



## **PART M**

CONTACT ENERGY LIMITED

Southland Wind Farm

**Permitted Activity Rule Assessment**

PART M

Project Compliance with Permitted Activities under Relevant Regional and District Plans and Legislation

Rule	Activity	Conditions	Project Compliance
SOUTHLAND REGIONAL COUNCIL			
Proposed Southland Water and Land Plan			
Rule 15(a)	Discharge of stormwater onto or into land in circumstances where contaminants may enter water that meet the rule conditions.	<p>(a) The discharge of stormwater onto or into land in circumstances where contaminants may enter water, or into a lake, river, artificial watercourse, modified watercourse or wetland, is a permitted activity provided the following conditions are met:</p> <p>(i) the discharge is not from a reticulated system; and</p> <p>(ii) the discharge does not originate from industrial or trade premises where hazardous substances are stored or used unless:</p> <ol style="list-style-type: none"><li>hazardous substances cannot enter the stormwater system; or</li><li>there is an interceptor system in place to collect stormwater that may contain hazardous substances and discharge or divert it to a trade waste system; or</li><li>the stormwater contains no hazardous substances except oil and grease and the stormwater is passed through an oil interceptor system prior to discharge; and</li></ol> <p>(iii) the discharge does not contain any sewage, contaminants from on-site wastewater systems and mobile toilets, or agricultural effluent;</p> <p>(iv) for discharges to a lake, river, artificial watercourse, modified watercourse or wetland, the discharge does not result in:</p> <ol style="list-style-type: none"><li>the production of any conspicuous oil or grease films, scums, foams or floatable or suspended materials; or</li><li>the rendering of freshwater unsuitable for the consumption by farm animals; or</li><li>significant adverse effects to aquatic life; or</li><li>more than a 20% change in the colour or visual clarity of the receiving waters at the downstream edge of the reasonable mixing zone; or</li></ol> <p>(v) except for the discharge of stormwater from a roof, road or vehicle parking area, the discharge is not into water within natural state waters; and</p> <p>(vi) for discharges to land, the discharge does not cause flooding, erosion, or land instability to any other person’s property.</p>	<p>The proposed stormwater discharge is not from a reticulated system, or from an industrial or trade premise (Rule 15(a)(i) and Rule 15(a)(ii)).</p> <p>The proposed stormwater discharge will not contain any sewage, contaminants from onsite wastewater system and mobile toilets, or agricultural effluent (Rule 15(a)(iii)).</p> <p>The proposed stormwater discharge will be to land, not directly into any lake, river, artificial or modified watercourse or wetland (Rule 15(a)(iv)(1-4)).</p> <p>There are no Natural State Waters within the vicinity of the potential substation sites (Rule 15(a)(v)).</p> <p>Finally, the volume of stormwater discharges, coupled with the discharge locations being offset from adjacent property boundaries will ensure that no flooding, erosion or land instability issues will arise on adjacent properties (Rule 15(a)(vi)).</p> <p>Therefore, once the Southland Wind Farm is constructed and operational, all stormwater discharge will comply with Rule 15(a)(i-vi).</p>
Rule 17(a)	The discharge of dust suppressants onto or into land where a contaminant may enter water, that meets the rule conditions.	<p>(a) The discharge of a dust suppressant onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided one of the following conditions are met:</p> <p>(i) the dust suppressant is not a hazardous substance; or</p> <p>(ii) the dust suppressant is approved under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the dust suppressant is undertaken in accordance with all conditions of the approval.</p>	Any potential discharge of dust suppressants during the construction or operation of the Southland Wind Farm will not be a hazardous substance, and therefore, comply with these conditions.
Rule 26(b)	The discharge of treated domestic wastewater from a new on-site wastewater system in circumstances where a	<p>(ia) The discharge does not exceed 2,000 litres per day, averaged over any consecutive 7-day period;</p> <p>(i) the treatment and disposal system is designed and installed in accordance with Sections 5 and 6 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management;</p>	An on-site wastewater system will be established at the Operations and Maintenance building to treat wastewater from the ablution facilities. The on-site wastewater system will involve treatment of wastewater with a septic tank and



