# Referral application form to use for the fast-track process

Under the Fast-track Approvals Act 2024

## About this referral application

This referral application form has been approved by the Secretary for the Environment in accordance with the fast-track approvals process of the Fast-track Approvals Act 2024 (the Act). All referral applications under the Act must be submitted using this form.

We recommend you discuss your referral application and the information requirements with us before you lodge the referral application. Please contact the Fast-track support team on 0800 327 875 or email info@fasttrack.govt.nz

**Please provide a general level of detail in your application; sufficient to inform the Minister's decision on the referral application.**

You must use this form to apply for referral applications and complete all relevant fields, even where you provide supporting attachments that are more detailed. Include attachment or appendix numbers in the relevant fields and list the attachments in section 5 of this form.

If the required information and relevant supporting material is not provided, the application will be returned to you as incomplete.

If your application is determined to be complete, and the Ministry for the Environment (MfE) considers that your project may be capable of satisfying the assessment criteria and does not appear to involve an ineligible activity, and you have paid all related fees, charges and/or levies, then we will provide it to the Minister for Infrastructure (the Minister).

Unless the Minister decides to decline the application before doing so, the Minister will invite comments on the application from relevant local authorities, Ministers, administering agencies, identified Māori groups, owners of Māori land in the project area and any other person the Minister decides is appropriate. The Minister may also request further information from you, the relevant local authorities, or relevant administering agencies before making a decision on the referral application.

If the Minister accepts your referral application, then you may lodge a substantive application with the EPA and the substantive application may be considered by a decision-making panel.

### Application fees and Cost recovery

Under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations), applicants lodging a referral application are required to pay a fee (deposit) of $12,000 (plus GST), and a levy of $6,700 (plus GST) to the to the Environmental Protection Authority (EPA). The fees are set in

Schedule 1 of the Regulations. These fees must be paid before lodgement of your referral application. If the required amount is not paid the application will be returned as incomplete.

Please note the final costs payable at the referral stage may exceed the referral application fee (deposit) paid. More information about cost recovery under the Fast-track Approvals Act 2024 is available from Fast-track approvals cost recovery process.

## Submitting your application

You will need to submit this form through our digital Fast-track portal. You will need to receive a link to register/access the portal.

If you need any help with the form, you can call or email us:

- 0800 327 875 (0800 FASTRK) (from within New Zealand)
- email: info@fasttrack.govt.nz

| How to send your completed form to us |
| --- |
| Use the application portal – you will need to receive a link to register/access: Fast-track website |

### Your personal information

The Ministry for the Environment (MfE) is collecting your personal information for the purpose of administering your referral application under the Fast-track Approvals Act 2024. We will only use the information for the purposes of contacting you in relation to this application.

MfE may provide your application, or details from your application to other agencies or local authorities for the purpose of administering your referral application. If your application is accepted as complete and progresses through the referral process, the Minister may consult with other agencies and groups on your application. This will require the Minister to share the details of your application with the EPA, the Panel Convener, and those groups.

We will store your personal information securely. You have the right to access the personal information we hold about you and to ask for it to be corrected if it is wrong. If you would like to access your personal information, or have it corrected, please contact us at referrals@fasttrack.govt.nz

### Official information

All information you provide with this application is subject to the Official Information Act 1982 and may be released in accordance with that Act.

### Publishing your application

We intend to publish your referral application on the Fast-track Approvals website.

Any personal contact details in application documents will not be made publicly available. Please provide a copy of the application with all personal contact details redacted.

MfE may also redact certain information from publication in accordance with the Official Information Act 1992. If you think your application contains information which should be withheld, please clearly identify it and provide an explanation as to why it should be withheld.

# Section 1: Applicant details

*A person or persons may apply to use the fast-track process for a project. Where there is more than one person, the referral application must be lodged jointly by all of the persons who are proposed to be authorised persons for the project.*

*If the referral application is accepted and referred by the Minister, the person or persons who lodged the referral application will be specified as the person who is, or the persons who are, authorised to lodge a substantive application for the project.*

## 1.1 Applicant(s) – repeat for all applicants

**1.1.1 Organisation name:** Contact Energy Limited

**1.1.2 NZBN (optional):** 9429038549977

**1.1.3 Contact name:** Matthew Cleland

**1.1.4 Phone:** s 9(2)(a)

**1.1.5 Email address:** s 9(2)(a)

**1.1.6 Postal address (if preferred method of contact):**

## 1.2 Agent acting on behalf of applicant (if applicable)

**1.2.1 Organisation name:** Mitchell Daysh Limited

**1.2.2 Contact name:** Claire Hunter

**1.2.3 Phone:** s 9(2)(a)

**1.2.4 Email address:** s 9(2)(a)

**1.2.5 Postal address (if preferred method of contact):**

### 1.3 Finance – Agent acting on behalf of applicant (if applicable)

**1.3.1 Organisation name:**

**1.3.2 Contact name:**

**1.3.3 Phone:**

**1.3.4 Email address:**

**1.3.5 Postal address (if preferred method of contact):**

*If you are making this application on behalf of the applicant, please attach evidence that you are authorised to make this application.*

**1.3.6** Please direct all correspondence relating to this application (including correspondence from MfE) to:

☑ Applicant(s)

*If selecting Applicant and there is more than 1 person who lodged the referral application, please identify 1 person to receive all correspondence on behalf of all applicants.*

☑ Agent for applicant

### 1.4.1 Compliance and enforcement history – repeat for all applicants

**1.4.1** Have there been any compliance or enforcement actions taken against the applicant (or if the referral application is lodged by more than one person, any of those persons) under a specified Act definition for either 'compliance' or 'enforcement'?

☑ Yes – see below ☐ No – proceed next

**1.4.2** If you answered yes above, please provide a summary of the relevant legislation and provisions, and any compliance or enforcement actions, and the outcome of those actions taken under the specified Act against the applicant or applicants, if the referral is being lodged jointly.

Contact has been a major operator of large power stations since 1996. Contact has an extensive portfolio of electricity generation assets and has a proven track record of environmental compliance in relation to Contact's operation of these sites.

# Section 2: Referral application summary

### 2.1 Project name

*This is the name by which the project will be known publicly. For example - avoid using street addresses, place names, company names.*

## 2.2 Project description and location

**2.2.1** Provide a description of the project and the activities it involves

*The project description helps us with inviting comments from relevant parties on the application, and publishing information about the application.*

Summary

Summary

The Southland Wind Farm Project will include the following key components:

- Construction and operation of up to 55 wind turbines, each up to approximately 7MW in capacity and a 'tip height' of up to 220m;
- Electrical reticulation, consisting of underground cables and wind turbine transformers;
- A wind farm substation to collect the power generated by the wind turbines. This will be located on Jedburgh Station;
- A switching station (also known as Grid Injection Point ("GIP")) located adjacent to the existing Transpower 220kV circuit between Invercargill and Dunedin (the North Makarewa to Three Mile Hill A Circuit);
-An overhead single or double circuit 220kV transmission line between the wind farm substation and the GIP to provide connection to the Transpower National Grid;
- Up to two permanent meteorological masts each up to approximately 140m in height;
- An operations and maintenance building; and
- Construction of roading, turbine foundations and "hard stand" areas adjacent to each turbine.

Refer to Section 2.2.1 of Attachment 1 for a complete description of the Project.

**2.2.2** Provide a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application.

*For example, site address(es), certificate of title(s), shape files*

The proposed Southland Wind Farm comprises two main components - a Wind Farm, where the wind

The proposed Southland Wind Farm comprises two main components - a Wind Farm, where the wind turbines, wind farm substation, and wind farm roads are located - and the Grid Connection works – being the infrastructure required to connect the wind farm to the Transpower National Grid. This comprises a high voltage (220kV) overhead transmission line and a switching station, also known as the grid injection point (GIP). From a property perspective, these two project aspects are described as follows:

-Wind Farm Site (aka 'site'): the land upon which the wind turbines, wind farm substation and wind farm roads are located. This area is entirely in the Southland District and the Southland Region.

-Project Site: the Wind Farm Site, plus the land also required for the grid connection works (i.e. the transmission line and the GIP). This area is partly in the Southland District and partly within the Gore District, and entirely in the Southland Region.

In addition, the main access route into the Wind Farm Site is through the privately owned Port Blakely forest. This is partly within the Southland District and partly within the Gore District (the boundary following the Mimihau Stream (North Branch) which flows through this property).

The Wind Farm Site is located on Slopedown Hill in eastern Southland, approximately 50km east of Invercargill, 30km southeast of Gore and 23km east of Edendale. The Wind Farm Site covers approximately 58km2 of privately owned land, including land which forms part of two sheep and beef farms (Jedburgh Station and Glencoe Station), and Venlaw plantation forest owned by Matariki Forests (refer to Attachment 2).

The land holdings for the Southland Wind Farm are as follows (the Record of Titles are attached as Attachment 3):

- Section 3 Block IX Slopedown Survey District, RT SL9D/824;

- Section 2 Block IX Slopedown Survey District, Section 1 Survey Office Plan 9639 and Section 1 Survey Office Plan 10255, RT SL8D/456;

-Lot 1 DP 3613 and Section 1 Survey Office Plan 9465, RT SL155/79;

-Lot 2 DP 363843 and Lot 1 DP 13176 and Section 1-2 Survey Office Plan 9464 and Section 15 Block X Tuturau Survey District and Part Section 16 Block X Tuturau Survey District, RT 259751;

-Lot 1 DP 363843, RT 259750;

-Lot 1 DP 12509, RT 407674;

-Section 61-62 Block III Wyndham Survey District, RT SL9B/866;

-Lot 2 DP 362693, RT 255758;

-Lot 1 DP 15096, RT SL12A/655;

-Lot 4-7 DP 15305, Lot 1-4 DP 15076 and Lot 1 DP 15078, SL12B/81;

-Section 26 Block II Slopedown Survey District, 265526;

-Section 11, Section 16-17 and Part Section 9-10 Block II Slopedown Survey District, RT SLA4/151;

-Section 5 and Section 20-22 Block II Slopedown Survey District, RT SL17/134;

-Lot 1-3 DP 15305 and Lot 1 DP 15306, SL12B/80; and

-Road reserve and unformed legal road (paper roads).

## 2.3 Ineligible activity

*Your referral application must demonstrate that the project does not involve any ineligible activities as defined in Section 5 of the Act. Please consider each ineligible activity below and where relevant, provide the requested details.*

*When providing your response below, where possible,* ***provide details of any parties involved, the***

***extent of their holding and the activity relevant to their area**.*

*Where a project involves an activity that may be the subject of a determination under sections 23 or 24, and you are intending to seek a Ministerial determination for that activity under either section, you must still complete this section in full. Determinations under, and information required in respect of, sections 23 and 24 are covered further under* 2.5 Ministerial determinations under sections 23 and 24.

*If your application relates to certain mining activities below the surface of the land and meets the other relevant criteria under section 5(2) of the Act then an agreement under section 5(1)(a), (b), (j) or (k) may not be required. This should be identified under the relevant questions below, and you must provide the additional information required in respect of section 5(2) under* 2.3 Ineligible activity.

**2.3.1** Does the project include an activity that would occur on identified Māori land as defined in section 4 of the Act?

☐ Yes – see below ☑ No – proceed to next

a. If yes, please address the following:

i. identify the land involved and the owner(s) of the land.

ii. Confirm that the activity on the land has been agreed with the owners of the land and provide evidence of the written agreement; or

A. advise whether it is proposed to seek a determination under section 23 and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below; or
B. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.

**2.3.2** Does the project involve an activity that would occur in a customary marine title area?

☐ Yes – see below ☑ No – proceed next

a. Address the following:
   i. Identify the relevant customary marine title area, who the customary marine title group is;
   ii. Provide evidence that written agreement has been obtained from the customary marine title group and provide a copy of the same; **or**
      A. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.

**2.3.3** Does the project involve an activity that would occur in a protected customary rights area?

☐ Yes – see below ☑ No – proceed next

a. Address the following:
   i. Identify the protected customary rights area, the group who holds these rights and the nature of the protected customary right(s)

   ii. Explain your proposed activity and identify whether you consider that it would have a less than minor adverse effect on the exercise of the protected customary right(s), and briefly explain why; **or**
   iii. Advise whether you consider that your proposed activity would have a more than minor effect on the exercise of the protected customary right(s), and if so, confirm that the activity has been agreed to in writing by the protected customary rights group and provide a copy of that agreement.

**2.3.4** Does the project involve an activity that would occur on:
Māori customary land; OR land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Māori Act 1993.

☐ Yes – see below ☑ No – proceed next

**2.3.5** Does the project involve an aquaculture activity or an activity that is incompatible with aquaculture activities that would occur within an aquaculture settlement area (under section 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004); or an area reserved under another Treaty settlement for the aquaculture activities of a particular group?

☐ Yes – see below ☑ No – proceed next

**2.3.6** Provide details of the aquaculture activity or the activity that is incompatible with aquaculture and the location.

**2.3.7** Provide details of the relevant aquaculture settlement area or Treaty settlement legislation reserving space for aquaculture and include details of the impacted parties or particular group.

**2.3.8** Provide details on whether or not the applicant is authorised to apply for a coastal permit within the aquaculture settlement area, or area reserved under another Treaty settlement for aquaculture activities, including a copy of any such authorisation.

**2.3.9** Does the project include an activity that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991?

☐ Yes – see below ☑ No – proceed next

a. Provide the following information:
   i. what is the activity that would require the access arrangement; and
   ii. does the project include an activity that would occur on Crown owned land or internal waters and land of the common marine and coastal area described in Schedule 4 of that Act and provide details of the same.
   iii. If so describe how the activity meets the criteria in section 61(1A)(a-e) of the Crown Minerals Act 1991; **or**
   iv. Confirm and provide evidence that the project would not occur in an area for which a permit cannot be granted under that Act:

**2.3.10** Does the project include an activity that would be prevented under any of sections 165J, 165M, 165Q, 165ZC, or 165ZDB (regarding the management of occupation in common marine and coastal area) of the Resource Management Act 1991?

