Memorandum on Completeness and Scope

File	FTAA-2609-1301
Application	Waikato West Coast Mussel Spat Nursery
To	Daya Thomson, Team Leader LOA
From	Ashley Jamieson, Application Lead
Date	30/10/2026
Subject	Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Waikato West Coast Mussel Spat Nursery application, lodged by North Western Mussels Limited (the Applicant), received by the Fast-track Team on 7 October 2026 complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 31 March 2026.

Conflict of interest

3. I confirm that I do not have any conflict of interest in this matter that would prevent me making this assessment.

The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.
5. The Application was referred by the Minister for inclusion in the Fast-track consenting process under section 28 of the Act. The Minister accepted the referral application on 4 May 2026 and notified the EPA of the decision on the referral application on 4 May 2026.

6. The Application was lodged on 7 October 2026. The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, decide whether this substantive application complies with section 46 of the Act within 15 working days of the lodgement of the application (but may be longer where the EPA has requested further information from the applicant under section 46(2B)). This application was subject to a further information request therefore the date by which the EPA must make a decision under 46 is 30 October 2026.
7. As set out in more detail below, the EPA must decide whether the application is complete and either:

- Notify the Panel Convener they can set up an expert consenting panel to make a decision on the application (if complete and within scope); or
- return it to the person who lodged it (if incomplete and/or not within scope).

Project and Scope

8. The referred project is:

The project to establish and operate, using conventional longline methods, a new approximately 700-hectare mussel spat nursery farm at four sites in the coastal marine area of the Waikato west coast for the purpose of spat catching and seed holding and transfer of Greenshell mussels.

The project area covers four sites, approximately 3km offshore from the coastline near Whāingaroa/Raglan, on the west coast of the Waikato Region. A map illustrating the approximate project area is attached in Appendix 2 of this letter.

The project seeks resource consents under the Resource Management Act 1991 (RMA) as described in section 42(4)(a) of the Act, which may include prohibited activities. The applicant also intends to seek an aquaculture decision under section 80 of the Act with the substantive application.

Appendix 2: Approximate project area



9. The application is described on page 15 of the substantive application as:

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).

10. The application is also seeking an aquaculture decision for the coastal permit under section 80 of the FTAA as set out in section 3.6 of the substantive application.
11. The project area is described on page 22 of the substantive application as:

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.

12. The application is for the following activity, as described on page 15 of the substantive application:

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.

13. The scope of the project has been refined as explained in 3.3, page 14 of the substantive application; The referral comprised of 4 sites over 700 hectares, after engagement with Iwi, the applicant decided to reduce the number of sites included in the application. The application now comprises of 3 sites over 540 hectares, there have been no new sites, activities or approvals beyond the scope of referral application.
14. I consider the reduction of scope to be within scope of the referred application. This approach aligns with the High Court's decisions on Kings Quarry, that there is no lower limit for a reduce scope.

15. Except for the project size, discussed above. I believe the application relates solely to the referred project because the activities proposed in the application is in line with the description of the project as referred.

Fast-track consenting application process

Legislative context

16. The EPA must decide, in consultation with relevant administering agencies and consent authorities, whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:

1. complies with sections 42, 43 and 44;
2. relates solely to a listed project or a referred project;
3. the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
4. any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.

17. The EPA may request further information from the applicant under section 46(2A) for the purposes of determining whether the application is complete and within scope.

Section 42 Requirements

18. Section 42 of the Act states that an authorised person may lodge a substantive application for the project, 1 substantive applications for each stage of a project if the Minister has determined that the project may proceed in stages (either under s 21(1)(a) or s 37A). Section 42(4) lists the approvals that may be sought under the Act.
19. This application has been lodged by North Western Mussels Limited. This person is an authorised person under the Act because they are the same person listed in the Minister's referral decision.
20. The approvals being sought are:

- an approval described in section 42(4)(a) (resource consent);

21. A resource consent, change to or cancellation of a resource consent: **checklist A**;
22. All of the above listed approvals are of the type set out in section 42(4) of the Act
23. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

24. Section 43 of the Act sets out the requirements for a substantive application. The substantive application was lodged in the form and manner approved by the EPA. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

25. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.
26. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.
27. As set out in more detail in Appendix 2, the agencies consulted have advised that the information required by section 44 is provided in **sufficient** detail to satisfy the purpose for which it is required.