Rule	Activity	Conditions	Project Compliance
	contaminant may enter water that meets the rule conditions.	<ul style="list-style-type: none"> <li>(ii) the treatment and disposal system is operated and maintained in accordance with the system’s design specification for maintenance or, if there is no design specification for maintenance, Section 6.3 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management;</li> <li>(iii) there is no discharge above the soil surface;</li> <li>(iv) the discharge consists only of contaminants normally associated with domestic wastewater;</li> <li>(v) the on-site wastewater system is not used for the disposal of wastewater from chemical toilets; and</li> <li>(vi) the discharge is not within: <ul style="list-style-type: none"> <li>1. 20 metres of a lake, river, artificial watercourse, modified watercourse or natural wetland excluding interception drains constructed to enable the effective operation of the on-site wastewater system; or</li> <li>2. 50 metres of the coastal marine area or any natural state waters; or</li> <li>3. 50 metres of any bore or well; or</li> <li>4. the microbial health protection zone of a drinking water supply site identified in Appendix J, or where no such zone is identified, then within 250 metres of the abstraction point of a drinking water supply site identified in Appendix J; or</li> <li>5. 20 metres of any subsurface drainage system, excluding subsurface drainage systems constructed to enable the effective operation of the on-site wastewater system; and</li> </ul> </li> <li>(vii) for any land application system, the bottom of the soil infiltration surface is no less than 900 millimetres above the mean seasonal high groundwater table and any perched water.</li> </ul>	<p>discharged to land to a disposal field. The wastewater system will ultimately comply with the following rule (Rule 26(b)(ia-vii)).</p> <p>The discharge will not exceed 2000 litres per day, averaged over any consecutive 7 day period (Rule 26(b)(ia)).</p> <p>The proposed wastewater treatment and disposal system will be designated and installed in accordance with Sections 5 and 6 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management (Rule 26(b)(i)).</p> <p>The proposed wastewater treatment and disposal system will be operated and maintained in accordance with Section 6.3 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management (Rule 26(b)(ii)).</p> <p>No above soil surface discharges are proposed (Rule 26(b)(iii)).</p> <p>The proposed wastewater discharges will only contain sewage from the ablution facilities and these proposed ablution facilities do not involve the use of chemical toilets (Rule 26(b)(iv-v)).</p> <p>The proposed disposal fields will not be located within the setbacks described in Rule 26(b)(vi)(1-5).</p> <p>Finally, the obligation for the bottom of the soil infiltration surface to be no less than 900 millimetres above the mean seasonal high groundwater table and any perched water will be confirmed upon the final site of the field disposal to ensure compliance (Rule 26(b)(vii)).</p> <p>The wastewater system will therefore comply with the conditions of this rule.</p>
Rule 51(a)	The diversion of water within a riverbed where the activity meets the rule conditions.	<ul style="list-style-type: none"> <li>(a) Despite any other rule in this Plan, the diversion of water within a river or lake bed is a permitted activity provided the following conditions are met: <ul style="list-style-type: none"> <li>(i) the diversion is for the purposes of undertaking a permitted activity under Rules 55 to 79, or for the purposes of habitat creation, restoration or enhancement, or hydrologic research; and is carried out in accordance with the following conditions: <ul style="list-style-type: none"> <li>(a1) the general conditions set out in Rule 55A other than conditions (i), (j) and (k) of that Rule;</li> </ul> </li> <li>(ii) the diversion is carried out completely within a river or lake bed (i.e. no water is diverted outside of the river or lake bed);</li> <li>(iii) the water is returned to its original course after completion of the activity, no later than one month after the diversion occurs;</li> <li>(iva) the diversion does not occur within 12 metres of a network utility structure, unless the activity is for the purpose of maintaining, upgrading or developing that network utility;</li> <li>(iv) the diversion does not compromise the ability of any other person to exercise a resource consent or undertake an activity permitted by this Plan; and</li> </ul> </li> </ul>	Any diversion of water required during the construction of stream crossings will comply with these conditions.