☐ Yes – see below ☑ No – proceed next

**2.3.11** Provide details about which section the project does not comply with and, if relevant, the provisions of the regional coastal plan that are applicable.

**2.3.12** Does the project include an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that would occur on land that is listed in Schedule 4 of this Act?

☐ Yes – see below ☑ No – proceed next

a. Provide the following:
   i. identify the activity and which clause under Schedule 4 is applicable; and
   ii. confirm whether you are seeking that the Minister make a determination under section 24, and if so, whether the determination sought relates to existing electricity infrastructure or new electricity lines and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below.

**2.3.13** Does the project involve an activity that would occur on a national reserve held under the Reserves Act 1977 and requires approval under that Act?

☐ Yes – see below ☑ No – proceed next

a. Address the following:
   i. identify the activity and type of national reserve under the Reserves Act
   ii. identify what approval(s) would be required under the Reserves Act.
   iii. Confirm whether you are seeking that the Minister make a determination under section 24 and if so whether the determination sought relates to existing electricity infrastructure or new electricity lines.? If so, provide the information under 2.5 Ministerial determinations under sections 23 and 24 below

**2.3.14** Does the project involve an activity that would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority?

☐ Yes – see below ☑ No – proceed next

a. Address the following:
   i. identify the activity, the reserve type under the Reserves Act, and the person in whom it is vested.
   ii. provide evidence that written agreement has been obtained from the person in whom the reserve is vested and provide a copy of the same; or
   iii. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.

**2.3.15** Does the project involve an activity that would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority?

☐ Yes – see below ☑ No – proceed next

a. Address the following:
   i. identify the activity, the reserve type under the Reserves Act, and the person or body who manages the reserve.
   ii. Provide evidence that written agreement has been obtained from the person or body responsible for managing the reserve and provide a copy of the same; **or**
   iii. advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below; **or**
   iv. advise whether you consider the activity falls within the scope of section 5(5) of the Act, and provide the information under 2.3 Ineligible activity below.

**2.3.16** Does the project involve an activity that is:

a. a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act?

☐ Yes – please explain ☑ No – proceed next

b. described in section 15B (Discharge of harmful substances from ships or offshore installations) of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it;

☐ Yes – please explain ☑ No – proceed next

c. prohibited by section 15C (Prohibitions in relation to radioactive waste or other radioactive matter and other waste in coastal marine area) of the Resource Management Act 1991

☐ Yes – please explain ☑ No – proceed next

**2.3.17** Does the project involve a decommissioning-related activity as described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012:

☐ Yes – please explain ☑ No – proceed next

**2.3.18** Does the project involve an activity undertaken for the purposes of an offshore renewable energy project?

☐ Yes – please explain ☑ No – proceed next

## 2.4 Exemptions from requirement to provide agreement

### 2.4.1 Mining activities under section 5(2)

*The agreement of the relevant groups referred to under* 3.5 Persons affected *is not required for certain mining activities under section 5(2). If you think this might apply to your application, answer the questions below.*

**2.4.1.2** Is your application for an activity that is prospecting, exploration, mining or mining operations of Crown-owned minerals undertaken below the surface of any land or area?

☐ Yes –see below ☑ No – proceed next

**2.4.1.3** Provide details of the activity and identify the owner and occupier of the land and any relevant details concerning the land or area (such as whether it is identified Māori land)

**2.4.1.4** Explain the extent, if any to which your activity may be likely to cause any damage to the surface of the land or any loss or damage to the owner or occupier of the land.

**2.4.1.5** Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of the use and enjoyment of the land by the owner or occupier of the land.

**2.4.1.6** Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of any possible future use of the surface of the land, and if no such effects are anticipated, please explain why.

### 2.4.2 Activities on land proposed to be the subject of a land exchange

*The agreement of relevant groups referred to in (subsection 5(1)(a) of the Act) is not required if section 5(5) applies. If you consider this section may be relevant to your application, complete the below.*

**2.4.2.1** Is the reserve on which the activity is to occur proposed to be the subject of a land exchange?

☐ Yes ☑ No

**2.4.2.2** Is the reserve a Crown-owned reserve?

☐ Yes ☑ No

**2.4.2.3** Are the person or persons responsible for managing the reserve in place because of a Treaty settlement?

☐ Yes ☑ No

**2.4.2.4** Provide any supporting details which may be relevant for your responses to the above questions.

## 2.5 Ministerial determinations under sections 23 and 24

*Complete this section if you are wish to seek a ministerial determination under section 23 or section 24 that your project is not an ineligible activity.*

### 2.5.1 Determination in relation to linear infrastructure on Māori land under section 23

**2.5.1.1** Is your application is seeking a determination under section 23 (linear infrastructure on certain identified Māori land)

☐ Yes – see below ☑ No – proceed next

Provide the following information:

**2.5.1.2** Confirmation that the activity is the construction of electricity lines or land transport infrastructure (and identify which it is)

**2.5.1.3** Confirmation that the above construction (or operation of) will be undertaken by a network utility operator that is a requiring authority, and that that same party is the applicant for the necessary approvals, providing details of the same.

**2.5.1.4** Confirmation that the activity would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land (and identify that land)

**2.5.1.5** Provide information on the rights and interests of Māori in that land

**2.5.1.6** Provide an assessment of the effects of the activity on those Māori rights and interests and on the relevant land.

### 2.5.2 Determination in relation to existing electricity infrastructure under section 24(2)

**2.5.2.1** Is your application seeking a Ministerial determination under section 24(2) (in relation to maintenance, upgrading, or continued operation of existing electricity infrastructure on certain Schedule 4 land or in a national reserve)

☐ Yes – see below ☑ No – proceed next

Provide the following information:

**2.5.2.2** Confirmation that the activity is the maintenance, upgrading, or continued operation of existing electricity infrastructure.

**2.5.2.3** Confirmation that the activity would occur on eligible land, as defined in section 24(3).

**2.5.2.4** Advise whether the activity would materially increase the scale or adverse effects of the existing electricity infrastructure and provide an explanation of the same.

### 2.5.3 Determination in relation to new electricity lines under section 24(4)

**2.5.3.1** Is your application seeking a determination under section 24 (the construction and operation of new electricity lines on eligible land (as defined in schedule 4 excluding land classified as a national park or listed in subsections 2, 4, 5(a), 7 or 8 of that schedule)?

☐ Yes – see below ☑ No – proceed next

Provide the following information:

**2.5.3.2** Is the activity the construction and operation of new electricity lines? (provide any necessary details)

Would the activity occur on eligible land (and identify which category of eligible land);

**2.5.3.3** Provide the requested information for each alternative site considered for the construction and operation of the new electricity lines:

**2.5.3.4** A description of the alternative site.

**2.5.3.5** A statement of the anticipated and known financial cost of undertaking the activity on the alternative site.

**2.5.3.6** A description of the anticipated and known adverse effects of undertaking the activity on the alternative site.

**2.5.3.7** A description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity on the alternative site.

**2.5.3.8** A description of any issues (including financial cost) that would make it impractical to undertake the activity on the alternative site.

**2.5.3.9** An assessment of whether it would be reasonable and practical to undertake the activity on the alternative site, considering the matters referred to above.

## 2.6 Appropriateness for fast-track approvals process

*Here you must explain how the project meets the referral application criteria (section 22). Please consider and respond where relevant, to each question.*

*If the project is planned to proceed in stages, you must explain how each stage meets the referral application criteria.*

*If a part of the project is proposed as an alternative project, you must explain how each stage meets the referral application criteria,*

**2.6.1** The criteria for accepting a referral application is that the project is an infrastructure or development project that would have significant regional or national benefits. Explain how this project satisfies the criteria:

The Project is an infrastructure project that will have significant regional and national benefits. The Project is

The Project is an infrastructure project that will have significant regional and national benefits. The Project is key in contributing to building a better, cleaner and more sustainable New Zealand and deliver another significant step along the country's urgent decarbonisation pathway. Electrification of the economy through rapid investment in new renewable projects like this is needed to meet the unprecedented electricity demand growth predicted and New Zealand's climate targets.

The generation capacity for the Project is intended to be between approximately 250-350MW with a generation output in the range of 900-1,200GWh/annum. This is sufficient electricity to power 110,000-150,000 households. The Project also therefore represents a major opportunity to support the Government's commitment to double the overall volume of electricity from renewable sources by 2050 and transition to a low-emissions future.

The Ministry of Business, Innovation and Employment (MBIE) has recently released a report on electricity demand and generation scenarios. Latest Government projections are that total electricity demand will grow by between 35.3 and 82 percent by 2050, driven by industry switching from fossil fuel use to electricity (such as for space and process heating) in the short-term, and the electrification of the transport fleet through increased uptake of electric vehicles, particularly from the late 2030s.

If new generation infrastructure, such as that provided by this Project, is unable to be brought online in a timely way, large power outages and rapidly increasing costs to industry (including major exporters) and consumers are unlikely to be tolerable; rather, New Zealand would likely increase its reliance on imported coal and may move towards importing gas to provide the required electricity supply, which would have obvious consequences in terms of carbon emissions and cost.

The Southland Wind Farm will therefore generate a nationally significant source of renewable electricity which will help to decarbonise the economy by replacing other forms of energy generation which cause negative environmental effects. The Project will also have significant economic benefits for local communities, creating up to 240 jobs during construction, with an estimated $230 million to $280 million added into the New Zealand economy. The Project is therefore clearly an infrastructure project with significant national and regional benefits, and is therefore strongly aligned with the purpose of the FTAA (being to facilitate the delivery of such projects).

**2.6.2** Explain how referring the project to the fast-track approvals process:

**2.6.2.1** Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and

In mid-2023, Contact applied to the Minister for the Environment for referral under the COVID-19

In mid-2023, Contact applied to the Minister for the Environment for referral under the COVID-19 Recovery (Fast Track Consenting) Act 2020 ("Covid Fast-track Act"), and on 6 July 2023, Schedule 105 – Southland Wind Farm was inserted into the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.

In late 2023 Contact submitted its substantive application with the EPA to have the resource consents for the Southland Wind Farm Project considered under the Covid Fast-track Act. That process has concluded, and the outcome was a decline of consent. This has already resulted in significant delays to Project delivery dates.

The Project will progress faster by using the processes in the FTAA rather than reverting to standard processes under the RMA and other legislative processes (e.g., to obtain Wildlife Permits, Archaeological Authorities, and Concessions).

Overall, the consenting process associated with the FTAA is anticipated to be completed within 6 months of lodgement of the consent application. If the referral application is accepted, Contact intends to apply to the Minister for a determination under section 38 of the FTAA that the Project is a priority project.

**2.6.2.2** Is unlikely to materially affect the efficient operation of the fast-track approvals process

Given the previous application made by Contact for the Southland Wind Farm Project under the

Given the previous application made by Contact for the Southland Wind Farm Project under the Covid Fast-track Act, Contact is very well advanced in its project development and has completed preparation of a robust resource consent application, including the supporting technical assessments. It is therefore considered that the Project is appropriate for the FTAA process and the Project can fit seamlessly into the efficient operation of the Fast-track Approvals process.

**2.6.2.3** Has the project been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list?
*For example – a sector plan that specifically identifies the project including details such as location.*

☑ Yes – see below ☐ No – proceed next

a. Identify the plan, strategy or list (or any other relevant document).

The New Zealand government has set clear emissions reduction targets to contribute to the

The New Zealand government has set clear emissions reduction targets to contribute to the international effort to combat the effects of climate change. The Project will increase the electricity supply from renewable sources and aid New Zealand to achieve decarbonisation. The Project therefore will contribute to New Zealand achieving its climate change targets that are set out in central government policies and plans, including assisting the New Zealand Government to meet:

-The emissions reduction target established by the Climate Change Response

Act 2002 of reducing New Zealand's greenhouse gas emissions (except biogenic methane) to net zero by 2050;

-The targets for the energy system set out in the Emissions Reduction Plan, including the Government's target of reaching 50% of total final energy consumption from renewable sources by 2035 and the aspiration of transitioning to 100% renewable energy generation by 2030; and

-The target of doubling New Zealand's renewable generation capacity as set out in the Electrify NZ policy.

**2.6.2.4** Will the project deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure?

☑ Yes – see below ☐ No – proceed next

a. Explain how the project will deliver this.

As mentioned above, the generation capacity for the Project is intended to be between

As mentioned above, the generation capacity for the Project is intended to be between approximately 250-350MW with a generation output in the range of 900-1,200GWh/annum. This is sufficient electricity to power 110,000-150,000 households. The Southland Wind Farm will therefore generate a new nationally significant source of renewable electricity which will help to decarbonise the economy by replacing other forms of energy generation which cause negative environmental effects.

**2.6.2.5** Will the project increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020). If yes, explain how the project will achieve this.

The Project does not directly contribute to the supply of housing, and is not located within an

The Project does not directly contribute to the supply of housing, and is not located within an urban environment.

However, access to secure, sufficient, affordable and reliable renewable electricity is of critical importance to meeting housing needs and to the functioning of urban environments. Sufficient electricity will be required to support the projected increase in housing supply in Southland and New Zealand. As noted above, the 'energy transition' will require significantly more electricity to reduce emissions and bring down prices for consumers. It will be important that this comes from a range of sources to increase resilience.

**2.6.2.6** Will the project deliver significant economic benefits, and if so, how?

The Project will have significant economic benefits for local communities and New Zealand as a

The Project will have significant economic benefits for local communities and New Zealand as a whole, with an estimated $230 million to $280 million added into the New Zealand economy.

The Project stands to generate 160-240 direct jobs in the Southland region during the construction of the Southland Wind Farm. These are full time equivalent jobs for the period of construction, so the annual equivalent would

be 80-120 direct jobs. While a number of these positions will likely be filled by locals, some with the specialist skills required may need to be imported from other regions.

