Contact Energy Response to West Catlins Preservation Society Technical Table

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General comments: response provided by Mitchell Daysh and Buddle Findlay		
1	Para 1 The protection of Slopedown is a matter of national significance, reflecting the same principles that led to the rejection of Lake Hāwea and other recent fast-track wind farm applications. These decisions establish a clear precedent: iconic, ecologically significant landscapes like Slopedown cannot be overridden for expediency, particularly where threatened species and highly sensitive habitats are present. Permitting large-scale construction, earthworks, and infrastructure development at Slopedown would directly contravene this precedent, representing a serious erosion of New Zealand's commitment to protecting biodiversity, preserving ecological function, and maintaining the long-term integrity of landscapes that are nationally and regionally significant. Such an outcome would signal that ecological and landscape values can be subordinated to industrial development, undermining the protective framework that the Resource Management Act and related planning instruments are intended to uphold.	The Project site is not located in an area identified in any statutory planning document as having outstanding landscape or ecological values and the Project has been designed to address effects on the values of the site to the greatest extent practicable. The Southland Wind Farm (SWF) is a project of national and regional significance, as explained in detail in the substantive application for the Project. The Project will contribute to: increasing New Zealand's renewable electricity generation capacity, New Zealand achieving its decarbonisation goals and climate change commitments, increasing electricity system security and resilience, and significant positive economic effects throughout the construction and operation of the wind farm. As explained in the application, while the proposed wind farm will result in some adverse effects, which is expected for a large infrastructure project of this nature, the Project has been designed in a manner to avoid, remedy mitigate, offset and compensate for these adverse effects, noting the Project is expected to result in an overall net ecological gain and improvements to biodiversity, not a decline. These measures have been informed by the relevant policy direction of the statutory planning documents. As concluded in the statutory assessment included in Part B to the substantive application, and discussed further in the planning evidence prepared by Claire Hunter and Megan Hankey of Mitchell Daysh submitted with Contact's response to comments, the Project is consistent with this policy direction. It is also noted that this Project is to be assessed under the direction provided under the FTAA, and therefore, there are additional tests which are more relevant to the assessment of the Project, in particular whether the benefits of the Project outweigh the adverse effects. Contact is confident that the Southland Wind Farm meets this test.
2	Para 2 The Waiuku Wind Farm, a fast-track proposal for 13 turbines near Waiuku, was declined in 2024 (including the decline of an appeal in 2025) due to unacceptably high ecological risks, particularly to threatened and at-risk fauna. The panel found that proposed mitigation and compensation measures were insufficient to offset potential impacts, and highlighted gaps in baseline ecological data and reliance on unproven management strategies. The decision to decline Waiuku Wind Farm is a critical reminder that threatened species face a disproportionate risk when extensive industrialisation of critical habitat occurs. This is also observed at the proposed Southland Wind Farm site, which faces similar risks regarding threatened long-tailed bats, which are Nationally significant. The Nationally Critical long tailed bat population has declined sharply due to habitat loss and human related pressures.	The Waiuku wind farm is a completely different Project from the Southland Wind Farm, which was considered under different legislation. The Panel for that project ultimately believed its effects were too great in context with its benefits. The Panel for the SWF has to reach its own conclusion based on the merits of this particular proposal. Contact has proposed ways to reduce the impacts on Long Tailed Bats (LTB) (principally through curtailment in areas of potential risk) and has agreed to fund a DOC pest control programme in the Beresford Range to compensate for any residual effects. All bat experts involved in the Project have agreed with Contact's position in relation to addressing potential effects on LTB, including those experts representing DOC. The findings of the Waiuku Wind Farm therefore cannot be compared with the Southland Wind Farm project.
3	Para 3 Compounded by the Kaiwera Downs Wind Farm, which has recently expanded by adding more turbines, the proposed Southland Wind Farm represents a substantial escalation in the industrialisation of the Southland hill-country landscape. Both projects occupy separate ridge systems and headwater catchments, yet their effects are cumulative at the broader Mataura River catchment scale. The addition of a second industrial wind farm introduces extensive new earthworks, access roading, turbine platforms, and skyline infrastructure further degrading landform integrity, altering natural runoff processes, and increasing sediment and erosion risk across multiple neighbouring catchments. Ecologically, the cumulative expansion of turbine arrays, access roads, and associated infrastructure fragments habitats,	The cumulative effects of the Kaiwera Downs wind farm and SWF have been considered in the assessments undertaken for Contact, specifically the two independent landscape assessment prepared by Brad Coombs of Isthmus and Shannon Bray of Wayfinder. The Southland Wind Farm Project has been developed in accordance with the advice of technical experts, including the proposed measures to manage ecological effects, hydrology and landscape effects. These measures will appropriately address the potential effects of the wind farm and have been developed in accordance with the relevant policy direction of the national, regional and district planning instruments. Again, it is also noted that this Project is being considered under the FTAA, which has different tests in terms of considering the effects of the Project, requiring the Panel to give the greatest weight to the benefits of the Project.

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	amplifies edge effects, and increases disturbance, displacement, and collision risk for mobile fauna, compounding stress on ecosystems already affected by land-use modification. From a landscape and visual perspective, the combined presence of Kaiwera Downs Wind Farm and the proposed Southland Wind Farm creates an extensive industrial complex, fundamentally eroding landscape coherence, natural character, and outlook values, including from sensitive locations such as Slopedown. The resulting ecological, landscape, and hydrological harm is cumulative, long-term, and effectively irreversible, cannot be meaningfully mitigated, and has not been adequately assessed, resulting in a material underestimation of environmental effects inconsistent with integrated and precautionary management under the Resource Management Act and relevant regional planning instruments.	
4	Para 4 Slopedown and its surrounding hills form part of the natural landscape context recognised in the Southland Regional Policy Statement (RPS) 2017 as containing natural features and landscapes that warrant identification and protection from inappropriate subdivision, use, and development. The RPS's Objective LNF.1 directs that Southland's outstanding natural features and landscapes be identified and protected, and Policy LNF.4 requires decision-makers to protect these areas from inappropriate activities by having regard to the adverse effects, the extent of landscape modification, irreversibility, resilience to change, cumulative effects, and the relationship to the surrounding environment. In the context of Slopedown, its prominent skyline and landscape values - acknowledged in independent expert assessments as having characteristics consistent with an outstanding natural landscape for the purposes of RMA s6(b) mean that further industrialisation such as large-scale wind farm infrastructure risks irreversible modification of landscape character, visual amenity, and associated ecological and cultural values, contrary to the RPS's direction to protect natural features and landscapes from inappropriate use and development. Therefore, under the RPS framework, activities that would significantly alter Slopedown's natural features and landscape should be avoided to sustain these landscape values into future generations.	The proposal has been assessed against the policy direction referenced in this comment in detail in the statutory assessment included in Part B to the substantive application (refer to Section 8.16.7). This confirms the Project is consistent with this policy direction, noting the relevant policy direction does not require avoidance of development activities in this location and the landscape assessments prepared by Mr Coombs and Mr Bray confirm the development of a wind farm is suitable in this location. The effects of wind farms are also almost entirely reversible, with the removal of the above ground infrastructure when the wind farm is decommissioned.
Comments regarding construction, hydrology and freshwater: response provided by Luke Gordon, Roger MacGibbon, Nicholas Goldwater, Gregory Ryder, Ruth Goldsmith and/or Mitchell Daysh		
5	**Technical Assessment 10 - Conceptual Hydrological Design** The proposed civil works on the Jedburgh Plateau will result in the direct loss of 2.03 ha of wetlands and minor impairment of 0.09 ha of fen wetlands. Although the concept design incorporates 109 culverts and approximately 1.2 km of clay bunding intended to maintain hydrological connectivity, these measures provide only partial mitigation and cannot fully safeguard wetland hydrology or ecological function. The cumulative effects of earthworks, altered surface water flows, and potential soil dewatering pose a significant risk to the wetland mosaic, including sensitive bog and fen ecosystems. Critically, this assessment is based on a conceptual design; detailed design may result in further wetland loss or additional impairment, amplifying ecological impacts. Given the high ecological and conservation value of these wetlands, reliance on concept-level mitigation provides limited assurance that the natural hydrological regime and associated ecological values of the Jedburgh Plateau will be maintained.	While by necessity, the hydrological design in and around the affected wetlands is conceptual, the design was produced from accurate wetland mapping by Wildlands and a detailed assessment of site contour and water movement by Williamson Water and Land Advisory. The experts consider that the design will appropriately address potential hydrological effects on wetlands. Monitoring of wetland hydrology and vegetative health for a period following construction is proposed in the consent conditions with some of these monitoring sites located at wetlands where Project works intersect source water supplies.
6	**Technical Assessment 9 - Construction Effects - Hydrology Assessment Mimihau Stream Catchment**	This is incorrect, and appears to be based on the information provided in the previous Covid Fast-track consenting application, not the current FFTA application, where it was proposed that the water take will be restricted to 5 L/s or 10% of the stream low (whichever was the lowest). This has been refined in the application made under the FTAA, where the rate of

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	The hydrology assessment for the proposed Southland Wind Farm relies on a short and partially erroneous Mimihau Stream record at Stewarts Bridge, supplemented by regression from the larger Mokoreta catchment. This introduces uncertainty for upper-catchment tributaries such as M1 and M2, and does not capture potential variations in soils, topography, land use, or runoff. Limited gauging in the upper catchment further constrains confidence in the derived flows. The proposed water take at M1 and M2, capped at 5 L/s or 10% of stream flow, is presented as acceptable on the basis of water storage intended to maintain supply during low-flow periods. However, the assessment fails to quantify whether this storage is sufficient under prolonged or extreme low-flow conditions and provides no analysis of worst-case scenarios. Abstraction at M1 represents a material proportion of flow from a small headwater catchment (4.6 km^2), yet the implications for downstream flows, habitat availability, and ecological resilience are not assessed. Consequently, the assessment does not provide a comprehensive demonstration of compliance with statutory requirements under the Operative Southland Regional Water Plan, Proposed Southland Water and Land Plan, or the Mataura River Water Conservation Order (1997), which require that abstraction avoid adverse effects on aquatic ecosystems and other water users. Reliance on extrapolated flows, limited upper-catchment data, untested storage mitigation, and absence of extreme low-flow modelling leaves uncertainty regarding ecological effects and regulatory compliance.	take will be limited to 5L/s, which has been determined as appropriate based on the data collected at the site, as discussed in the hydrology assessment. The hydrology assessment is based on two-year long stream flow records recorded at the two locations of proposed water take on the streams within the wind farm site. These two-year stream flow records have recently been checked with nearby long term hydrology and rainfall records to demonstrate that they represent typical/average hydrological conditions (refer to response to question 11 of Minute 3 issued by the Expert Panel). The proposed water take rate (5l/s) and the proposed water storage volume has been considered under drought scenarios and Contact is comfortable that the water demands can be met by the proposed take/storage concept. However, if conditions are such that water can no longer be taken from the streams (due to there being Q95 flows of less), and the water storage facilities run out, then water will be transported into site from municipal sources. The proposed minimum flow limits associated with abstraction effectively provide levels of instream habitat maintenance that are conservative, are supported by past assessments of habitat protection in New Zealand and Southland streams[†] and will be sufficient to maintain existing stream ecosystem values. Additionally, water quality will be monitored during abstraction to confirm that there are no ecological effects downstream. Abstraction is short-term. The water take from the stream will cease upon construction being completed. There will be no operational water take required for the wind farm. The proposed water take has therefore been assessed as consistent with the relevant provisions of the relevant statutory documents. [†] *Jowett, I.G. and Hayes, J.W. 2004. Review of methods for setting water quantity conditions in the Environment Southland draft Regional Water Plan. NIWA Client Report: HAM2004-018. 86 p.*
7	**Technical Assessment 8 - Freshwater Ecology Earthworks** Large-scale earthworks associated with the proposal have the potential to; generate repeated and prolonged sediment inputs into headwater streams, particularly during high rainfall events, smother benthic habitat, reduce oxygen exchange and degrade fish and macroinvertebrate communities. The assessment does not address these risks at a whole-of catchment scale and therefore does not demonstrate consistency with NPS-FM Policy 1 (giving effect to Te Mana o te Wai by prioritising ecosystem health), Policy 3 (integrated management of land-use effects on freshwater), Policy 5 (maintenance of freshwater ecosystem health), or Policy 9 (protection of indigenous freshwater species and their habitats). The reliance on historic Ryder (1989) sediment response data, together with the assumption that sediment effects are brief and readily recoverable, fails to account for uncertainty, persistence, and spatial extent of sediment impacts in steep, high- rainfall Southland catchments - particularly given the scale of disturbance proposed, including the 55 turbines, around 71 km of access tracks (approximately 46 km new), 9 stream crossings and extensive trenching. Effects are assessed largely on a site-by- site basis, with erosion and sediment controls assumed to perform as intended, resulting in cumulative and interacting catchment scale effects not being risk evaluated. This approach is inconsistent with Policy 3 and Policy 5, and does not demonstrate that risks to river extent, values, and freshwater habitats are being avoided to the extent practicable, as required by Policy 7 and Policy 9. In the absence of a catchment-scale sediment effects analysis, explicit treatment of uncertainty and	The statement that the assessment does not demonstrate how sediment-related risks will be identified, tracked, or responded to over time is incorrect. Water quality will be monitored at regular intervals during earthworks to confirm that erosion and sediment controls are performing as intended, proposed Southland Water and Land Plan (SLWP) receiving water quality standards are met, and existing freshwater ecology values are protected. Water quality monitoring will include measurements of water clarity, fine sediment deposition and ecosystem health. These measures are clearly set out in the proposed consent conditions and will be implemented through the various construction management plans. If it is evident that the water quality standards are not being met, any necessary maintenance and/or other appropriate measures will be undertaken immediately to ensure the ongoing and future effectiveness of water quality controls.

