

Fast-track Approvals Act 2024 – Treaty settlements and other obligations (Section 18) report

Project Name: FTAA-2504-1041 – Stage 1 – Southland Wind Farm

To:	Date:
Hon Chris Bishop, Minister for Infrastructure	29 July 2025

Number of attachments: 5	Attachments: <ol style="list-style-type: none"> Provisions of section 18 of the Fast-track Approvals Act 2024 Project location maps List of relevant Māori groups Comments received from invited Māori groups Comments received from the Minister for Māori Development and Minister for Māori Crown Relations
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Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
Principal Author	Julian Jackson		
Manager, Delivery	Stephanie Frame	s 9(2)(a)	✓
General Manager, Delivery & Operations	Ilana Miller	s 9(2)(a)	

Key points

- The Ministry for the Environment (on behalf of the Secretary for the Environment) has prepared this report on Treaty settlements and other obligations under section 18 of the Fast-track Approvals Act 2024 (the Act), in relation to the FTAA-2504-1041 Southland Wind Farm referral application.
- The applicant, Contact Energy Limited, proposes to establish a large wind farm on Slopedown Hill in eastern Southland, near Gore and Wyndham. The application seeks multiple approvals, under the Resource Management Act 1991 (RMA), Conservation Act 1987, Wildlife Act 1953, Heritage New Zealand Pouhere Taonga Act 2014, and Freshwater Fisheries Regulations 1983.
- Section 18(2) of the Act requires that the report provide a list of Māori groups relevant to the project area including relevant iwi authorities and Treaty settlement entities. We have identified Te Rūnanga o Ngāi Tahu, Hokonui Rūnanga, Waihōpai Rūnaka, Te Rūnanga o Awarua, and Te Rūnanga o Ōraka Aparima as relevant Treaty settlement entities, and Te Ao Mārama Incorporated as another Māori group with relevant interests, which we have listed at **Attachment 3**.

4. The Treaty settlement relevant to this application is the Ngāi Tahu Claims Settlement Act 1998. We have not identified any other obligations such as Mana Whakahono ā Rohe or joint management agreements.
5. Schedule 42 of the Ngāi Tahu Claims Settlement Act 1998 provides for a statutory acknowledgement over the Maitai River, which has tributaries that emanate from the project area. As statutory acknowledgements under the Ngāi Tahu Claims Settlement Act 1998 do not extend to any tributary flowing into a river, unless expressly provided for in the relevant schedule, we do not consider you (or any panel considering a substantive application) are required to comply with procedural requirements concerning this statutory acknowledgement. Nevertheless, it has become common practice in subsequent Treaty settlements for statutory acknowledgements over waterways to include tributaries. This approach is consistent with the holistic Māori worldview of water. You may wish to consider this in the context of the statutory acknowledgements held by Te Rūnanga o Ngāi Tahu over waterways downstream of the project area.
6. The settlement recognises the association of Ngāi Tahu with certain taonga species, some of which are found in the project area. Although the settlement provisions regarding taonga species do not place any procedural requirements on you, the panel or applicant in relation to the approvals being sought, you or the panel may wish to consider these interests.
7. Comments on this application were received from two Ngāi Tahu ki Murihiku entities – Hokonui Rūnanga and Te Ao Marama Inc. In summary, the comments indicate that Contact Energy has been engaging extensively with Ngāi Tahu entities on this proposal for some time and will continue to do so throughout the Fast-track process. This engagement has enabled Ngāi Tahu entities and Contact Energy to reach agreement on potential resource consent conditions. Ngāi Tahu entities support the application so long as it is the same Southland Wind Farm Project that was lodged with the Environmental Protection Authority (EPA) under the COVID-19 Recovery (Fast-track Consenting) Act 2020 on 21 December 2023. The comments noted Ngāi Tahu's deep and enduring connection with the environs of the project area, and the historical and contemporary importance of this association to the tribe.
8. The Minister for Māori Development and Minister for Māori Crown Relations supports the application subject to appropriate recognition of the cultural and Treaty rights of Ngāi Tahu, as well as ongoing engagement with identified Māori entities to uphold existing agreements in relation to the application.
9. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Signature