Once the Southland Wind Farm is commissioned, there will be direct employment of 10-14 FTE operational staff. In addition, there will be some contractor roles to support activities like site security, ongoing maintenance (i.e. mechanical, civil and electrical), pest and predator control and other environmental maintenance activities, and transportation of supplies. Wages to local staff and payments for contract services will be the principal means of continued injection of funding into the local economy.

Based on the total operation and maintenance cost for previously consented wind farms, the Southland Wind Farm is expected to spend $8 million to $12 million per year on operations, of which over half would be spent locally on resident staff, contractors and other suppliers.

Further, a secure, resilient electricity system is fundamental to people's social, economic, and cultural wellbeing, and the Southland Wind Farm will increase the diversity of electricity supply in New Zealand, which will provide a number of benefits, right down to the end consumer. This includes the potential to increase the amount of electricity generation in Southland that is available for supporting local industries, particularly those that are transitioning away from reliance on fossil fuels. A greater supply of electricity will contribute to reducing the cost of electricity. The Project's contribution to the supply of renewable electricity will of itself deliver significant economic benefits.

**2.6.2.7** Will the project support primary industries, including aquaculture, and if so, how?

The commercial viability of New Zealand's primary industries is underpinned by having a reliable

The commercial viability of New Zealand's primary industries is underpinned by having a reliable and efficient supply of electricity, with its long-term sustainability dependent on increasing the supply of electricity. If new electricity generation infrastructure, such as that provided by this Project, is unable to be bought online in a timely way, large power outages and rapidly increasing costs to industry are unlikely to be tolerable.

Government bodies such as Transpower and the Energy Efficiency and Conservation Authority ("EECA") have undertaken considerable analysis confirming that the primary sector and other businesses in Southland will increasingly convert to using more renewable electricity in the future. EECA, for example, has worked to identify decarbonisation opportunities by cataloguing existing New Zealand process heat sites with a capacity of at least 500 kW that currently rely on fossil fuels. Drawing on this analysis, Transpower has identified that the Otago-Southland region has many industries with considerable potential to decarbonise, which would increase electricity demand. Clearly new renewable generation is needed in Southland to support this transition. The Project will therefore contribute to supporting primary industries.

**2.6.2.8** Will the project support development of natural resources, including minerals and petroleum, and if so, how?

The Project is an efficient use of resources. The Southland Wind Farm will utilise a natural

The Project is an efficient use of resources. The Southland Wind Farm will utilise a natural resource (wind) to generate electricity. Due to the quality of the wind resource at the site, Contact expects the wind farm to be generating electricity

for about 92% of the time. As such, the Project will enable the use of this natural resource to ensure it is used in the most efficient way and meet the electricity needs of New Zealanders, while allowing existing forestry and farming activities within the Wind Farm Site to continue virtually unaffected – and in some ways improved (in regards to access).

**2.6.2.9** Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?

The Southland Wind Farm will positively contribute to New Zealand's efforts to mitigate climate

The Southland Wind Farm will positively contribute to New Zealand's efforts to mitigate climate change by providing a nationally significant new source of renewable energy. The New Zealand Government has set a target of achieving 50% of total final energy consumption from renewable sources by 2035 and reducing New Zealand's net carbon emissions to zero by 2050. To achieve this goal, large parts of the economy that are currently dependent on fossil fuels, such as transport and industrial activities, will need to be electrified.

To meet the growth in demand and phase down fossil-fuelled thermal generation, new renewable generation sources will need to be developed at an unprecedented rate. Analysis from Boston Consulting Group indicates that to reach net zero by 2050 the country will require 5,700MW of new wind generation capacity. This equates to about 16-25 wind farms equivalent to the size of the Southland Wind Farm (depending on final design), almost one per year (until 2050). To reach this goal New Zealand needs to maintain a robust and steady pipeline of new developments and increase the pace of new development coming on to the market. However, the pipeline of currently consented wind farms is low, and it is challenging to get new wind farm projects approved anywhere in New Zealand due to the various legislative planning hurdles. Accelerating the consenting process for the Southland Wind Project will provide a significant boost to achieving this demand and contribute to keeping New Zealand on track to meet its decarbonisation goals.

A recent independent study (Isabella Pimentel Pincelli, Jim Hinkley & Alan Brent (14 May 2024)): Developing onshore wind farms in Aotearoa New Zealand: carbon and energy footprints, Journal of the Royal Society of New Zealand) assessed the carbon and energy footprint of wind farms in New Zealand, focusing on the Harapaki wind farm. The study looked at the energy and carbon footprint of the wind farm through a full Life Cycle Assessment using information collated during construction of the wind farm and from the supply and manufacturing of the wind turbines. The results from this study showed that wind farm to have an energy payback time ("EPBT") of 0.4-0.5 years (i.e. just a handful of months). The energy payback is described as the time period for the energy generated by the wind farm to balance with the energy required over the whole life cycle of the power plant (i.e. to manufacture, operate and decommission it).

The carbon footprint of the Harapaki wind farm was calculated as 10.8-9.7 g CO2eq/kWh, factoring in the carbon emissions equivalent produced during the full wind farm lifecycle, versus the energy generated from the wind farm. This can be used to create a measure of the time it takes for the wind farm to balance the carbon emissions from its creation through the calculation of the greenhouse gas payback time ("GPBT"), compared with offsetting emissions from other generation types on the National Grid. For the Harapaki wind farm, the study calculated a GPBT of 1.5-1.7 years, assuming that the electricity generated would replace generation from combined cycle gas turbines, and therefore, avoid the associated carbon emissions of that generation type. If the average carbon

emissions for all generation feeding into the National Grid were considered instead, the GPBT for Harapaki was calculated as 3.1 years.

Contact has analysed these results and compared them with the proposed parameters of the Southland Wind Farm. Contact expects a similar result for the EPBT, carbon footprint, and the corresponding GPBT as was calculated for the Harapaki wind farm, and perhaps even a lower carbon footprint, given the high-quality wind resource at the site and the size of the proposed wind farm. Therefore, in just several years' time (at most) after the Project is commissioned, it will 'break even' in carbon terms.

As such, the Project will provide a significant contribution to reducing greenhouse gas emissions.

**2.6.2.10** Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards, and if so, how?

The Project will contribute to strengthening New Zealand's resilience as it will contribute to

The Project will contribute to strengthening New Zealand's resilience as it will contribute to increasing the supply and diversity of New Zealand's electricity generation sites. This will be critical in the recovery from events caused by natural hazards.

**2.6.2.11** Will the project address significant environmental issues, and if so, how?

Climate change is a significant environmental issue that New Zealand faces. The Project will

Climate change is a significant environmental issue that New Zealand faces. The Project will provide a major new source of renewable electricity, which is urgently needed in New Zealand to support the decarbonisation of New Zealand's economy and reduce reliance on coal.

The most recent report of the Intergovernmental Panel on Climate Change, published in 2023, makes for sobering reading. Key findings include:
"It is unequivocal that human influence has warmed the atmosphere, ocean and land. Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred (…). The scale of recent changes across the climate system as a whole and the present state of many aspects of the climate system are unprecedented over many centuries to many thousands of years. It is very likely that [greenhouse gas (GHG)] emissions were the main driver of tropospheric warming and extremely likely that human-caused stratospheric ozone depletion was the main driver of stratospheric cooling between 1979 and the mid-1990s. It is virtually certain that the global upper ocean (0-700m) has warmed since the 1970s and extremely likely that human influence is the main driver (…) Global mean sea level increased by 0.20 [0.15 to 0.25] m between 1901 and 2018. The average rate of sea level rise was 1.3 [0.6 to 2.1]mm yr-1 between 1901 and 1971, increasing to 1.9 [0.8 to 2.9] mm yr-1 between 1971 and 2006, and further increasing to 3.7 [3.2 to –4.2] mm yr-1 between 2006 and 2018 (high confidence). Human influence was very likely the main driver of these increases since at least 1971 (Figure 3.4). Human influence is very likely the main driver of the global retreat of glaciers since the 1990s and the decrease in Arctic sea ice area between 1979–1988 and 2010–2019. Human influence has also very likely contributed to decreased Northern Hemisphere spring snow cover and surface melting of the Greenland ice sheet. It is virtually certain that human-caused CO2 emissions are the main driver of current global acidification of the surface open ocean.

Human-caused climate change is already affecting many weather and climate extremes in every region across the globe. Evidence of observed changes in extremes such as heatwaves, heavy precipitation, droughts, and tropical cyclones, and, in particular, their attribution to human influence, has strengthened since [2014] (…). It is virtually certain that hot extremes (including heatwaves) have become more frequent and more intense across most land regions since the 1950s (…), while cold extremes (including cold waves) have become less frequent and less severe, with high confidence that human-caused climate change is the main driver of these changes. Marine heatwaves have

approximately doubled in frequency since the 1980s (…), and human influence has very likely contributed to most of them since at least 2006. The frequency and intensity of heavy precipitation events have increased since the 1950s over most land areas for which observational data are sufficient for trend analysis (…), and human-caused climate change is likely the main driver (…).

Human-caused climate change has contributed to increases in agricultural and ecological droughts in some regions due to increased land evapotranspiration (…). It is likely that the global proportion of major (Category 3–5) tropical cyclone occurrence has increased over the last four decades. Climate change has caused substantial damages, and increasingly irreversible losses, in terrestrial, freshwater, cryospheric and coastal and open ocean ecosystems (…). The extent and magnitude of climate change impacts are larger than estimated in previous assessments (…). Approximately half of the species assessed globally have shifted polewards or, on land, also to higher elevations (…). Biological responses including changes in geographic placement and shifting seasonal timing are often not sufficient to cope with recent climate change (…). Hundreds of local losses of species have been driven by increases in the magnitude of heat extremes (…) and mass mortality events on land and in the ocean (…). Impacts on some ecosystems are approaching irreversibility such as the impacts of hydrological changes resulting from the retreat of glaciers, or the changes in some mountain (…) and Arctic ecosystems driven by permafrost thaw (…). Impacts in ecosystems from slow-onset processes such as ocean acidification, sea level rise or regional decreases in precipitation have also been attributed to human-caused climate change (…). Climate change has contributed to desertification and exacerbated land degradation, particularly in low lying coastal areas, river deltas, drylands and in permafrost areas (…). Nearly 50% of coastal wetlands have been lost over the last 100 years, as a result of the combined effects of localised human pressures, sea level rise, warming and extreme climate events (…)"

As the Project progresses, it will support New Zealand's biodiversity, including rare and threatened species, in a tangible, long term way through a raft of guaranteed measures, including the generous offset and compensation package discussed further below.

**2.6.2.12** Is the project consistent with local or regional planning documents, including spatial strategies, and if so, how?

The Project seeks resource consents pursuant to the Southland Regional Council, Southland

The Project seeks resource consents pursuant to the Southland Regional Council, Southland District Council and Gore District Council planning instruments. The Southland Regional Policy Statement ("Southland RPS"), Southland Water and Land Plan ("SWLP"), Southland District Plan and Gore District Plan all recognise the value and importance of renewable electricity generation activities at a local, regional and national level. A brief assessment of the Project against the relevant planning documents is provided below.

Southland Regional Policy Statement
The Southland Wind Farm will meet the definition of both regionally and nationally significant infrastructure in the Southland RPS. The Southland Wind Farm will provide a nationally significant new source of renewable electricity

and is strongly supported by the provisions in the Energy chapter of the Southland RPS, which seek to increase the electricity generation capacity and security of supply at a local, regional and national level. These provisions also provide for the offsetting and compensation of residual adverse effects that cannot be avoided, remedied or mitigated, and this is the approach Contact has adopted to the management of effects associated with the Project, as discussed further below. This is of particular relevance to the management of ecological effects, which has been informed by the guidance of the Energy and Biodiversity chapters of the RPS.

In accordance with the relevant policy direction of the Southland RPS, Contact has engaged with Te Rūnanga o Ngāi Tahu and TAMI (on behalf of Te Rūnaka o Murihiku) to ensure the cultural or historical associations with the Project Site are understood and managed appropriately. Contact has reached a mitigation and relationship agreement with Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku which confirms that the cultural and te taiao effects relevant to mana whenua have been appropriately addressed, including through agreed consent conditions.

In addition, the proposed management of effects associated with the Project will ensure water quality is maintained through the implementation of best practice erosion and sediment control measures, the life-supporting capacity, mauri and health of soils is safeguarded, air quality is maintained, and the Project is considered to be consistent with the working rural landscape of the Project Site and surrounding area.

The Project is therefore consistent with the Southland RPS.

Proposed Southland Water and Land Plan (operative in part)
The region wide objectives of the SWLP most relevant to the Project seek to sustainably manage land and water and associated ecosystems, provide for tangata whenua values and interests, manage the quality and quantity of water in surface bodies to safeguard the life-supporting capacity and aquatic ecosystem health, ensure the quantity, quality and structure of soils are not degraded and improve fish passage. The Project will ensure these objectives are met including through the implementation of best practice construction management, erosion and sediment control measures, water quality monitoring and appropriate rehabilitation of sites following the completion of construction activities.

The SWLP recognises the importance of Southland's regionally and nationally significant infrastructure (of which the Southland Wind Farm meets the definition) and seeks to enable its sustainable and effective development and operation. The effects of the Southland Wind Farm will be appropriately managed in a way that is sustainable and consistent with the relevant policy direction provided for in the SWLP. This includes the management of the effects of the Project on wetlands and streams for which Contact will adopt the effects management hierarchy, a pathway that is provided for through the policy direction in the SWLP and consistent with the National Policy Statement for Freshwater Management ("NPS-FM"). In this regard, it is confirmed that the Project is for the operation of specified infrastructure, and therefore the 'exception' pathway under the NPS-FM (and SWLP) is in play. As part of its

substantive application Contact will clearly demonstrate how there is a functional need for this activity to be located at the site, and how Contact will use the effects management hierarchy to ensure there is no more than a minor overall effect on wetland and stream extent, values and hydrology, and that unavoidable residual effects have been offset and compensated to at least a 'no-net-loss' standard.