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	a long-term monitoring framework, the assessment does not demonstrate how sediment-related risks will be identified, tracked, or responded to over time, as anticipated by Policy 13 (systematic monitoring and response to degradation) and Policy 14 (transparent reporting on freshwater condition). Accordingly, the assessment does not provide sufficient assurance that freshwater values will be maintained in a manner consistent with the National Policy Statement for Freshwater Management.	
8	**Stream Crossings** Stream crossings disturb stream bed substrates, increase sediment inputs, alter local flow regimes, and have the potential to impede movement of threatened non- migratory galaxiids. These effects are not adequately addressed in relation to Policy 1 (giving effect to Te Mana o te Wai), Policy 5 (maintaining the health and well- being of freshwater ecosystems), and Policy 9 (protecting the habitats of indigenous freshwater species), all of which require the protection of ecological processes, habitat integrity, and connectivity within freshwater systems. The assessment does not evaluate the additive and interacting effects of multiple stream crossings within the same headwater catchments, instead treating each crossing as an isolated activity. This approach is inconsistent with Policy 3 (integrated catchment-scale management considering land-use effects on freshwater) and Policy 7 (avoiding loss of river extent and values to the extent practicable), and results in the cumulative risks to fish passage, habitat fragmentation, and downstream ecological condition not being assessed. Notwithstanding fish passage and habitat protection requirements under the Southland Water and Land Plan (SWLP), including Rule 55A (general conditions for activities in river and lake beds) and Objective 19 (maintaining or improving fish passage where appropriate), mitigation measures are applied selectively and rely on the assumed effectiveness of construction-phase erosion and sediment controls. In the absence of a cumulative effects assessment and demonstrated capacity to avoid or minimise disruption to fish passage and habitat structure, the assessment does not provide sufficient assurance that statutory obligations to protect freshwater habitats and indigenous species will be met.	There are already a significant number of stream crossings in the general area, many which do not have culverts. The SWF proposal is to use culverts at stream crossings (except for one which will be as a bridge) which, once established and operational, will minimise disturbance to the stream bed and avoid sediment disturbance to downstream reaches. Replacement of the existing ford crossings in the Port Blakely Forest and in Jedburgh Station with culvert crossings will provide localised positive benefits through the removal of the existing, ongoing disturbance associated with vehicles driving over the stream bed. Appropriate erosion and sediment control measures will be implemented during the construction of the stream crossings to minimise stream disturbance to the extent practicable. The culverts will be deployed so that they are consistent with the NZ fish passage guidelines[†]. Note that two culverts will be designed to prevent the passage of trout in order to protect the Threatened galaxias populations upstream, consistent with the policy direction of the NPS-FM. Watercourse crossings at higher elevation locations are likely to be in areas where only non-migratory fish species are present (largely Gollum galaxias). [†] Franklin, P., Baker, C., Gee, E., Bowie, S., Melchior, M., Egan, E., Aghazadegan, L. and Vodjansky, E. 2024. *New Zealand Fish Passage Guidelines Version 2.0*. NIWA Client Report No. 2024157HN
9	**Abstraction** Abstraction from the Mimihau Stream will reduce flow, elevate water temperatures, and increase entrainment risk if screening performance is inadequate, directly threatening ecosystem health and species persistence. The proposal seeks to abstract 5 L/sec, roughly 5 8% of the 2025 Q95 flows yet claims negligible effects without assessing ecological thresholds, cumulative impacts, or the capacity of an already declining system to absorb further reductions. Critically, the assessment relies on SQMCI scores from 2023 (7, 6.3, 7 for sites 1, 5 and 8) to justify impacts at 2025 low flows, creating a temporal mismatch that invalidates the inference. Macroinvertebrate data (MCI and SQMCI) indicate degraded or degrading ecological condition across the Mimihau and Mokoreta catchments, with NOF bands ranging from B to D and long-term declines observed, yet the report ignores this declining condition and assumes the system can absorb additional abstraction, underestimating risks to sensitive fish and invertebrate species. This approach is contrary to SWLP Objective 9/9A where the quantity of water in surface water bodies is managed so that (a) the life supporting capacity and aquatic ecosystem health, the values of outstanding natural features and landscapes, the natural character and the historic heritage values of waterbodies and their margins are safeguarded. Paragraph 121 asserts	Based on the Q95 flows established to date, a take of 5 L/sec will reduce the flow at Site M1 from 65 L/sec to 60 L/sec – a reduction of 7.7% of the stream flow. At Site M2, the stream flow at Q95 will reduce from 92 L/sec to 87 L/sec – a reduction of 5.4% of the stream flow. Water takes at these periods of low flow would represent the highest reduction in water volume in the streams, however even then the change in flow would be barely detectable by flow gauging and would result in only small changes in water depths and velocities. [†] Water intake pipes will be screened to prevent fish from entering. Water quality, including water temperature, will be monitored during abstraction to confirm that there are no ecological effects downstream. As the water supply will only be required during the construction phase of the wind farm (estimated to take 24-30 months), the potential effects of downstream flow reductions are temporary only and not long-term. [†] *Jowett, I.G. 2018. Review of Minimum Flows and Water Allocation in Taranaki. Prepared for Taranaki Regional Council. Client Report: IJ1702.* *Jowett, I.G. and Hayes, J.W. 2004. Review of methods for setting water quantity conditions in the Environment Southland draft Regional Water Plan. NIWA Client Report: HAM2004-018. 86 p.*

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	that “potential effects of downstream flow reduction are not long term,” yet provides no evidence that ecological function is maintained at low flows for fish, macroinvertebrates, or periphyton. Two years of actual gauged flow data without drought conditions are wholly insufficient to substantiate this claim. The assessment also fails to integrate current biological datasets with the 2025 Q95 flows (65, 92, and 79 L/s at Sites 1, 5, and 8), misrepresenting the stream’s ecological resilience and capacity to absorb abstraction. This omission directly conflicts with NPS-FM Policy 1 (giving effect to Te Mana o te Wai), Policy 5 (maintaining freshwater ecosystem health), and Policy 9 (protection of indigenous freshwater species). The report suggests that storage ponds will buffer abstraction demand, but the risks of habitat reduction, altered flow regimes, and downstream ecological effects remain under assessed. The effectiveness of storage ponds in maintaining ecologically protective flows under low-flow conditions is not demonstrated, and reliance on untested mitigation measures overstates the level of protection. As a result, the proposal does not demonstrate consistency with SWLP Objective 9/9A(safeguarding life-supporting capacity and aquatic ecosystem health) or Policy 28 (avoiding or mitigating adverse effects on water quality, habitats, ecosystems, and fish passage).	
10	**Surplus Fill** The placement of surplus fill (101 sites totalling 81.9 ha) poses substantial and unquantified risks to freshwater ecosystems through sediment mobilisation, altered flow paths, and disruption of riparian connectivity. Classifying these sites as “low- risk” because they are outside mapped wetlands or on gentle slopes is misleading. The assessment does not account for extreme rainfall events, potential erosion- control failure, or cumulative effects from multiple gully fills (nine gullies -up to 10 m deep) in high-rainfall catchments. Critically the exact number, location and design of surplus fill disposal sites remains unresolved, meaning potential hazard are unknown and risk is unquantified. Proposed rock-lined channels are untested at this scale and may fail under high flows, causing downstream sediment deposition and habitat degradation. This approach conflicts with NPS-FM Policies 1 (giving effect to Te Mana o te Wai), 5 (maintaining ecosystem health), 7 (avoiding loss of river extent and values), and 9 (protecting indigenous freshwater species and their habitats). It also does not demonstrate compliance with SWLP Rule 5 (discharges must not reduce downstream water quality below standards), Rule 15 (stormwater discharges must not cause erosion, significant adverse aquatic effects, or major changes in water clarity), and Rule 55A (minimise bed disturbance, avoid water discolouration, and maintain fish passage and habitat). Without a cumulative, catchment scale assessment, the ecological risks of sediment and stormwater remain materially underrepresented.	The submitter is incorrect in suggesting that the placement of surplus fill poses substantial and unquantified risks to freshwater ecosystems. Careful consideration has been given to the location of surplus fill disposal areas to ensure that the risk of sediment mobilisation has been minimised. Selection of appropriate indicative fill disposal areas was an iterative process, with the Project team ensuring consultation with all relevant experts, and in particular the Project terrestrial, freshwater and wetland ecologists. Surplus fill disposal will not take place into any permanent or intermittent rivers or streams. The majority of surplus fill disposal sites are located in areas where there are only small catchments upstream so any overland flow (from the small catchment areas upstream) is therefore minimised, and will be directed around the surplus fill areas via rock lined channels – to be sized for the 1% AEP rainfall event. As such the fill disposal areas are specifically engineered to withstand high rainfall events. Additionally, earthworks and stormwater control measures will be monitored to ensure appropriate performance and/or to identify any signs of erosion, seepage etc. If it is evident that the control measures are not working appropriately, any necessary maintenance and/or other appropriate measures will be undertaken immediately to ensure the ongoing and future effectiveness of the control measure. Water quality will be monitored at regular intervals during earthworks, as required by the proposed conditions, to confirm that erosion and sediment controls are performing as intended, proposed Southland Water and Land Plan (SWLP) receiving water quality standards are met, and existing freshwater ecology values are protected.
11	**Construction Contaminants and Machinery** Construction materials and machinery can release pollutants, mobilise sediment, and introduce invasive species, contrary to NPS-FM Policy 5 (maintaining the health and well being of freshwater ecosystems), Policy 9 (protection of indigenous freshwater species and their habitats), and Policy 1 (giving effect to Te Mana o te Wai), as well as SWLP Rules 5, 15, and 55A, which require that discharges, including sediment and contaminants, must not compromise water quality, habitat structure, or ecological function. The assessment assumes perfect implementation of Erosion Sedimentation Control Plan (ESCP) and Construction Environmental Management Plan (CEMP)	To control the spread of invasive species, appropriate controls will be put in place including the implementation of the Biosecurity Management Plan required by Condition EC40 as well as the measures set out in the Construction Environmental Management Plan, and required by the relevant resource consent conditions. The Biosecurity Management Plan sets out the protocols for the management of invasive species, including didymo, in accordance with Condition EC41. These measures will ensure the appropriate protocols are followed in the event invasive species are found within the Project Site to protect the surrounding waterways. The Civil Assessment submitted with the substantive application (clause 204(e)) notes the following measures that will be implemented:

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	measures, ignoring historical evidence that even best-practice controls can fail. Diesel, lubricants, sewage, concrete washout, and Didymo introduction could cause irreversible impacts on sensitive headwater streams, particularly where threatened galaxiids and other low-flow species are present. Cumulative effects across multiple turbines, tracks, and stream crossings exacerbate these risks, making reliance on procedural controls alone scientifically and ecologically inadequate.	• Minimise to the extent practicable, the introduction and spreading of weeds, through the inspection and removal of vegetation from vehicle tyres between earthworks zones. This may be achieved through setup of a wash station at the stabilised entrance to each earthworks zone (addressed in Condition 20). In addition, clause 204(d) and (e) of the Civil Assessment notes: • At the entry/exit point of the fill disposal/stockpile sites, a rock lined stabilised construction entrance will be constructed. Vegetation from vehicle tyres will be inspected and removed to prevent the introduction and spreading of weeds. • Undertake vegetation clearance, strip topsoil and organic material from the footprint of the Surplus Fill Disposal (SFD) and place in stockpiles adjacent to the SFD (maximum height of 2m). Where practicable, cover the topsoil with geotextile to reduce erosion and weed growth. And also noting proposed consent condition CM3(d) regarding fill disposal sites: v. All topsoil shall be removed from each disposal site and stockpiled for the future rehabilitation of the disposal site; vi. All construction equipment and any debris from works shall be removed from the disposal site on completion of works; vii. Disposal sites shall be rehabilitated as soon as practicable with: 1) The topsoil earlier removed from that site and with any additional topsoil required coming from a like for like ecosystem; 2) Like for like vegetation to that removed in accordance with the TEMP; 3) To minimise the potential for sediment loss, maintain appropriate soil biota, and avoid the introduction or spread of pest plants as identified within the Biosecurity Management Plan; and ix. No topsoil may be introduced to the Project Site from elsewhere. The project will not be reliant on 'procedural controls alone' – physical controls are the primary method for avoiding adverse environmental outcomes during construction. Those controls (as outlined in the various reports and draft management plans) are in accordance with best practice guidelines and are consistent with other major earthwork projects (such as wind farms and highways) and have been successfully implemented throughout the country including within environmentally sensitive locations. The physical controls will be reinforced by the procedural controls which include responses to accidental spills/discharges (as outlined in the various reports and draft management plans) Sewage (during construction) will be limited to staff facilities at appropriately located site compound areas, and will be tightly controlled, the risk of discharge to surrounding environment is therefore considered very low. The only notable concrete pours will be for the turbine (and transmission pylon) foundations, and these will be self-contained within below ground excavations. The risk of concrete washout to the environment is therefore negligible. The concrete batching plants will have robust physical controls in place to prevent the release of contaminants to the environment, as outlined in the various reports and draft management plans submitted with the application. In terms of cumulative effects, the cumulative construction disturbance areas at any point in time will be controlled/limited by the Site or Activity-Specific Management Plan (SSMP) process. Environmental Southland will have the authority to certify or decline any SSMP which is submitted by the consent holder (proposed condition CM4), and thus has control over how many and which sub-catchments within the site can be worked on concurrently. In the event of an incident occurring during construction that causes non-compliance with the measures set out in the conditions, Contact is required to report this to the relevant Council and implement remedial and/or mitigation measures to prevent the incident occurring again. The implementation of these extensive management measures, consistent with best-practice, will appropriately manage the potential effects noted in this comment and the Project is consistent with the relevant policy direction identified.

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12	**Riparian Vegetation Disturbance** Removal or modification of riparian margins reduces shading, increases water temperatures, destabilises banks, and elevates sediment delivery, undermining freshwater ecosystem function. This is contrary to NPS-FM Policy 1 (giving effect to Te Mana o te Wai), Policy 5 (maintaining the health and well-being of freshwater ecosystems), Policy 7(avoiding loss of river extent and values), and Policy 9 (protecting the habitats of indigenous freshwater species). The report proposes offsets via planting but ignores temporal gaps, lagged functional recovery, thermal effects, and the sensitivity of fish, macroinvertebrates, and riparian-dependent flora. Structural complexity in riparian zones takes decades to return, making assumptions of immediate mitigation ecologically implausible, particularly given cumulative pressures from multiple access tracks, turbines, and stream crossings. The assessment therefore does not demonstrate that freshwater values and indigenous species habitats are being adequately maintained or restored.	The submitter has not acknowledged that riparian margins are already highly modified, with resulting impacts on existing freshwater values. For example, introduced mammals, including feral pigs and deer have created significant damage by rooting up the ground and heavily grazing the understorey near streams, resulting in bank damage and pugging increasing runoff and mobilising sediments. The comprehensive ecological restoration and/or habitat enhancement measures proposed through the Habitat Restoration and Enhancement Management Plan and Riparian Offsetting Management Plan will restore riparian habitats through planting and pest control. This includes, for example, the reduction of feral pigs and deer within the '1400ha pest control area' on Jedburgh Station and the eradication of feral pigs and deer within the fenced Ecological Enhancement Area (245 ha), both of which cover a significant proportion of the Mimihau Stream catchment within the Wind Farm Site. The Riparian Offsetting Management Plan sets out the measures that will implemented to restore riparian habitats until canopy closure is confirmed, and this has been informed by the advice of Contact's freshwater ecology experts. The estimate of total stream length potentially impacted by civil works is 769 m. The proposed conditions of consent require the offset scheme to be put in place, the necessary rights to the relevant land secured, and for the planting to be monitored and assessed against performance standards. As a minimum, at least a similar length of watercourse will be enhanced through fencing and planting to prevent stock access, restore stream shade, and reduce sediment and nutrients inputs via surface run-off. The actual length of enhancement required can be calculated using the Stream Ecological Valuation (SEV) methodology, but likely to be between 1 and 2 km.
13	**Water Quality** Construction will exacerbate sediment and nutrient loading, increasing turbidity, total suspended solids, and contaminant risks, contrary to NPS-FM Policies 1, 3, 5, 7, and 9 and SWLP Rules 5, 15 and 55A, which collectively require that discharges including sediment and contaminants must not compromise water quality, habitat structure or ecological function. Environment Southland monitoring shows the catchment is already in decline: at the Mimihau South Branch tributary (approx. 4km downstream of the location of proposed turbine JED-18, total phosphorus, nitrate- nitrogen, clarity, turbidity, and E. coli are all 'very likely degrading', and at the Wyndham site, E. coli is NOF Band E, the worst possible category. These trends indicate the system has no capacity to absorb additional sediment or nutrient loads. Yet the assessment treats baseline conditions as stable, relying on generic Erosion Sediment Control Plan (ESCP) and Construction Environmental Management Plan (CEMP) measures while ignoring peak-event sediment pulses, extreme rainfall, and cumulative impacts from 55 turbines, 71 km of access tracks, and multiple stream crossings. Relying on assumed "perfect" ESCP/CEMP implementation in a catchment already trending downward is ecologically untenable. Operational claims that water quality will "improve" through culvert replacements and riparian planting are unsubstantiated. No temporal or functional gap analysis is provided, and decades-long lag times for habitat and water quality recovery are ignored. These measures are presented as automatic offsets despite no evidence that they can counteract large-scale earthworks-driven sediment mobilisation. Crucially, the report fails to establish a comprehensive pre-development baseline, including fine sediment, turbidity, total suspended solids, and nutrient variability across key flow conditions and tributaries. Without these data, credible assessment of effects on the Mimihau Stream is impossible. Construction will inevitably mobilise sediment and nutrients, further degrading water quality downstream, and placing additional pressure on benthic macroinvertebrates and non-migratory galaxiids already living in a degrading system.	The submitter appears to have ignored, or dismissed, the comprehensive controls that will be in place during construction or the mitigation measures outlined in the consent conditions that relate to the management of construction activities in order to minimise the risk of mobilizing sediment and other potential water quality contaminants. Those measures will appropriately address any potential effects on water quality.

