

# Fast-track Approvals Act 2024

---

**MINUTE 6 OF THE EXPERT PANEL**  
Earthworks Expert Conferencing Session  
Southland Wind Farm [FTAA-2508-1095]

23 January 2026

---

[1] The Southland Wind Farm Expert Panel is minded to convene a conference with earthworks experts.

[2] The session is to include the following experts:

- a. Luke Gordon (Rileys) on behalf of the Applicant
- b. Claire Hunter (Mitchell Daysh) on behalf of the Applicant
- c. Bruce Halligan on behalf of Environment Southland

[3] Apart from Luke Gordon, a substitute expert may be suggested by the organisation they represent for the Panel's approval.

[4] The earthworks expert conferencing session will be facilitated by Panel member Graeme Ridley and will be attended by Rob van Voorthusyen. A preferred date for the conferencing is the 4<sup>th</sup> February 2026, however the Panel may amend this date to align with availability of participants.

[5] Three minor matters are to be addressed with the primary purpose of the expert conference being to determine how these matters are considered and addressed in the conditions of consent.

[6] To make most efficient use of the expert conferencing session, the Panel requests that the experts thoroughly prepare for the session and circulate a working draft of their written responses, and in particular proposed amendments to the conditions that were provided as part of Contact's s 55 response, prior to the conferencing session on a without prejudice basis to the session attendees and facilitators only, so the conferencing can focus on points of difference.

#### Matters to be addressed

##### Issue # 1 - Staging of Earthworks

[7] The earthworks required to be undertaken for the Project are over a substantial area with these earthworks supported by an Earthworks Management Plan and an Erosion and Sediment Control Management Plan. The documentation "Southland Wind Farm Technical Assessment # 9: Construction Effects" notes in paragraph 202 that "*Earthworks will be undertaken in a staged manner to reduce the area of exposed earthworks at any point in time throughout the construction period. The earthworks staging arrangement will form part of the EMP and SSMPs.*" Paragraph 203 further notes that "*Due to the scale of the earthwork activities, earthworks are likely to be carried out simultaneously in adjacent sub-catchments by separate teams, this will accelerate the works and reduce length of time that the earthworks are exposed to the weather. The earthwork areas will be stabilised to prevent erosion of exposed surfaces following the completion of each sub-catchment stage*".

[8] The Panel notes staging of earthworks is helpful in addressing effects from sediment discharges resulting from earthwork activities, however the staging requirements are not currently clearly portrayed in the draft condition set. It is likely that a specific staging condition specifying either an open area limit or specific earthwork staging and stabilisation timeframe criteria will be necessary.

[9] The experts are requested to provide a set of specific staging and

stabilisation conditions, with clear reasoning for the conclusions reached and how these conditions will achieve the outcomes required.

### Issue # 2 - Water Quality Standards

[10] Draft Condition CM5 notes *“Erosion and sediment control measures implemented during the construction of the Southland Wind Farm shall meet the following performance standards. (g) - Sediment retention devices or measures must be designed, operated and maintained to achieve, when tested, clarity in the discharge of no less than 100mm as measured by secchi disc, clarity tube or equivalent. This performance standard shall not apply where due to natural causes, this standard cannot be met.”*

[11] Draft Condition CM7A notes *“Water quality monitoring shall ensure that, for watercourses within the Project Site within the Mimiha Stream and Mokoreta River catchments, except where due to natural causes, the parameter cannot be met, the Project does not contribute to any breach of the ‘Mataura 3’ receiving water quality standards outlined in Appendix E of the Proposed Southland Water and Land Plan as follows. (g) - There shall be no more than a 20% change in clarity or colour at the edge of the reasonable mixing zone, relative to the clarity or colour upstream of the discharge point.”*

[12] The Project has promoted the use of the term ‘natural causes’ as an “out” for achievement of the water quality standards, however that could result in any rainfall been assessed as a natural cause which would be inappropriate. The SWLP and Appendix E refers to natural causes however there is no clear linkage between this and a high intensity rainfall event and it doesn’t determine or define what a high intensity rainfall event actually is.

[13] The Panel observes that many of the clauses in conditions CM7A and CM 7B appear to be unrelated to the discharges (primarily sediment) that might emanate from the Project activities.

[14] With these observations in mind, the experts are requested to provide an updated set up specific water quality standards conditions with clear reasoning for the conclusions reached and how these conditions will achieve the outcomes required. These conditions need to relate to the consented activity, provide certainty, be achievable, and be able to be measured on site during the earthworks activity.

### Issue # 3 - Response to Monitoring

[15] Draft Condition EC11B notes “*The Consent Holder shall engage a Suitably Qualified and Experienced Person to undertake monitoring of wetlands near to the Project Footprint prior to construction, during construction and post construction in accordance with the following ... The results of this monitoring shall be provided to the Regional Council with the annual reporting required by Condition CM27*”.

[16] Draft Condition CM27 notes “*During the construction of the Southland Wind Farm and for the first five years during its operation, and every five years thereafter, the Consent Holder shall provide an annual report summarising the status of construction and/or operational activities for the period 1st July – 30th June on the Project Site, and any associated monitoring requirements, to the District and Regional Councils and to Te Ao Marama Inc. (on behalf of Ngā Rūnaka ki Murihiku) by 30th September each year. The annual report shall include, but not be limited to:*

- a. All aspects of performance of the CEMP, TEMP and any other management plans required by this consent;*
- b. A summary of all construction related activities undertaken, compliance with the conditions of this consent; and any incidents of non-compliance;*
- c. Results of any water quality monitoring required during the construction as set out in the EMP and/or ESCP;”*

[17] Draft condition CM27 appears to be the reporting mechanism for water quality monitoring results and also incorporates the hydrological monitoring from

Condition EC11B. There appears to be a gap in the draft conditions where the monitoring (with potential amendments as above) is undertaken and reported however there is no clear process for follow up actions and / or adaptive processes to address any monitoring outcomes or concerns raised as a result of the monitoring outcomes.

[18] This monitoring and follow up is obviously important . It is arguable a formal process should be established whereby more regular monitoring and reporting is required and a clear adaptive feedback loop and associated actions are documented and adopted to address any issues that the monitoring determines over time.

[19] With the observations in mind, the experts are requested to provide a set of specific monitoring feedback and possibly associated adaptive management conditions for the earthworks activities.

[20] If you require any further information about this, please contact the EPA's Application Lead, Keely Paler, at: [info@fasttrack.govt.nz](mailto:info@fasttrack.govt.nz).

A handwritten signature in blue ink, appearing to read 'Ian Gordon', with a stylized flourish at the end.

Ian Gordon

Expert Panel Chair of the Southland Wind Farm Panel.