Ilana Miller
General Manager – Delivery and Operations

Introduction

10. Under section 18 of the Fast-track Approvals Act 2024 (the Act), you must obtain and consider a report on Treaty settlements and other obligations for each referral application, prepared by the responsible agency (Secretary for the Environment).
11. The information which must be provided in this report includes:
 - a. relevant iwi authorities, Treaty settlement entities, applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), and other Māori groups with interests in the project area;
 - b. relevant principles and provisions in Treaty settlements and other arrangements;
 - c. a summary of comments received from invited Māori groups and specified Ministers; and
 - d. advice on whether it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
12. This report is structured accordingly. We have provided a list of the relevant provisions of section 18 at **Attachment 1**.

Proposed project

13. The applicant, Contact Energy Limited, proposes to construct and operate a 250-350 MW wind farm covering 58km² of privately owned land on Slopedown Hill in eastern Southland, approximately 30km southeast of Gore and 50km east of Wyndham. The project area is partly in both the Southland and Gore Districts, and entirely in the Southland Region.
14. The project is expected to generate sufficient electricity to power 110,000-150,000 households annually. It comprises 55 wind turbines up to 220m high at 'tip point', wind turbine transformers, underground cabling, a wind farm substation, switching station and transmission lines to provide connection to the Transpower National Grid, and the construction of roading, turbine foundations and "hard stand" areas adjacent to each turbine.
15. The application seeks approvals under multiple regulatory regimes, as follows:
 - a. resource consents under the RMA in relation to earthworks, vegetation clearance, water takes, stream works including diversion, discharges to water, land and air, and other matters;
 - b. concessions under the Conservation Act 1987 for easements relating to transmission lines and rights of way for culvert construction;
 - c. approval under the Wildlife Act 1953 relating to the disturbance of lizards and terrestrial invertebrates including for the purposes of catching, holding and releasing protected species;
 - d. a 'global' archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 covering the entire project area, which includes two archaeological sites; and
 - e. approval under the Freshwater Fisheries Regulations 1983 in relation to preventing trout passage and the protection of threatened *Gollum galaxias* populations.
16. We have provided a location map at **Attachment 2**.

Relevant iwi authorities, Treaty settlement entities, and other Māori groups

17. We note that some entities identified below may be included in more than one category. We have included a composite list of all groups at **Attachment 3**.

Iwi authorities

18. We consider the following groups to be the relevant iwi authorities, for the purposes of the RMA, for the project area:

- a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu.

Treaty settlement entities

19. Under section 4(1) of the Act, “Treaty settlement entity” means any of the following:

- (a) a post-settlement governance entity (PSGE):
- (b) a board, trust, committee, authority, or other body, incorporated or unincorporated, that is recognised in or established under any Treaty settlement Act:
- (c) an entity or a person that is authorised by a Treaty settlement Act to act for a natural resource feature with legal personhood:
- (d) Te Ohu Kai Moana or a mandated iwi organisation (as those terms are defined in section 5(1) of the Maori Fisheries Act 2004):
- (e) an iwi aquaculture organisation (as defined in section 4 of the Maori Commercial Aquaculture Claims Settlement Act 2004).

20. We have identified the following relevant Treaty settlement entities for this project area:

- a. Te Rūnanga o Ngāi Tahu, representing Ngāi Tahu , PSGE for the Ngāi Tahu Claims Settlement Act 1998;
- b. Hokonui Rūnanga, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- c. Waihōpai Rūnaka, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998;
- d. Te Rūnanga o Awarua, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998; and
- e. Te Rūnanga o Ōraka Aparima, Papatipu Rūnanga of Ngāi Tahu Whānui as recognised in the Ngāi Tahu Claims Settlement Act 1998.

21. The applicant has advised they have undertaken consultation with all of the identified Treaty settlement entities in conjunction with Te Ao Mārama, the resource management partnership and consultancy which represents the Papatipu Rūnanga groups of Ngāi Tahu ki Murihiku. Ngāi Tahu ki Murihiku is a collective of the four Ngāi Tahu groups in Southland being Hokonui Rūnanga, Waihōpai Rūnaka, Te Rūnanga o Awarua, and Te Rūnanga o Ōraka Aparima, each of which is represented by its own Papatipu Rūnanga (tribal council).