Ineligibility

28. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.
29. The list of ineligible projects includes activities:

5. on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
6. on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
7. in a customary marine or protected customary rights area without written agreement from the rights holder/group;
8. within an aquaculture settlement area without the required authorisation;
9. activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
10. that require permissions on national reserves (or reserves vest in another person) held under the Reserves Act 1977 ; or

11. on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).
12. That are prohibited under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, or section 15B or 15C the Resource Management Act 1991.
13. That relate to decommissioning under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
14. That are undertaken for the purposes of an offshore renewable energy project.

30. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Notification by applicant

31. Pre-lodgement requirements for a listed project require the applicant to notify in writing the persons and groups referred to in section 29(1)(aa). The persons and groups notified have 20 working days to respond from the date of the notice. The applicant must not lodge their substantive application until each 20 working day period has elapsed.

32. I have checked and reviewed the dates of notification sent to the persons or groups in section 29(1)(aa) and confirmed that the application has lodged their application only after each 20 working day period has elapsed.

Fees and levies

33. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:

15. Application fee in the sum of $250,000 plus GST;
16. Levy in the sum of $140,000 plus GST; and

Consultation

34. I have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:

17. Waikato Regional Council for:
    i. an approval described in section 42(4)(a) (resource consent)

35. A summary of the consultation is included as Appendix 2.

Requests for further information

36. A further information request from the applicant under section 46(2A) was sent on **27 October 2026** in relation to . The applicant responded with the information on **28 October 2026** within

the 20- working timeframe afforded by section 46(2B). A full copy of the request and response can be found in Appendix 3.

Assessment of compliance for each section of each application form

37. I have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
38. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
39. The EPA must now decide whether the substantive application has a competing application under section 47A(1) (under delegation from the Minister for Infrastructure under section 47C) within 10 working days from the date of the completeness decision.
40. Once the EPA has made the decision under section 47A(1), the EPA must notify the panel convener that an expert consenting panel can be set up to commence consideration and decision of the application.

Appendix 1: Assessment of section 44 sufficiency

My assessment of the application materials is set out in the relevant checklists below:

CHECKLIST A – Resource consent, change to or cancellation of a resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA
5(1)(a)	A description of the proposed activity	**NWML FTAA Substantive Application Section 3.4 page 15**	Addressed as referenced
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— (i) a statutory area (as defined in the relevant Treaty settlement Act); or (ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or (iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011	**NWML FTAA Substantive Application Section 3.2 page 12, Section 4.2 page 22, Part 5 Cultural Considerations page 46 and Schedule A Maps and Plans**	Location is described as referenced in section 4.2 pg 22. Section 3.2 does not contain a site description. (i) & (iii) section 4.2 - The description confirms the sites are not within or adjacent to a statutory area or a protected customary rights area. (ii) section 4.2 – within the rohe moana of Waikato Tainui, part 5 identifies the relevant Māori groups.

5(1)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being: • section 42; and • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid.	**NWML FTAA Substantive Application Section 3.2 page 12. The fees, charges and levies payable will be paid as soon as an invoice is received.**	Addressed as referenced
5(1)(d) and 5(6)	The full name and address of— (i) each owner of the site and of land adjacent to the site; and (i) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry; If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership,	**The site is at least 3km from shore and there are no adjacent landowners for the purpose of the FTAA**	Addressed. Following a request for further information, the applicant provided further information on 27 October 2026 regarding owners and occupiers of the site and adjacent land. The applicant states that it undertook reasonable inquiry, including a search of active coastal permits using Waikato Maps and adopting a 2 km proximity from the project sites. The inquiry

	the applicant must include a statement to that effect (clause 5(6)).		identified that North Western Mussels Limited is the applicant and/or permit holder for all coastal permit applications and authorisations identified within that area, and concluded that there are no other owners of the site or adjacent land, or coastal permit holders occupying adjacent areas of the CMA. On the information provided, the requirements of clauses 5(1)(d) and 5(6) are considered addressed
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	**N/A**	Applicant stated no other activities are part of the proposal in the substantive application Part 3.4, pg 16
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	**N/A**	Applicant stated no other consents or designated in the substantive application Part 3.4, pg 16
5(1)(g)	An assessment of the activity against sections 5, 6 and 7of the Resource Management Act 1991	**NWML FTAA Substantive Application**	Addressed as referenced