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14	**Construction Phase Monitoring** The proposal claims that construction-phase monitoring and the ESCP will ensure SWLP receiving water quality standards ('Mataura 3' and 'Lowland Soft Bed') are met and freshwater values protected. Monitoring alone cannot prevent sediment or contaminant impacts, particularly during extreme rainfall, peak sediment pulses, or cumulative disturbance from multiple turbines, tracks, and crossings. Compliance with standards does not guarantee protection of sensitive species or ecological processes, especially during low flows. Reliance on assumed perfect mitigation overstates protection and fails to meet the precautionary and ecosystem- health obligations of NPS-FM Policies 1, 5, and 9, and SWLP Rules 5, 15, and 55A.	The submitter appears to have overlooked that in addition to the comprehensive construction phase monitoring, there will be an immediate response if the monitoring indicates that sediment or other potential contaminant control measures are not working appropriately. Maintenance and/or other appropriate measures will be undertaken to ensure the ongoing and future effectiveness of the control measure.
15	**Fish Screens and Flow Abstraction** The assertion that fish screens and restricted abstraction rates will "ensure" protection of downstream ecology is unsupported. Only two years of gauged flow data exist for the Mimihau Stream South Branch, which provides an insufficient baseline for a long-term abstraction regime. This dataset does not capture the full range of hydrological extremes - particularly drought or natural low-flow events—so ecological risk is likely underestimated. Low flows intensify thermal stress, reduce dissolved oxygen, contract habitat, and increase entrainment risk for small-bodied native fish. Without drought-year data, the Q95 values used in the assessment may be inflated, giving a false impression of available water during stress periods. No evidence demonstrates that the stream maintains baseline ecological function for fish, macroinvertebrates, or periphyton under low-flow conditions. The assessment overlooks risks including entrainment, elevated temperatures, and localised habitat stress, and it fails to show whether the system recovers between low-flow events. Presenting mitigation as automatic, rather than conditional on verified outcomes, is scientifically deficient. This approach is inconsistent with NPS-FM Policies 1,5, 9, and SWLP Rules 49(a), 55A, and 58, which require credible, evidence-based assessment of abstraction effects. The description of the water take as "temporary" in paragraph 12 is misleading in ecological terms. Although abstraction would cease once construction is complete, the proposed water take would occur during construction phases that coincide with low-flow conditions, periods of heightened thermal stress and critical life stages and movement periods for small-bodied native fish and sensitive macroinvertebrates. Short duration abstraction during these periods can result in disproportionate ecological effects and potentially lasting impacts on freshwater ecosystems. Temporary abstraction can still cause acute stress, increase water temperatures, reduce dissolved oxygen, and elevate entrainment risk. The statement also ignores cumulative effects from simultaneous abstractions, multiple stream crossings, and ongoing sediment mobilisation, which can compound ecological stress. Classifying the take as temporary does not negate the need for a credible, evidence-based assessment of ecological impacts or compliance with NPS-FM Policies 1,5, 9 and SWLP Rules 49(a), 55A, and 58. Only two years of gauged flow data were collected for the Mimihau Stream to assess the ecological effects of flow abstraction. This is an insufficient baseline for a long- term abstraction regime. The assessment does not identify whether these two years include the full range of hydrological extremes particularly drought or low-flow events. If the dataset contains no true low-flow periods , then ecological risk is systematically underestimated, because low flows intensify thermal stress, reduce dissolved	Effects of abstraction on aquatic life and water quality have been addressed above. The statement that abstraction under low flow conditions will increase water temperatures, reduce dissolved oxygen, and elevate entrainment fails to acknowledge consent conditions that have been developed to reduce abstraction under low flow conditions and screen intakes in accordance with regional plan requirements. Water intake pipes will be screened to prevent fish from entering the pipe. This is a requirement of SWLP 'Rule 58 – Cables, wires and pipes', and is to be in accordance with SWLP 'Appendix R – Fish Screen Standards and Guidelines':

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	oxygen, contract habitat, and increase entrainment risk for small-bodied native fish. Without drought-year data, the Q95 values used in the assessment may be inflated, giving the false impression of available water during stress periods. As a result, the effects analysis fails to represent the actual vulnerability of freshwater species and habitats under the lowest natural flows for Mimihau Stream. Claiming 'not long term effects' from flow reduction are incompatible with the observed trend indicators showing ongoing degradation. The assessment does not reconcile this contradiction nor does it produce evidence that the system recovers between low-flow events.	**Appendix R – Fish Screen Standards and Guidelines** (a) Where the diversion or take does not exceed a maximum rate of 10 litres per second and a maximum volume of 100 cubic metres per day, a fish screen shall be installed to prevent fish from entering the intake. The fish screen shall be designed to the following standard and kept functional at all times while water is being taken: (i) Water shall only be taken when a fish screen with a mesh size or slope width not exceeding 2 millimetres for intakes within 2 kilometres of the coast, a coastal lake or estuary, or 3 millimetres for anywhere else is operated and maintained across the full width of the intake to ensure that fish and fish fry are prevented from bypassing the screen into the intake; and (ii) The screen area shall be designed to ensure the calculated average through screen velocity does not exceed 0.12 metres per second (screens should generally be designed to exceed this to account for some routine level of clogging of the screen with detritus). The required area (square metres) of fish screen should exceed = Flow (litres per second)/120. Example: The minimum required fish screen area for a cylindrical screen can therefore be calculated from: Area = $2\pi r (r + h) \times z$ Where: π =3.141592659 r = radius of cylinder (metres) h = length or height of cylinder (metres) z = proportional open mesh area of screen material (i.e. 0.5 for mesh that is 50% open area) **Note:** The above formula holds where the screen is fully immersed in water as is usually the case with pump takes. Where this is not the case, the area will need to be adjusted accordingly. Where 50% of the screen may be exposed, then the area calculation will need to be adjusted to half (or multiplied by 0.5), or the actual screen area would need to be doubled (multiplied by 2) in order to achieve the same area immersed. This example makes no allowance for the area taken up by the end of the intake pipe. Where high levels of detritus and other clogging materials are present, screen areas should be increased to account for reduced effective screen area. (b) Where the diversion or take does not exceed a maximum rate of 10 litres per second and a maximum volume of 100 cubic metres per day but does not meet the standards in (a) above; or where the diversion or take exceeds a maximum rate of 10 litres per second and a maximum volume of 100 cubic metres per day and the diversion is less than 10 cubic metres per second or the take is less than 500 litres per second pumped, a fish screen shall be installed to prevent fish from entering the intake. The fish screen shall be designed with the following features: (i) The site is located as close to the river source as possible to minimise exposure of fish to the fish screen structure, and minimises the length of stream affected while providing the best possible conditions for (ii) - vi) below; (ii) Water velocity through the screen ("approach velocity") is slow enough (generally <0.12 metres per second) to allow fish to escape the entrainment (being sucked though or washed over the screen) or impingement (being squashed or rubbed against the screen); Proposed Southland Water and Land Plan (May 2024) Page 213

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		(iii) Water velocity across (or past) the screen ("sweep velocity") is greater than the approach velocity (b) and is sufficient to sweep the fish past the intake; (iv) An effective bypass system is provided that is easily accessible to entrained fish, and fish are taken away from the intake and back into the source channel, or into water which provides the fish with unimpeded passage back into the source channel; (v) Screening material (mesh, profile bars or other) on the screen needs to have a smooth surface and openings that prevent any damage to fish coming into contact with the screening material; and (vi) The intake structure and fish screen are operated to a consistent, appropriate standard with appropriate operation and maintenance procedures, and this operation and maintenance should be regularly checked or monitored. A record should be kept of all the maintenance and monitoring carried out. (c) Where the diversion is more than 10 cubic metres per second or the take is more than 500 litres per second pumped, in addition to the features listed in (b)(i) to (vi) above, it will be necessary for the intake to be purpose designed and to consider on a case by case basis whether any additional features will be necessary to ensure fish are prevented from entering the intake. **Note:** Submerged galleries (abstracting water vertically) and galleries in the river banks (abstracting water horizontally), or behavioural barriers and devices such as those that use light and sound diversions that may not meet all of the engineering features set out in (2) above, but shall be considered to comply with them where it is demonstrated that they are able to exclude fish to the same degree of effectiveness.
16	**Technical Assessment 9 - Construction Effects** The placement of 1.2 million m^3 of surplus fill across 81.9 ha is not "disposal" but categorically landform replacement. A permanent re-engineering of an intact headwater landscape. This sensitive land is not being 'filled' but rather regraded, re- contoured and permanently reshaped, replacing natural headwater geomorphology with compacted engineering earth forms. Calling this 'fill disposal' is misleading and masks the irreversible nature of the transformation. This permanent landform replacement will irreversibly alter slope hydrology, subsurface flow pathways, sediment generation, hill slope stability, and downstream turbidity dynamics. Once imposed the effects cannot be mitigated or restored.	1.2M m^3 of fill would cover 82ha by a depth of 1.5m, as such, the permanent reshaping is minor especially considering that the 82ha is distributed over a total wind farm site area of over 5,800ha. The proposed consent conditions clearly set out the measures that will be implemented to ensure the potential effects of SFD are appropriately managed. Proposed condition CM3(d) in particular sets out the stringent controls on SFD sites that will be implemented during construction and Slope hydrology will not be altered because of the fill disposal sites, noting the relevant draft conditions: Condition CM1e) *Ensure that fill disposal sites are contoured to be consistent with the adjacent topography, and that no fill disposal occurs within wetlands, streams or areas of high or very high ecological value; and* Condition CM3 d) iv) *Disposal sites shall be contoured to avoid water impoundment or ponding on and around the fill site;* The fill disposal sites will comprise heavily compacted 'engineered fill' only at the structural fill toe supports (which apply to shoulder and gully head types only). Most of the shoulder and gully type fill sites (and all of the blanket type fill sites) volume, will comprise lightly compacted fill, which will support infiltration / subsurface flow. The structural fill toe along with sub soil drainage, will ensure hill slope stability. Long term turbidity of downstream water bodies will be unaffected, as the disturbed areas will be stabilized and rehabilitated. Proposed consent condition CM3(d)(vii) requires fill disposal sites to be remediated as soon as practicable with '*like for like vegetation to that removed in accordance with the TEMP'*. During construction of the fill disposal sites, erosion and sediment control measures will mitigate effects on downstream turbidity – and controls will need to remain in place until the disturbed areas are fully stabilized – in accordance with the relevant management plans.
17	**101 - Fill Disposal Sites** The construction will create 101 separate fill disposal landforms across a high value headwater catchment. Each new engineered landform introduces a new	The cumulative construction disturbance areas at any point in time will be controlled/limited by the Site or Activity-Specific Management Plan (SSMP) process.

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	slope, a new drainage path, a new erosion zone and a new sediment source, effectively generating an entirely new sediment regime across 81.9 ha of modified terrain. Despite this scale of landscape re-engineering, no cumulative sediment modelling has been undertaken for the full network of 101 disposal sites. During high intensity rain events (which Southland increasingly experiences), these fills will generate catastrophic sediment pulses, that the universal soil loss equation (USLE) cannot predict. The USLE calculations presented assess only isolated, typical scenarios rather than system-wide sediment generation or downstream delivery. This approach does not meet the Southland Water and Land Plan requirements to assess cumulative effects of discharges (Rule 5, Rule 15, Rule 55A), nor the NPS-FM requirement to evaluate and manage cumulative effects on freshwater ecosystem health (Policies 3, 5, 9, and 13). In addition, the construction proposal allows new fill sites to be added during the detailed design stage, meaning that the extent of potential effects is unbounded. Freshwater impacts are therefore unknowable, ecological baselines cannot be reliably established, and compliance with the Southland Water and Land Plan (Rules 5, 15, 55A) and NPS-FM Policies 1, 5, 7, and 9 cannot be assured.	The USLE calcs/examples provided with the application are representative of the anticipated sub-catchment, staged approach for the earthworks operation. As per Condition CM4, the SSMP's will outline the details of the water quality monitoring to be completed throughout construction within that stage/sub-catchment. The performance of the sediment control measures associated with any SSMP will be monitored to ensure compliance with best practice guidelines as per consent Condition CM5A f) and g): • *The pH of any discharge from sediment retention devices to any watercourse must not be less than 5.5 or greater than 8.5.* • *Sediment retention devices or measures must be designed, operated and maintained to achieve, when tested, clarity in the discharge of no less than a 100mm as measured by secchi disc, clarity tube or equivalent (excluding where due to natural causes).* Proposed consent Conditions CM7 and CM7A regulate the water quality monitoring requirements and quality of surface water discharges during construction that the consent holder must comply with, including compliance with Mataura 3 receiving water quality standards outlined in Appendix E of the Proposed Southland Water and Land Plan. The water quality within water bodies shall be monitored at the nearest mixing zone directly downstream of the relevant earthworks sub-catchment, this will be where potential sediment concentrations and therefore effects on the water bodies will be greatest. The proposed fill disposal sites within the Jedburgh Plateau are fixed and cannot be amended in detailed design as per Condition CM3(d)(v) – only the ones located elsewhere on the site. The indicative estimated 81.9 ha total fill disposal site area is expected to reduce through the detailed design process (through optimization of the geometric model), not increase. Any additional fill disposal sites must comply with the fill disposal site criteria outlined in condition CM3(d), therefore, the extent of the potential effects is known as fill sites cannot be located in any areas identified as wetlands, streams or areas identified as high or very high value vegetation. The conditions are stringent and have been closely informed by the advice from Contact's technical experts, who consider these measures will appropriately manage the potential effects associated with surplus fill disposal during construction, and are consistent with the management measures used in other large-scale infrastructure projects.
18	**Wetlands** The construction methodology exposes the wetlands to significant hydrological and physical disruption. The assertion that impacts have been "minimised" by limiting direct wetland disturbance to 2 ha, with an additional 1.7 ha within 10 m, is misleading. A 10 m buffer provides no meaningful protection for headwater wetlands whose water supply and moisture balance depend on lateral subsurface flow through shallow conductive hydric soils that often extend well beyond the mapped vegetation boundary. The mapped edge is likely not the hydrological edge. The construction process which includes blasting near wetland edges, excavation, dewatering trenches, clay bund construction, pumping water back into wetlands, and stripping organic wetland soils across nearly 4 ha of wetland and near-wetland interface represent substantial modification of the very groundwater gradients, seepage pathways, and moisture regimes that sustain these peat-forming systems. This constitutes functional destabilisation of wetland hydrology, creating multiple avenues for irreversible degradation, particularly during dry periods when wetland resilience is at its lowest. This approach is inconsistent with NPS-FM Policy 6, which requires that the extent and values of natural inland wetlands are protected and their restoration promoted.	The assessment does not rely on mapped vegetation boundaries as a proxy for wetland function, nor does it assume that a nominal buffer alone provides protection. Wetland extent and hydrological influence have been informed by field mapping and hydrological analysis, and avoidance has been prioritised through design refinement to minimise direct and indirect effects. Construction methods near wetlands are subject to strict controls, including limits on excavation, dewatering, and blasting, together with hydrological management measures designed to maintain subsurface flow paths and wetland moisture regimes. Monitoring of wetland sites (treatment and control sites) will be undertaken to assess actual effects on hydrology. The conclusion that wetland hydrological function will be destabilised or irreversibly degraded is not supported by the evidence presented and overstates both the scale and severity of the effects, noting that only a very small percentage of wetlands will be impacted at the Project Site.
19	**Baseline Data**	The submitter appears confused about what baseline/existing water data informed the existing environment and how water quality contaminants are affected by activities associated with the construction of the wind farm.