Groups mandated to negotiate Treaty settlements

22. There are no groups which have recognised mandates to negotiate a Treaty settlement over an area which may include the project area. All historical claims under te Tiriti o Waitangi / the Treaty of Waitangi have been settled in respect of the project area.

Takutai Moana groups and ngā hapū o Ngāti Porou

23. The project area does not include the common marine and coastal area and therefore the Marine and Coastal Area (Takutai Moana) Act 2011 does not apply.
24. The project area is not within ngā rohe moana o ngā hapū o Ngāti Porou (as set out in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).

Iwi or hapū whose practices are recognised under the Fisheries Act 1996 through customary management areas

25. The project area is not within a taiāpure-local fisheries area, mātaihai reserve, or area subject to a bylaw made under Part 9 of the Fisheries Act 1996.

Owners of identified Māori land where electricity infrastructure or land transport infrastructure is proposed

26. Section 23 of the Act provides that, in making a decision on a referral application under section 21, the Minister may determine that, for the purposes of the project, an activity described in section 5(1)(a) is not an ineligible activity if it:
- a. is the construction of electricity lines or land transport infrastructure by (or to be operated by) a network utility operator that is a requiring authority; and
 - b. would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land.
27. This project does not involve an activity described in section 23(1) (i.e. including both (a) and (b)) of the Act.

Iwi authorities and groups representing hapū who are party to relevant Mana Whakahono ā Rohe or joint management agreements

28. If the project area is within the boundaries of either a Mana Whakahono ā Rohe or joint management agreement, and the application includes a proposed RMA approval described in section 42(4)(a) to (d) (resource consent, certificate of compliance, or designation), we are required to identify the relevant iwi authority/groups that represent hapū that are parties to these arrangements.
29. We have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area, and accordingly there no parties to these arrangements to identify.

Any other Māori groups with relevant interests

30. We consider the following entity as a Māori group with relevant interests, as they may represent the papatipu rūnanga on environmental and other matters in the project area:
- a. Te Ao Mārama Incorporated.

Relevant principles and provisions in Treaty settlements and other arrangements

Treaty settlements

31. Under section 4(1) of the Act, a Treaty settlement includes both a Treaty settlement Act and a Treaty settlement deed which is signed by both the Crown and representatives of a group of Māori.
32. The following Treaty settlements relate to land, species of plants or animals, or other resources within the project area:
 - a. Ngāi Tahu Claims Settlement Act 1998.

Relevant principles and provisions

33. The relevant principles and provisions for each of these settlements are set out below:

Crown acknowledgements and apologies

34. Through a series of acknowledgements and an apology to Ngāi Tahu, the Crown acknowledged its historical actions that breached te Tiriti o Waitangi/the Treaty of Waitangi. The Crown apologised to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognised Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui (the area of the whole of Ngāi Tahu).
35. The Crown apology also stated that the Crown intended to atone for these acknowledged injustices, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu. The redress provided for in Treaty settlements should be viewed in the context of these intentions.

Statutory Acknowledgements

36. The Ngāi Tahu settlement was the first settlement to include statutory acknowledgements, which are an acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area (the 'statutory area').
37. We have checked the project area in relation to statutory acknowledgements held by Te Rūnanga o Ngāi Tahu, particularly over waterways. The applicant notes that Ngāi Tahu have a statutory acknowledgement over the Maitai River, which we have confirmed. The wetlands and waterways within the project area flow into the catchments of the Mimihau Stream and Mokoreta River, which are tributaries of the Maitai River.
38. The application notes that construction activities involved in the project include earthworks, fill disposal, water takes, discharge of stormwater, erosion and sediment effects, and works within or in close proximity to streams or wetlands. The proposed roading network required for the Southland Wind Farm would cross a number of streams and include construction of two culverts and a bridge over branches of the Mimihau Stream.
39. The application notes that industry-best practice construction management, the use of construction environmental management plans, and a comprehensive mitigation and relationship agreement (and agreed consent conditions) with Ngāi Tahu will be applied to address the cultural and taiao effects on mana whenua. This includes using 10m setbacks from wetlands and waterways to avoid or minimise impacts of construction activities.