		Section 3.5 page 17 and Schedule G Planning Assessment	
5(1)(h) (and also clauses 5(2) and 5(3))	An assessment of the activity against any relevant provisions in any of the following documents: • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • a regional policy statement or proposed regional policy statement: • a plan or proposed plan: • a planning document recognised by a relevant iwi authority and lodged with a local authority. This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being: • any relevant objectives, policies or rules in the documents listed; and	**NWML FTAA Substantive Application Section 3.5 page 17 and Schedule G Planning Assessment**	Addressed as referenced • The Resource Management Act 1991 (RMA), **Schedule G, 2.0, from pg 1 of schedule** *(pg 158 of PDF)* • The New Zealand Coastal Policy Statement 2010 (NZCPS), **Schedule G, 3.0, from pg 7 of schedule** *(pg 164 of PDF)* • The Waikato Regional Policy Statement (WRPS), **Schedule G, 4.1, from pg 12 of schedule** *(pg 169 of PDF)* • The operative Waikato Regional Coastal Plan (WRCP) **Schedule G, 4.2, from pg 16 of schedule** *(pg 173 of PDF)* • The decisions version of the Proposed Waikato Regional Coastal Plan, (PWRCP)

	• any requirement, condition, or permission in any rules in any of those documents; and • any other requirements in any of those documents.		and **Schedule G, 4.4, from pg 19 of schedule** *(pg 176 of PDF)* • Relevant iwi management plans. **Schedule G, 5.0, from pg 44 of schedule** *(pg 201 of PDF)*
5(1)(i)	Information about any Treaty settlements that apply in the area covered by the consent application, including— (i) identification of the relevant provisions in those Treaty settlements; and (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area	**NWML FTAA Substantive Application Section 3.2 page 12 and Part 5 Cultural Considerations page 46**	Addressed as reference – section 3.2 only lists location of information. (i) Addressed in section 5.3, page 49 (ii) addressed in Cultural Considerations summary, section 5.8, page 55
5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	**NWML FTAA Substantive Application Section 3.2 page 12 and Part 5 Cultural Considerations page 46**	Addressed as referenced – specifically in section 5.2 of cultural considerations.

5(1)(k)	Any conditions that the applicant proposes for the resource consent.	**NWML FTAA Substantive Application Part 8 Proposed Conditions page 125 and Schedule F**	Addressed as referenced - Part 8 provides a description of the conditions. Schedule F is the full set of conditions. Schedule F is attached the application, not a separate document.
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,— (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice.	**Schedule C2**	Addressed as referenced. Noticed given under section 30(3).
5(4)(a)	An assessment of the activity's effects on the environment that includes the information required by clause 6.	**NWML FTAA Substantive Application Part 4 Application page 22, Part 5 Cultural Considerations page 46, Part 6**	Addressed as referenced Part 4 of the substantive application is a full overview of the application, include aspects of the effects. Part 6 of the substantive application includes a summary table of effects.

		Assessment of Environmental Effects page 57 and Schedule D Technical Assessments, Schedule E Management Plans and Schedule F Proposed Conditions	
5(4)(b)	An assessment of the activity's effects on the environment that covers the matters specified in clause 7.	**NWML FTAA Substantive Application Part 4 Application page 22, Part 5 Cultural Considerations page 46, Part 6 Assessment of Environmental**	Addressed as referenced

		Effects page 57 and Schedule D Technical Assessments, Schedule E Management Plans and Schedule F Proposed Conditions	
6	(1) The assessment of an activity's effects on the environment must include the following information: (a) an assessment of the actual or potential effects on the environment: (b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use: (c) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and	**NWML FTAA Substantive Application Part 4 Application page 22, Part 5 Cultural Considerations page 46, Part 6 Assessment of Environmental Effects page 57 and Schedule D**	Addressed as referenced. The application includes a summary of effects table, in section 6 on page 59-64, with references to the relevant technical assessments in schedule D.