Acknowledging there will likely be some loss of wetland/stream extent and value, Contact engaged Wildlands and Tonkin and Taylor to undertake comprehensive ecological and wetland assessments on the site and develop an overall effects mitigation package.

These assessments have also determined that most, if not all, of the Wind Farm Site is currently significantly affected by pest animals, particularly in forest, scrub and shrubland habitats. The presence of feral ungulates (deer and pigs) is having a significant adverse effect on terrestrial and wetland habitats in terms of browsing, pugging, and inputs of nutrients to what is naturally a low-nutrient ecosystem. Deer and pigs also negatively affect the quality and structure of lizard and invertebrate habitats, while also posing a severe risk to mātātā/South Island fernbird, particularly during breeding season. It is also assessed that the presence of ungulates at the Wind Farm Site is significantly impeding the regeneration of many plant species, which is evident in the large areas of indigenous shrubland on the plateau that are not succeeding in indigenous forest.
Predators such as feral cats, rats, possums, mustelids, and hedgehogs are also identified as exerting further pressure on bird, lizard, and invertebrate populations.

Wildlands and other independent experts (as evident from the Covid Fast-track process, including from Dr Graham Ussher who was engaged by the Panel to consider the proposed offset and compensation scheme) is of the view that the offsetting and compensation package proposed by Contact (also developed by independent experts) will result in significant gains for indigenous biodiversity at the Wind Farm Site (and beyond).

It is therefore considered that the proposed measures to avoid, minimise, remedy, offset and compensate for the loss of area, function and quality of wetlands strike an appropriate balance between the "protection" and "prevention" requirements set out in relevant regional and national policies and other provisions which provide a pathway for the development of regionally and nationally significant infrastructure to apply the effects management hierarchy with respect to managing its effects on wetlands and streams.

The Project is therefore consistent with the SWLP.

Southland District Plan
The Southland District Plan seeks to enable electricity generation while ensuring appropriate management of effects are in place, including measures to avoid, remedy and mitigate for adverse effects, and where any residual adverse effects remain, there is provision for these to be offset and compensated for. The Southland District Plan recognises the electricity generation activities have functional, technical and operational requirements to be sited at particular

locations, in particular to be located where the renewable electricity resource is. This policy direction recognises the national significance of the generation of renewable electricity.

As noted further below, and in accordance with the provisions of the Southland District Plan, as a priority, Contact will seek to avoid, remedy or mitigate adverse effects on terrestrial ecology and freshwater values as far as practicable. Where there are any significant residual environmental effects, Contact will offset and compensate for these effects, which is consistent with Policy ENG.8 of the Southland District Plan in particular. The ecological assessments confirm these measures will appropriately provide for the effects of the Project and ensure there is No Net Loss of wetland or terrestrial biodiversity as a result of the Southland Wind Farm.

Contact accepts that due to the nature of the Project, the wind farm will result in effects on visual amenity values. Visual effects, to the extent practicable, have been avoided, remedied or mitigated through various measures including site selection, colour of the wind turbines, reduction in night-time lighting, use of existing disturbance footprints and remediation of the site, including ecological restoration. The site is located in a sparsely populated rural area in Southland, which is characterised by a mix of land uses, such as agriculture, forestry and other renewable electricity projects, including wind farms, as well as more natural areas. In this context, the development of a wind farm at this site is consistent with the surrounding rural character. Further, the Project Site is not located within a scheduled Outstanding Natural Feature / Landscape in the Southland District Plan.

The Project is therefore consistent with the Southland District Plan.

Gore District Plan (Operative and Proposed)
The GIP and a section of the proposed transmission line will be located within the Gore District, and the transport of over-weight and over-sized wind turbine components and other materials required for the construction of the wind farm will also utilise roads in the Gore District. As above, the Gore District Plan provisions are enabling of renewable electricity generation activities where the effects can be appropriately managed. The transmission line and GIP infrastructure will be constructed and maintained in a way that appropriately manages effects on the environment, including compliance with the relevant noise provisions and consistency with the surrounding working rural landscape. Any road upgrades that are recommended in the transport assessment will be undertaken by Contact to ensure the function and operation of the transport network is not compromised.

The Project is therefore consistent with the provisions of the Gore District Plan (both operative and proposed).

# Section 3: Project details

*Remember: at this stage only a general level of detail is required, enough to inform eligibility to use*

*the fast-track approvals process.*

For construction activities, please state the anticipated commencement and completion dates.

It is anticipated that construction of the Southland Wind Farm will commence in 2027 and be completed in 2030.

## 3.1 Approvals required

*Applications must specify all of the proposed approvals sought but only need to provide a general level of detail about each proposed approval, sufficient to inform the Minister's decision on the referral application.*

*For each proposed approval an applicant must be eligible to apply for any corresponding approval under a specified Act. For example, if an approval is for a notice of requirement under the RMA, the applicant for that approval would need to be a requiring authority.*

*Applications for approvals under a specified Act, as required by in section 13(4)(y), are covered below in 3.8 Specific* proposed approvals.

**3.1.1** Outline the approvals sought under the Resource Management Act 1991.

Resource consents (including land use consents, discharge permits and water permits) are sought from

Resource consents (including land use consents, discharge permits and water permits) are sought from the Southland Regional Council, Southland District Council and Gore District Council. Refer to Section 3.2.1 of Attachment 1 to this application for a complete assessment of the relevant rules resource consent is sought under.

**3.1.2** Outline the approvals sought under the Conservation Act 1987

The transmission line route associated with the proposed Wind Farm Project may cross over a Public

The transmission line route associated with the proposed Wind Farm Project may cross over a Public Conservation Area, administered by the Department of Conservation (Waiarikiki Stream, Mimihau). Contact is therefore seeking an approval under the Conservation Act 1987 for a concession for an airspace easement for the proposed transmission line to cross over this area, if the final design of the line requires it to pass over this area.

In addition, Contact intends to upgrade an existing forestry road through the Port Blakely Forest to be used during construction and operation as an access road into the Wind Farm Site. This will involve the construction of a culvert to replace an existing ford over the Mimihau Stream (North Branch). The Mimihau Stream is subject to Part 4A (Marginal Strips) of the Conservation Act 1987. Therefore, Contact will apply for an easement for a right of way to construct the culvert over this section of the Mimihau Stream. The transmission line will also pass over this marginal strip, in a different, but nearby, location to the culvert. As such, Contact is also seeking an approval for an air space easement over the Mimihau Stream (North Branch) Marginal Strip.

The location of the concessions is identified on the map attached as Attachment 4 to this application.

**3.1.3** Outline the approvals sought under the Reserves Act 1977

N/A

**3.1.4** Outline the approvals sought under the Wildlife Act 1953

Approvals are required under the Wildlife Act 1953 for the intentional disturbance of wildlife, including for

Approvals are required under the Wildlife Act 1953 for the intentional disturbance of wildlife, including for the purposes of catching, holding and releasing. Contact is therefore seeking an approval(s) for a Wildlife Act Authorisation for any activities relating to the disturbance of lizards and terrestrial invertebrates. This will likely involve searching for certain lizard and terrestrial invertebrate species prior to civil works taking place in areas that have either confirmed or expected presence of these animals and translocating them to new habitats (including fenced and predator controlled areas associated with the offsetting and compensation proposed for the Project).

**3.1.5** Outline the approvals sought under the National Parks Act 1980

N/A

**3.1.6** Outline the approvals sought under the Heritage New Zealand Pouhere Taonga Act 2014

The archaeological assessment has identified two archaeological sites that could potentially be affected

The archaeological assessment has identified two archaeological sites that could potentially be affected by the Project. As a precaution, Contact is seeking to obtain an approval for a 'global' archaeological authority for the Project, that covers the entirety of the Project Site for the duration of the construction of the Southland Wind Farm.

**3.1.7** Outline the approvals sought under the Freshwater Fisheries Regulations 1983

The Project involves constructing culverts within streams. The freshwater ecology assessment has

The Project involves constructing culverts within streams. The freshwater ecology assessment has identified that, in certain watercourses within the Project Site, it may be necessary to prevent trout from passing through in order to protect the threatened Gollum galaxias populations. The FTAA includes specific permissions under the Freshwater Fisheries Regulations. At this stage, it is assumed that Contact will need to apply for approval for the proposed culverts under this regulation or seek an appropriate dispensation under section 42 or 43 of the Freshwater Fisheries Regulations 1983.

**3.1.8** Outline the approvals sought under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

N/A

**3.1.9** Outline the approvals sought under the Crown Minerals Act 1991

N/A

**3.1.10** Outline the approvals sought under the Public Works Act 1981

N/A

**3.1.11** *Only applicable if more than one applicant:* Provide a statement of which approvals are proposed to be held by which applicant.

N/A

**3.1.12** Where there are any particular eligibility requirements to apply for an above approval; identify what they are, who the relevant applicant is, and confirm that the relevant applicant meets those requirements (including providing any necessary supporting information or documentation to evidence this).

N/A

**3.1.13** Are there any other types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) and you consider are needed to authorise the project (including any that may be needed by someone other than you as the applicant(s)). Provide details on whether these have been obtained.

No other approvals, including consents, certificates, designations, concessions or other legal authorisations are

No other approvals, including consents, certificates, designations, concessions or other legal authorisations are required to authorise this Project.

## 3.2 Project stages

**3.2.1** If the project is planned to proceed in stages, provide:

1. A statement of whether the project is planned to proceed in stages, including:
   a. an outline of the nature, scale and timing of the stages; and
   b. a statement of whether you intend to lodge a separate substantive application for each of the stages.
      i. If a substantive application is intended to be lodged for each stage, address the questions under the section (Appropriateness for fast-track approvals process) for each stage of the project

Construction of the wind farm is anticipated to take approximately 30-36 months. Turbine construction is not

Construction of the wind farm is anticipated to take approximately 30-36 months. Turbine construction is not proposed to be staged or staggered in any way. In other words, all 55 turbines will be constructed within this timeframe. Following completion of the wind farm construction, the wind turbines will be operational for a period of up to 30 years and then it is currently intended that they will be 'repowered' (replacement of the wind turbines with new wind turbines) for a second 30-year period.

## 3.3 Alternative project

**3.3.1** If the project is proposed as an alternative project, provide:

1. A statement of whether a part of the project is proposed as an alternative project in itself; and
   a. Describe that part of the project; and
   b. Explain how that part of the project proposed as an alternative project meets the referral assessment criteria in section 22 of the Act.

The Project is not proposed as an alternative project.

## 3.4 Adverse effects

**3.4.1** Describe any anticipated and known adverse effects of the project on the environment.

Cultural Effects:

Cultural Effects:
Contact recognises that Kā Papatipu Rūnaka ki Murikihu hold ahi kaa, mana whenua and mana moana within the Murihiku takiwa, and acknowledges the relationship Mana Whenua have with the Pawakataka/Slopedown area. Contact understands that it is for mana whenua to describe any cultural or historical associations with the Project Site.

During 2023 and 2024 Contact consulted widely about the Project with Te Ao Marama Inc and Te Rūnanga o Ngāi Tahu on behalf of Kā Papatipu Rūnaka, as well as with the individual Murihiku rūnaka. This included Contact taking on board and responding to the issues described in the Ngā Hua o Āpiti Hono Tātai Hono report, as well as a cultural impact assessment prepared by Te Ao Marama Inc. (TAMI) in December 2023. Those documents laid the foundation for extensive kōrero between Contact and rūnaka representatives about the Project. This resulted in a comprehensive and substantial mitigation and relationship agreement (and agreed consent conditions) to address the cultural and taiao effects on mana whenua should the Project proceed.

Contact continues to engage with mana whenua throughout the Fast-track Approvals

consenting process to ensure the effects of the Project on cultural values are appropriately addressed.

Landscape and Visual Amenity Values
Isthmus has completed an assessment of the proposed Southland Wind Farm on landscape and visual amenity values.

Construction
Potential effects on visual amenity during construction include vehicle movements associated with the transport of wind farm components and materials, the presence of concrete batching facilities, cranes and other specialised construction structures and vehicles on-site. The isolated nature of the backslope and the distance from the closest residences and public viewpoints will minimise the visual effects during the construction phase of the Project. Construction lighting will only be used when necessary and during times where the normal daylight hours are insufficient to allow construction activities to be undertaken in a safe manner. Overall, construction activities will be largely localised, therefore, limiting impacts on the landscape during this period.

Operation
The scale of the surrounding landforms typically determines how dominant wind farms may be perceived. The cuesta which the Wind Farm Site is located on is a large-scale landform which is accommodating of the scale of the proposed Southland Wind Farm, that is, the large-scale landform provides a suitable platform for the large-scale structures of the Southland Wind Farm. The patterns of the wind turbines and roading layout are specifically designed to respond to the underlying landform and landcover, avoiding steeper land and gullies and indigenous vegetation, as far as is practicable. These landscape constraints have been considered with the sizing, placement and design of the wind farm project and have assisted in reducing the landscape and visual effects of the project on the surrounding environment. Landscape mitigation recommendations have been made to the wind farm design team throughout the iterative design process.

Overall, Isthmus considers the Southland Wind Farm to be consistent with the surrounding environment in which it is proposed, which includes typical rural-based activities as well as more natural areas, and the effects of the Southland Wind Farm on the landscape character of the site and surrounding area will be low-moderate. Mitigation, including location of turbines, set-back from the prominent high points of Mokoreta, Puke Mimihau and The Cairn, the pattern of turbine layout, roading and transmission line design and placement and specific landscape planting assists in limiting the effects on landscape character and over time will ensure the integration of the wind farm into the rural working environment.

The Southland Wind Farm will result in effects on visual amenity values, primarily on the views from dwellings, particularly in the Redan-Mokoreta area. The level of effect on each dwelling ranges from neutral to moderate-high, depending on the location, distance, and orientation to the wind turbines. Where effects on a dwelling are identified as moderate or greater (17 identified dwellings), Contact will consult with the landowner and offer to develop and implement a planting/landscaping plan for mitigation of visual effects of the Southland Wind Farm on the affected property.