40. Under the RMA and relevant Treaty settlement Acts, a consent authority must, when considering a resource consent for a proposed activity that is within, adjacent to, or affecting a statutory area:
- a. provide a summary of the application to the holder of the statutory acknowledgement. The summary of the application must be the same as would be given to an affected person by limited notification under the RMA. The summary must be provided as soon as is reasonably practicable after the relevant consent authority receives the application, but before they decide whether to notify the application;¹ and
 - b. have regard to the statutory acknowledgement when deciding whether the holder (generally a PSGE) is an 'affected person' for the purposes of notification decisions under the RMA.²
41. The holder of a statutory acknowledgment may also cite this as evidence of their association with a statutory area in any submission before a relevant consent authority (or the EPA, board of inquiry, Environment Court, Heritage New Zealand Pouhere Taonga), who may, in turn, take that statutory acknowledgement into account.
42. We consider the process of inviting comment from Ngāi Tahu and the relevant Papatipu Rūnanga under the Fast-track Act (including providing information about the application) is comparable to the process under Treaty settlements and the RMA of providing those who hold statutory acknowledgements with a summary of the application. Under section 53(2)(c) of the Act, the panel must also invite written comments on a substantive application from any relevant Treaty settlement entities within the area to which the application relates.
43. However, the statutory acknowledgement over the Maitai River may not be directly applicable to this project, as under section 205 of the Ngāi Tahu Claims Settlement Act 1998, such acknowledgements do not extend to any tributary flowing into a river, unless expressly provided for in the relevant schedule. Schedule 42 of the Ngāi Tahu Claims Settlement Act 1998 provides for the statutory acknowledgment over the Maitai River but does not refer to tributaries (such as the Mimitau Stream and Mokoreta River).
44. In light of this, we do not consider you (or any panel considering a substantive application) are required to comply with procedural requirements concerning statutory acknowledgements in relation to the Maitai River. Nevertheless, it has become common practice in subsequent Treaty settlements for statutory acknowledgements over waterways to include tributaries. This approach is consistent with the concept in Te Ao Māori of ki uta ki tai (from the mountains to the sea), whereby water is viewed in a holistic way, and should be managed accordingly. You may wish to consider this in the context of the statutory acknowledgements held by Te Rūnanga o Ngāi Tahu over waterways downstream of the project area.

Taonga species

45. The Crown has also acknowledged the special association of Ngāi Tahu with certain taonga species of birds, plants and animals. The Ngāi Tahu Claims Settlement Act 1998 contains several other provisions relating to taonga species, including a requirement that

¹ In the case of the Ngāi Tahu settlement this was provided for through regulations in 1999. Statutory acknowledgment drafting has evolved and more modern settlements include these provisions in the settlement Act.

² In addition to consent authorities, the Environment Court and Heritage New Zealand Pouhere Taonga must also have regard to statutory acknowledgements in relation to some of their processes.

the Minister of Conservation consult with, and have particular regard to the views of, Te Rūnanga o Ngāi Tahu when making policy decisions concerning the protection, management, or conservation of a taonga species

46. The applicant has identified potential ecological effects of the project on indigenous birds, long-tailed bats, lizards and invertebrates. While the application seeks an approval under the Wildlife Act 1953 for the handling/relocation of lizards and terrestrial invertebrates, these species are not included amongst the taonga species in the Ngāi Tahu Claims Settlement Act 1998. There is a possibility that several birds and plants in the project area are taonga species, such as mohua/yellowhead, kārearea/falcon, and pīwakawaka/fantail. Although the settlement provisions regarding taonga species do not place any procedural obligations on the applicant or consent authority in relation to the approvals being sought by the applicant, the redress illustrates the importance of these species to Ngāi Tahu. Accordingly, the panel may wish to take the possible presence of taonga species into consideration.
47. Finally, we also note that iwi and hapū are likely to have cultural associations with ancestral lands, water, sites, wāhi tapu, and other taonga beyond what is specifically identified in a Treaty settlement or other arrangements. Local tangata whenua and their representatives would be best placed to advise on such matters in the first instance.

Customary Marine Title/Protected Customary Rights

48. As noted above, the project area is not within a customary marine title area, protected customary rights area, or within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou.

