Introduction

1. Thank you for the opportunity to provide comment on the Southland Wind Farm Fast Track Application.
2. These comments are provided on behalf of Southland District Council (**'SDC'** / **'Council'**) in response to the application by Contact Energy Limited (**'Applicant'** or **'Contact'**) for its Southland Windfarm Application under the Fast Track Approvals Act (**'FTAA'**) 2024.
3. Council is adopting a neutral position with regards to this proposal, reflecting the divergence of views received from the community to date. However, in providing these comments Council wishes to assist the Panel in their deliberations to ensure, in the event the proposal is approved, adverse effects can be appropriately managed and where possible, positive outcomes can be achieved for the community and environment.
4. Notwithstanding the varied views of the community with regards to the proposal, Council would like to acknowledge and thank the Applicant for their willingness to engage with Council in discussions on the application prior to lodgement of the fast track application, and continuing engagement to seek solutions to potential issues of concern to the community following lodgement.
5. Having considered the application, the assessment of environmental effects ('**AEE'**) and supporting material, the Council wishes to confirm its position on the on the Southland Windfarm proposal is neutral, reflecting the mixed views of residents. Council's neutral position is based on the view that the potential adverse effects of the proposal can be managed and in recognition of the economic and social benefits the development and ongoing operation of the windfarm will provide for the Southland district and across the wider region.
6. In reviewing the application material, SDC have taken guidance from Council staff and independent experts who previously provided advice on the application made by Contact under the COVID-19 Recovery (Fast-track Consenting) Act 2020. These include:
    a. *Ralph Henderson, Senior Principal / Planner, Boffa Miskell Limited (**'BML'**)*
    b. *Rhys Girvan, Senior Principal/ Landscape Planner, BML*
    c. *Glenn Davis, Managing Director / Ecologist, e3Scientific Limited (**'e3Scientific**')*
    d. *Jeremy Trevathan, Principal Acoustic Engineer, Acoustic Engineering Solutions (**'AES'**)*
    e. *Nick Lewis, Roading Contract Manager, SDC*
    f. *Courtney Officer, Compliance Team, SDC*
7. Technical reports supporting Councils comments include a peer review of acoustic effects (Appendix 1), a peer review of ecological assessments (Appendix 2) and a peer review of the landscape assessments (Appendix 3).
8. In addition to the technical reviews undertaken by Council, feedback from the Waihopai ToeToes Community Board (WTCB) has been received by Council and is provided in these comments to bring issues of importance to the local community to the panels attention (Appendix 4).
9. To assist the Panel an annotated set of conditions has been provided in Appendix 5 reflecting comments or recommendations from Council's experts.

10. Expert input has been primarily based on desktop reviews of the application documents and other information available. Due to the isolated location and size of the application site, arranging a site visit that meet the differing needs of ecological and landscape peer review assessments was problematic and would represent a significant cost to the community, particularly where helicopter access is a virtual necessity. However, during the drafting of Mr Girvan's peer review we determined a site visit was essential to enable him to fully understand the significance of landscape elements present on site and to provide advice that would be of assistance to the panel. Council appreciates the efforts of the Applicant arrange the site visit and the effort of their landscape experts to make themselves available to enable this.
11. Overall, SDC are satisfied that the proposal is broadly consistent with the objectives and policies of the Southland District Plan (**SDP**) and are satisfied that environmental effects can be appropriately managed. However, there are a number of areas, including assessment and information gaps, that are identified in this document for the panel's consideration. These are structured as topics for the panel's consideration and each of these topics will be addressed in turn in the following sections.
12. While the experts above have provided commentary relating to the effects of application, and in some cases the effectiveness of the conditions proposed, we note that further changes may occur. Council have also suggested some further changes to draft conditions (attached as Appendix 5) specifically around those annotated 'SDC'. Consequently, SDC would welcome further opportunity to participate in the process of hearing the application and consent refinement to resolve outstanding issues that Council may be required to administer.