The site is not a scheduled Outstanding Natural Landscape (“ONL”) or Outstanding Natural Feature (“ONF”) in any of the applicable statutory plans or policy documents; however, parts of the site have been identified as such through a separate report, which has not been through a public Schedule 1 consultative plan change process. Isthmus disagrees that this

status is appropriate (particularly its extent); however, it has also been assessed that the wind farm will not physically alter the characteristics and qualities of the areas of highest landscape value within the Project Site, which is the escarpment. Therefore, the high and very high natural character values of the site will be largely avoided or protected by the Southland Wind Farm Project, and ecological and natural character values can be enhanced through the habitat and restoration package.
The selection of the route and location of the transmission line and GIP has been made to avoid or mitigate effects on the landscape character as well as avoiding, as much as practicable, effects on visual amenity values.

The majority of the Project's landscape, visual, and natural character effects are ultimately reversible, as the Project will be decommissioned and the turbines and transmission infrastructure removed at the end of its life.

Terrestrial and Wetland Ecology Effects
Wildlands has undertaken a wide-ranging and thorough assessment of the proposed Southland Wind Farm on terrestrial and wetland ecology. In addition, Bluewattle Ecology completed an assessment on the effects of the Project on long-tailed bats. Contact also engaged Tonkin and Taylor to undertake an independent peer review of the Wildlands report and overall assessment, focussing on the Jedburgh plateau (for the benefit of the Covid Fast-track Act application processing).

Potential ecological effects associated with the Project include:
-Unavoidable loss of areas of indigenous vegetation, including wetlands, and habitat for indigenous fauna (including birds, long-tailed bats, lizards and invertebrates) associated with the construction of the Project;
-The potential risk of collision with the turbines resulting in direct mortality of birds and long-tailed bats;
-Habitat fragmentation; and
-Potential for increased movement by introduced predatory mammals.

The technical assessments that have been completed for the Project and the outcomes of consultation with stakeholders, including Te Ao Marama Inc ("TAMI"), DoC, the Southland District Council and Southland Regional Council, have identified a range of management measures that Contact will implement to avoid, remedy or mitigate, and where required, offset and compensate for, adverse ecological effects associated with the Southland Wind Farm Project. As a first priority, Contact has sought to avoid effects, and where avoidance is not practicable, Contact will minimise and remedy these effects. Following the implementation of these measures, some residual effects will remain, and Contact will offset and compensate for these. This is consistent with the policy guidance of the national, regional and district planning documents.

Avoidance has largely been achieved through the careful iterative redesign of the wind farm layout, including the location of the wind turbines and access road. Following the identification of high and very high ecological value vegetation areas, including wetlands, through the thorough mapping exercise completed by Wildlands, Contact has reconfigured the wind farm layout to reduce, to the extent that is practicable, the encroachment of the wind farm footprint on these identified features, and to volunteer strict and binding limits on the extent of any damage or loss. In addition, measures such as avoiding disposing of fill in areas identified as high or very high value vegetation will also contribute to protecting these areas. The implementation of an Erosion and Sediment Control Plan ("ESCP") will also seek to avoid adverse effects associated with sedimentation and contaminated runoff into

wetlands and streams to the greatest extent practicable.

Remediation and mitigation measures that will be employed by Contact will include the implementation of a number of management plans, including a Terrestrial and Wetland Ecological Management Plan, which will include monitoring and reporting requirements, the implementation of vegetation clearance protocols, the salvage and relocation of identified lizard and terrestrial invertebrates prior to clearance of vegetation in suitable habitat, curtailment of certain identified turbines and remediation of exposed areas disturbed during construction.

Where significant residual adverse effects remain on areas within the Project footprint, Contact is proposing to offset and compensate for such effects. The proposed offset and compensation measures have been designed in accordance with the principles for biodiversity offsetting and compensation outlined in the Southland RPS to achieve at least a 'No Net Loss' outcome and preferably a net gain in indigenous biological diversity. In addition, the proposed offsetting and compensation for effects on wetlands and stream extent are designed to be consistent with the NPS-FM. These measures will include the construction of a deer exclusion fence around a 250ha block of mānuka forest and scrub on Jedburgh Station, enrichment planting, restoration of habitat, extensive predator control over a total area of 11,400ha (both on-site and off-site), weed controls and wetland restoration. During the Covid Fast-track processing, these measures garnered considerable support from parties such as DoC and Ngāi Tahu.

Freshwater Ecology Effects
4Sight and Dr Greg Ryder completed an assessment of the effects of the Southland Wind Farm on freshwater ecology. Potential effects will primarily occur during construction and include potential discharge of sediment to watercourses, effects associated with the extraction of water, effects on freshwater ecology values associated with the construction and placement of new watercourse crossings and the risk of contaminants and new pest species entering watercourses.

In accordance with the policy guidance provided in the NPS-FM, Contact has applied and will continue to apply the effects management hierarchy to the management of identified effects on the extent and values of rivers and streams within the Project Site.

Greg Ryder has calculated that the stream length potentially impacted by the civil works footprint will range between 425m (MfE REC Classification) and 790m (NZ Rivers 50k topographic data). However, a portion of this estimate is already culverted (13 culverts in total), and therefore, the actual stream length affected by the Southland Wind Farm Project will be lower (potentially 200m less).

Identified effects on aquatic ecology will be managed through the implementation of best practice construction procedures, as well as management plans. A number of relevant measures, for example, fish recovery, the provision of fish passage through culverts, erosion and sediment control measures, water quality monitoring requirements and stormwater management will be detailed in the CEMP.

Contact will install fish screening devices on the water intake structures and restrict the amount of water that is taken to ensure that the existing freshwater ecology values of the Mimihau Stream (South Branch) are protected while water is taken for the construction of the Southland Wind Farm.

The culverts will be designed in accordance with the New Zealand Fish Passage Guidelines to ensure fish passage is provided for. However, 4Sight notes it may be more beneficial to prevent the passage of trout for the Gollum galaxias population present and this will be considered by Contact in consultation with TAMI, DoC and the Southland Regional Council. As such, an approval for this activity is sought.

To offset effects associated with the loss of stream extent, the Stream Ecological Valuation ("SEV") method will be used to calculate the quantum of offsetting required. The SEV method will be used to describe the existing habitat values of the watercourse in a quantifiable way and ensure that enhancement offsets the stream crossing disturbance through increasing habitat elsewhere by a similar extent to that lost. Greg Ryder estimates that approximately 1-2km of stream length will be restored as an offset. Enhancement will be through fencing and planting to prevent stock access, restore stream shade, and reduce sediment and nutrient input via run-off. This will primarily occur at sites within the Mimihau Stream catchment, local to the Wind Farm Site.

Therefore, freshwater ecology effects can be appropriately managed to ensure there are no more than minor adverse effects.

Hydrology Effects

During construction, the Southland Wind Farm will require water for activities such as earthworks, concrete batching and dust suppression. The maximum daily water volume demand is estimated at up to 500m3, however, typical daily demand will likely be between 250-350m3 per day. To meet this demand, Contact proposes to take water from two sites within the Wind Farm Site – one on the Mimihau Stream (South Branch) and the other on a tributary to this stream. The take at each location will be limited to 5L/s, or 10% of the stream flow, whichever is lower – with no take permitted when flows are Q95 or lower.

Riley assessed the effects of the proposed water take, including through assessing the flow record of the Mimihau Stream catchment. Riley considers the degree of hydrological alteration is likely to be low. Further, the Freshwater Ecology Assessment completed by 4Sight considers that with the appropriate management in place, such as the implementation of the measures in the ESCP, fish screening and restrictions on the amount of water that is taken, the existing freshwater ecology values of the Mimihau Stream (South Branch) will be protected while water is taken for the construction of the Southland Wind Farm.

Geotechnical Effects

Riley has prepared a geotechnical assessment for the Project. The assessment did not identify any fatal flaws with respect to the proposed development. Riley considers the seismic hazard at the Wind Farm Site is relatively low and liquefaction of low-strength and saturated soils is not considered to be a risk at the Wind Farm Site. It is therefore considered that the Wind Farm Site is suitable from a geotechnical perspective.

Construction Effects

Potential effects associated with the construction of the Southland Wind Farm include effects on wetlands, fill disposal, activities within streams, stormwater runoff, erosion and sediment effects, generation of dust and storage and use of hazardous substances.

Construction activities will be managed in accordance with industry-best practice and a Construction Environmental Management Plan (CEMP). This will include a number of management plans covering earthworks, erosion and sediment control, rehabilitation, fire

management, flocculant management, construction noise and construction traffic management. It is anticipated the implementation of these plans will ensure any potential effects associated with the construction of the Southland Wind Farm will be appropriately avoided, remedied or mitigated.

Earthworks activities within and near wetlands will be managed to minimise the effects of these activities on wetlands. The geotechnical assessments prepared by Rileys have informed these and include measures such as forming a low permeability wedge prior to forming a cut face for the access track platform within or adjacent to a wetland to mitigate seepage from the wetland, and where a fill embankment is required through a wetland, a series of regularly spaced subsoil drains will be installed beneath the embankment to maintain conveyance of flow to all parts of the wetland. This will ensure the hydrological function of the wetland is maintained. Monitoring of the wetland hydrological function has also been proposed.
Contact will ensure fill disposal is managed in accordance with best practice and measures set out in the Council-approved management plans. This will include avoiding locating fill within streams, wetlands, high value vegetation and very steep slopes (>15 degrees). The disposal sites will be appropriately contoured and rehabilitated.

The general principles for sediment control for the construction of the Southland Wind Farm will be the implementation of measures reducing the potential for erosion of exposed soils during land disturbing activities and to adopt treatment devices that collect and retain sediment prior to discharging into the receiving environment. These measures will be outlined in the CEMP which will be prepared by a suitably qualified and experienced person.

It is therefore considered that with the implementation of best practice measures, the effects associated with the construction activities required for the Project can be appropriately managed.

Archaeological Effects
Origin has completed an archaeological assessment for the Project Site to determine whether there will be any effects of the proposed activity on archaeological values. The assessment has identified two archaeological sites within the Wind Farm Site – both in a similar location. There is a musterers hut (G46/17) which is approximately 100m from the nearby forestry track and further from the proposed wind farm civil works.

The other archaeological site (G46/13) is located approximately 250m from site G46/17 and is notable as being a site where an adze was found. This site is close to the proposed wind farm civil works. The archaeological material at this site was removed in 1987 and no additional above surface material was found during the survey of the site. However, it is possible subsurface deposits related to this surface find are present within the vicinity. As such, all works within 100m of the site marker and stream crossing will be monitored by a suitably qualified archaeologist and a representative from TAMI.

Despite there being only these two archaeological sites identified on the Project Site, as a precaution, Contact is seeking to obtain approval for an archaeological authority that covers the entire Project Site. This will include appropriate protocols in the event of the accidental discovery of archaeological material, in accordance with best practice.

Given the above, it is considered the proposed activity will have a negligible effect on the Project Site's archaeological values.

Traffic Effects

Stantec has undertaken an assessment of the transportation effects of the construction works required for the proposed Southland Wind Farm. The primary traffic effects relate to changes in traffic volumes, transportation of over-weight and over-dimension loads, resulting in mobile road closures and having the potential to cause damage to the road pavement.

The proposed transport route for over-weight and over-dimension loads has been designed in consultation with Gore District Council, Southland District Council and Invercargill City Council, as well as taking into consideration the transport route used for the Kaiwera Downs Wind Farm. It is proposed the transport of over-weight and over-dimension loads will occur overnight when traffic volumes on the road network are lower to minimise disruption to other drivers.

Prior to the commencement of construction works, Contact will record the existing state of the roads in a Base Condition Report and identify reasonably foreseeable pavement wear issues associated with the overweight loads and provide this to the road controlling authorities (Waka Kotahi NZ Transport Agency, South Roads, Gore District Council). At the completion of construction, or when an issue arises, another inspection will be undertaken to determine what inputs and actions are required by Contact to ensure the Project's effects on road pavements are remedied. Further, during construction, Contact will undertake regular maintenance of the unsealed pavements on Kaiwera Downs Road, Waiarikiki Mimihau Road and Venlaw Road. This will avoid adverse effects on ride comfort and vehicle operating costs experienced by other road users.

In addition, Contact will implement a Construction Traffic Management Plan throughout the construction of the Southland Wind Farm to manage potential effects on traffic. It is therefore considered that the construction works will not generate noticeable effects on the operation of the road network.

Noise Effects

A noise assessment for the Project has been completed by Marshall Day. This assessment concludes that the noise generated during both construction and operation of the Southland Wind Farm, as assessed by NZS6801, NZS6802 and NZS6808, will comply with the permitted activity provisions of the Southland and Gore District Plans as appropriate. A Final Operational Noise Assessment Report will be prepared prior to the construction of the Southland Wind Farm once the final wind farm layout is confirmed to ensure compliance with the noise limits outlined in NZS6808:2010.

A Construction Noise Management Plan will be prepared for the Project in general accordance with Section 8 and the relevant annexes of NZS 6803:1999 Acoustics – Construction Noise prior to the commencement of construction of the Southland Wind Farm.

Overall, the adoption of appropriate design and best practice management procedures will ensure the effects of the proposed activity associated with noise will be no more than minor.

Aviation and Lighting Effects

Contact has engaged closely with the Civil Aviation Authority ("CAA") regarding the Project, including to determine the lighting of turbines which is required to ensure that risks to aircraft are suitably minimised. The CAA determination has confirmed that 16 of the 55 proposed wind turbines are required to be fitted with an Aviation Obstruction Warning Light

System and Contact will comply with these requirements to ensure there are no adverse effects of the Southland Wind Farm on aviation.