Taiāpure-local fisheries/mātaitai reserves/areas subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996

49. As noted above, the project area is not within a Taiāpure-local fishery, mātaitai reserve, or area subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996.

Mana Whakahono ā Rohe/Joint management agreement

50. As noted above, we have not identified any Mana Whakahono ā Rohe or joint management agreements that are relevant to the project area.

Summary of comments received and advice

Comments from invited Māori groups

51. Pursuant to section 17(1)(d) of the Act, on 28 April 2025 you invited written comments from the Māori groups identified above in paragraphs 20 and 30, from a list we previously provided you. These groups were provided with access to the application material and had 20 working days from receipt of the copy of the application to respond.
52. You received comments on the application from two Ngāi Tahu ki Murihiku entities, Hokonui Rūnanga and Te Ao Marama Inc (TAMI), which can be summarised as follows:

Hokonui Rūnanga

- a. Hokonui Rūnanga confirmed they are one of the Ngāi Tahu ki Murihiku Papatipu Rūnanga whose takiwā includes the Wind Farm site. There is a deep connection and long association for Ngāi Tahu with the environs of the project area. Hokonui Rūnanga reserves the right to provide further comment if the application is referred

to the Fast track approval process. Hokonui Rūnanga reiterated the following five key points set out in a Te Rūnanga o Ngāi Tahu letter dated 1 April 2025 to the EPA:

- i. Ngāi Tahu ki Murihiku and Te Rūnanga o Ngāi Tahu have been engaging extensively with Contact Energy on the Southland Wind Farm for some time;
- ii. the engagement has resulted in agreement between Ngāi Tahu ki Murihiku and Te Rūnanga and Contact Energy, both in relation to consent conditions for the project, and in relation to matters that cannot be mitigated by way of consent conditions;
- iii. Contact Energy has been engaging closely with Ngāi Tahu ki Murihiku and Te Rūnanga o Ngāi Tahu about the prospect of a referral application for the project being lodged under the Fast-track Approvals Act 2024;
- iv. Ngāi Tahu ki Murihiku and Te Rūnanga o Ngāi Tahu support that referral application provided it is on the same basis as the application made to the EPA for the Southland Wind Farm Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020; and
- v. Ngāi Tahu will continue to work closely with Contact Energy throughout the Fast-track Approvals process.

Te Ao Marama

- b. Te Ao Marama Inc (TAMI) responded on behalf of Ngāi Tahu ki Murihiku, which consists of Te Rūnanga o Awarua, Hokonui Rūnanga, Te Rūnanga o Ōraka Aparima, and Waihōpai Rūnanga. TAMI confirmed that Ngāi Tahu ki Murihiku are the kaitiaki who hold mana whenua status in the rohe where the project is located. They reiterated the five key points listed in paragraph 52(a) above that were articulated in a Te Rūnanga o Ngāi Tahu letter dated 1 April 2025 to the Environmental Protection Authority. TAMI stated that the following key principles are required to be recognised by the application:
 - i. Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu takiwā;
 - ii. All areas and places in the Ngāi Tahu takiwā are important and form part of the entwined network of values, places, and resources which are relevant to Ngāi Tahu tribal history, contemporary values, and future of the tribe;
 - iii. The Crown and agents of the Crown must act in good faith, and;
 - iv. The Ngāi Tahu settlement provided a basis for continuing evolution from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.

Consultation with departments and Ministers

53. In preparing this report, we are required to:

- a. consult relevant departments; and
- b. provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti (for response within 10 working days).

54. We sought advice from Te Puni Kōkiri and have incorporated their views into this report.

55. The Minister for Māori Development and Minister for Māori Crown Relations supports the application subject to appropriate recognition of the cultural and Treaty rights of Ngāi Tahu.

The Minister acknowledges the existing agreements between the applicant and identified Māori entities and their support for the application on the basis it is consistent with the previous application under the COVID-19 Recovery (Fast-track Consenting) Act 2020. The Minister therefore recommends that the applicant continues ongoing engagement with identified Māori entities to ensure these existing agreements are upheld and their concerns are fully considered.