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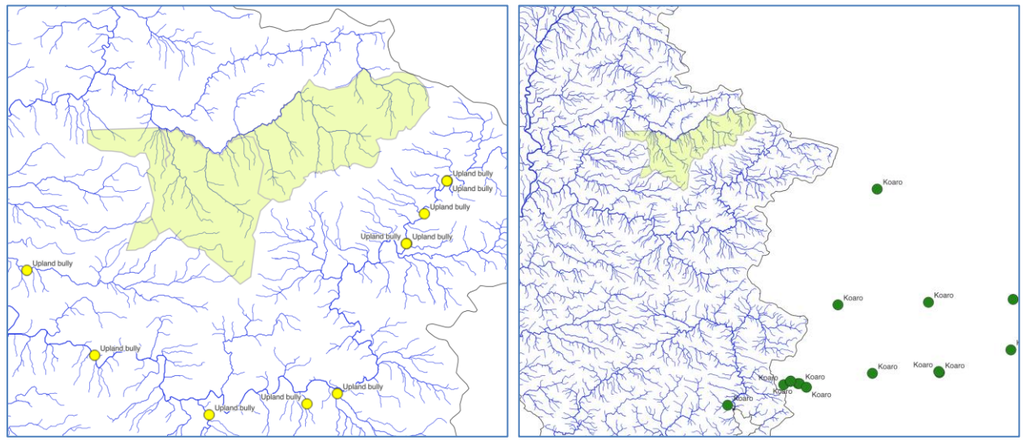
	The project has not collected adequate pre-development baseline data for turbidity, total suspended solids, water temperature, clarity, or sediment dynamics, leaving no robust foundation to evaluate construction impacts, storm-event sediment pulses, seasonal variations, or wetland–stream interactions. Existing five-year median data for clarity/turbidity, black disc depth, and phosphorus/nitrogen at a few sites do not capture short-term variability, high-flow events, ecological thresholds, or all tributaries and construction impact zones. The site is located within the Old Mataura physiographic zone, where soils and aquifers have high nitrogen leaching risk and groundwater discharges into streams, amplifying downstream contaminant loads. Without robust measurements, thresholds for sensitive species including upland bully, kōaro juveniles, and fine-sediment sensitive mayfly and caddis taxa cannot be established, cumulative effects from 101 fill sites cannot be assessed, and site-specific limits or adaptive management triggers cannot be implemented. Consequently, Contact cannot demonstrate compliance with NPS-FM freshwater objectives, SWLP water quality rules, or Mataura WCO natural character standards, and the project lacks a scientific or regulatory basis to prevent irreversible ecological harm. While Contact proposes to implement its Erosion and Sediment Control (ESC) plan following GD05 principles, adherence to these measures cannot compensate for the absence of a comprehensive pre-development baseline, nor confirm that discharges remain within natural variability, meet ecological thresholds, or protect sensitive species.	There are no records of kōaro or upland bully in or near the wind farm footprint (shaded polygon in maps below). See maps below for NZFFD records accessed 1 December 2025:  The comment "*…and the project lacks a scientific or regulatory basis to prevent irreversible ecological harm*" ignores the short-term nature of construction, the use of culverts for road crossings versus the current preferred method of fords over exposed river beds, the requirement to meet regional plan water quality standards, and the proposed offsetting for loss of stream habitat (associated with the installing of culverts) through protection and enhancement (fencing and riparian planting) of similar (but unprotected) stream habitat in the area.
Comments regarding long-tailed bats: response provided by Gerry Kessels and Ian Davidson-Watts		
20	**Technical Assessment 6 - Long Tailed Bat Effects** **Habitat Removal** The assessment significantly underestimates the risk posed by habitat removal. Its claim that the footprint is "small" and habitat "low quality" ignores that even minimal loss of potential roost or foraging sites can critically affect the cryptic, low- density long-tailed bat. Reliance on sparse bioacoustic detections and limited radio- tracking as evidence that bats do not roost on-site is scientifically unsound: these methods systematically under-detect roosts in plantation forests, complex terrain, and exotic trees, precisely the habitats present within the Wind Farm Site. By presuming roosting is unlikely, mitigation is restricted to a few isolated old- growth stands, leaving most potential roosts unprotected. This reactive approach fails to meet the Resource Management Act 1991 requirement (as currently amended) to avoid, remedy, or mitigate adverse effects on the environment, and conflicts with best practice guidance for bat habitat management. Overall, the assessment overstates certainty, underestimates ecological risk, and provides insufficient safeguards against potentially irreversible harm to long-tailed bats.	The acoustic surveys are the most extensive bat surveys undertaken for a project of this kind to date and fully informed by statisticians to adequately sample the proposed wind farm site and area. All bat experts, including the Department of Conservation's bat experts, have confirmed the bat surveys completed to date are sufficient to determine the effects of the Project on long-tailed bats. The data suggests very low use of the site by bats over most of the wind farm area, with elevated areas of more regular bat activity along the Matariki escarpment, but even then, relatively low levels of activity compared to monitoring undertaken close to bat roosts. The activity peaks in late summer/autumn as bat maternity roosts break up. The data from the surveys indicate that the potential for roost presence on the site, especially breeding roosts, is very low. Appropriate best practice tree felling protocols during wind farm construction will be followed in those areas where bat roosts are possible in order to minimise the risk of harming bats during the removal of vegetation (albeit unlikely). An objective assessment of risk has been made based on the extensive datasets collated and this has been used to help inform the avoidance of effects (through curtailment) and the compensation of residual effects through the funding of an extensive ground-based pest control programme.
21	**Habitat Displacement** The assessment downplays the risk of habitat displacement, labelling effects as "minor" based on low acoustic detections and the assumed availability of alternative habitat. This reasoning is flawed: bioacoustic surveys systematically under-detect bats in complex terrain and plantation forests, while displacement extends beyond cleared areas due to turbine noise, vibration, and air pressure	Acoustic survey approaches were both temporal, and spatially extensive to sample the area for bats to provide the confidence required to assess potential impacts. The data collected has been analysed by bat experts and professional statisticians to provide an objective basis to assess the risk to bats. The assessments show a statistically significant relationship between tall forest and bat activity and spatially shows a trend of greater bat activity closer to the crest of the scarp – supporting the hypothesis that the bats are travelling to the wind farm sites from the east (i.e. from the Catlins, and likely from the known bat roost sites in the Tahakopa Valley and Beresford Range). It is important to note that bat activity in

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	changes. The quantified footprint, including 303 ha of vegetation and infrastructure, rotor- swept zones, and transmission line impacts represents a substantial alteration of potential foraging and commuting habitat. Treating this as negligible ignores the cryptic, low-density nature of long-tailed bats and fails to comply with the Resource Management Act 1991's requirement to avoid, remedy, or mitigate adverse effects. Reliance on off-site compensation does not substitute for genuine on-site avoidance or mitigation and materially underestimates the real displacement risk.	even the locations of greatest activity is still relatively very low and sporadic compared to studies undertaken elsewhere in the locality – particularly the Tahakopa Valley and Beresford Range
22	**Strike Risk** The assessment of strike risk is fundamentally limited and overconfident, relying on sparse, low-resolution bioacoustic data and coarse Bat Activity Indices (BAI) to infer site and turbine-specific risk. First, the report assumes that turbines in areas of low detections such as JED-14, JED-31 and MAT-08 are at negligible risk, yet this conclusion ignores the inherent limitations of bioacoustic surveys: detection ranges are short, activity is highly weather-dependent, and sparse detectors cannot map fine- scale commuting or foraging routes. These so-called "low-activity" turbines may still intersect critical flight corridors or ad hoc foraging paths, particularly since exotic plantations and linear edge habitats are known long-tailed bat habitats. Second, the assessment selectively interprets outlier data to dismiss curtailment at certain turbines while defaulting to compensation for "residual risks." This effectively externalises uncertainty rather than addressing it on-site. Compensation cannot mitigate strike mortality in real-time or prevent habitat disruption from turbine presence, it is a post-hoc band-aid, not a primary mitigation. Third, the methodology assumes that bat activity is negligible when wind speeds exceed 2–5 m/s, yet the rapid attenuation of calls in complex terrain, coupled with the unpredictable flight behaviour of long-tailed bats, makes such assumptions scientifically tenuous. The report effectively treats absence of detections as proof of absence, a standard explicitly rejected in NZ conservation practice (RMA s6(c), DOC Bat Recovery Group guidance). Finally, reliance on curtailment at a small subset of turbines (mostly in the southern Bat Risk Area) fails to address the landscape-scale risk of displacement and cumulative mortality. The narrow focus on turbine-specific BAI masks broader ecological impacts and overstates confidence in the efficacy of the mitigation strategy. Overall, the strike-risk assessment is methodologically weak, selectively interpreted, and insufficient to justify the claim of "managed" strike risk.	These limitations have been factored into the assessment. The data across all 80 ABMs over all seasons (not just those at the wind turbines) has been used to assess overall risk to bats and where bats are at greater risk. The assessment indicates a low probability of strike risk, however, due to uncertainties of bat behaviour in the vicinity of wind turbines, the proposed trial of 'live' curtailment and safety net of 'set' curtailment more than meets the DOC Bat Recovery Group guidance. There is no suggestion that absence of detections is absence of bats, however, the acoustic surveys have been used to sample bat activity and identify areas of low and elevated risk to inform the management measures that will be implemented and these have been confirmed as appropriate by both Contact's and DOC's bat experts. The proposed compensation is additional to the on-site mitigation strategies proposed, in accordance with the effects management hierarchy, and will more than address any residual adverse effects of the operation of the wind farm on long-tailed bats.
23	**Review of - Measures to Remedy or Mitigate Adverse Effects** The measures proposed to "remedy or mitigate" adverse effects overstate the effectiveness of limited interventions while downplaying real risk. Table 9 frames habitat removal and displacement as "Low" for unmitigated level of effect and "Negligible" post-mitigation, yet this ignores the ecological value of tall exotic pines and scattered native vegetation, and assumes off-site predator control in the Beresford Range can compensate for the loss of functional roosting, foraging, and commuting habitat on-site -a substitution that lacks ecological equivalence. Strike risk is acknowledged as "Very High" in areas of high habitat value, yet the matrix reduces residual risk to "Low" contingent on perfect implementation of live curtailment, habitat enhancement, and monitoring, conditions that are untested under the site's specific wind, topography, and seasonal activity patterns. Transmission line impacts are labelled negligible without empirical justification. The assertion that the Wind Farm Site is "not core habitat" remains	The assessment of effects of the Project on long-tailed bats has been informed by a robust set of data that has been collected across all seasons within the site, and as noted previously, is the most extensive data set of long-tailed bats collected for any wind farm project in New Zealand to date. Contact's bat experts are confident in the assessment of effects of the Project and consider the submitter has no expert basis for these statements made. The assessment of effects has been informed by robust statistical analysis of the extensive surveys undertaken, and the proposed management of potential effects of long-tailed bats, including the proposed curtailment strategy and compensation measures have been designed alongside DOC's bat experts. All experts involved are comfortable that the proposed measures will adequately address the potential effects of the Project on long-tailed bats, in particular noting the consistently low levels of bat activity that have been observed within the site throughout all seasons.

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	unsupported by targeted roost surveys, and reliance on temporary commercial pine stands fails to recognise their impermanence as bat habitat. Overall, the effects matrix conveys a false sense of certainty, minimises the real strike and displacement risk, and fails to address structural inadequacies in the baseline ecological assessment, falling short of robust compliance with conservation guidance and Department of Conservation protocols.	
24	The report's claim that the Wind Farm Site is "not core habitat" and of "low ecological value" is indefensible. It relies on low acoustic detections while simultaneously acknowledging that dense vegetation, complex terrain, and weather systematically suppress detection where bats are most likely present. These so-called "low detections" are methodological artefacts, yet the report treats them as ecological fact. Its 50-fold comparison with nearby Catlins sites is meaningless, reflecting different detector placements and environmental conditions rather than true habitat quality. Radio-tracking, though minimal, shows bats still forage within the site, yet the assessment ignores this and elevates incomplete data into unwarranted certainties. The result is a deeply misleading characterisation that dramatically underestimates the site's ecological significance and overstates the reliability of its own flawed survey methods. The claim that the eastern Matariki Forest "provides significantly more value" to long-tailed bats is unsupported. The entire conclusion is driven by a single un- replicated hotspot (L14) with no corroboration from adjacent detectors. Temporal replication at fixed sites was limited, with short monitoring windows and uneven seasonal coverage, providing insufficient data to establish consistent site-wide patterns or fully account for variation due to weather conditions. In addition no controls were used to rule out detector variability, placement effects, or environmental interference. Contact cannot assert that the eastern escarpment consistently supports higher bat activity, nor that Jedburgh and Glencoe consistently exhibit low or no activity, because acoustic bat monitors sample only their immediate vicinity and cannot map activity across the landscape. Non-detection within a 50m radius is not evidence of absence at station-scale landscapes. Despite acknowledging these limitations, the report extrapolates site-wide habitat rankings, assigning 'higher-value' status to the eastern escarpment while down- designating large areas such as Jedburgh and Glencoe which host the majority of proposed turbines as 'low activity' based on incomplete coverage and non-replicated sampling. These inferences exceed what the data can support.	As highlighted previously, the acoustic data shows that the activity of bats (which is indicative) is at its lowest during the core maternity period of Dec and Jan and increases in later summer/autumn in line with core maternity populations dispersing. The nearest known maternity populations are within the Catlin's Forest Park and it is known long-tailed bats can fly over 20km from their roosts during this period. Therefore, it is more than reasonable to suggest, based on the Project's extensive acoustic studies, and expert opinion and hypothesis, that the wind farm is used more during this late summer/autumn period, as maternity populations disperse, and it is not a core part of a maternity population's area. The sampling approach to the acoustic data is perfectly reasonable to assess higher use and lower use areas, and this has been shown through the extensive statistical analysis completed by Proteus, as discussed in the bat effects assessment submitted with the substantive application. No survey can provide a complete 100% picture of bat activity and all bat surveys are sampling, which is then modelled to determine risk. This is standard practice to inform ecological effects assessments. Simply, the taller vegetation habitats close to the escarpment, such as the older remnants of conifer species within the Matariki plantation forestry were used more than the more open and exposed areas of the Jedburgh and Glencoe Stations. However, even so, the level of activity at the most active sites in Matariki Forest was still an order of magnitude lower than detection rates in the Catlins Forest Park and these sites were in sheltered gully areas with tall vegetation, often hundreds of metres away from where turbines are proposed in the more exposed and wind-swept locations. It is this that has formed Contact's experts' professional assessment of overall acceptability of the wind farm in respect of impacts on long-tailed bats.
25	**Assessment of Effects** The assignment of strike-risk levels is arbitrary and scientifically unsupportable. The 'low', 'moderate', and 'very high' categories are directly derived from habitat-value rankings based on patchy, sparse, and unevenly replicated bioacoustic data. Jedburgh and Glencoe are labelled 'low risk' solely because detectors there recorded zero or near-zero passes, yet the report itself concedes that non-detection is not evidence of absence. Conversely, a single anomalous high-pass site in Matariki is extrapolated to classify the entire escarpment as 'very high risk'. This approach is methodologically indefensible: one recorder cannot define landscape-scale patterns, and the classification ignores detector limitations, terrain effects, and temporal variability. The strike-risk framework therefore overstates certainty, misrepresents spatial risk, and cannot be relied upon to guide turbine-specific mitigation.	This is covered by the sampling approach discussed above, noting that these conclusions have been informed by the results of the robust statistical analysis completed.