The effects of aviation lighting have been minimised to the extent that is practicable, with the CAA revisiting its original decision and reducing the minimum number of marker turbines required to be lit to 16. An assessment undertaken by Leading Design Professionals also confirms that the effects of night lighting on neighbouring properties will be acceptable, and it will not result in adverse effects that are more than minor on the rural night sky.

Shadow Flicker Effects
Roaring40s Wind Power has completed an assessment on the potential shadow flicker effects associated with the proposed Southland Wind Farm. This confirmed that there will be no shadow flicker effects associated with the Southland Wind Farm.

Radio Communication Services
Kordia has completed an assessment of the effects of the Project on radio communication services operating in the vicinity of the Southland Wind Farm. This assessment concludes that the Southland Wind Farm is not expected to cause any harmful interference effects to licenced radio communication services operating in the vicinity of the Wind Farm Site.

**3.4.2** Provide a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991, and identify the relevant prohibited activity provision.

No activities involved in the Project are prohibited activities under the RMA.

## 3.5 Persons affected

**3.5.1** Provide a list of the persons, groups and/or entities who you consider are likely to be affected by the project.

*The list should include, as relevant, local authorities, relevant Māori groups (as set out at section 13(4)(j)(ii)-(vii) of the Fast-track Approvals Act 2024), persons with a registered interest in land that may need to be acquired under the Public Works Act 198; and if the project includes a land exchange, the holder of an interest in the land that is to be exchanged by the Crown (see Consultation requirements for referral application).*

Contact considers the following persons, groups and entities are likely to be affected by the Project:

Contact considers the following persons, groups and entities are likely to be affected by the Project:

- Papatipu Rūnaka ki Murihiku, including Te Rūnanga o Ngāi Tahu, and Te ao Marama Inc (who acts on their behalf on resource management and environmental matters);
- Department of Conservation;
- Southland District Council;
- Southland Regional Council;
- Gore District Council;
- Invercargill City Council;
- Heritage New Zealand Pouhere Taonga;

- Ministry for the Environment;

- Waihopai-Toetoe Community Board;

- Local residents, specifically, all immediate neighbours, and those identified by technical assessments as being impacted by the proposal (i.e. visual effects);

- Transpower;

- Civil Aviation Authority;

- NZ Transport Agency; and

- South Port.

**3.5.2** Provide a summary of any consultation undertaken with the above persons and/or groups who you consider are likely to be affected by the project, and any other groups required to be consulted with under section 11 of the Act, **and** how the consultation has informed the project.

As discussed further below, Contact previously sought consents for the Southland Wind Farm Project under

As discussed further below, Contact previously sought consents for the Southland Wind Farm Project under the Covid Fast-track Act. Over the past two years, throughout this process, including the development of the resource consent application and the processing of the application, Contact completed extensive consultation with the above persons and/or groups. This has directly helped shape the development of the Project and management of effects. Contact has received and considered extensive feedback from stakeholders, commenters, peer reviewers, mana whenua and the public on the Project. This has provided significant value to the development of the Project and Contact has carefully considered this feedback and endeavoured to incorporate all constructive feedback into the project design, proposed conditions, and management of effects.

The enhancements made to the Project as a result of the feedback provided to Contact through its engagement processes are wide-reaching and significant, and include:
-Development and refinement of the proposed ecological offset and compensation package, which will have widespread benefits, including in biodiversity, cultural and landscape terms;
-Development of a proposed suite of other measures to address the adverse cultural effects identified by mana whenua;
-Provision of a community fund to support community activities and initiatives, which was a clear request made during community engagement and in comments received on the application;
- Changes to earthworks design practices, including the location of fill disposal;
- Optimised outcomes in respect of lighting on wind turbines. In this regard, following an initial determination by the CAA about the aviation warning lighting it considered necessary for safety, Contact responded to community concerns about the amenity effects of such lighting by preparing and filing an appeal ('petition') with the CAA, providing further information and modelling. The CAA responded to the petition on 16 August 2024 with a new determination that now requires a significantly reduced lighting plan. This will consist of only 16 out of the 55 proposed turbines requiring a single, medium-intensity light. These will be directed LED lights that will minimise light going below the horizontal plane; an
- Updates to the proposed consent conditions, in consultation with DoC, TAMI, Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku, Southland District Council and Southland Regional Council, including setting hard environmental limits, within which avoidance is the first priority to address concerns raised by these parties. Following this process, DoC confirmed that 'All technical experts are now satisfied that their concerns have been addressed in the latest set of conditions'. Contact has also reached an agreement with Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku that the Project is acceptable culturally and in terms of te taiao, including agreed tangata whenua specific conditions.

In addition to the above, Contact has undertaken consultation in accordance with section 11 of the FTAA and is committed to continuing to engage with these parties throughout the FTAA consenting process and build on the existing relationships Contact has established with these parties. The below outlines this 'mandatory' FTAA

consultation and how this has informed the Project.

Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku (as the relevant iwi authorities and Treaty settlement entity)
Contact has been consulting closely with representatives of Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku in relation to the Project, including in relation to this FTAA referral application. Contact has clearly stated its intention to submit a referral application to seek eligibility under the FTAA to each of those entities, and to Te Ao Marama Inc.

In a letter to Contact dated 1 April 2025 (attached as Attachment 5 to this application), Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku confirmed that 'while the previous application for resource consents for the Southland Wind Farm was declined, the position of Ngāi Tahu ki Murihiku and Te Rūnanga in respect of the Project remains as confirmed in our agreement with Contact, and as explained in the 27 November 2024 joint memorandum. Contact has been consulting closely with Ngāi Tahu ki Murihiku and Te Rūnanga about the prospect of a referral application for the project being lodged under the Fast-track Approvals Act 2024. Ngāi Tahu ki Murihiku and Te Rūnanga support that referral application provided the referral application is on the same basis as the application made to the EPA for the Southland Wind Farm Project. We will continue to work closely with Contact throughout the Fast-track Approvals Act process'.

At a substantive level, Contact has a long history of engagement with Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku on the Southland Wind Farm Project throughout the consenting process under the Covid Fast-track Act. This engagement has informed the Project, including the proposed management of effects and consent conditions.

In addition, this engagement resulted in agreement between Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku and Contact, both in relation to consent conditions for the Project, and (via a confidential agreement) in relation to matters that cannot be mitigated by way of consent conditions. Contact confirms it will continue to work closely with Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku throughout the FTAA process.

Southland District Council (as a relevant local authority for the Southland District)
Contact has consulted with Southland District Council, outlining the Project and its intention to submit a referral application to seek eligibility under the FTAA. The Southland District Council confirmed it was comfortable with the consultation that has been undertaken between Contact and the Southland District Council over the past two years, given there are no changes proposed to the Project. Consultation with the Southland District Council has helped shaped the Project, including the proposed effects management and conditions of consent. Contact will continue to engage with the Southland District Council prior to submitting the substantive application.

Southland Regional Council (as a relevant local authority for the Southland Region)
Contact has consulted with Southland Regional Council, outlining the Project and its intention to submit a referral application to seek eligibility under the FTAA. The Council has advised, on the basis that the new Project configuration is not substantially different from the configuration at the end of the previous consent process under the Covid Fast-track Act, that they are comfortable with the referral application proceeding to lodgement without further consultation at this time. However, they would welcome the opportunity for further consultation before lodgement of the substantive application – which is what Contact had proposed it would do.

Gore District Council (as a relevant local authority Gore District)

Contact has consulted with Gore District Council, outlining the Project and its intention to submit a referral application to seek eligibility under the FTAA. The Gore District Council confirmed it is comfortable with the engagement that had been undertaken between the Gore District Council and Contact to date, and had no further comments on the Project given no changes were proposed in relation to the activities in the Gore District. Consultation with the Gore District Council has assisted with shaping the Project, in particular, in helping identify an agreed route for the transport of over-weight and over-dimension loads to the Wind Farm Site. Contact will continue to consult with the Gore District Council throughout the FTAA process.

Heritage New Zealand Pouhere Taonga (as the administering agency for the Heritage New Zealand Pouhere Taonga Act 2014)
Contact has consulted with Heritage New Zealand Pouhere Taonga (HNZPT), outlining the Project and its intention to submit a referral application to seek eligibility under the FTAA. Contact has received a response from HNZPT, and this confirmed HNZPT is comfortable with Contact seeking referral under the FTAA and will continue to consult with Contact on the Project before Contact lodges its substantive application.

Ministry for the Environment (as the administering agency for the RMA)
Contact has consulted with the Ministry for the Environment, outlining the Project and its intention to submit a referral application to seek eligibility under the FTAA. Contact received a letter from the Ministry for the Environment which helpfully confirmed the relevant national policy statements and national environmental standards that Contact will carefully revisit and reconsider in its substantive application.

Department of Conservation (as the administering agency for the Conservation Act and Wildlife Act 1953)
Contact has consulted with DoC, outlining the Project and its intention to submit a referral application to seek eligibility under the FTAA. Contact has received a response from DoC, outlining the extensive consultation that Contact has already undertaken with DoC in relation to the Project to date.

Contact has also completed and lodged the relevant DoC pre-lodgement consultation forms in relation to FTAA referral applications. It subsequently met with members of DoC's Fast-track Applications Team to discuss the Project, including the information Contact provided in the request for pre-lodgement consultation. Contact has undertaken to DoC that it will continue to consult with DOC in line with s29 of the FTAA. Consultation with DoC to date has addressed:
- The RMA authorisations required for the Project, including in the context of Contact's previous Covid Fast-track Act application for those RMA authorisations. Contact and DOC engaged closely through that Covid Fast-track Act process, with the end result being agreement between Contact and DoC (and its experts who participated in the process) on an appropriate form of conditions to address the ecological effects of the Project; and
- The authorisations required for the Project where DoC is the administering agency under the FTAA. Under the FTAA scheme, that includes wildlife approvals, concessions and any complex freshwater fisheries activity approvals or dispensations that may be required. Contact has already engaged with DoC on the Wildlife Act authorisations and concessions needed for the Project. These include;
• Wildlife Act:
- Contact was advised by its consultant ecologists in the first instance on Wildlife Act authorisations that would be required in light of the management measures proposed for the relevant species.
- The approach, and Wildlife Act requirements, were then discussed with DoC at a pre-application meeting in March 2024, Contact then submitted its application and that is

currently being processed under reference 118060-FAU.
- In addition to this, Contact also obtained Wildlife Act Authority 114864-FAU on 9th May 2024 for pre-construction Helms' Stag Beetle surveys associated with this Project.
• Concessions:
- DoC provided advice on concession approvals required early in the Project, and Contact subsequently had a pre-application meeting with DoC in May 2024 to inform its application. Concession 117770-OTH was approved by DoC on 25 February 2025, however, Contact decided to withdraw the application after clarifying some matters with DoC and intend to refine its easement requirements with the subsequent FTAA application
DoC's input through that consultation and engagement to date has been particularly helpful in shaping the management of effects on indigenous flora and fauna, as well as the offset and compensation package, and proposed consent conditions for the Project, non-RMA approvals needed, and now the Fast-Track Approvals referral application.

Contact is committed to ongoing consultation with DoC, consistent with its approach to date including prior to and after submitting this referral application. Contact values and will continue to welcome input from DoC, including as it works towards submitting a substantive application under the FTAA.

**3.5.3** List any Treaty settlements that apply to the project area and provide a summary of the relevant principles and provisions in those settlements.

Ngāi Tahu are the iwi that, under Te Rūnanga o Ngāi Tahu Act 1996 and Ngāi Tahu Claims Settlement Act

Ngāi Tahu are the iwi that, under Te Rūnanga o Ngāi Tahu Act 1996 and Ngāi Tahu Claims Settlement Act 1998 and in the Ngāi Tahu WAI 27 claim under Te Tiriti o Waitangi, hold ultimate authority over the broader takiwa.

Ngāi Tahu ki Murihiku is the collective of the four representatives papatipu rūnaka of Murihiku, namely Te Rūnaka o Waihōpai, Te Rūnaka o Awarua, Te Rūnaka o Oraka / Aparima and Te Rūnaka o Hokonui. They are recognised as mana whenua under Te Rūnanga o Ngāi Tahu Act 1996, Ngāi Tahu Claims Settlement Act 1998 and in the Ngāi Tahu WAI 27 claim under Te Tiriti o Waitangi.

Ngāi Tahu and the Crown signed a Deed of Settlement on 21 November 1997. The Ngāi Tahu Claims Settlement Act 1998 gives effect to the Deed of Settlement.

The Ngāi Tahu settlement includes:
- An apology from the Crown;
- Redress in respect of Aoraki/Mount Cook;
- Cltural redress;
- Commercial/economic redress; and
- Non-tribal redress.

The Crown apology recognised Ngāi Tahu as "the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui."

The most relevant principles and provisions in the settlement in respect of the project include:
- Cultural redress concerning conservation management strategies, taonga species, recognition of mana, management input and nohoanga entitlements; and
- Commercial redress in respect of the Slopedown Forest, which has since been transferred out of Ngāi Tahu ownership and forms part of the Project site (now owned by Matariki Forests, Lot 1 DP 12509).

Conservation Management Strategies
The Treaty settlement provides redress to Ngāi Tahu relevant to conservation management strategies and plans. The Southland Murihiku Conservation Management Strategy ("CMS") was prepared in consultation with Ngāi Tahu. This redress is not directly relevant to the Project as
- Te Rūnanga o Ngāi Tahu is a statutory adviser to the Minister of Conservation in respect of specific sites. As a statutory adviser, Te Rūnanga o Ngāi Tahu may provide advice directly to the Minister of Conservation when they are considering any draft conservation management plan or conservation management strategy under the Conservation Act 1987 in respect of a specific site. The Minister of Conservation must have particular regard to the advice given by Te Rūnanga o Ngāi Tahu. The Project does not involve any sites for which Te Rūnanga o Ngāi Tahu has a role as a statutory advisor.
- The Director-General of Conservation must consult with, and have particular regard to the views of, Te Rūnanga o Ngāi Tahu in respect of the preparation of every conservation management strategy or conservation management plan that affects any of the leaseback conservation areas or the gift areas. The Project does not involve any of the leaseback conservation areas or the gift areas.