Topic 1: Roading & Transportation

13. The roading and transportation requirements for the construction and operation of the proposed wind farm are outlined in Section 2.14 of the application. The development of the wind farm will involve considerable vehicle movements to and around the subject site, including the use of over-dimension and over-weight vehicles to transport turbine components from port to site, and the import of aggregate for roading and turbine foundations.
14. The application was provided to relevant Council departments for comment on roading and transportation issues. Feedback from Nick Lewis, SDC Roading Contract Manager, has not identified any significant concerns with the proposal but has provided comments on the relevant conditions and management plans.
15. The conditions proposed by the Applicant include a requirement for transportation network assessment, inspections and monitoring to be submitted to the road controlling authority prior to, during and post construction work through a Construction Traffic Management Plan ('**CTMP'**) process.
16. Condition TR2 sets out the matters to be included in the CMTP to address the effects of the proposal.
17. Mr Lewis noted that Condition TR2 (g) only identifies the requirement for the Applicant to consult with Gore District Council. The matters included in TR2 (g) are also relevant to other territorial authorities and it is recommended that this condition is altered to include SDC and Invercargill City Council.
18. Mr Lewis noted that Section 4.3 of the draft CTMP provided with the application identifies construction traffic impact mitigation measures. Paragraph 2 and 3 of Section 4.3 identify the need to create passing bays on long single-lane straights to accommodate two-way traffic with minimal disruption. Paragraph 3 references the passing bays will be designed in dimensions

agreed in consultation with Gore District Council. We consider that Paragraph 3 should be amended to include consultation with SDC regarding the appropriate dimensions of passing bays to be formed on roads within the district.

19. Section 6.1 of the CTMP identifies a list of locations where roading and intersections may require temporary works to enable the movement of over-dimensional loads. Mr Lewis notes that the intersection of Ferry Street and Balaclava Street should be included in this list as this intersection includes central islands.

20. Overall, the effects on the roading and transportation network remain similar to the previous application lodged by the Applicant under the COVID-19 Recovery (Fast-track Consenting) Act 2020 and Council remain of the view that the assessment of effects adequately identifies the issues likely to affect the Council roading network and the conditions and CTMP will enable Council's roading requirements or issues can be addressed through this process.

Topic 2: Acoustic Impacts

21. Mr Jeremy Trevathan of Acoustic Engineering Services (**AES**) was engaged by Council to provide a peer review of the noise assessment supporting the wind farm application.

22. Mr Trevathan identified and reviewed the following documents as relevant to noise emissions:

    - Application document titled Part A – Overarching Substantive Application Document, as prepared by Mitchell Daysh, and dated the 22nd of August 2025.
    - Application document titled Part B – Approvals Relating to the Resource Management Act 1991, as prepared by Mitchell Daysh, and dated the 22nd of August 2025.
    - Application document titled Part H – Southland Wind Farm Technical Assessment #11: Noise, as prepared by Marshall Day Acoustics, and dated the 18th of August 2025.
    - Application document titled Part H – Southland Wind Farm Technical Assessment #12: Transport, as prepared by Stantec, and dated the 18th of August 2025.
    - Application document titled Part I – Proposed Southland Wind Farm Consent Conditions, as prepared by Mitchell Daysh, and dated the 22nd of August 2025.
    - Application document titled Part J – Southland Wind Farm Construction Noise Management Plan, Draft Issue, as prepared by Marshall Day Acoustics ('**MDA**'), and dated the 9th of June 2025.

23. In response to engagement with the Applicant prior to and following lodging of the application, Mr Trevathan has provided the following review:

    - Contact Energy Southland Wind Farm Fast-Track Consultation Comments on noise related matters, AES, 14 October 2025

24. Mr Trevathan's peer review is attached at Appendix 1.

25. Mr Trevathan indicated that operational wind turbine noise and construction noise modelling approach is in line with standard industry practice, and the predicted noise emissions are generally reasonable and cumulative wind farm emissions from the Kaiwera Downs Wind Farm have been considered.