Rule	Activity	Conditions	Project Compliance
		(v) the diversion does not result in a net loss of water from the catchment.	
Rule 55(a)	The placement of monitoring and sampling structures that complies with the conditions of the rule.	<p>(a) The use, placement, erection or reconstruction (and any associated bed disturbance and discharge) of any equipment, measuring apparatus or similar devices in, on, under or over the bed of a lake, river, modified watercourse or wetland for the purpose of carrying out inspections, surveys, investigations, tests, measurements, or taking samples is a permitted activity provided the following conditions are met:</p> <p>(ai) the general conditions set out in Rule 55A other than conditions (k) and (l) of that Rule.</p>	The implementation of an ESCP will ensure the general conditions of this rule are met.
Rule 57(a)	The placement or erection of a bridge in, on or over the bed of a river and any associated bed disturbance that complies with the conditions of the rule.	<p>(a) The placement, erection or reconstruction of any bridge in, on or over the bed of a lake, river, modified watercourse or wetland and any associated bed disturbance and discharge resulting from the carrying out of the activity is a permitted activity provided the following conditions are met:</p> <p>(ia) the general conditions set out in Rule 55A;</p> <p>(i) there are no support structures (for example, piles) in the bed;</p> <p>(ii) the bridge and its abutments do not increase the risk of flooding to surrounding land;</p> <p>(iii) the bridge and its bank abutments do not impede the flow of water within the river channel; and</p> <p>(iv) the structure is not within any mātaimai, nohoanga, or taiāpure.</p>	The installation of the bridge over the Mimihau Stream South Branch required for the Project will comply with these conditions. The proposed stream crossing designs are discussed in detail in the attached Stream Crossing Design Report (refer to Riley (2025)).
Rule 58(a)	The placement or erection of a cable network, in, on, under or over the bed of a river or wetland that complies with the conditions of the rule.	<p>(a) The placement, erection or reconstruction of any cable, wire, pipe or pipeline (including any intake or discharge pipe or temporary gauging system) and associated safety signs or markers in, on, under or over the bed of a lake, river, modified watercourse or wetland and any associated bed disturbance and discharge resulting from the carrying out of the activity is a permitted activity provided the following conditions are met:</p> <p>(ia) the general conditions set out in Rule 55A;</p> <p>(i) the structure does not have any support structures (for example, stays or piles) in the bed (other than if it is attached to a pre-existing structure, such as a bridge);</p> <p>(ii) the structure does not cause a hazard to boating/navigation, or aircraft/aviation;</p> <p>(iii) where the structure crosses over the bed, and is not a temporary structure, it does not impede the flow of water within the river channel;</p> <p>(iv) where the structure crosses over the bed, and is designed to carry contaminants, it complies with the relevant construction standards imposed by a territorial authority under the Building Act;</p> <p>(v) where the structure crosses under the bed it is completely buried and remains buried, with the depth of burial being indicated on markers on either bank;</p> <p>(vi) where the structure is an intake pipe, it has a screening device to prevent fish from entering the pipe in accordance with Appendix R;</p> <p>(vii) where the structure is a discharge pipe, any discharge from the pipe does not cause significant erosion of, or deposition on, the surrounding bed or banks; and</p> <p>(viii) the structure is not within any mātaimai, nohoanga, or taiāpure.</p>	The placement of cables over the bed of a river or stream required for the Project will comply with these conditions. No structures will be constructed within the bed of any river or stream.
Rule 59(a)	The placement or erection of a culvert that complies with the conditions of the rule.	<p>(a) The placement, erection or reconstruction of any culvert including any associated inlet or outlet protection structure in, on, under or over the bed of a river, modified watercourse or wetland (excluding natural wetlands), and any associated bed</p>	The installation of two box culverts required for the Project will comply with these conditions. The proposed stream crossing