	(ii) any possible alternative methods of discharge, including discharge into any other receiving environment: (d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity: (e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal: (f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision: (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved: (h) an assessment of any effects of the activity on the exercise of a protected customary right.	**Technical Assessments, Schedule E Management Plans and Schedule F Proposed Conditions**	
7	The assessment of an activity's effects on the environment must cover the following matters:	**NWML FTAA Substantive Application Part**	Addressed as referenced

	(a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects: (b) any physical effect on the locality, including landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations: (e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants: (f) any unreasonable emission of noise: (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.	**4 Application page 22, Part 5 Cultural Considerations page 46, Part 6 Assessment of Environmental Effects page 57 and Schedule D Technical Assessments, Schedule E Management Plans and Schedule F Proposed Conditions**	The application includes a summary of effects table, in section 6 on page 59-64, with references to the relevant technical assessments in schedule D.
5(5)(a)	If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource	**N/A**	

	consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)		
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document	**N/A**	
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaitai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	**N/A**	

Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

1. **Consultation with Waikato Regional Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:
    - Resource consent (section 42(4)(a) of the Act)

File No: 61 70 90A
Document No: 39349060
Enquiries to: Christin Atchinson

Waikato Regional Council
Te Kaunihera ā Rohe o Waikato

Private Bag 3038
Waikato Mail Centre
Hamilton 3240
New Zealand

waikatoregion.govt.nz
0800 800 401

14 October 2026

Attn: Ashley Jamieson
Via email: Substantive@epa.govt.nz
info@fastrack.govt.nz

Hello Ashley,

Re: Consultation regarding a substantive application under the Fast-track Approvals Act 2024

Thank you for your letter dated 8 October 2026 notifying the Waikato Regional Council that North Western Mussels Ltd (the applicant) has lodged a substantive application under the Fast-track Approvals Act 2024 (the Act), being the Waikato West Coast Mussel Spat Nursery application. This application relates to a new 540-hectare (approximately) mussel spat nursery farm using conventional longlines 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 mussels.

Your letter has requested the Waikato Regional Council (WRC) provide a written response to the following matters:

- whether any relevant matters listed in clauses 5 to 9 of Schedule 5 (information required in a resource consent application) have not been addressed or have not been provided in sufficient detail.
- whether the written notice under section 30(3)(b)/30(5), dated 20 August 2026, prepared by Waikato Regional Council remains accurate and final at the time of receiving this letter.

WRC confirms that there are no relevant matters within the Waikato Regional Council's purview listed in clauses 5 to 9 of Schedule 5 (information required in resource consent application) that have not been addressed or have not been provided in sufficient detail.

WRC also confirms that the written notice prepared under section 30(3)(b)/30(5), dated 20 August 2026, remains accurate as of the date of this letter.

Overall, WRC considers the application meets the requirements of sections 42 and 43 of the Act and has been provided in sufficient detail for the matters of relevance to the WRC to satisfy the purpose for which it is required, in accordance with section 44 of the Act.

WRC has appreciated the early engagement on this application with the applicant. As noted in the application, WRC has peer reviewed most of the technical aspects and considered proposed consent conditions.

If you require further information on these matters, please contact Christin Atchinson in the first instance.

Kind regards,



AnaMaria d'Aubert
Manager - Regional Consents

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Appendix 3: Further information requests and responses

A further information request was sent to the applicant during under section 46(2B) of the Act. The request and response are set out below.

Request for Further Information 1:

- Date sent: 27 October 2026
- Topic: Clause 5(1)(d) of Schedule 5
- Date of response: 28 October 2026, noting that the material received on the 28 October is dated 27 October 2026.

Waikato West Coast Mussel Spat Nursery RFI (27 Oct. 26).pdf

Letter to EPA re Landowners 27 Oct 26.pdf

Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

FTAA-2609-1301

27 October 2026

North Western Mussels Limited
C/- Rebecca Clarkson
Aqua Culture direct
By Email: rebecca@aquaculturedirect.co.nz

Tēnā koe,

Request for further information in relation to your application under the Fast-track Approvals Act 2024

You lodged a substantive application, Waikato West Coast Mussel Spat Nursery, under the Fast-track Approvals Act 2024 (the Act) on 7 October 2026.

Prior to referring a substantive application to an Expert Panel, the EPA must assess the completeness and scope of the application to ensure it complies with section 46(2) of the Act. To assist with making this assessment, under section 46(2A) of the Act the EPA may seek further information from you.