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26	**The Assessment on Habitat Displacement** The assessment dismisses habitat displacement as “minor,” but this relies on circular logic and unsupported assumptions. Low acoustic detections cannot justify claims of low habitat value when surveys cannot map actual use, movement corridors, or roosts. Long-tailed bats are cryptic, wide-ranging, and use exotic and edge habitats unpredictably; non-detection is not evidence of absence, nor proof that 300+ ha of vegetation loss and turbine disturbance are negligible. Functional fragmentation from rotor-swept zones, noise, turbulence, and pressure changes -shown internationally to displace bats hundreds of metres is ignored. Similarly, the claim that curtailment reduces strike risk to “low at most” is speculative; strike events are highly sensitive to weather, season, and local behaviour, none comprehensively monitored. Off-site compensation cannot substitute for on-site avoidance or mitigation, and the assessment fails to meet RMA 1991 obligations to avoid, remedy, or mitigate adverse effects.	The comment that long-tailed bats use exotic and edge habitats ‘unpredictably’ is misleading. Rather stochastic behavioural responses in long-tailed bats are adaptive responses to variable environmental conditions, particularly vegetation height, food availability, weather, and predation risk. This "unpredictability" is a survival strategy, especially in highly seasonal environments and often behaviour primarily linked to avoiding predator detection. The comment does not acknowledge that the site is predominantly highly modified pasture used for intensive agriculture or exotic plantation forestry, where harvesting cycles clear tall exotic vegetation regularly. Research shows long-tailed bats are able to adapt to these changes in this modified habitat, particularly where there is thousands of hectares of similar habitat left in the home range of a population. The loss of 300 or so ha is thus considered inconsequential in relation to habitat left for this species. International research clearly shows curtailment is an effective and well-established method of reducing strike risk on bat species with similar behavioural characteristics to long-tailed bats. Curtailment as a means to reduce strike risk is supported by DOC Bat Recovery Group guidance. Residual strike risk is likely to be low as the bat activity is already relatively low (even in the elevated escarpment) compared to detection rates in adjacent landscapes.
27	**Curtailment** The statement that curtailment will reduce turbine-strike effects to “low at most” is speculative and unsupported. International evidence demonstrates that strike risk varies strongly with weather, season, and local bat behaviour -factors that were not comprehensively monitored at the site. Curtailment cannot compensate for an inherently flawed and incomplete risk assessment.	The DOC Bat Recovery Group guidance notes that curtailment is an appropriate management measure to implement at wind farms. Further, refer to the above regarding the completeness of the bat data that has been collected within the site to inform the effects management measures.
28	**Paragraph 111.** The claim that habitat loss will be “insignificant” rests on an unproven assumption that the affected areas are “low-quality pastoral habitats.” No evidence is presented to support this. The assessment contains no analysis of roost potential in exotic trees, hedgerows, shelter belts, or edge habitats, features long-tailed bats routinely use elsewhere in New Zealand. International and NZ research shows bats preferentially use ecotones and linear corridors for commuting and foraging, yet these are the very features destroyed or severed by turbine platforms and access roads. Labelling the habitat “low quality” is circular; detections were low because monitoring was sparse and un-replicated, not because the habitat lacks value.	The monitoring undertaken was at an unprecedented level for wind farms in NZ, and the first to intensively sample a site to meet statistical assumptions. This monitoring has informed the bat effects assessment, which identifies the areas of higher bat activity within the site and includes consideration of edge habitats and roosting potential within the site. The data showed that bat activity was either virtually absent or very low in the vast majority of pastoral areas and areas of low stature vegetation and occasionally higher is specific locations within the Matariki plantation forest. Therefore, there is sufficient basis for the conclusions in the effects assessment.
29	The conclusion that long-tailed bats are “unlikely” to be roosting within the Wind Farm Site is scientifically indefensible. It rests entirely on absence of evidence rather than evidence of absence: no targeted roost surveys were undertaken within the site, acoustic detectors cannot identify roosts, and exotic plantation trees, common across the project area are well documented roost habitat for long-tailed bats in multiple New Zealand studies. The proponents even acknowledge potential roost trees near several turbine locations, directly contradicting their own inference. The small sample size of the tracking study only compounds the uncertainty, offering no basis to rule out roosting within the footprint. In this context, the assertion that roosting is “unlikely” is not a scientific finding but an unsupported assumption, employed despite the lack of appropriate survey effort and despite internal evidence that roosts may be present.	Contact's experts have stated that solitary roosts could occur, but not significant maternity roosts (for reasons outlined above), and they are unlikely to occur in the majority of the plantation forests which (based on the deployment of ABMs and many site visits), have, other than occasional and sporadic remnant stands of conifer, yet to develop the necessary features for roosting bats, and foresters specifically seeking to harvest before they do develop such features. Appropriate and DOC-approved tree felling protocols will apply to any remnant conifer stands that have developed roost features and which need to be cleared for the wind farm footprint (noting that the number of trees that fall within this category is low) in accordance with the proposed conditions.
30	The assessment ignores the fragmentation effects created by turbine platforms and new access roads. Long-tailed bats rely on linear corridors, edges, and riparian routes- features that these structures sever even without removing trees.	This is highly unlikely to occur. The acoustic and radio-tracking data show bats are more than capable of crossing open areas, but spend more time in tall vegetation (for foraging etc). Fragmentation is not an issue for a bat that flies 20km+.

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	Treating impacts as limited to only the physical footprint overlooks the real connectivity loss and functional habitat degradation caused by fragmentation.	
31	Recent research shows that wind turbines can displace bats from critical areas. Scholz, Klein & Voigt (2025) demonstrated that operational turbines measurably displace bats from drinking sites, confirming that disturbance effects extend well beyond the physical footprint of wind farms. This directly contradicts the report's assertion (paragraph 116) that displacement effects at the Southland wind farm will be 'minor'. Given that long-tailed bats rely heavily on predictable commuting routes, water access, and sheltered foraging corridors, turbine-driven displacement is likely to impose real energetic and behavioural costs. The report's reliance on low acoustic detections to downplay displacement ignores that displacement itself reduces detectability, a circular logic explicitly contradicted by emerging empirical evidence. Reference: Scholz, C., Klein, H., & Voigt, C. C. (2025). Wind turbines displace bats from drinking sites. Biological Conservation, 302, 110968.	Contact's experts do not disagree with the potential effect of habitat displacement and note that it is beneficial to displace bats from the small areas of vegetation in the vicinity of the wind turbines to reduce collision risk. However, there are many 1000s of hectares of similar habitat in the general vicinity of the Project footprint, and therefore, the area of vegetation removed is proportionately very minor to bats, especially considering that plantation forestry is, by its very nature, a form of vegetation that is intended to be cleared and then replanted. At this site Contact's experts consider that the wind farm will not impose 'real' energetic and behavioural costs, as there are ample alternative means for bats to reach favourable habitat in the locality without individuals needing to cross turbine sites or their rotor sweep zones. Further, the level of effect of habitat displacement has been informed by the low bat activity rates across the site, which as noted previously was based on extensive bat surveys completed across the site. Any residual effects of habitat displacement will be appropriately addressed through the proposed predator control programme.
32	The strike-risk zones presented are based on acoustic data that are inherently limited in detecting bats within forested and edge habitats. The report repeatedly equates low detections with low use, ignoring that detectability is heavily influenced by vegetation density, micro-topography, wind conditions, and detector placement. Key high-use areas such as edges, shelter belts, gullies, commuting corridors, and forest– pasture interfaces are under-sampled, rendering any conclusions of 'low-risk' structurally unreliable.	Refer to the comments above regarding the appropriateness of the surveys completed at the site to inform the effects assessment.
33	The report arbitrarily dismisses high-activity detections, undermining its own risk assessment. For example, at JED-14, a nearby acoustic recorder (B36) logged over 372 bat passes, yet the authors label this as an 'ad hoc foraging event'. This is not an evidence-based analysis but a selective reinterpretation designed to preserve the low- risk narrative. A single high-activity event demonstrates that the area is functionally used by bats, and functional use should determine strike risk.	The comment acknowledges that the report clearly states that ad hoc bouts of bat activity could occur on the site. However, the comment misses the point that applying curtailment to these isolated events would unlikely be effective. The aim of the curtailment regime is to address the stochastic occurrences of bat activity on the site. The curtailment focus has been on the area where the most regular bouts of bat activity occur across any given year, and therefore, where curtailment would have the greatest benefit. Residual ad hoc strike risk events are addressed by the proposed animal pest compensation package.
34	The assertion that transmission-line effects are 'Low to Negligible' is unsubstantiated. There are no empirical New Zealand data on long-tailed bat interactions with transmission corridors, and potential impacts such as edge hardening, increased predation risk, loss of vertical structure, and altered flight paths remain entirely plausible. Despite these credible risks, the report provides no field- based evidence or justification to support its conclusion.	Refer to paragraphs 32-37 of the Long-tailed Bat Effects Assessment (Technical Assessment 6) which outlines a review of national and international literature and concludes that there is evidence that bat collisions with transmission lines very rarely occur. This has therefore informed the effects assessment regarding the potential for bat collision with transmission lines, noting that the proposed predator control programme will address any such residual effects.
35	The focus on a 5 m vegetation height threshold to define "low-risk" areas is ecologically flawed and appears driven by the proposed turbine placement rather than bat behaviour. The authors assume that bats flying over short Manuka or low forest are unlikely to intersect turbine blades, which sit tens of metres above ground, and use this to justify minimal curtailment at sites such as Jedburgh and Glencoe. This reasoning is a methodological shortcut: long-tailed bats routinely traverse low vegetation, paddocks, and open areas when commuting between roosts and foraging zones. Flight paths and not canopy height determine collision probability, meaning the 5 m cut-off does not reliably indicate low strike risk. By equating short vegetation with minimal hazard, the report underestimates potential turbine interactions and selectively downplays risk at key turbine locations.	The 5m vegetation threshold is based on the statistical relationship of an increase in bat activity with an increase in vegetation height. There will be outliers; however, this conclusion is supported by robust evidence based on what the data shows for bat activity in general. The submitter provides no evidence to support these statements.
36	The report uses selective curtailment and argues that compensation will cover any "residual risk," which effectively admits that their risk modelling is incomplete. When acoustic data contradict their low-risk designations such as at turbines MAT- 08 or JED-31-they rely on compensation rather than revising the	The submitter's statement is incorrect. The effects management measures for bats are in accordance with the ecological effects management hierarchy. Curtailment is an avoidance measure that is proposed to address the strike risk to bats in the area where higher levels of bat activity was recorded on the site. The proposed compensation strategy is intended to address the residual effects of potential effects on bats, including residual potential turbine strike and habitat loss. All bat experts

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	risk assessment. This is misleading because if compensation is necessary, it shows that strike risk has not been properly quantified.	(Contact's experts and DOC's experts) have confirmed these proposed measures are appropriate and not 'incomplete'. This is in part because the overall package is considered to be sufficiently precautionary and comprehensive to address all potential adverse effect on bats, even where effects have not been quantified for this specific proposal.
37	With regards to paragraph 125c, the conclusion that curtailment is unnecessary is unsupported because it relies on an extremely narrow dataset. All recorded bat activity occurred below 2 m/s, but the survey lacks information on detector sensitivity, sampling effort, seasonal coverage, and how often higher-wind conditions were actually monitored. Without demonstrating that bat activity was genuinely absent, rather than simply undetected at higher wind speeds, the claim that bats are inactive when turbines operate is not robust. Consequently, the assertion that curtailment is unnecessary rests on an evidential gap, not a demonstrated absence of risk.	Refer the comments above regarding the appropriateness of the dataset to inform the effects assessment.
38	**Exotic Pines - Bat Habitat** The assessment's dismissal of exotic pines as bat habitat on the basis that they will eventually be harvested (paragraph 128) constitutes a critical flaw, undermining the reliability of its habitat evaluation. Consent authorities must evaluate effects against the current environment, and long-tailed bats are well-documented users of exotic plantation trees for both roosting and foraging. The timing, scale, and certainty of any future forestry harvest is uncertain, and adopting an "inevitable loss" premise effectively downplays existing ecological values rather than assessing them on their merits. This approach risks understating the significance of bat habitat presently available on the site and diminishes the robustness of the effects assessment. The assessment falsely elevates curtailment as a dependable mitigation, ignoring overwhelming evidence that its effectiveness is highly conditional and conditions at the Southland wind farm are among the most challenging. The site's forest–pasture interfaces, gullies, linear corridors, and complex topography are prime bat commuting routes, yet inherently limit detection due to low call intensity, weather- driven behavioural shifts, and rapid acoustic attenuation. Turbine airflow, wake effects, and unavoidable response delays create predictable windows where bats can enter the rotor-swept zone before shutdown. Despite these structural vulnerabilities, the assessment claims set-curtailment parameters will "eliminate most of the risk," citing turbines with <1% recorded activity, a dataset itself compromised by the detection issues that curtailment depends on. Reliance on curtailment as the principal mitigation tool thus inflates confidence and fundamentally understates the residual risk to a cryptic, highly mobile species like the long tailed bats.	The assessment has taken account of the fact that the majority of exotic plantation forestry is intensively managed and is of low value generally to bats as the elevated levels of bat activity were in locations closer to the escarpment. This is likely due to a small number of bats using Conservation area to the east of the Matariki property for roosting as demonstrated by the radio tracking. Many ABMs placed in plantation forest showed a trend of less consistent levels of activity when further away from the escarpment and this forms the basis of our assessment of risk. All bat experts have confirmed curtailment is an appropriate effects management measure at this site for the specific turbines in the 'bat risk area' close to the escarpment. The submitter has no expert basis for the claims in this statement.
39	The proposed compensation scheme cannot credibly substitute for direct mitigation of turbine strike or habitat loss. It relies on off-site predator control in the Beresford Range, an entirely different, intact forest ecosystem to offset mortality and displacement occurring within the Wind farm site's fragmented plantation–pasture landscape, a context where ecological equivalence is unproven and likely invalid. This approach treats compensation as a veneer of protection while ignoring the critical uncertainties that remain: strike risk is poorly quantified, curtailment efficacy is experimental and untested in these conditions, and habitat use within the turbine array is inadequately mapped. The assertion that a financial contribution and predator-control programme will "more than adequately" offset residual effects is unsupported, speculative, and dangerously misleading; it masks real, site-specific risks and risks	The submitter's statement is incorrect. The compensation strategy addresses the residual mortality risk following a comprehensive set of mitigation measures to reduce the risk, given the context of an already low level of bat activity across the wider site. Contact has therefore appropriately applied the effects management hierarchy to the management of the effects of the Project on long-tailed bats. Research shows effective predator control is essential for recovering long-tailed bat populations. The proposed compensation strategy is a significant predator control programme, suggested by DOC, and which all ecological experts involved in the Project consider will result in significant ecological benefits, both to long-tailed bats and other native avifauna species. The proposed compensation programme has been informed by expert evidence which confirms that predator control significantly benefits long-tailed bat populations (O'Donnell (2017)).

