into the written hectareage in the referral decision.

² For example, on page 1 of the decision under “Project details”, the decision records that the application seeks new farms in six locations “totalling an area of **approximately** 280.65 hectares...” (our **emphasis**).

³ *Jones v Environmental Protection Authority* [2026] NZHC 1872

⁴ See for example *Stormhaven Ltd v Waikato Regional Council* [2026] NZEnvC 170 at [195], which considered the effect of extensions to existing farms of one by 0.2133ha (Li 294A) and one by 0.7860ha (Li 294B). The Court concluded “The Court traversed the sea, viewing the area as directed by the parties both from close proximity to the subject site and the various angles and distances used in evidence. While the two sets of marine farms are visible at this overlapping point (although not the full breadth of each), we consider that the effect of the extension would not be discernible/significant at this point and would be difficult to interpret

The maps attached to the referral application were correct (Schedule A maps and plans). Those who are interested in a proposal are most likely to consult the maps to see where the applications are. There the coordinates and correct areas are shown in the maps attached to the application.



given the natural way the views of the marine farms compress horizontally from a distance.” This case is subject to appeal on points of law.

The new plans in **Schedule A** to this substantive application have a small reduction in area sought, down from 78.5ha to 78.47ha. The difference between the correct site plan in the referral decision and the site plan now sought in this substantive application is 0.03ha.

That change has arisen from a slight reconfiguration for operational purposes to align the lines with those of the existing farm. Furthermore, the site plan and structure layout plan have both been amended to exclude the lines of the existing farm 8164 (as that is not subject to this application).