26. Mr Trevathan agrees with the Applicant that the high amenity provision for wind turbine operational noise is not appropriate in this case based on the measured ambient noise levels and nature of the receiving environment, with the resulting noise limit being 40 dB LA90 or the background noise level + 5 dB, whichever is greater.

27. Overall, Mr Trevathan considers the proposed conditions to address acoustic effects are generally in line with standard practise and will ensure the noise effects of the construction and operation of the wind farm can be adequately managed and has provided the following comments on the appropriateness of conditions or areas where additional clarification may be required:

    - Condition G6 requires the Consent Holder to construct, operate and maintain the project in accordance with all certified management plans and any subsequent amendments or updates. This is appropriate where the management plans have been thoroughly reviewed prior to approval, as is required by the individual Conditions specific to each plan.
    - Condition G6A requires the provision of detailed drawings and design reports specifying how the project is consistent with the approved scheme a minimum of three months prior to construction. This is appropriate.
    - Conditions MP1 and MP2 require the provision of a Construction Noise Management Plan ('**CNMP**') within a wider Construction Environmental Management Plan ('**CEMP'**) prior to the commencement of construction activities, to be prepared by a Suitably Qualified and Experienced Person ('**SQEP**'). Conditions MP4, MP4A, MP5, and MP6 outline the requirements for Independent Management Plan Reviewer(s) to be appointed to review draft management plans and provide feedback to be adopted prior to the plans being submitted to applicable District and Regional Councils for final review. While this is generally appropriate, I note that the only prescribed timeframe is that the Councils are provided the plans 15 days before construction commences, which places the emphasis on the Consent Holder to prepare the draft plans sufficiently in advance for the Independent Management Plan Reviewer(s) to be able to conduct an appropriately detailed review. It may be preferable to stipulate that this stage is completed at least 30 days prior to construction commencing.
    - Condition MP9 requires the management plans to be resubmitted for certification if the relevant Councils recommend changes or decline the plans. This is appropriate, although it may be preferable to include a clarification that in this scenario construction is not to be permitted to proceed until all relevant plans have been certified.
    - Conditions MP10 and MP11 outline the procedures where minor amendments or more significant changes are made to management plans and are generally appropriate. However I note there may be need for clarity in MP11 around whether significant changes to the plans should result in a ceasing of construction activity until the plan has been certified.
    - Conditions WF1, WF2, and WF4(a) provide limitations on the number of turbines, their maximum height, and location. These conditions are appropriate.
    - Condition WF3 requires all turbines within SWF to be a similar size and type with three blades, and notes that external transformers at the base of the tower are permitted, which is generally appropriate. However, if different turbine models or layouts are adopted currently this condition would permit a higher level of noise generation than has been assessed in the NEA while still complying with the proposed noise limits. It is unclear at this stage whether this would have any material impact on noise effects at neighbouring sites, but it may be beneficial for this to be considered in the scenario that an updated assessment is required.
    - Conditions WF15, WF17, WF18, WF19 and WF20 provide limitations on the number, location and heights of temporary construction compounds, concrete batching plant, and permanent buildings associated with the project. These conditions are appropriate.
    - Condition NO1 outlines that noise from all activities associated with the construction of the project shall be measured and assessed and controlled in accordance with the requirements

and long term activity noise limits outlined in NZS 6803:1999. In this case, it appears that it is practicable to comply with such a Condition, and so the proposed wording is appropriate.