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	institutionalising a mitigation shortcut that fails to protect the species where it is directly exposed to harm.	
40	The proposed monitoring approach is fundamentally limited and risks underestimating impacts. The decision not to conduct additional pre-construction radio-tracking or targeted surveys assumes that the 10,000 ha pest control area will automatically encompass all maternity roosts, yet this ignores the fine-scale spatial distribution and site fidelity of long tailed bats, particularly in fragmented plantation and forest–pasture landscapes. Relying solely on post-construction bioacoustic surveys delays detection of adverse effects until after turbines are operational, by which time any strike mortality or displacement is irreversible. Bioacoustic monitoring is itself constrained by detection limitations in dense plantation forests, edge habitats, gullies, and linear corridors, all of which are prevalent at the wind farm site.	Based on DOC's own existing knowledge and information it is assumed by DOC that the 10,000ha within the Beresford Range subject to the predator control programme will encompass the bat maternity roosts known to be located there. The funding being provided to DOC is to be mainly used for pest control work, but can also be used for monitoring to ensure that the bat populations remain within the area and are thriving. Should this monitoring show that the maternity roosts have moved outside of the 10,000 ha predator control area, then DOC will be able to modify the spatial extent of the predator control area accordingly. The overall concept of the curtailment strategy in tandem with the predator control programme is to ensure that there is a net gain outcome for long-tailed bats over the life of the wind farm.
41	**Southland Wind Farm DRAFT - Bat Management Plan** The bat management plans protocols for removing potential high-risk bat roost trees are fundamentally inadequate and reactive rather than protective. Requiring only two nights of bioacoustic monitoring or visual inspection before felling drastically underestimates the cryptic, low-density nature of long-tailed bats, particularly in dense plantation, edge, and gully habitats where detection is notoriously unreliable. Visual inspections, thermal cameras, or bat dogs are no guarantee of detecting roosting bats high in the canopy or hidden in foliage. The plan relies on post-felling responses such as contacting DOC and veterinarians after bats are discovered which is too late to prevent mortality or stress-induced injury. The accidental discovery protocol is equally reactive, allowing work to continue until a bespoke plan is devised, leaving the species exposed in the meantime.	Protocols are well established and based on DOC guidance. All measures will be employed to determine the risk of bats being present in a tree that exhibits roost potential before it is felled, and follows a hierarchical approach to minimising risk at each stage. Again, these are based on existing approved DOC bat protocols established by the DOC Bat Recovery Group, used regularly throughout New Zealand for a number of infrastructure projects, and thus also incorporated into consent conditions, as has been done for this proposal.
42	The proposed live-curtailment framework is overly experimental and structurally unreliable as the primary mitigation for turbine strike. Reliance on bioacoustic sensors mounted on nacelles assumes that bats will be consistently detectable within the rotor-swept zone -an assumption contradicted by international evidence showing rapid attenuation of bat calls, variable call intensity, and detection failures in forest– edge, gully, and complex terrain. The allowance to remove sensors for three months (1 June–31 August) further creates temporal gaps in monitoring, potentially coinciding with unrecorded bat movements.	Live curtailment has been subject to a scientific study as reported in our assessment, and systems are being developed by a number of international companies where the system has been used effectively for similar bat species to long-tailed bats in France and the UK. It has yet to be tested in NZ, however given the very conspicuous and easily identifiable echolocation calls made by long-tail bats from other ultrasound, it is likely to be highly ecologically effective (subject to engineering considerations) and the trial is to ensure its efficacy.
Comments regarding terrestrial and wetland ecology: response provided by Roger MacGibbon, Nicholas Goldwater, Della Bennet, Samantha King and/or Vikki Smith		
43	**Technical Assessment 5 - Terrestrial and Wetland Ecology** The project's claim of "100% avoidance" of high-value habitats—including pāhautea/southern rātā–kāmahi forest, indigenous broadleaved forest, Mānuka/copper tussock shrubland, and Mānuka -inaka/copper tussock marsh—is misleading. Permanent loss of 63.74 ha of indigenous-dominant vegetation, altered wetland hydrology, and unfinalised fill disposal sites directly contradict this assertion. Small, fragmented, or degraded patches cannot be assumed to retain ecological function. The qualifier "to the greatest extent practicable" provides legal cover, not demonstrable protection, and fails to satisfy RMA s6(c) and the Southland RPS policies requiring protection of indigenous biodiversity, avoidance of significant habitat loss, and mitigation of cumulative ecological effects. Reliance on offsets and compensation underscores that avoidance is partial at best, leaving residual effects that are significant, cumulative, and largely unmitigated.	The assessment does not assert absolute or literal avoidance of all indigenous vegetation or wetlands. Rather, it demonstrates that high-value habitats have been avoided to the greatest extent practicable, consistent with the effects management hierarchy and established RMA case law. While there is unavoidable loss of indigenous vegetation within the Project footprint, the areas affected are predominantly moderate-value and already compromised by long-term grazing, browsing, and land-use modification. High-value vegetation types such as intact pāhautea/southern rātā–kāmahi forest and high-quality wetlands have informed design refinement and spatial avoidance. The comment that "Small, fragmented, or degraded patches cannot be assumed to retain ecological function" is misleading. Firstly, the Project will not result in the creation of small patches. Secondly, the commenter has not acknowledged that ecological function for indigenous habitats within the Jedburgh Station Pest Control Area will significantly improve with sustained, landscape-level pest animal control. Moreover, the submitter does not acknowledge the benefits of the proposed 10,000 hectares of aerial pest animal control in the Beresford Range.

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		The reliance on offsets and compensation does not indicate failure of avoidance; rather, it reflects a correct application of the mitigation hierarchy, whereby residual effects—after avoidance and minimisation—are addressed through restoration, enhancement, monitoring, and long-term management. This approach is explicitly anticipated by the Southland RPS.
44	**Permanent Loss of Terrestrial Vegetation within the Wind Farm Footprint** Table 4a identifies the permanent loss and percentage reduction of each vegetation type within the construction footprint, yet the assessment uses percentage values to downplay impacts on habitats that are already functioning under severe ecological stress. The so-called "moderate value" vegetation types such as mānuka- and inaka- dominant shrublands and mixed indigenous shrublands are among the last remaining structurally intact refuges and movement corridors on the Plateau. These habitats already show clear symptoms of long term degradation, including diminished palatable species, suppressed regeneration, and fragmented shrubland mosaics. Presenting an additional 25.25 ha (10.1%) loss of mānuka/tauhinu-inaka–Veronica odora scrub and shrubland as a minor proportional reduction is therefore misleading: when ecological baselines are already eroded, further clearance is not a "small" loss, but an amplification of cumulative decline. In this context, every hectare removed strips away remaining connectivity, weakens ecosystem resilience, and accelerates the vulnerability of threatened and at-risk fauna whose persistence depends on these last vestiges of suitable habitat. Small but ecologically distinct habitats are particularly vulnerable. Copper tussock grassland with a High ecological value, though only 0.34 ha in total, will lose 67.6% (0.23 ha impact area), while Inaka scrub (2.14 ha) will lose 44.9% (0.96 ha impact area). Despite their limited absolute area, these proportional losses are effectively catastrophic for habitat redundancy, connectivity, and species persistence. Limited foraging by long-tailed bats on plantation margins does not offset the cumulative effects of vegetation clearance, fragmentation, and breakdown of ecological networks. By treating the loss of moderate-value habitats as negligible, Table 4a systematically underestimates cumulative and residual ecological impacts, ignores cascading effects across connected ecosystems, and directly contravenes the precautionary approach required under RMA s6(c) and the biodiversity offset principles articulated in the Southland RPS.	The use of both absolute area (hectares) and proportional loss in Table 4a is intentional and transparent, and does not serve to downplay effects. It allows decision-makers to understand impacts at multiple ecological scales: site-specific, habitat-specific, and landscape-wide. The habitats identified as "moderate value" are correctly assessed based on their condition, representativeness, and resilience in context. While these shrubland types provide important local refugia, they are not rare ecosystem types at the regional scale, nor are they functioning in an intact or optimal ecological state due to longstanding ungulate browsing, stock grazing, and fragmentation. The ecological assessment explicitly acknowledges these pressures and does not present the affected habitats as fully ecologically intact. WCPS frames these shrublands as "among the last remaining structurally intact refuges and movement corridors on the Plateau" but then goes on to say they "show clear symptoms of long term degradation, including diminished palatable species, suppressed regeneration, and fragmented shrubland mosaics." Those are inconsistent statements. For very small habitat types (e.g. copper tussock grassland), proportional loss must be interpreted cautiously. While a high percentage figure appears concerning, the absolute area affected is extremely small. Importantly, copper tussock is a common component of several other larger vegetation types such as Mānuka-gorse/copper tussock shrubland (128 ha) and Mānuka/copper tussock shrubland (13 ha). It is not a rare species within the Matariki property. Moreover, approximately 8 hectares of copper tussock grassland will be physically protected (i.e. fenced) and enhanced within the Copper Tussock Enhancement and Skink Protection Area. It is misleading to claim that the loss of moderate-value habitats has been treated as "negligible". The overall level of effect has been carefully assessed for all affected habitats (including exotic-dominant habitats), considering factors such as area affected, ecological value, magnitude of effect, and permanence of effect (as per Tables 6a and 6b of Technical Report #5). These effects are further addressed through targeted restoration, enhancement planting, and landscape-scale predator control for the life of the wind farm, which directly respond to the vulnerabilities identified by WCPS. Accordingly, the conclusion that these losses represent a "catastrophic" erosion of ecological integrity is not supported by the evidence or by the RMA framework for assessing significance and residual effects.
45	**Temporary Loss of Terrestrial Vegetation within the Footprint of Fill Disposal Sites** Table 4b frames habitat loss within fill disposal sites as 'temporary,' but this misrepresents the ecological reality: impacts are neither minor nor readily remediable, and the assessment significantly underestimates the consequences for already stressed habitats. Moderate-value habitats including mānuka and inaka- dominant scrub and mixed indigenous shrublands are already under chronic pressure from ungulate browsing, stock grazing, feral predators, and historic clearance. Even short-term disturbance can disproportionately affect already depauperate populations of lizards, birds, and invertebrates, degrade critical refugia, and fragment the few remaining ecological corridors maintaining functional connectivity on the Jedburgh Plateau. The proposed replanting and remediation do not fully address functional and structural losses. Recovery of invertebrate assemblages, rare lizard species such as tussock skink and Tautuku gecko, and small, threatened or At Risk birds such as mātātā/South Island fernbird and pīhoihoi/NZ pipit is likely to be delayed or incomplete. Even temporary clearance or compaction can have lasting effects on microhabitats,	The majority of the indicative fill disposal sites are located in pasture (at Jedburgh Station and Glencoe Station) and in low value and/or exotic-dominant habitats at Matariki Forest. Efforts have been made to keep the extent of fill sites on the Jedburgh Plateau to a minimum and this has resulted in the confirmation of eight fill disposal sites that will be located on the Plateau; however, some areas of 'Moderate' value indigenous habitats cannot practicably be avoided. These areas are subject to short-term disturbance, followed by reinstatement, topsoiling, and re-vegetation using indigenous species appropriate to the receiving environment (as per the Vegetation Management Plan and condition EC9). The assessment does not assume instant recovery or full equivalence, but rather evaluates effects based on anticipated recovery trajectories, which is consistent with best practice ecological assessment. While WCPS is correct that disturbed habitats may take time to recover, this does not render the effects permanent or irreversible. For fauna, the Project includes species-specific management plans (for lizards, birds, and invertebrates), salvage protocols, and predator control measures that directly address risks during disturbance and recovery phases. While some localised effects are unavoidable, they are neither underestimated nor ignored, and are appropriately managed within a precautionary but realistic ecological framework.

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	soil, and hydrology. The magnitude of impacts reported in Table 4b is therefore neither minor nor temporary; they represent a significant erosion of ecological integrity and resilience, failing to meet the precautionary approach required under RMA s6(c) and Southland RPS obligations.	
46	**Wetland Loss and Effects on Wetland Hydrology (Sections 165–167)** The assessment of wetland loss and hydrological effects on the Jedburgh Plateau dramatically underplays ecological significance. Fen wetland (1.08 ha; 1.1%), bog wetland (0.94 ha; 3.3%), and copper tussock/rautahi marsh (0.01 ha; 1.9%) are already degraded by ungulate browse, stock grazing, feral predators, and historic clearance. These wetlands perform irreplaceable functions by maintaining water quality, supporting invertebrates and small vertebrates, and providing habitat connectivity for species such as mātātā/South Island fernbird. Even minimal clearance disrupts peat-forming vegetation, hydrological regimes, and faunal refuges, yet the assessment relies on nominal <5% thresholds to label losses as "Moderate" ignoring ecological rarity and sensitivity. Proposed offsets and compensation fail to address functional and structural losses, leaving severe, long lasting residual impacts. Claims of negligible hydrological impact overlook indirect, cumulative pressures and the buffering role of surrounding vegetation, and therefore fail to meet RMA s6(c), Southland RPS biodiversity offset principles, the National Policy Statement for Freshwater Management (NPS-FM 2020) requirements to maintain wetland integrity, and the wetland protection provisions of the National Environmental Standards for Freshwater (Regulations 37-56) that regulate activities affecting natural inland wetlands.	The ecological value of the wetlands and the impact of pest animals have been fully acknowledged by Contact and its ecological advisors and that is why the proposed 245-hectare Jedburgh Station Ecological Enhancement Area, in particular, is so important. There are 18 hectares of fen and 1.5 hectares of bog that will be protected within that fenced area. The ecological value of those protected wetlands is expected to improve in a substantial way as palatable species regenerate and the indigenous fauna that rely on that plant diversity return and multiply. In addition, targeted deer and pig control across the 530-hectare Jedburgh Plateau and three-yearly aerial pest control over the 1,400-hectare Jedburgh Station Pest Control Area will reduce browsing and rooting damage and improve wetland resilience and plant diversity, and contribute to offsetting the loss of wetland habitat.
47	**Effects of Fragmentation on Habitat** The assessment of fragmentation seriously underestimates its ecological impact. Moderate-value habitats such as mānuka and inaka-dominant vegetation and mixed indigenous shrublands already function as critical refugia and dispersal corridors in a landscape degraded by ungulate browsing, stock grazing, and feral predation. New roads and infrastructure will exacerbate edge effects, facilitate weed invasion, and disrupt regeneration and dispersal, further weakening ecosystem integrity. Characterising fragmentation effects as “minor” for these habitats and “negligible” for birds fails to account for cumulative pressures, the heightened vulnerability of slow-moving fauna, and the well-documented sensitivity of lizards (including Tautuku gecko and green and herbfield skinks) and invertebrate assemblages to microhabitat disruption. In this ecological context, even limited habitat loss or disturbance can drive long-term population decline and functional degradation. On the basis of the information presented, residual fragmentation effects remain moderate to high, not negligible. Under RMA s6(c) and Southland RPS criteria for representativeness, rarity, and ecological context, the assessment’s conclusion that impacts are negligible is inconsistent with both ecological evidence and statutory obligations. Disturbance (including death and injury) and displacement of indigenous fauna during construction and vegetation removal and potential fragmentation of fauna habitats and populations The assessment of disturbance, displacement, and habitat fragmentation significantly underestimates ecological impacts across multiple taxa. For birds, fragmentation effects are downplayed despite cumulative pressures threatening ground-nesting and forest species, while slow-breeding, predation-sensitive lizards such as Tautuku gecko and potentially green or herbfield skinks face long-term population declines in small, isolated habitat patches. Invertebrates are similarly vulnerable, with microhabitat loss,	The addition of new roads and infrastructure will cause additional habitat fragmentation. However, the Jedburgh Plateau is already a fragmented environment from an ecological perspective because of the impacts of farming practices and livestock, the heavy browsing impacts of deer, and the soil and vegetation damage created by pigs. While these effects may be less visually obvious than newly constructed roads and turbine platforms, they can and do create barriers to the movement of small animals, especially lizards and invertebrates. A number of measures are proposed to address potential fragmentation effects (refer to the evidence of Mr Goldwater in response to comments). Of particular note, the removal of all ungulates and assisted regeneration of 8.7 ha of existing tracks and firebreaks within the Jedburgh Station Ecological Enhancement Area, and the continued control of deer and pigs over the Plateau will reduce the existing habitat fragmentation in a substantial way.