Rule	Activity	Conditions	Project Compliance
		<p>disturbance and discharge resulting from carrying out the activity, is a permitted activity provided the following conditions are met:</p> <p>(ia) the general conditions set out in Rule 55A;</p> <p>(i) the maximum diameter of any single culvert is 1,200 millimetres;</p> <p>(ii) any culvert is positioned so that its alignment is the same as the river;</p> <p>(iii) any culvert is designed to pass flood flows (either through, around or over the culvert) and does not increase the risk of flooding to neighbouring properties;</p> <p>(iv) the invert (or bottom) of any culvert is installed to a depth of either 300 millimetres below the natural bed level or one-third of the diameter of the culvert, whichever is the lesser;</p> <p>(v) any culvert is purpose built for the passage of water (i.e. not a drum, container or other item not designed as a culvert);</p> <p>(vi) fill over any culvert is not greater than 4 metres (the vertical distance measured from the crest of the fill to the natural bed at the downstream invert of the structure); and</p> <p>(vii) any structure is not within any mātaihai, nohoanga, or taiāpure.</p>	designs are discussed in detail in the attached Stream Crossing Design Report (refer to Riley (2025)).
Rule 61(a)	Placement of rock rip rap, gabion baskets or anchored or layered trees in, on, under or over the bed of a river that complies with the rule conditions.	<p>(a) Notwithstanding any other rule in this Plan, the placement or reconstruction of rock rip rap, gabion baskets or anchored or layered trees in, on, under or over the bed of a lake, river or modified watercourse and any associated bed disturbance and discharge resulting from carrying out of the activity, is a permitted activity provided the following conditions are met:</p> <p>(ai) the general conditions set out in Rule 55A;</p> <p>(i) the work is not in a lake bed, national park, reserve or land in respect of which there is a covenant under the Conservation Act 1987, Queen Elizabeth the Second Trust Act 1977 or Reserves Act 1977;</p> <p>(ii) any anchored or layered trees are anchored to the bed or banks so that they will not wash away in a 2% Annual Exceedance Probability flood event;</p> <p>(iii) there is no planting of pest plant species as identified in the Regional Pest Management Strategy for Southland 2013 or any replacement plan prepared under the Biosecurity Act, or Biosecurity NZ Register of Unwanted Organisms, in circumstances where the planting of those pest plant species is restricted under the Biosecurity Act; and</p> <p>(iv) (iv) the structure is not within any mātaihai, nohoanga, or taiāpure.</p>	If required, the placement of rock rip rap, gabion baskets or anchored or layered trees in, on, under or over the bed of a river or stream required for the Project will comply with these conditions.
<b>SOUTHLAND DISTRICT COUNCIL</b>			
<b>Southland District Plan</b>			
NOISE-R8	Noise from wind turbines that comply with NZS 6808:2010 Acoustics – Wind Farm Noise.	Noise from wind turbines shall comply with NZS 6808:2010 Acoustics - Wind Farm Noise.	Halstead (2025) has confirmed that the cumulative noise generated from the wind turbines of both the Southland Wind Farm and Kaiwera Downs Wind Farm will comply with the NZS6808:2010 noise limit at all wind speeds. Further, the noise level produced would be at levels less than the Southland District Plan night-time permitted activity noise limits and meet the World Health Organisation recommendations for a sleeping environment with windows open.