- Conditions NO2 and NO3 outline the requirements for an SQEP to prepare a CNMP with regard to the requirements of Section 8 of NZS 6803:1999 and the requirements to adopt best practicable options for minimising noise outlined in Section 16 of the Resource Management Act. This is appropriate, and I consider that the list of items for inclusion outlined in condition NO3 is generally suitable assuming that noise management for night-time heavy vehicle movements is appropriately outlined in the conditions relating to a Transport Management Plan. I note that I have reviewed the draft CNMP provided in support of the Application and consider it to be generally appropriate, subject to being updated to refer to final consent conditions and activity descriptions.
- Condition NO5 requires that all wind turbines are constructed, operated and maintained to ensure that noise generated by SWF complies with the requirements of NZS 6808:2010; namely that noise emissions from operation of the project do not exceed a limit of 40 dB LA90 or the background noise level + 5 dB, whichever is greater. An advice note is provided which clarifies that this results in the noise limits applying at neighbouring dwellings (i.e. not on the project site) that exist or are permitted by a Resource Consent or Building Consent at the time of commencement of the Resource Consents associated with the project. This is an appropriate control, although for clarity I recommend that the wording is changed to reflect that this applies to noise from wind turbine operation rather than the project as a whole, as non-turbine operational noise is subject to other controls. Condition NO5 also includes a note that where the 'background +5 dB' approach is applied, wind turbine generation from existing operational wind farm activity in the locality shall be excluded from the background noise levels via calculation. This approach is in line with Clause 5.6.3 of NZS 6808:2010 and is appropriate.
- Condition NO6 requires an updated prediction report to be provided 20 days prior to the installation of any turbine associated with SWF, and notes that it should be in accordance with Clause 8.4.2 of NZS 6808:2010. This Clause is applicable where a consenting envelope approach is adopted and notes that if the selected turbine layout has not changed since the initial prediction report and the sound powers of the selected turbines are the same or lower, an updated report is not required. The condition also notes that any wind turbine controls required to comply with the consented noise limits must be implemented before the turbines commence operation. Overall the condition is appropriate.
- Condition NO7 requires that wind farm sound is measured and assessed in accordance with NZS 6808:2010, including a narrow band tonality test. This is appropriate.
- Condition NO8 requires a compliance assessment in accordance with Clause 8.4.1 of NZS 6808:2010 to be prepared by a SQEP within three months of commissioning of the final wind turbine associated with SWF, with assessments conducted at each of the six neighbouring dwellings identified in the NEA. I note that Clause 8.4.1 of NZS 6808:2010 includes an additional requirement for scenarios where a staged development approach is adopted, in which case separate compliance assessments are required at the completion of each stage. While currently a staged approach has not been proposed, I recommend that the wording of the condition is adjusted to make reference to the requirements. The condition includes requirements for mitigation to be implemented in scenarios where non-compliances are identified, unless it can be shown through testing that SWF is not responsible for the exceedances. While this is generally beneficial to include, this approach may not provide sufficient protection for affected receivers where there is no specified timeframe for mitigation

works to be implemented in, or instructions for ceasing of operation until remediation has occurred.

- Condition NO9 outlines the applicable noise limits for non-turbine operational activities, depending on the time of day and the location of the receiving site. The noise limits are appropriate in the context of the various District and Regional Plans that are to be considered. The condition also notes that noise shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008 except where otherwise specified, which is appropriate.
- Conditions SC1 – SC10 outline the stakeholder communication and engagement processes for the project during construction and operation, including complaints procedures. I consider that these processes and procedures will be generally appropriate for assisting with the management of noise related effects.
- Condition TR1 outlines the requirement for a Construction Traffic Management Plan to be provided as part of the overall CEMP, and Condition TR2 outlines the minimum information to be included in the plan. While I consider that the requirements are generally appropriate, as discussed above I consider that noise effects associated with night-time wind turbine component deliveries require further consideration, and would recommend that clause e) of Condition TR2 is amended to include a sub-point relating to management of noise emissions, along with reference to any specific mitigation measures that may arise following further discussion about noise effects.