Request for Further Information

To inform the EPA's assessment of the application for completeness, please provide a response to the following matters:

Resource Consent

To assist us in assessing if the application complies with s 46(2) of the Act, please provide the following information:

- In respect of Clause 5(1)(d)(ii) and (6) of Schedule 5, you have stated '*The site is at least 3km from shore and there are no adjacent landowners for the purpose of the FTAA'.* However, the FTAA does not provide any specific direction as to how "the land to which the substantive application relates" or "adjacent land" should be defined. Recent Fast-track Expert Panels have adopted an approach whereby holders of coastal occupation permits in proximity to a proposal within the coastal marine area are considered to be adjacent occupiers for the purposes of notification and procedural requirements. Accordingly, please provide the

name and addresses of coastal permit holders within a radius of the project site or any further relevant information with regards to theses clauses.

Responding to the Request for Further Information

Under the Act, you have until the end of the 20th working day from the date of this letter to provide a response to the EPA, which is 24 November 2026.

From the date of this letter, the 15 working day timeframe for the EPA to decide on completeness and scope of the substantive application ceases to run. The 15 working day timeframe will recommence once your response is received or after 24 November 2026, whichever is sooner.

If you wish to clarify any matter relating to the request, and the request was generated from the EPA's consultation with an administering agency or local authority, we suggest that you contact that administering agency or local authority directly before providing your response to the EPA.

If you require information from the EPA in relation to the request for further information, you may request that information from the EPA under section 46(2C) of the Act. Please send your request to projects@fasttrack.govt.nz.

The EPA intends to publish the information received from you in full, including your responses in our completeness memorandum, on the Fast-track website.

If you have any questions, please contact Mujahid Musa, Application Lead, by email at info@fasttrack.govt.nz.

Nāku noa, nā



Daya Thomson
Team Leader, Fast-track Applications

27 October 2026

Daya Thomson
Team Leader, Land & Oceans Applications
Environmental Protection Agency
daya.thomson@fasttrack.govt.nz

Tēnā koe Daya,

North Western Mussels Limited Fast-track Landowners

Thankyou for your request for further information to assist the EPA's assessment of the Waikato West Coast Mussel Spat Nursery substantive application FTAA-2609-1301 for completeness.

NWML understands that the FTAA does not provide specific direction as to how "the land to which the substantive application relates" or "adjacent land" should be defined, and that recent Panels have adopted an approach whereby holders of coastal occupation permits in proximity to a proposal within the coastal marine area (CMA) are considered to be adjacent occupiers for the purposes of notification and procedural requirements.

With respect to the definition of "proximity", the Panel in the Ports of Auckland Bledisloe North Wharf and Fergusson North Berth Extension decision at [78] defined "adjacent land" in respect of the seaward boundary as being 100 metres from the project land. For the purposes of this application, the applicant's Natural Character, Landscape/Seascape and Visual Effects Assessment [1] included a visibility assessment which identifies that visibility tends to be very good within 1-1.5km but that beyond 2km it is generally difficult to see individual features.

NWML has undertaken reasonable inquiry with regard to any such coastal occupation permits by searching the location and details of active consents and using the applicable Waikato Maps search tool[2]. The search "proximity" adopted is 2km from the project sites and is considered a very conservative approach.

The search identifies four applications for coastal permits and one coastal permit within 2km of the sites as shown in Figure 1 over. North Western Mussels Limited is the applicant and/or coastal permit holder for all of these as set out in Table 1 over. There are no other landowners or coastal permit holders within the 2km proximity.

[1] Schedule DLNC1 of FTAA-2609-1301
[2] https://waikatomaps.waikatoregion.govt.nz/Viewer/?map=85bba12b5e4848bdadc005fea2a84b68