Taonga Species
In the Treaty settlement the Crown acknowledges the cultural, spiritual, historic and/or traditional association of Ngāi Tahu with each of the taonga species, and taonga fish species. Some of the species identified within the Project Site are taonga species or taonga fish species under the settlement. Contact has worked closely with Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku to ensure any effects on taonga species and taonga fish species are appropriately addressed.

Overall, the views of Te Rūnanga o Ngāi Tahu and Papatipu Rūnaka ki Murihiku in respect of taonga species are directly relevant to the FTAA process. The settlement provides Te Rūnanga o Ngāi Tahu with a voice concerning the management of taonga species and taonga fish species:
- The Minister of Conservation is required to consult with, and have particular regard to, the views of Te Rūnanga when making policy decisions concerning the protection, management or conservation of that taonga species;
- Te Rūnanga o Ngāi Tahu is appointed as an advisory committee to provide advice to the Minister of Conservation on all matters concerning the management and conservation by the Department of Conservation of freshwater fisheries within the Ngāi Tahu Claim Area; and
- In all matters concerning the management and conservation by the Department of Conservation of taonga fish species within the Ngāi Tahu Claim Area, the Minister of Conservation must consult with, and have particular regard to, the advice of that advisory committee.

Recognition of Mana
Ngāi Tahu's mana is recognised in the Treaty settlement through statutory acknowledgements, deeds of recognition, Tōpuni and place names.

A statutory acknowledgement is an acknowledgement by the Crown of Te Rūnanga o Ngāi Tahu's particular cultural, spiritual, historical, and traditional association with a site or area. Statutory acknowledgements recognise the mana of Ngāi Tahu over a range of sites and areas in the takiwā and have implications for processes under the RMA and the Heritage New Zealand Pouhere Taonga Act. There are no statutory acknowledgements within the project area. However, there is a statutory acknowledgement for the Mataura River, to the east of the project, which has been highlighted during discussions about the Project Contact has had with Te Ao Marama Inc

on behalf of Papatipu Rūnaka ki Murihiku.

The Crown agency responsible for the management of a site or area subject to a statutory acknowledgment was required to enter into a deed of recognition, providing for agreed input by Te Rūnanga o Ngāi Tahu into management processes. The settlement includes a deed of recognition for the Mataura River.
Tōpuni provide an overlay of the cultural, spiritual, historic, and traditional association of Te Rūnanga o Ngāi Tahu, on certain areas of land managed by the Department of Conservation. The Ngāi Tahu values of the Tōpuni are a mandatory consideration in approving management policies, plans and strategies under the Conservation Act. Te Rūnanga o Ngāi Tahu must also be consulted in the preparation of those documents. There are no Tōpuni within the Project Site.

The settlement also amended the place name of various locations in the takiwā. No names within the Project Site were amended.

Management Input
Te Rūnanga o Ngāi Tahu has the right to nominate persons to dedicated seats on the following statutory bodies:
- One seat on the New Zealand Conservation Authority; and
- Two seats on each Conservation Board wholly within the Ngāi Tahu Takiwā.

The New Zealand Conservation Authority and relevant Conservation Boards must be invited to provide written comments.

There are a range of protocols that have been developed with the Department of Conservation, setting out:
- The ways in which the Department of Conservation will exercise its functions, powers and duties in relation to specified matters within the Ngāi Tahu Claim Area; and
- How the Department of Conservation will, on a continuing basis, interact with Te Rūnanga o Ngāi Tahu and provide for Te Rūnanga o Ngāi Tahu's input into its decision-making process, including in respect of freshwater fisheries and RMA involvement.

The protocols are required to be noted in conservation management strategies, conservation management plans and national park management plans affecting the Ngāi Tahu Claim Area. The CMS refers to the Department of Conservation and Ngāi Tahu protocols, including at pages 28 and 306–314.

Nohoanga
The Treaty settlement provides nohoanga entitlements for the purpose of permitting members of Ngāi Tahu Whanui to temporarily occupy land close to the waterways on a non-commercial basis, so as to have access to the waterways for lawful fishing and gathering of other natural resources. There are no nohoanga entitlements within the Project Site.

Commercial redress in respect of the Slopedown Forest.
The Slopedown Forest, including land now owned by Matariki Forests (Lot 1 DP 12509) was formerly Crown forest licensed land that was transferred to Te Rūnanga o Ngāi Tahu as commercial redress in its Treaty settlement.

**3.5.4** If relevant, detail any principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 that would be invoked by the project and identify which aspects of the application trigger or otherwise invoke these requirements.

N/A

**3.5.5** Will the project be located on land returned under a Treaty settlement?

☐ Yes – see below ☑ No – proceed next

**3.5.6** Provide evidence of written agreement by the owners of the land returned.

**3.5.7** Describe any processes already undertaken under the Public Works Act 1981 in relation to the project:

No processes have been undertaken under the Public Works Act 1981 in relation to the Project.

**3.5.8** Provide information identifying any parcels of Māori land, marae, or identified wāhi tapu within the project area:

As mentioned above, of relevance to the proposed Wind Farm Site, the Mataura River is a Statutory

As mentioned above, of relevance to the proposed Wind Farm Site, the Mataura River is a Statutory Acknowledgement Area. The Mimihau Stream, which runs east to west along the northern boundary of the Wind Farm Site, with tributaries of the stream running through the Site, is a tributary of the Mataura River. In addition, there are some minor tributaries to the Mokoreta River, located to the south of the site, and the Redan Stream which drain part of the site. These also discharge into the Mataura River. The engagement Contact has undertaken with mana whenua has informed the management of effects on this tributary to ensure that the cultural values associated with the Mataura River, including the Mimihau Stream and other tributaries, are protected.

There are no parcels of Māori land, marae or other identified wāhi tapu within the Project Site.

## 3.6 Legal interests

**3.6.1** Provide a description of any legal interests you or any others applying, have in the land on which the project will occur, including a statement of how that affects your ability to undertake the work.

Contact has entered into investigation and development agreements with the relevant landowners of the

Contact has entered into investigation and development agreements with the relevant landowners of the properties subject to the Wind Farm Site (i.e. Jedburgh Station, Matariki Forests and Glencoe Station) to provide Contact with the property rights to allow the construction and operation of the wind farm on these properties.

Contact also owns 90ha of land near the Wind Farm Site that will be essential to allow access to the site, and providing areas that could be used as a lay down area during construction or to store equipment, as well as for compensation of effects through wetland restoration and enhancement.

Contact may also need an airspace easement for the transmission line that may cross over a privately owned property, depending on the final constructed route, and will discuss this directly with the landowner as required.

## 3.7 Other matters

**3.7.1** Have any activities included in the project, or any that are substantially the same as those involved in the project, previously been the subject of an application or a decision under a specified Act?

Please note the term ‘application’ incudes a notice of requirement and any other means by which a decision may be sought under a specified Act.

☑ Yes – see below ☐ No – proceed next

**3.7.2** If an application has been made, provide details of the application.

The Project, as described in the Project description, is the same as the project that Contact sought resource

The Project, as described in the Project description, is the same as the project that Contact sought resource consents for under the Covid Fast-track Act on 21 December 2023 (as it was refined through that process). For completeness, the other statutory authorisations sought in this FTAA application were not subject to the Covid Fast-track Act application.

**3.7.3** If a decision has been made, also provide the outcome of the decision and the reasons for it.

On 18 March 2025 the expert consenting panel (Panel) declined to grant the application for resource

On 18 March 2025 the expert consenting panel (Panel) declined to grant the application for resource consents.

The Panel considered that there was insufficient baseline information in respect of a number of ecology-related matters to grant consent, and that:
- Effects on wetlands and the wider 'Jedburgh plateau' will be significant and cannot appropriately be offset or compensated; and
- There would be significant adverse effects on natural landscape and features, natural character and visual amenity that could not be adequately mitigated or remedied by conditions.

The Panel concluded that the section 104D RMA 'gateway' test – which non-complying activities must pass under a standard RMA or Covid Fast-track Act process – could not be met because the Project was:
- Contrary to objectives and policies of the Southland District Plan (in particular relating to ecosystem and indigenous biodiversity and natural features and landscapes), the proposed Southland Water and Land Plan, and the Southland Regional Policy Statement; and
- Inconsistent with the NPS-FM.

Contact strongly disagrees with the Panel's conclusions, which were based on erroneous interpretations of the relevant planning instruments, incorrect application of section 104D(1)(b), and various other flaws. It has appealed the decision to the High Court on numerous grounds (although it understands it will need to withdraw that application if and when a substantive application is made under the Fast-track Approvals Act). It has full confidence in the extensive work undertaken by its expert advisors, and in the outcomes endorsed by the agreements reached with mana whenua and DoC (and separately by numerous environmental and planning experts), and considers that the Project should have been granted resource consents under the Covid Fast-track Act.

**3.7.4** Provide a description of whether and how the project would be affected by climate change and natural hazards:

The main risks to the Project from climate change and natural hazards are from seismic events. The site is

The main risks to the Project from climate change and natural hazards are from seismic events. The site is not subject to any additional natural hazard overlays on the Environment Southland natural hazard database. The wind farm design and construction methodology will be informed by multiple engineering design reports to ensure the risks from natural hazards are managed to acceptable levels.

Contact will ensure any potential risks due to natural hazards are managed by:
- Undertaking robust design and site management, including permitting, operational management, monitoring and reporting;
- Conducting regular auditing of conformance with internal standards and consent requirements; and
- Independent reviews by third-party independent experts.

Therefore, it is considered the Project is not subject to significant risks associated with climate change and natural hazards.

*Provide the additional details requested below as relevant to your application.*

## 3.8 Specific proposed approvals

### 3.8.1 Approvals under the Resource Management Act 1991

#### 3.8.1.1 *Resource consents*

If your application is seeking a consent for an activity that would otherwise be applied for under the Resource Management Act 1991, including an activity that is prohibited under the Act, provide the information below:

- An assessment of the project against any relevant national policy statement, any relevant national environmental standards and, if relevant, the New Zealand Coastal Policy Statement.

The Project is seeking consent for activities that would otherwise be applied for under the RMA. An

The Project is seeking consent for activities that would otherwise be applied for under the RMA. An assessment against any relevant national policy statement and national environmental standards is provided in the sections below.

National Policy Statement for Renewable Electricity Generation ("NPS-REG")

The sole objective of the NPS-REG is:

"To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation."

Policies A, B, C1 and C2 of the NPS-REG are considered most relevant to the proposed

Southland Wind Farm as they seek to ensure decision makers:

- Recognise the benefits of renewable electricity generation activities;

- Acknowledge the practical implications of achieving an increase in the proportion of electricity generated from renewable resources;

- Acknowledge the practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities; and

- Have regard to offsetting measures or environmental compensation, including those which benefit the local environment and community affected, when considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated.

The Southland Wind Farm Project is consistent with, and is strongly supported by, the NPS-REG as it will provide a significant source of renewable energy, noting the Government has set an aspirational goal of 100% renewable electricity by 2030, compared to the strategic target in the NPS-REG that 90% of electricity generated in New Zealand be derived from renewable energy sources by 2025 (based on delivered electricity in an average hydrological year). The Government is aiming to increase renewable electricity supply as a major part of meeting New Zealand's greenhouse gas emission reductions and transitioning to a zero carbon economy. Meeting the Government's target for an increase in the generation of electricity from renewable resources will require significant development of renewable electricity generation activities, and therefore, the development of the Southland Wind Farm is of national significance.

Policy C1 of the NPS-REG recognises the practical implications and locational constraints associated with the development of renewable electricity generation activities. There are a number of factors that influence the identification of a site as being suitable for the development of a wind farm, not least being the quality or consistency of the wind resource and proximity to transmission infrastructure. Contact considers the proposed site to be suitably located in terms of these factors, having regard to its wind quality and accessibility to the transmission network. It also needs to be acknowledged that turbines need to be located where the wind resource exists, and due to the elevation often required to ensure consistent and quality wind speeds, they cannot always be placed in locations where they are not visible from any dwellings, for example, or where flying animals never forage or transit.

Policy C2 seeks to ensure that decision-makers have regard to any offsetting measures or environmental compensation when considering any residual environmental effects associated with the renewable electricity generation activities that cannot be avoided, remedied or mitigated. Contact is committed to managing the ecological effects associated with the Southland Wind Farm to at least a no-net loss level and making a positive contribution to the environment and Aotearoa's biodiversity.

The proposed Southland Wind Farm is therefore strongly consistent with the stated objective and policy directives of the NPS-REG.

National Policy Statement for Freshwater Management

The NPS-FM is relevant to the Southland Wind Farm as the Project involves various activities that have the potential to impact on freshwater (and wetlands), including:

- The discharge of contaminants to surface water bodies, namely sediment during construction;

- The take and use of water from the Mimihau Stream;

- The temporary diversion of water during the construction phase to construct bridges and culverts; and

- Impacts on natural inland wetlands.

The objective of the NPS-FM is:

'…to ensure that natural and physical resources are managed in a way that prioritises:

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.'

The policies of the NPS-FM considered to be of most relevance to the proposal are as follows:

Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.

Policy 2: Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.

Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.

Policy 5: Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.

Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

Policy 7: The loss of river extent and values is avoided to the extent practicable.

Policy 9: The habitats of indigenous freshwater species are protected.

Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.

Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.

Policy 15: Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement.

