
MINUTE 1 OF THE PANEL CONVENER

Request for Section 51 reports for Southland Wind Farm [FTAA-2508-1095]

Concession, wildlife approval, archaeological authority and complex freshwater fisheries activity approval

3 October 2025

[1] This application seeks the following approvals under section 42(4) of the Fast-track Approvals Act 2024 (the Act):

- (a) A concession (section 42(4)(e));
- (b) A wildlife approval (section 42(4)(h));
- (c) An archaeological authority (section 42(4)(i));
- (d) A complex freshwater fisheries activity (section 42(4)(j)).

[2] This Minute directs the EPA to obtain advice and reports pursuant to section 51 of the Act from:

- (a) the Director-General of Conservation regarding the concession, the wildlife approval and the complex freshwater fisheries activity approval; and
- (b) Heritage New Zealand Pouhere Taonga and the Māori Heritage Council concerning the archaeological authority.

[3] Panel Convener Jane Borthwick will be appointing the expert panel and setting the decision timeframe.

Specific directions to Director-General of Conservation

[4] The Department of Conservation is to file three separate reports in respect of the approvals listed in paragraph [1] above.

[5] In respect of the **concession**, the report should address:

- (a) The matters set out in clause 4, Schedule 6 of the Act;
- (b) How the weighting of matters set out in clause 7, Schedule 6 of the Act is to be approached, having regard to relevant senior court decisions;
- (c) Whether the Director-General disagrees with or wishes to expand on the expert technical reports or assessments lodged by the Applicant in support of the concession sought;
- (d) The Director-General's recommendation, either to grant, subject to conditions, or decline the concession sought, together with the basis of such recommendation;
- (e) Any amendments considered necessary to conditions proposed in the application in the event of a recommendation to grant the concession sought, having regard to clauses 8 and 9, Schedule 6 of the Act. Any proposed amendments are to be track changed.

[6] In respect of the **wildlife approval**, the report should address:

- (a) The matters set out in clause 3, Schedule 7 of the Act;
- (b) How the weighting of matters set out in clause 5, Schedule 7 of the Act is to be approached, having regard to relevant senior court decisions;
- (c) Whether the Director-General disagrees with or wishes to expand upon the expert technical reports or assessments lodged by the Applicant in support of the wildlife approval sought;
- (d) The Director-General's recommendation either to grant, subject to conditions, or decline the wildlife approvals sought, together with the

basis of such recommendation;

- (e) Any amendments considered necessary to conditions proposed in the application in the event of a recommendation to grant the wildlife approval sought, having regard to clause 6, Schedule 7 of the Act. Any proposed amendments are to be track changed.

[7] In respect of the **complex freshwater fisheries activity**, the report should address:

- (a) The matters set out in clause 4, Schedule 9 of the Act;
- (b) How the weighting of matters set out in clause 5, Schedule 9 of the Act is to be approached, having regard to relevant senior court decisions;
- (c) Whether the Director-General disagrees with or wishes to expand upon the expert technical reports or assessments lodged by the Applicant in support of the complex freshwater fishery activity approval sought;
- (d) The Director-General's recommendation either to grant, subject to conditions, or decline the complex freshwater fishery activity approvals sought, together with the basis of such recommendation;
- (e) Any amendments considered necessary to conditions proposed in the application in the event of a recommendation to grant the complex freshwater fishery activity approval sought, having regard to clause 6, Schedule 9 of the Act. Any proposed amendments are to be track changed.

Specific directions to the Heritage New Zealand Pouhere Taonga and the Māori Heritage Council

[8] Heritage New Zealand Pouhere Taonga and the Māori Heritage Council are to file a report in respect of the approval sought for an archaeological authority. The report should address:

- (a) The matters set out in clause 3, Schedule 8 of the Act;
- (b) How the weighting of matters set out in clause 4, Schedule 8 of the Act is to be approached, having regard to relevant senior court decisions;
- (c) Whether they disagree with or wish to expand upon the expert technical reports or assessments lodged by the Applicant in support of the archaeological authority approvals sought;
- (d) Recommendations either to grant, subject to conditions, or decline the archaeological authority approvals sought, together with the basis of such recommendation;
- (e) Any amendments considered necessary to conditions proposed in the application in the event of a recommendation to grant the archaeological authority approval sought, having regard to clause 5, Schedule 8 of the Act. Any proposed amendments are to be track changed.

[9] Any advice or reports received will be provided by the EPA to persons listed in section 51(5).

The report must be provided to the EPA within 10 working days after the panel set up to determine the application invites comments under section 53. The panel has yet to be appointed, but to assist with managing preparation of the report, I can indicate that the panel is likely to be ready to commence by early November 2025.

A handwritten signature in black ink, appearing to read 'Jane'.

Jane Borthwick

Panel convener for the purpose of the Fast-track Approvals Act 2024