Figure 1 Coastal permit applications and authorisations from Waikato maps

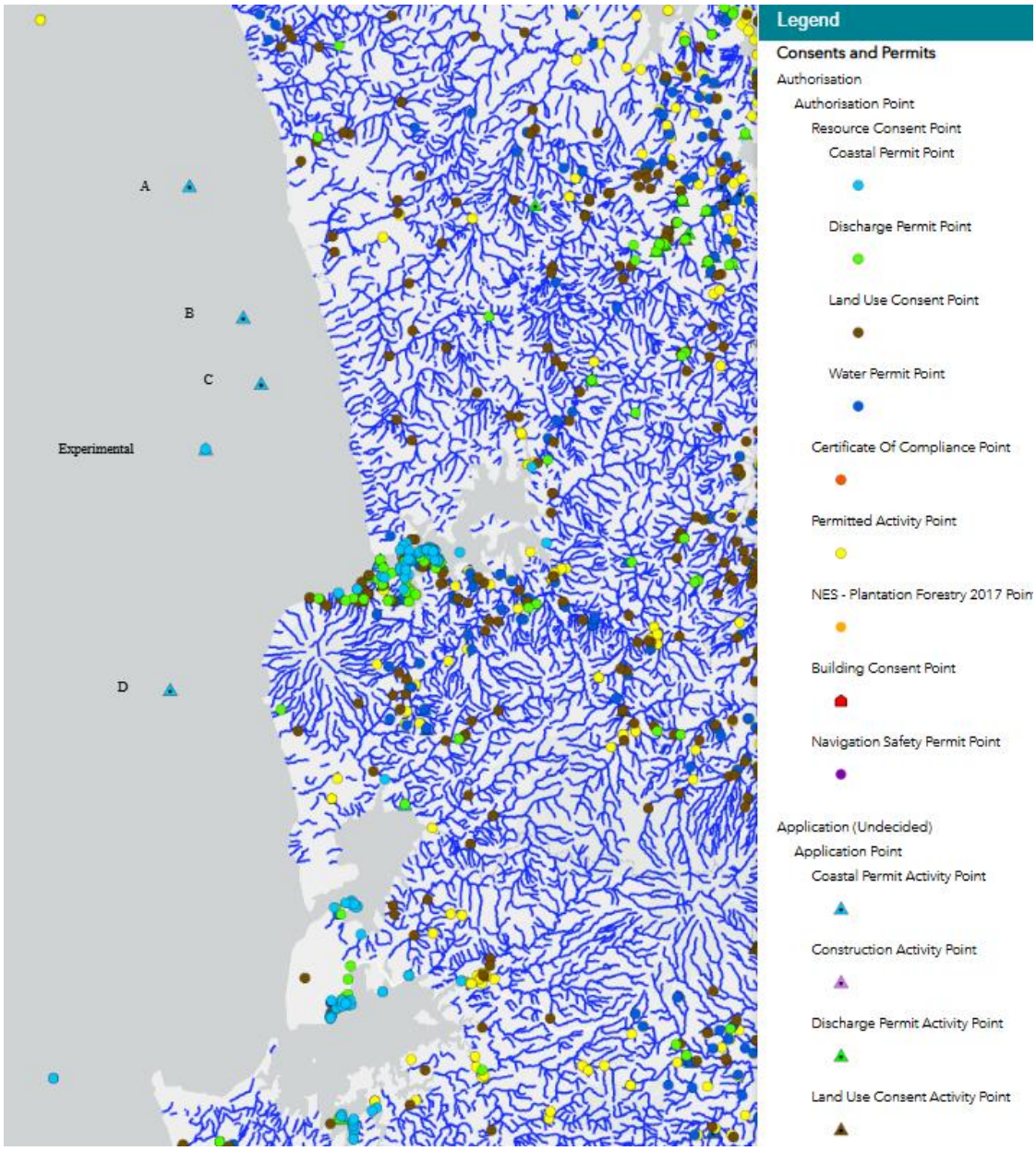


Table 1 Detail of coastal permits and applications for coastal permits within 2km of the application sites

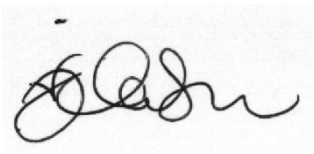
Point	Detail	Applicant/ Permit Holder
A	Application APP145770 for mussel spat catching currently on hold – Site A	North Western Mussels Limited
B	Application APP145770 for mussel spat catching currently on hold – Site B	
C	Application APP145770 for mussel spat catching currently on hold – Site C	
Experimental	Application APP145011 for mussel spat research currently on hold	
	AUTH139018.01.01 coastal permit for mussel spat research expires 31 July 2043	
D	Application APP145770 for mussel spat catching currently on hold – Site D	

In summary, NWML has adopted a conservative "proximity" of 2km and made reasonable inquiries and has

found that there are no owners of the site or adjacent land, and no holders of coastal permits occupying adjacent areas of the CMA.

I trust this is sufficient information to assist the EPA with the completeness check.

Nāku iti noa, nā



Rebecca Clarkson
Principal Advisor