56. We have included the Minister's comments as **Attachment 5**.

Advice on whether it may be more appropriate to deal with the proposed approvals under another Act/s

57. Under section 18(2)(m), this report must include our advice on whether, due to any of the matters identified in section 18, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.
58. We do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Attachment 1: Provisions of section 18 of the Fast-track Approvals Act 2024

Section	Information required	Paragraph reference in this report
18(1)	The Minister must, for a referral application, obtain and consider a report that is prepared by the responsible agency in accordance with this section.	s 18 report is required by s 49.
18(2)(a)	Any relevant iwi authorities and relevant Treaty settlement entities	18-20
18(2)(b)	Any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area	32
18(2)(c)	The relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991	33-46
18A(2)(d)	Any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area.	22
18(2)(e)	Any court orders or agreements that recognise protected customary rights or customary marine title within the project area.	23, 48
198(2)(f)	Any applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011 that seek recognition of customary marine title or protected customary rights within the project area.	23, 48
18(2)(g)	Whether the project area would be within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou (and, if so, the relevant provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019).	24, 48
18(2)(h)	Whether the project area includes any taiāpure-local fisheries, mātaihai reserves, or areas that are subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996 (and, if so, who the tangata whenua are).	25, 49
18(2)(i)	Whether the project involves an activity that could be the subject of a determination under 23 (and, if so, who the owners of the land are).	26, 27
18(2)(j)(i)	If the proposed approvals include an approval described in any of section 42C(4)(a) to (d) (resource consent, certificate of compliance, or designation), iwi authorities and groups that represent hapū that are parties to any relevant Mana Whakahono ā Rohe or joint management agreements.	28, 29, 50

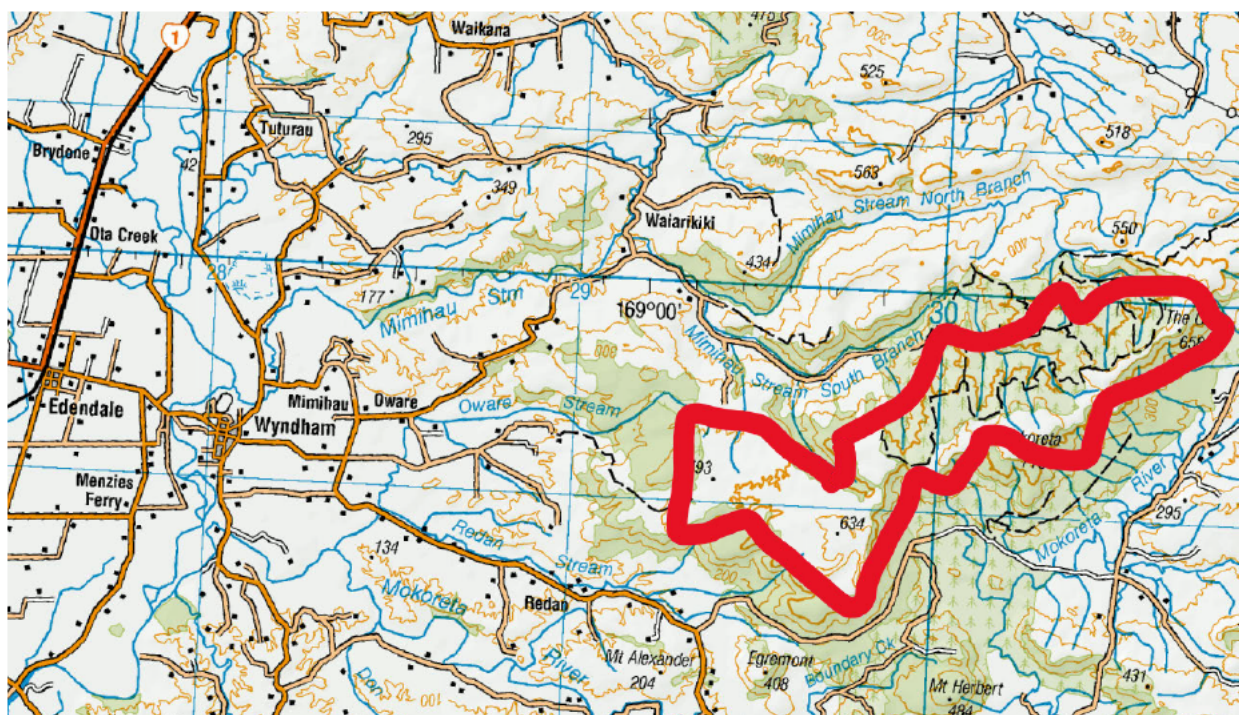
18(2)(j)(ii)	The relevant principles and provisions in those Mana Whakahono ā Rohe and joint management agreements.	28, 29, 50
18(2)(k)	Any other Māori groups with relevant interests.	30
18(2)(l)	A summary of— (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); (ii) any further information received by the Minister from those groups	51, 52
18 (2)(m)	The responsible agency's advice on whether there are significant rights and interests identified in the report and, as a result, it would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.	57, 58
18(3)	In preparing the report required by this section, the responsible agency must— (a) consult relevant departments; and (b) provide a draft of the report to the Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti.	53-56
18(4)	Those Ministers must respond to the responsible agency within 10 working days after receiving the draft report	53