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	altered soil and litter conditions, and edge effects disproportionately affecting range-restricted and less mobile species. Methodologically, reliance on limited observations and detectability underestimates cryptic or rare species, ignoring indirect, cumulative, and functional effects. Treating habitat loss as a localised issue fails to recognise wider landscape-scale consequences, including the erosion of refugia, disruption of ecological corridors, and weakening of ecosystem resilience. Based on the information presented, residual disturbance and habitat loss effects are likely to remain moderate to high, not negligible. This conclusion is inconsistent with RMA s6(c) and Southland RPS criteria relating to representativeness, rarity, and ecological context.	
48	**Effects of Noise Disturbance, Vibration and Road Traffic on Fauna** The assessment of noise, vibration, and road-traffic effects systematically understates ecological risk by dismissing these impacts as negligible and temporary, despite clear evidence of heightened vulnerability across the fauna assemblage at the Wind Farm Site. Bird, lizard, and invertebrate populations are already heavily depleted by grazing, browsing, and predation, with species such as mātātā/South Island fernbird, pīhoihoi/New Zealand pipit, Tautuku gecko, tussock skink, and multiple slow- moving invertebrates confined to structurally fragile shrubland and wetland margins. In this degraded context, additional noise, vibration, and traffic disturbance is not benign: it disrupts breeding, foraging, thermoregulation, and movement, compounding existing stressors on populations that are sparse, isolated, and slow to recover. Residual noise, vibration, and road-traffic effects are therefore moderate to high, not negligible. The assertion that effects are “low” simply because construction is temporary is ecologically unsound and ignores cumulative vulnerability, baseline degradation, and recovery constraints. This approach fails to meet statutory obligations under RMA s6(c) and the Southland RPS, which require the protection of significant indigenous fauna and their habitats, particularly where populations are already under sustained pressure.	Construction noise and vibration will be localised and temporary. These effects have been considered in Technical Assessment #5. In terms of the wind farm operation, Contact's experts are comfortable with their assessment of effects. Of note, the relatively wide spacing of turbines (approximately 450–650 m) across the c.5,800- hectare site, rather than a tightly clustered row or grid, will result in dispersion of operational sound and reduce the potential for cumulative noise effects.
49	**Operational Effects - Avifauna Collisions with Turbines (Sections 188–201)** The assessment downplays collision risk by relying on modelling with clear gaps, exclusions, and unsupported assumptions. Key protected species with known regional presence (e.g., Australasian bittern, bar-tailed godwit, black-billed gull) were either not detected on site or excluded from the Band model, yet the assessment treats their risk as negligible. Predicted strike rates for kāhu/harrier (20–40 deaths per year) and regular mortalities for bellbird and black-backed gull contradict the claim that the site is “low-risk.” The conclusion of ‘virtually zero’ mortality for bittern is based on assumed flight frequencies rather than empirical data. Outstanding issues identified during expert conferencing including migratory flight paths, nocturnal movements, and collision uncertainty remain unresolved. Based on the information presented, residual collision risks for threatened and fully protected indigenous avifauna are likely to remain moderate to high, not negligible. This approach is inconsistent with RMA s6(c) and Southland RPS provisions requiring the protection of threatened indigenous fauna and their habitats. In addition, under the Wildlife Act 1953, mortality of fully protected indigenous birds cannot be treated as acceptable unless collision risks are demonstrably avoided or minimised.	The collision risk assessment has been undertaken using a conservative and precautionary framework consistent with accepted wind farm assessment practice in New Zealand. Species selection for modelling was based on confirmed site use, observed flight behaviour, and ecological relevance to the Project footprint. Species not recorded during multi-season surveys were not excluded on the basis of convenience, but rather because empirical evidence did not demonstrate regular site use at collision-risk heights.
50	**Operational Effects -Avifauna Collisions with Transmission Lines (Sections 202–204)**	Collision risk associated with transmission lines has been assessed using both international and New Zealand-relevant evidence, recognising that site-specific empirical collision data are rarely available prior to construction. The Project has

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	The assessment of collision risk with transmission lines underestimates impacts, relying on overseas studies rather than site-specific data. High-flying indigenous species such as kārearea, kāhu, kererū, and tūī are identified as potentially at risk, yet exposure at the Project Site is not quantified. Migratory species, including torea/South Island pied oystercatcher and Australasian bittern, face residual risks despite mitigation measures and the removal of one transmission line route. Based on the information presented, residual collision risks for high-flying and migratory indigenous species are likely to remain moderate to high, not negligible. This assessment is inconsistent with RMA s6(c) and Southland RPS provisions requiring adverse effects on rare and threatened indigenous fauna, and their habitats, to be avoided where practicable and carefully managed where avoidance is not possible.	already avoided the highest-risk alignment by removing one transmission route, and remaining sections have been designed to minimise exposure through route selection and targeted use of line-marking devices. The effectiveness of bird diverters is well supported in the literature, including for large-bodied and high-flight species, and their use here represents a practicable and proportionate mitigation response. Residual risk is acknowledged and managed through sustained predator control, post-construction monitoring, and adaptive response as per the consent conditions.
51	**Operational Effect -Increased Risk of Predation** The assessment downplays the ecological consequences of road construction as a facilitator of predator movement. While existing tracks are acknowledged, new roads create additional linear corridors that can significantly increase access for stoats, ferrets, feral cats, rats, and hedgehogs into previously less-disturbed indigenous habitats. These predators are known to suppress populations of ground-nesting birds (mātātā/South Island fernbird, pīhoihoi/NZ pipit), lizards (tussock skink, Tautuku gecko), and less mobile invertebrates, undermining recovery and connectivity. Human activity associated with roads can further exacerbate predator pressure through food attractants and shelter. Residual impacts from increased predation are likely to remain moderate to high, not negligible. Labelling the magnitude of effect as “low” or “low to moderate” ignores cumulative pressures and the functional consequences for vulnerable species, and is inconsistent with RMA s6(c) and Southland RPS obligations.	The construction of new service roads for the wind farm could, without increased animal pest control, lead to increased predator penetration into the Project site, especially more mobile predators such as stoats and feral cats. However, Contact is proposing a substantial pest management programme over the Project site which can be expected to counter any improved predator dispersal that may be facilitated by new roads. If, as is now proposed by Contact, increased feral cat control effort is also undertaken, then predatory pressure on native fauna can be expected to be reduced below the current situation.
52	**Review of - Measures to Avoid, Remedy or Mitigate** The proposed avoidance, remediation, and mitigation measures are predominantly procedural and do not address the substantive ecological risks identified in the assessment. Heavy reliance on post-consent management plans, monitoring frameworks, and deferred finalisation of critical documents leaves highly sensitive wetlands, shrublands, and forest habitats exposed to unavoidable clearance, fragmentation, and hydrological disruption. Fauna including Tautuku gecko, terrestrial invertebrates, and ground-nesting birds remain at genuine risk of mortality or displacement, and the proposed predator control, vegetation salvage, and habitat restoration function as reactive, post-impact responses rather than true preventative measures. Hydrological “safeguards” cannot compensate for direct wetland loss or the ongoing soil and vegetation disturbance inherent in the construction footprint. Under RMA s6(c) and the Southland RPS provisions requiring protection of indigenous biodiversity, rare and functionally critical habitats, and ecological connectivity, the proposed measures fall short of meeting the statutory threshold for meaningful ecological protection. The approach prioritises procedural compliance over actual ecological outcomes, leaving residual effects that are likely to be significant, irreversible, and unacceptable.	The characterisation of the proposed avoidance, remediation, and mitigation measures as “predominantly procedural” does not accurately reflect the substance of the effects management framework. The assessment demonstrates that avoidance has been prioritised through Project design, including refinement of turbine locations, roading alignments, and construction footprints to minimise impacts on wetlands and high-value terrestrial vegetation before mitigation measures are applied. The use of management plans does not defer or dilute effects management; rather, it provides a mechanism by which avoidance, remediation, and minimisation measures are implemented, monitored, and enforced. These plans are secured through consent conditions, which include clear performance standards and targets, and are subject to compliance reporting and adaptive management triggers. This approach is consistent with established practice for large-scale infrastructure projects and is anticipated by the RMA framework. The submitter’s assertion that fauna remain “exposed” to unacceptable risk appears to dismiss the suite of management plans proposed for birds, lizards, and invertebrates, which include pre-clearance surveys, exclusion zones, salvage protocols where avoidance is not practicable, and ongoing monitoring. These measures are not reactive in nature; they are designed to reduce the likelihood and magnitude of effects occurring in the first instance. The submitter also does not acknowledge the significant benefits that will accrue to indigenous fauna as a result of sustained, landscape-scale control of predators and feral ungulates. Hydrological and vegetation management measures are similarly substantive rather than procedural. Direct wetland loss is tightly constrained, indirect effects are addressed through avoidance buffers and hydrological controls, and residual effects are transparently identified and addressed through restoration, enhancement, and sustained pest animal and plant control.

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		The proposed offsetting and compensation proposal does not prioritise procedural compliance over ecological outcomes. It applies the effects management hierarchy in a structured and orthodox manner, with avoidance and minimisation embedded in design, and residual effects addressed through enforceable offsetting and compensation measures.
53	**Review of - Measures to Remedy Potential Adverse Effects** The reliance on procedural measures such as planting, topsoiling, and monitoring, without enforceable ecological performance criteria, means the proposed "remediation" remains largely theoretical. Under RMA s6(c) and Southland RPS obligations, which require protection of rare, threatened, and functionally critical habitats, these measures do not adequately compensate for the immediate or long-term loss of ecosystem function. The assumption that effects can be "fully remediated" within 5–15 years is not supported by ecological evidence and fails to account for irreversible functional losses.	The restoration of ecosystem function requires that all or most of the biotic and abiotic elements are present and/or can be returned to a restoration site. Confidence that the proposed Project remediation sites can be fully restored, including critical ecological processes, is based on the proportionately small areas of loss of each habitat/vegetation type and the presence of the key biotic elements in close proximity to the remediation sites. Furthermore, the control of animal pests, and in some locations, complete removal of ungulates, will serve to boost ecosystem function considerably compared to the present state. The consent conditions include a series of restoration performance parameters that must be met to ensure the projected species diversity and required canopy cover are achieved. After those targets are achieved natural processes, driven by the indigenous flora and fauna surrounding the Project-affected areas, will ensure that natural succession continues.
54	**Review of - Minimisation of Effects on Indigenous Terrestrial Vegetation and Wetlands** Avoidance measures are presented as provisional rather than guaranteed. The stated reductions in impact areas for high-value forests and wetlands are described only as "indicative" and remain dependent on later detailed design, meaning they do not secure actual ecological protection. The proposed 2.5 ha cap on wetland clearance is an arbitrary limit that does not address functional loss of wetland ecosystem services, invertebrate habitat, or faunal connectivity, nor does it prevent hydrological or edge effects on surrounding bog and fen systems. As a result, sensitive wetland types remain vulnerable to substantial disturbance despite the appearance of quantified avoidance. Hydrological measures (culverts, bunds, 10-year ARI design; Sections 228–231) rely on modelling that does not account for cumulative construction impacts. Predicted "low impairment" of wetlands is not supported by empirical evidence and risks breaching RMA s6(c)obligations. Replanting and revegetation are insufficient for long-lived or sensitive habitats, and post-construction weed control and monitoring are reactive and offer no certainty of ecological recovery. Under RMA s6(c), Southland RPS, and Policy 6 of the National Policy Statement for Freshwater Management 2020 (NPS-FM), natural inland wetlands and their values must be protected. Residual effects on wetlands and high-value vegetation remain moderate to high, not negligible, based on the information presented in the assessment.	Contact and its advisors do not agree with the characterisation of avoidance and minimisation measures as provisional or uncertain. High-value indigenous vegetation and wetlands have directly informed Project layout through iterative design refinement, resulting in defined impact limits that are secured through consent conditions and constrain detailed design. The wetland clearance cap is not an arbitrary threshold. It represents a hard upper limit derived from detailed field mapping and application of the effects management hierarchy. Importantly, the assessment does not rely solely on areal loss to characterise effects. It also evaluates functional effects, including hydrological connectivity, and incorporates mitigation measures designed to maintain wetland function rather than simply retain vegetation cover. Hydrological minimisation measures—such as culverts, bunding, and construction controls—are appropriate effects management measures. Their performance is supported by conservative design assumptions and monitoring requirements (as per the conditions of consent). The suggestion that replanting and revegetation are relied upon to offset impacts to long-lived or sensitive habitats mischaracterises their role. Restoration and enhancement measures are applied to address residual effects, not to claim immediate equivalence with lost habitats. The assessment recognises time lags and uncertainty, and does not assert full replacement of bog, fen, or mature forest systems. The submitter has also ignored the ecological benefits of (i) undertaking enhancement planting within the 245-ha fenced area at Jedburgh Station and (ii) restoring and enhancing almost 12 hectares of degraded marsh wetlands at Davidson Road East. Overall, the approach reflects a correct application of the effects management hierarchy under the RMA, with avoidance prioritised, minimisation applied where necessary, and residual effects transparently addressed. The conclusions reached are proportionate, evidence-based, and consistent with the Southland RPS, which requires protection of significant values while allowing for proportionate effects management rather than absolute prohibition. Contact and its expert advisors do not agree that the residual effects on wetlands and high-value vegetation will remain moderate to high after offsetting and compensation measures have been applied.
55	**Review of - Minimisation of Effects on Indigenous Birds During Breeding Season** The minimisation measures for indigenous birds during the breeding season (Sections 235–238) are superficial and insufficient to prevent significant disturbance or population impacts. Avoiding clearance only where "practicable" and relying on pre construction surveys leaves high-risk periods and sensitive species exposed. Setbacks of 50 m for Threatened/At Risk birds and 25 m for	Breeding season protection measures exceed standard industry practice and include mandatory pre-clearance surveys, enforceable setback distances, and species-specific protocols for Threatened and At Risk birds. The ability to adjust setbacks on a case-by-case basis does not weaken protection; rather, it allows a suitably qualified ecologist to apply more appropriate buffers where ecological context warrants it.