With respect to these policies, the following points are noted:

- Contact has engaged with mana whenua in relation to the Southland Wind Farm

Project and understands that maintaining the quality of the surrounding freshwater bodies and habitats and wetland environments is important to preserving the cultural association with these environments;

- Recommendations from technical reports prepared for the Project will ensure there is a condition framework for the management of activities with the potential to impact freshwater environments, to ensure all actual and potential adverse effects are appropriately managed;

- The Southland Wind Farm has gone through an iterative design process, applying the effects management hierarchy to manage the effects of the Project on wetlands and reduce the effects to the greatest extent practicable. Where adverse effects on wetlands cannot be practicably avoided, Contact will ensure these effects are minimised, remedied and where residual adverse effects remain, are appropriately offset and compensated for through the restoration or creation of similar habitats near the site. That approach is available and consistent with the NPS-FM for the purposes of clause 3.21 and 3.22 of the NPS-FM, because the wind farm meets the definition of 'specified infrastructure', will provide significant national and regional benefits and there is a functional need for the wind farm to be in this location;

- The Project has the potential to generate adverse effects on water quality, aquatic ecology, water quantity and hydrological function. In accordance with the policy direction of the NPS-FM, the Southland Wind Farm has a functional need to be located in this location and Contact will adopt the effects management hierarchy to the management of the actual and potential effects identified. For the most part, the potential effects can be avoided through the implementation of best practice management measures which will be outlined in the ESCP. Where residual adverse effects remain following the implementation of these measures, Contact will offset and compensate for these effects;

- The proposed construction management measures, including the implementation of an ESCP, will ensure the habitats of indigenous freshwater species are protected. In addition, Contact will avoid disposing of fill near streams to protect any potential habitats. Further, the proposed stream crossings have been designed to ensure fish passage is provided for;

- The proposed water take is not located within a catchment that is defined as over allocated in the Proposed SWLP; and

- Contact is seeking to undertake the Southland Wind Farm Project to provide a nationally significant source of renewable electricity and manage any potential or actual adverse effects in a manner which prioritises the health and wellbeing of waterbodies. The construction and operation of the Southland Wind Farm will also provide for the economic and social wellbeing of the Southland region and New Zealand more generally.

For the reasons detailed above, the Southland Wind Farm is consistent with the objectives and policies of the NPS-FM.

National Policy Statement for Highly Productive Land

The vast majority of the Southland Wind Farm will be located on land classified 4 or higher. Only approximately 4ha of the Project footprint will be on highly productive land (all of which is on Class 3 land). This includes the GIP (approx. 1.5ha), some minor areas associated with some of the transmission line pylons and approximately 2.5ha of land on the Contact Energy property which might be retained as a storage or laydown

area following the construction of the wind farm. There is an operational and functional need for the infrastructure to traverse and be located on this land. The GIP location has a functional and operational requirement to be situated near the existing Transpower transmission line, allowing for the connection of the wind farm to the National Grid. The 2.5ha of land on the Contact Energy property which might be retained as a laydown or storage area post-construction cannot be in a different location as this is at the entrance to the Project Site and on land Contact owns and has control over.

As such, the Project is not an inappropriate use and development of the land pertaining to the Project Site, especially when the vast majority of the site is not classified as Highly Productive Land.

National Policy Statement for Indigenous Biodiversity

The proposed Southland Wind Farm is a renewable electricity generation asset and activity, and as such, the NPS-IB does not apply to any parts of this activity, including construction. Therefore, the objectives and policies of the NPS-IB do not apply to the Southland Wind Farm Project and the proposed activity does not need to be assessed against the provisions of the NPS-IB.

National Environmental Standard for Freshwater

The NES-FW regulates activities that pose risks to the health of freshwater and freshwater ecosystems. Of particular relevance to the proposed wind farm are rules relating to activities that may affect natural wetlands and culverts. As outlined in Section 3.7 above, resource consent will be required for activities relating to the construction and alteration of culverts and potentially for activities within, or within 100m of, natural wetlands.

The NES-FW specifies rules relating to the construction of specified infrastructure. This includes the requirement of the adoption of the effects management hierarchy. As outlined above, Contact has applied, and will continue to apply, the effects management hierarchy to the proposed activity. As wetlands are present on the site, where practicable, adverse effects on wetlands will be avoided. However, where effects cannot be avoided or mitigated, offsetting and compensation for these effects will be implemented. This will include the enhancement and restoration of existing copper tussock-rautahi marsh wetlands on the property owned by Contact at Davidson Road East, located near the entrance to the Port Blakely Forest. The extent of the wetlands will be increased through the conversion of grazed wetted pasture with hydric soils to natural wetlands through stock exclusion, planting, weed control and the blocking of artificial drains.

National Environmental Standards for Electricity Transmission Activities

The proposed activity includes the construction of a new transmission line to convey the electricity generated from the wind farm to the National Grid. The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 only apply to existing high voltage electricity transmission lines. Therefore, these standards do not apply to the proposed activity.

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health ("NES-CS")

The NES-CS outlines the standards relating to the disturbance of soil at sites that are potentially contaminated. Contact commissioned a soil expert to confirm whether activities listed on the Hazardous Activities and Industries List ("HAIL") have occurred on the Project Site. This confirmed that the Project Site has not been subject to any HAIL activities, and as such, the NES-CS does not apply to the Project.

National Environmental Standards for Air Quality

The NES-AQ came into effect on 1 June 2011 and contains standards which set a guaranteed minimum level of health protection for people living in New Zealand, particularly in relation to discharges within urban airsheds. No resource consent for the Project is required under these Regulations, however, Contact will ensure that the management of dust and other discharges of airborne particulates associated with the construction of the wind farm are appropriately managed.

- Information on whether, to the best of your knowledge, there are any existing resource consents relevant to the project site to which RMA section 124C(1)(c) (existing consent would need to expire to enable the approval to be exercised) or RMA section 165ZI (space already occupied by the holder of an aquaculture permit) would apply if the approval were to be applied for as a resource consent under that Act

  N/A

**3.8.1.2** *Resource consents where the project includes standard freshwater fisheries activities*

If your application is seeking a resource consent and your project includes a standard freshwater fisheries activity, provide the information requested below:

- If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.

- Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

**3.8.1.3** *Designations*

If your application is seeking a designation or an alteration to an existing designation for which a notice of requirement would otherwise be lodged under the Resource Management Act 1991, provide the information below:

- An assessment of the project against any relevant national policy statement, any relevant national environmental standards, or, if relevant, the New Zealand Coastal Policy Statement.

**3.8.1.4** *Designations where the project includes a standard freshwater fisheries activity*

If your application is seeking a designation or an alteration to an existing designation and your project includes a standard freshwater fisheries activity, provide the information requested below:

- If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.

- Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

**3.8.1.5** *Change or cancelation of conditions*

If your application is seeking a change of cancellation of resource consent condition that would otherwise be applied for under the Resource Management Act 1991, provide:

- Information about whether the change or cancellation of the condition is material to the implementation or delivery of the project.

**3.8.1.6** *Certificates of compliance*

If your application is seeking a certificate of compliance that would otherwise be applied for under the Resource Management Act 1991, provide:

information that demonstrates the activity that the certificate of compliance is intended to cover can be done lawfully in the location without a resource consent.

### 3.8.2 Approvals relating to Conservation Act 1987, Reserves Act 1977, Wildlife Act 1953, and National Parks Act 1980

#### 3.8.2.1 *Concessions*

For applications seeking a concession that include a lease, answer the following:

- Will the lease be for a term (including any renewals that will, or is likely to, be more than 50 years?

  ☐ Yes – see below ☐ No – proceed next

- Will the granting of the lease trigger a right of first refusal or a right of offer or return?

  ☐ Yes – see below ☐ No – proceed next

  - If you answered yes to both a. and b. above, provide evidence that the applicant has written agreement from the holder(s) of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.

#### 3.8.2.2 *Land exchanges*

For applications seeking an approval for a land exchange involving conservation land, provide the details below:

- A description of both land areas proposed for exchange (for example, maps showing areas and location, addresses and legal descriptions where possible)

- The financial value of the land proposed to be acquired by the Crown

- A brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate.

- If the land exchange would trigger a right of first refusal or a right of offer or return, provide evidence that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purpose of the land exchange

- Provide sufficient detail in respect of both land areas to confirm that no part of any land to be exchanged by the Crown is land listed in Schedule 4 or a reserve declared to be a national reserve under section 13 of the Reserves Act 1977.

### 3.8.3 Approvals relating to complex Freshwater Fisheries activities

If your application is seeking an approval or dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity provide the information requested below:

- Whether an in-stream structure is proposed (including formal notification of any dam or diversion structure), and a description of the extent to which this may impede fish passage.

  As noted above, the Project involves constructing culverts within streams. The freshwater ecology assessment has

  As noted above, the Project involves constructing culverts within streams. The freshwater ecology assessment has identified that, in certain watercourses within the Southland Wind Farm Site, it may be necessary to prevent trout from passing through in order to protect the threatened Gollum galaxias populations. At this stage, it is assumed that Contact will need to apply for approval for the proposed culverts under this regulation or seek an appropriate dispensation to provide for this activity.

- Whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

  N/A

### 3.8.4 Approvals relating to Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

If your application is seeking a marine consent that would otherwise be applied for under the Exclusive Economic Zone and Continental Shelf Act 2012, provide the information requested below:

- Any information relating to whether the Minister for Conservation is an affected person.

- If the applicant or the proposed holder of the marine consent has already applied for a consent under the EEZ Act in relation to the project, provide:

  - Details of any application made;
  - An explanation of any decisions made on that application; and
  - Any information that Minister may consider under section 22(6) (comparison of activity against current or likely use of the area).

- Additional information (in a summary form) about compliance or enforcement action taken against the applicant or the person who is identified in the application as the proposed holder of the marine consent by the EPA under the EEZ Act.

### 3.8.5 Approvals relating to Crown Minerals Act 1991

#### 3.8.5.1 *Access arrangements*

For an approval for an access arrangement that would otherwise be applied for under section 61 or 61B of the Crown Minerals Act 1991, provide:

- Information that confirms the applicant or the person identified in the application as the proposed holder of the access arrangement complies with section 59(1) and (2) of the Crown

Minerals Act 1991 (which applies as if a reference to an access arrangement under that Act were a reference to an access arrangement under this Act) including;

- Evidence that the applicant or person has provided each owner and occupier of the relevant land a notice in writing of their intention to obtain an access arrangement; and

- Evidence that the notice complies with the requirements in section 59(2) of the Crown Minerals Act, and any matters required by regulations. =

**3.8.5.2** *Mining permits*

For an approval for a mining permit that would otherwise be applied for under section 23A of the Crown Minerals Act 1991, provide the information requested below:

- A copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown-owned mineral.

- The name and contact details of the proposed permit participants and the proposed permit operator.

- A proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both.

- Evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme.

- Information about the proposed permit holder's history of compliance with mining or similar permits and their conditions.

- The proposed date on which the substantive application is intended to be lodged (if your referral application is accepted) in accordance with section 42(11).

- If the authorised person proposes to provide information under section 37 (to the relevant chief executive), the date on which the person intends to provide that information.

- The proposed duration of the permit.

**3.8.5.3** *Mining permits for petroleum*

If the proposed approvals include a mining permit for petroleum, provide:

- A map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates.

- The resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System.

- A high-level overview of the following:
    - the proposed field development plan;
    - the proposed date for the commencement of petroleum production;
    - the economic model for the project;
    - the proposed duration of the proposed mining permit and;
    - decommissioning plans.

**3.8.5.4** *Mining permits for minerals other than petroleum*

If the proposed approvals include a mining permit for minerals other than petroleum, provide:

- A map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates.

- For minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted

- Information on whether the application will be for a Tier 1 or Tier 2 permit.

- An estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology). For a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.

- An indicative mine plan.

- A high-level overview of the following:
    - the proposed mining method;
    - the proposed date for the commencement of mining and estimated annual production;
    - the economic model for the project;
    - the status of or anticipated timing for completing any pre-feasibility or feasibility studies;
    - the proposed methods for processing mined material and handling and treating waste and;
    - anticipated plans for mine closure and rehabilitation.

# Section 4: Authorisation

To the best of my knowledge, the information contained in this application is true and correct.

☑ I confirm that I am authorised to make this application.

☑ I have provided a copy of the application with all contact details redacted.

☑ I understand that all actual and reasonable costs incurred in relation to this application by MfE, EPA and other central and local government agencies will be recovered from me in accordance with section 104 of the Act, and the Fast-track Approvals Cost Recovery Regulations 2025.

**Signature:** 

**Date:** 02/04/2025

**Name:** Matthew Cleland

# Section 5: Attachments

List any documents submitted with the application.

- *Remember: include a copy of your application with all contact details redacted.*

| Attachment number | Document name | Author | Document version |
|---|---|---|---|
| 1 | Contact Energy FTAA Referral Application | Mitchell Daysh Limited | |
| 2 | Southland Wind Farm Project Location | | |
| 3 | Records of Title | | |
| 4 | Location of Department of Conservation<br>Location of Department of Conservation Concession | | |
| 5 | Letter from Te Rūnanaga o Ngāi Tahu | | |
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# Referral application checklist

Use this checklist to confirm you have completed all sections of the referral application form.

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|---|---|
| **Section 1: Applicant details** | ☑ |
| 1.2 & 1.3 Agent's evidence of authority to represent the applicant(s) - if applicable | ☑ |
| 1.4 Compliance and enforcement history | ☑ |
| **Section 2: Referral application summary** | ☑ |
| 2.1 Project name | ☑ |
| 2.2 Project description and location | ☑ |
| 2.3 Ineligible activity | ☑ |
| 2.4 Exemptions from requirement to provide agreement | ☑ |
| 2.5 Ministerial determinations under sections 23 and 24 | ☑ |
| 2.6 Appropriateness for fast-track approvals process | ☑ |
| **Section 3: Project details** | ☑ |
| 3.1 Approvals required | ☑ |
| 3.2 Project stages | ☑ |
| 3.3 Alternative project | ☑ |
| 3.4 Adverse effects | ☑ |
| 3.5 Persons affected | ☑ |
| 3.6 Legal interest | ☑ |
| 3.7 Other matters | ☑ |
| 3.8 Specific proposed approvals | ☑ |
| **Section 4: Authorisation** | ☑ |
| **Section 5: Attachments** | ☑ |