Attachment 2: Project location maps

Location of Southland Wind Farm indicated by yellow star below



Site footprint of Southland Wind Farm indicated by red marking below



Attachment 3: List of relevant Māori groups

Name of group	Type of group (section of Act)
Te Rūnanga o Ngāi Tahu	Iwi authority (s18(2)(a)); Treaty settlement entity – Ngāi Tahu Claims Settlement Act 1998 (s18(2)(a))
Hokonui Rūnanga	Ngāi Tahu Papatipu Rūnanga (s18(2)(a))
Waihōpai Rūnaka	Ngāi Tahu Papatipu Rūnanga (s18(2)(a))
Te Rūnanga o Awarua	Ngāi Tahu Papatipu Rūnanga (s18(2)(a))
Te Rūnanga o Ōraka Aparima	Ngāi Tahu Papatipu Rūnanga (s18(2)(a))
Te Ao Mārama Incorporated	Entity owned by Papatipu Rūnanga (s18(2)(k))

Attachment 4: Comments received from invited Māori groups

Comments from Hokonui Rūnanga



22 May 2025

To whom it may concern
Fast Track Approvals Act – Referrals
Ministry for the Environment
By way of upload to the Fast Track Portal

Tēnā koe,

FTAA-2504-1041: Southland Wind Farm: Comments on Referral Request under Fast Track Approvals Act 2024

Thank you for giving notice that a request for referral to the Fast Track approvals process has been received by the Minister for Infrastructure. Hokonui Rūnanga acknowledges that comments are due on **26 May 2025**.

Hokonui Rūnanga is one of the Ngāi Tahu ki Murihiku Papatipu Rūnanga whose takiwā includes the site the application is within. Ngāi Tahu ki Murihiku consists of Te Rūnanga o Awarua, Hokonui Rūnanga, Te Rūnanga O Ōraka Aparima, and Waihōpai Rūnanga, who together with Otago Papatipu Rūnaka hold mana whenua status within this rohe.

The Te Rūnanga o Ngāi Tahu Act 1996 and the Ngāi Tahu Claims Settlement Act 1998 give recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā boundaries.

Hokonui Rūnanga can confirm that the area within which the project is to be located is an area of deep connection and long association for Ngāi Tahu. Ngāi Tahu ki Murihiku and Te Rūnanga o Ngāi Tahu have been engaging extensively with Contact Energy Limited on the Southland Wind Farm for some time. That engagement has resulted in agreement between Ngāi Tahu ki Murihiku and Te Rūnanga o Ngāi Tahu 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.

Hokonui Rūnanga, similar to Ngāi Tahu ki Murihiku and Te Rūnanga o Ngāi Tahu, supports this referral application, provided the referral application is on the same basis as the application made to the EPA for the Southland Wind Farm Project, originally processed under the COVID-19 Recovery (Fast Track Consenting). It is our understanding that Ngāi Tahu ki Murihiku (through Te Ao Marama Inc) and Te Rūnanga o Ngāi Tahu will continue to work closely with Contact throughout the Fast-track Approvals Act process.

Hokonui Rūnanga reserves the right to provide further comment if the application is referred to the fast-track process.

Nāku noa, nā,

A handwritten signature in blue ink that reads "Terry Nicholas". The signature is written in a cursive, flowing style.