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	others are conditional and can be reduced case-by-case, undermining protection. These measures do not fully address cumulative disturbance, the potential loss of active nests, or functional impacts on local breeding populations, falling short of RMA s6(c) obligations to safeguard significant indigenous fauna.	These measures are supported by compliance monitoring and incident response requirements, ensuring that impacts on breeding birds are avoided or minimised.
56	**Review of - Minimise the Potential for Collisions with Power Lines** The proposed transmission line mitigation measures (Sections 239–242) are conditional and partial. While rerouting avoids the Dunvegan Wetland Complex, the remaining line still traverses marsh wetlands and high-value forest, leaving birds including threatened species at risk. Reliance on dynamic flappers and other diverters assumes long-term durability and consistent effectiveness, yet these devices are vulnerable to wear and their performance can vary by species and environmental conditions. Effectiveness data are largely drawn from overseas studies (e.g., Ferrer et al., 2020), and may not reflect local avifaunal behaviour. These measures do not fully satisfy RMA s6(c) obligations to protect significant indigenous fauna, nor do they address cumulative collision risk across the broader site.	Transmission line mitigation has been designed using a precautionary hierarchy: avoidance of the highest-risk areas first, followed by physical design controls and line marking where avoidance is not practicable. While diverter effectiveness varies among species, their use is widely recognised as a best-practice mitigation measure and is supported by ongoing monitoring. The Project does not rely on mitigation devices alone, but on a combination of route selection and adaptive management should monitoring indicate unexpected collision rates. No bitterns were recorded from the Port Blakely marsh wetlands during acoustic surveys undertaken in bittern breeding season.
57	**Review of - Post Construction Avifauna Monitoring** The proposed avifauna monitoring framework does not meet the directive of RMA s6(c) because it accepts harm as inevitable and only measures it after birds have been injured or killed. Quarterly surveys and carcass searches around only a subset of turbines cannot detect real-time impacts on Threatened and At-Risk species, whose breeding cycles, mortality events, and behavioural displacement can occur rapidly and go unnoticed between monitoring periods. The compensation trigger (Section 248) further entrenches a permission to-kill structure, where only after mortality reaches a predetermined threshold does any remedial action occur. This framework documents harm rather than preventing it, meaning significant adverse effects on indigenous avifauna are only managed after ecological loss has already occurred.	Post-construction monitoring is proposed to detect, quantify, and respond to any collision effects. The monitoring programme has been designed to be statistically robust, proportionate to risk, and capable of triggering enforceable management responses, including compensation where required. This approach reflects established practice under the Wildlife Act and RMA, recognising that some residual risk may remain despite avoidance and mitigation. Importantly, this approach has been used for other wind farms around New Zealand.
58	**Review of - Mitigation Effects on Lizards** The lizard mitigation package is essentially an administrative gloss over habitat loss, not genuine protection. Salvage-and-relocation, a method known for high mortality is treated as a default solution simply because habitat is being destroyed. Installing tree additional cover objects weeks or months before clearance assumes geckos will conveniently move into artificial structures, despite no evidence this reliably occurs for site-faithful species like Tautuku gecko. Soft-release pens and “enhanced” release sites are speculative fixes that cannot replicate the microhabitat, thermal conditions, or prey networks being permanently removed. There is no proof these areas can support displaced populations without severe stress or predation losses. These measures fail the basic threshold of RMA s6(c) as they do not protect significant indigenous fauna, instead they facilitate its removal.	Salvage and relocation are is an appropriate effects management measure. The Lizard Management Plan has been developed in accordance with DOC guidelines and incorporates species-specific methods, soft-release protocols, predator control, and long-term monitoring to maximise survival and establishment success. While translocation carries inherent risk, the alternative—unmanaged habitat destruction—would result in near-certain mortality. The proposed approach therefore represents the most ecologically responsible option available. In addition, significant improvements in lizard habitat are expected from the sustained control of feral deer, pigs, and possums.
59	**Review of - Mitigation Effects on Invertebrates** The invertebrate mitigation framework treats salvage as an all-purpose solution, ignoring that most invertebrate species particularly the Helms’ stag beetle are highly sensitive to microhabitat disruption, soil moisture shifts, and changes in decaying- wood structure that cannot be re-created elsewhere. The Terrestrial Invertebrate Management Plan and the Stag Beetle Management Plan rely on pitfall trapping, relocation of log piles, and “enhanced” release areas, yet none of	The invertebrate mitigation framework recognises the limitations of translocation and explicitly avoids treating salvage as a universal solution. Measures focus on retaining habitat in situ where possible, minimising disturbance, relocating microhabitats, and enhancing long-term habitat quality through pest control and ungulate exclusion. For Helms’ stag beetle and other notable taxa, mitigation measures are precautionary and conservative, and are supported by monitoring to assess effectiveness and inform adaptive management.

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	these measures are backed by empirical evidence demonstrating long-term survival or population viability after translocation. The incidental-discovery protocol (Section 258) effectively formalises ignorance by assuming un-surveyed areas are "low potential," despite the cryptic nature of many Threatened and At Risk invertebrates. Moving surface logs does nothing to replicate the fungal, microbial, and moisture regimes they require. Concentrating salvage in three areas and releasing beetles into an untested "Ecological Enhancement Area" treats a nationally significant species as debris to be cleared. Predator control and ungulate exclusion are speculative offsets, not protection. The measures manage displacement, not survival, and therefore fail to meet RMA s6(c)'s requirement to protect significant indigenous fauna.	Significant improvements in invertebrate habitat are expected from the sustained control of feral deer, pigs, and possums, and exclusion of stock from the 245 ha Jedburgh Plateau Ecological Enhancement Area. The control of rats, feral cats, and mustelids will also significantly improve invertebrate numbers. In addition, approximately 1.6 ha of indigenous planting is proposed at key areas on the Jedburgh Plateau to enhance habitat and connectivity for less mobile invertebrate species.
60	**Review of - Level of Residual Effects after efforts to Avoid, Remedy and Mitigate Effects** The section reframes a large, irreversible ecological loss as a tidy numerical exercise. Stating that 63.74 ha is "only 2.1%" of significant vegetation obscures the actual ecological consequence: the loss includes irreplaceable wetland sequences, low- stature shrublands, and copper-tussock systems that are regionally scarce and functionally non-substitutable. RMA s6(c) protection duties attach to significance, not to percentages of a footprint. Clearance caps and deferred mitigation through detailed design do not prevent permanent destruction of sensitive habitats. Residual effect ratings rely on assumptions and low detectability rather than evidence, downplaying impacts on Threatened or At-Risk species. Combining construction and operational effects in one table (Table 7) conceals cumulative impacts, while sensitive features such as bogs, rātā–kāmahi forest, bittern, geckos, and keystone species still face "Moderate" to "High" effects, contradicting claims that impacts have been fully avoided, remedied, or mitigated. This demonstrates that significant ecological effects remain, contrary to RMA s6(c) obligations to protect significant indigenous ecosystems.	Residual effects are not dismissed on the basis of percentage area alone. Significance has been assessed against the criteria in the Southland RPS. While some residual effects remain moderate, they are addressed through enforceable offsetting and compensation measures designed to achieve long-term ecological gains at a landscape scale. Contact and its expert advisors reject the statement that potential impacts on Threatened and At Risk species have been downplayed. In contrast, we have taken an overtly conservative approach when assessing factors such as ecological value and magnitude of effect.
61	**Review of - Management of Residual Effects** The approach assumes that all residual effects ranging from Moderate to Very High on vegetation, and including sensitive species can be fully addressed through biodiversity offsets or compensation. This is a fundamental flaw: high-value, site- specific habitats (e.g., bogs, rātā–kāmahi forest) and cryptic fauna cannot simply be "replaced" elsewhere without significant functional loss. Offsets do not restore the original ecological interactions, hydrology, or species assemblages, particularly for threatened or highly localised species. The framework treats potential species presence (e.g., herbfield and green skinks) as something that can be mitigated post-hoc, relying on assumptions rather than empirical verification. There is no guarantee that relocation, habitat enhancement, or predator control will succeed, and long-term monitoring and enforcement are uncertain. The generic "biodiversity offsetting package" conceals species-specific and cumulative impacts, falsely implying all residual effects are manageable. High-value habitats and threatened species will still face significant, unavoidable harm, rendering the approach inconsistent with RMA s6(c) and undermining its credibility.	The Project does not assume that all residual effects can be "fully replaced." Rather, offsetting and compensation are applied selectively and in accordance with recognised biodiversity-offsetting principles. Species-specific management plans, long-term monitoring, and enforceable performance standards and targets (set out in the consent conditions) ensure that residual effects are transparently managed rather than assumed. Regarding bog and fen, the application is clear that compensation will be used to address loss of extent (rather than offsetting), acknowledging that the proposed wetland restoration at Davidson Road East is not "like for like". It appears the commenter is claiming that undertaking landscape-scale pest animal control and excluding ungulates is a futile exercise, when there is plenty of evidence to suggest otherwise.
62	**Review of - Biodiversity Offsetting and Compensation** The proposed biodiversity offsetting and compensation framework is largely aspirational, relying on broad principles such as no net loss, like-for-like	The offsetting and compensation framework is not aspirational but operational, with defined locations, management actions, performance targets, and monitoring obligations secured through consent conditions. The framework distinguishes

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	restoration, and long-term outcomes, without demonstrating how these will be implemented or enforced in practice. By combining offsets and environmental compensation, the framework does not clarify how ongoing or unmitigated impacts on high-value or irreplaceable habitats will be addressed. The proposal does not provide enforceable, site-specific targets for maintaining ecological function, connectivity, or the timing of ecological benefits. Based on the information presented, significant residual effects remain unaddressed, and the approach does not satisfy the precautionary requirements of RMA s6(c).	between offsets (for measurable losses) and compensation (for residual effects that cannot be offset), ensuring that ecological outcomes are appropriately matched to impact type.
63	**Review of - Limits to Offsetting and the Jedburgh Plateau** This section is highly problematic and overly optimistic. The argument that Jedburgh Plateau wetlands and terrestrial habitats are not highly vulnerable or irreplaceable (paras. 286–289) minimises both their ecological significance and sensitivity. Past land use and ongoing grazing impacts do not negate the intrinsic value of these ecosystems, nor do they justify treating them as easily off-settable. The claim that pest control, fencing, and habitat enhancement across the plateau will compensate for significant residual effects (paras. 290 299) relies on unproven, large-scale interventions and assumes perfect implementation and ecological recovery, which is rarely achieved in practice. The proposed offsetting and compensation approach conflates enhancement of degraded habitat with genuine replacement of lost ecological function. It ignores that certain habitats such as bogs, fen wetlands, and high-value forest remnants cannot be meaningfully recreated or replaced elsewhere. Assertions of Net Gain or Net Positive outcomes are speculative, lack site-specific empirical validation, and fail to address cumulative effects, connectivity loss, or the precautionary principle under RMA s6(c). In short, the measures presented cannot reliably neutralise the ecological harm caused by the Project.	The assessment does not suggest that Jedburgh Plateau habitats lack value or are easily replaceable. Rather, it recognises variability in vulnerability and resilience across habitat types and applies offsetting only where ecologically appropriate. Enhancement of degraded habitats is not presented as equivalence for irreplaceable systems, but as a means of delivering meaningful ecological improvement in areas currently underperforming. The submitter ignores that habitats such as manuka forest and scrub and southern rata-rimu forest have lost some of their ecological function due to the depredations of deer, pigs, and possums. Contact and its expert advisors reject the claim that large-scale interventions such as aerial pest control are unproven when the evidence suggests otherwise.
64	**Review of - The Package of Measures to address Residual Effects** The proposed "package" relies heavily on large-scale pest control, fencing, enrichment planting, and habitat enhancement across multiple areas (Jedburgh Plateau, Ecological Enhancement Area, Copper Tussock Enhancement Area, Davidson Road Wetland Restoration Site) to compensate for unavoidable habitat loss and residual effects on fauna (paras. 300–326). While these measures may improve some local conditions, they assume perfect implementation, long-term maintenance, and ecological responsiveness, which are rarely achieved at this scale. There is little empirical evidence that such interventions can fully offset the loss of sensitive habitats such as bogs, fens, or southern rātā–kāmahi forest, or the impacts on threatened species including skinks, geckos, invertebrates, and wetland birds. Post-construction monitoring and species-specific compensation measures for avifauna are reactive rather than preventative, accepting some level of avoidable mortality and deferring action until impacts occur. The use of expert panels and research funding does not guarantee ecological outcomes and risks obscuring actual losses. Overall, the programme conflates enhancement of degraded habitats with true replacement of lost ecological function, ignores cumulative impacts and connectivity loss, and falls short of the precautionary principle required under RMA s6(c).	The integrated and broad-spectrum package of predator control, fencing, habitat restoration, monitoring, and species-specific management has been designed to operate collectively rather than as isolated interventions. While no package can eliminate all uncertainty, the scale, duration, and enforceability of these measures represent a level of ecological investment that materially exceeds the status quo and delivers long-term biodiversity benefits, particularly when accounting for the proposed 10,000 hectares of aerial pest control (for the life of the project) in the Beresford Range. Again, the commenter has not considered how ecological function for many habitats is currently being impeded by browsing animals and other pests, e.g. suppressed regeneration, reduced habitat function for fauna. Overall, residual effects have been acknowledged, transparently managed, and balanced against demonstrable ecological gains.
Concluding comment: response provided by Mitchell Daysh and Buddle Findlay		
65	**Conclusion** At this crucial time when national institutions and decision makers have degraded levels of public trust, protecting Slopedown from inappropriate development is an opportunity to illustrate to the broader population and	Contact disagrees with the submitter and considers it has no expert basis for the conclusions in this statement. The Southland Wind Farm Project has been informed by extensive expert evidence and the proposed management measures have been designed to adhere to best practice principles and in consultation with stakeholders, including the relevant Councils, Te Ao Marama and the Department of Conservation. Contact is proposing to implement a range of measures that

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	specifically affected communities that systems of accountability are adhered to. Protection from compounding industrialisation, particularly in highly sensitive ecological environments, is in the national interest. Preservation of these high value landscapes has active precedents which defend their outstanding natural features. The proposed Southland Wind Farm has persistent baseline gaps, poor mitigation strategies and failed to convince the expert Environmental Protection Agency panel in 2025. Overturning the EPA precedent risks collapse of public buy-in as participants in the democratic process, and will have an undeniable permanent legacy of large companies being perceived as circumventing the rules and being permitted to degrade the landscape and risk further pressure on the already Threatened - Nationally Critical fauna for their profits.	will address potential effects of the Project, and a comprehensive offsetting and compensation programme to address residual effects that is expected to result in a net ecological gain. Whilst the Project was previously declined under the Covid Fast-track legislation, that decision was flawed for a number of reasons, as set out in detail in the appeal to the High Court included in the application documents. In any event, the Project is being considered under different legislation which requires the Panel to give the greatest weight to the benefits of the Project, which are substantial both in a regional and national context as outlined in detail in the application documents.