Rule	Activity	Conditions	Project Compliance
NOISE-R10	Vibration emanating from blasting that complies with the relevant standards.	<p>Vibration emanating from any activity, shall not exceed the limits given in any of the following standards at any dwelling, residential activity, educational facility or office on any other property:</p> <ol style="list-style-type: none"> <li>AS 2670.1-2001 Evaluation of human exposure to whole-body vibration - General requirements.</li> <li>AS 2670.2-1990 Evaluation of human exposure to whole-body vibration - Continuous and shock induced vibration in buildings (1 to 80 Hz).</li> <li>DIN 4150-3:1999 Effects of vibration on structures.</li> </ol>	<p>Any blasting that is required for the Project will comply with these conditions, as assessed by Halstead (2025).</p> <p>It is noted that the area around the Wind Farm Site is sparsely populated, with no dwellings within 2km of the proposed wind turbines, and only 30 dwellings within a 5km radius.</p>
NOISE-R12	Construction noise that complies with NZS 6803:1999 Acoustics – Construction Noise.	Construction noise shall comply with NZS 6803:1999 Acoustics - Construction Noise.	<p>Halstead (2025) modelled the likely construction noise at the nine dwellings closest to the Project Site and found that for the most part, the construction noise effects on the nearby dwellings will be minor.</p> <p>The greatest level of construction noise is expected to come from the construction of the Project Village. Halstead (2025) has advised that by limiting the construction of the Project Village to daytime hours, it will ensure compliance with the limits outlined in NZS6803:1999.</p>
GRUZ-R1(4)	The construction of a building on the site that does not exceed 12m in height, has an area that does not exceed 1,500m <sup>2</sup> and complies with the standards for Height in Relation to Boundaries and the Height Recession Diagram in Rural Zone General Standards Rule RURAL.7(6).	<p>Other Buildings are permitted provided that:</p> <ol style="list-style-type: none"> <li>The maximum height of the building is 12 metres above the natural ground level.</li> <li>The height of the building in relation to the external property boundaries complies with Height in Relation to Boundaries and the Height Recession Diagram in Rural Zone General Standards Rule RURAL.7(6).</li> <li>...</li> <li>...</li> <li>The building shall not exceed 1,500 m<sup>2</sup> in gross floor area.</li> <li>Within the Visual Amenity Landscape Overlay the maximum height of the building is 7.5 metres above the natural ground level.</li> <li>Within the Visual Amenity Landscape Overlay it is setback at least 100 metres from a State Highway or Regional Arterial Road and 50 metres from any other road.</li> <li>Within the Visual Amenity Landscape Overlay the Maximum footprint of the building does not exceed 1,000 m<sup>2</sup>.</li> <li>Compliance with RURAL.7(7) National Grid Yards.</li> <li>The site is not identified as being within an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.</li> <li>The building shall be setback 4.5 metres from the boundary of any road.</li> <li>The building shall not shade a road between 10.00 am and 2.00 pm on the shortest day of the year.</li> </ol>	<p>The Operations and Maintenance Building constructed on the Project Site will comply with the conditions set out in Rule RURAL.1(4).</p> <p>The maximum proposed height of the O&amp;M building is 7m (RURAL.1(4)(a)).</p> <p>The proposed O&amp;M building will meet Rule RURAL.1(4)(b) as it will be designed to meet the Height in Relation to Boundaries and the Height Recession Diagram in Rural Zone General Standards Rule RURAL.7(6). E2.</p> <p>The proposed O&amp;M building will not exceed 1,500m<sup>2</sup> (RURAL.1(4)(e)).</p> <p>The proposed O&amp;M building is not located within a Visual Amenity Landscape or in an Outstanding Natural Feature or Landscape – as mapped in the District Plan (Rule RURAL.1(4)(g-h) and RURAL.1(4)(j)).</p> <p>The proposed O&amp;M building complies with Rule RURAL.1(4)(i) being that it is not located within the National Grid Yards, as set out in Rule RURAL.7(7).</p> <p>The proposed O&amp;M building will be positioned to meet the 4.5m setback from the boundary of any road (Rule RURAL.1(4)(k)).</p> <p>Finally, the proposed O&amp;M building will be designed and sited so as to not create shading on any road areas (Rule RURAL.1(4)(l)).</p>