Terry Nicholas

General Manager – Hokonui Rūnanga

Comments from Te Ao Marama Inc



9 May 2025

To Whom it may concern
Fast Track Approvals Act – Referrals
Ministry for the Environment
By way of upload to Fast Track Portal

Tēna koe

FTAA – 2504 – 1041: Southland Wind Farm : Comments on Referral request under Fast Track Approvals Act 2024

Thank you for giving notice that a request for referral to the Fast Track approvals process has been received by the Minister for Infrastructure. We acknowledge that comments are due **on 26 May 2025**.

Te Ao Marama Inc. provide comments on behalf of Ngāi Tahu ki Murihiku, the kaitiaki rūnanga whose takiwā includes the site the application is within. Ngāi Tahu ki Murihiku consists of Te Rūnanga o Awarua, Hokonui Rūnanga, Te Rūnanga O Oraka Aparima and Waihōpai Rūnanga, who together with Otago papatipu rūnaka hold mana whenua status within this rohe.

The Te Rūnanga o Ngāi Tahu Act 1996 (the TRONT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā boundaries.

As recorded in the Crown Apology to Ngāi Tahu, the Ngāi Tahu Settlement marked a turning point and a beginning for a "new age of co-operation". In doing so, the Crown acknowledged the ongoing partnership between the Crown and Ngāi Tahu and the expectation that any policy or management regime would be developed and implemented in partnership with Ngāi Tahu.

Ngāi Tahu Claims Settlement Act 1998 – Principles and Provisions

The Fast Track Approvals Act 2024 requires applicants to identify the relevant principles and provisions of Treaty Settlements. These are the foundations and guiding concepts of what the Ngāi Tahu Settlements are based on. There are a number of principles and provisions contained within these Settlements.

Te Ao Marama Inc considers the following key principles are required to be recognized by this application (but not limited to):

- Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā.
- The Crown and agents of the crown must act in good faith.
- All areas and places within the Ngāi Tahu takiwā are important and form part of an entwined network of values, places and resources which are relevant to Ngāi Tahu tribal history, contemporary values and the future of the tribe.

- Settlement provided a basis for continuing evolution from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.

For the purposes of this part of the Fast Track referral process, we can confirm the applicant has received advice on the above and has referenced consideration of those in the preparation of the engagement with Ngāi Tahu entities and overall design of the project.

In summary we confirm the area within which the project is to be located is an area of deep connection and long association for Ngāi Tahu. Ngāi Tahu ki Murihiku and Te Rūnanga have been engaging extensively with Contact on the Southland Wind Farm for some time. That engagement has resulted in agreement between Ngāi Tahu ki Murihiku and Te Rūnanga 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.

Ngāi Tahu ki Murihiku and Te Rūnanga support this referral application provided the referral application is on the same basis as the application made to the EPA for the Southland Wind Farm Project, originally processed under the COVID-19 Recovery (Fast Track Consenting). We will continue to work closely with Contact throughout the Fast-track Approvals Act process.

We reserve the right to provide further comment if the application is referred to the fast-track process.

Nākau noa nā



Dean Whaanga
Kaiwhakahaere Kaupapa Taiao



**TE AO
MĀRAMA INC.**

CC: Ngā Rūnanga – Papatipu Rūnanga Chairs

Attachment 5: Comments received from the Minister for Māori Development and/or Minister for Māori Crown Relations

FTAA-2504-1041: Southern Wind Farm - Comment from Minister for Māori Development - Saved

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Feedback Details

Feedback ID * FDB001289K5C6

Title * FTAA-2504-1041: Southern Wind Farm - Comment from Minister for Māori Development

Regarding [Draft Section 18 report for Minister's comments](#)

Comments

I support the application subject to appropriate recognition of the cultural and treaty rights of Ngāi Tahu. I acknowledge the existing agreements between the applicant and identified Māori entities and their support for the application on the basis it is consistent with the previous application under the COVID-19 Recovery (Fast-track Consenting) Act 2020. It is therefore recommended that the applicant continues ongoing engagement with identified Māori entities to ensure these existing agreements are upheld and their concerns are fully considered

Feedback Contacts

Created By (Contact) [Kahutaiki Torepe-Ormsby](#)

Source Portal

Application [Southland Wind Farm](#)

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