Rule	Activity	Conditions	Project Compliance
<b>GORE DISTRICT COUNCIL</b>			
<b>Operative Gore District Plan</b>			
4.3.1(c)	Construction and maintenance work that complies with the noise limits in NZS 6803:1999.	<p>The following is a permitted activity:</p> <p>...</p> <p>(c) Construction and maintenance work that complies with the noise limits in NZS 6803:1999.</p>	The construction activities associated with the Project in the Gore District will comply with NZS 6803:1999.
4.3.1(f)	Geotechnical investigations.	<p>The following is a permitted activity:</p> <p>...</p> <p>(f) Geotechnical investigations works provided that:</p> <p>(i) such works are carried out within a period not exceeding six months;</p> <p>(ii) ground disturbance (including any stock piles of excavated or stored material) on any property does not exceed 50 cubic metres in volume or 2,000 square metres in area;</p> <p>(iii) any ground disturbance is rectified and left tidy within 48 hours of investigations being completed; and</p> <p>(iv) any noise complies with the recommended noise limits of NZS 6803:1999;</p> <p>(v) no activities which generate noise beyond the property boundary of the investigation site shall be undertaken during hours of darkness;</p> <p>(vi) no dust that could cause a nuisance shall be generated beyond the boundary of the land subject to the investigations.</p>	Enabling works may be required in the Gore District that will include geotechnical investigations. These activities will comply with these conditions.
4.5.1	Noise in the rural zone.	<p>Noise limits in rural and residential zones</p> <p>(1) On any day:      7:00 am to 10:00 pm 55 dBA Leq</p> <p>                                 10:00 pm to 7:00 am 40 dBA Leq</p> <p>                                 10:00 pm to 7:00 am 75 dBA Leq</p> <p>(2) Exemptions on noise limits I rural and residential zones:</p> <p>The standards set out in (1) above shall not apply:</p> <p>(a) where there is any noise sensitive activity on the same site as a noise being assessed.</p> <p>...</p> <p>(c) to activities of normal primary production or forestry activities.</p> <p>(d) to vehicle movement on public roads;</p>	The activities, including construction activities and the operation of the GIP will comply with the relevant standards, as confirmed in Halstead (2025).
<b>Proposed Gore District Plan</b>			
ENRG-R3	Renewable Electricity Generation Investigations, including associated structures and buildings.	<p>Activity status: Permitted</p> <p>Where:</p> <p>1. All Energy Standards are complied with.</p> <p>2. Associated structures and buildings are temporary and removable.</p>	Enabling works may be required in the Gore District that will include geotechnical investigations. If required, these activities will be associated with the Project, and therefore, meet the definition of renewable electricity generation investigations and will comply with these conditions.

Rule	Activity	Conditions	Project Compliance
National Environmental Standards			
Resource Management (National Environmental Standards for Freshwater) Regulations 2020			
70	The placement, use, alteration, extension or reconstruction of a culvert in, on, over or under the bed of a river that complies with the permitted activity conditions.	<ol style="list-style-type: none"> <li>The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of any river or connected area is a permitted activity if it complies with the conditions.</li> <li>The conditions are that— <ol style="list-style-type: none"> <li>the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter, extend, or reconstruct the culvert; and</li> <li>the culvert must be laid parallel to the slope of the bed of the river or connected area; and</li> <li>the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and</li> <li>the culvert’s width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows: <ol style="list-style-type: none"> <li>where <math>w \leq 3</math>, <math>s \geq 1.3 \times w</math>;</li> <li>where <math>w &gt; 3</math>, <math>s \geq (1.2 \times w) + 0.6</math>; and</li> </ol> </li> <li>the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert’s diameter is below the level of the bed; and</li> <li>the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and</li> <li>the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).</li> </ol> </li> </ol>	The installation of proposed culverts (excluding NSC1, NSC3 and NSC6) required for the Project will comply with these conditions. The proposed stream crossing designs are discussed in detail in the attached Stream Crossing Design Report (refer to Riley (2025)).