28. Where Mr Trevathan has recommended amendments, these have been provided in the annotated conditions in Appendix 5.
29. In addition to the specific comments on conditions of consent Mr Trevathan made a number of additional observations regarding the proposal.
30. Mr Trevathan noted that the estimates of noise generated from within the workshop associated with the Operational & Maintenance facility appears to rely on any external doors being closed. Mr Trevathan recommended that clarity be provided around the mechanisms to ensure that work was generally undertaken with the doors closed be included in the CNMP to reflect this assessment or alternatively confirm that compliance can be achieved with the roller doors of the workshop open.
31. Mr Trevathan has reiterated his concern regarding the noise generated during the transport of wind turbine and electrical components to the site from Invercargill.
32. In relation to noise generated by daytime heavy vehicle deliveries associated with the construction of the project Mr Trevathan has agreed with the assessment by MDA that the increase in traffic noise is reasonable and does not require mitigation. However Mr Trevathan has reiterated his concerns regarding the effect of night time heavy vehicle movements along the transportation route to the site. The proposal will require frequent oversize convoys through populated areas, by Mr Trevathan's estimates 662 deliveries over 180 days. Further clarification of the delivery schedule and proposed noise mitigation measures is needed to fully understand how these effects will be mitigated.

Topic 3: Ecology

33. Mr Glenn Davis of e3Scientific was engaged by Council to provide a peer review of the ecological assessments supporting the wind farm application. This included an assessment of the following supporting technical reports:

    - Southland Wind Farm Technical Assessment #5: Terrestrial and Wetland Ecology, Nick Goldwater and Dr Kelvin Lloyd ('**Wildlands**')

- Southland Wind Farm Technical Assessment #6: Long-tailed Bat Effects, Gerardus Kessels and Ian Davidson-Watts
- Southland Wind Farm Technical Assessment #7: Review of Terrestrial and Wetland Ecology and Ecological Offsetting and Compensation, Roger MacGibbon

34. Mr Davis has noted that his assessment focuses on the work competed by Wildlands and Mr Kessels and Dr Davidson-Watts as they contributed to the primary ecological assessments.
35. In addition to the documents above, e3Scientific reviewed the following management plans prepared to support the application:
    - Vegetation Management Plan
    - Lizard Management Plan ('**LMP**')
    - Terrestrial Invertebrate Management Plan ('**TIMP**')
    - Avifauna Management Plan ('**AMP**')
    - Biosecurity Management Plan
    - Bat Management Plan
    - Habitat Restoration and Enhancement Management Plan ('**HREP**')
36. The application proposes an additional Terrestrial and Wetland Ecological Management Plan that will act as an overarching plan linking the management plans identified above. This management plan is not included in the application and consequently has not been reviewed at this time.
37. Following consideration of the application documents Mr Davis has provided the following review:
    - Review of Ecological Effects of the Contact Energy Proposed Southland Windfarm – Technical Review, e3Scientific, 10 December 2025.
38. Mr Davis's peer review is provided in Appendix 2:
39. The peer review by e3Scientific finds the work undertaken by Wildlands and Mr Kessels and Dr Davidson-Watts to be comprehensive and the characterisation of the ecological values provides strong basis for understanding the potential ecological effects of the windfarm and the management measures required to mitigate, offset and compensate for ecological effects that will occur.
40. Notwithstanding this, e3Scientific have identified a number of areas where additional information or amendments to the proposal would assist in ensuring ecological effects are appropriately managed.
41. Mr Davis considers it would be helpful to have a plan that spatially shows the areas of habitat quality for both the species recorded (tautoko gecko and tussock skink) and species that are possibly present (green skink and herbfield skink). This would assist decision makers to understanding the scale of habitat for each species compared to the areas subject to disturbance through development. Understanding the location of areas of low, moderate and high value habitat would assist in understanding the appropriateness of proposed management actions for particular areas identified in Figures 2a and 2b of the Lizard Management Plan ('**LMP'**), such as pre-clearance checks and salvage. This mapping would also be helpful for identifying the appropriateness of actions such as the mulching of vegetation in areas of potential lizard habitat.
42. Mr Davis notes that, although all high or very high ecological value vegetation will be avoided in the construction of fill disposal sites, approximately 80.97 ha of vegetation will be lost through the construction of fill disposal sites, including 23.68 ha of indigenous dominant vegetation. Wildlands

has assessed that the reinstatement of cleared vegetation within 12 months of the site construction will mitigate the effect of the temporal loss of this vegetation.

43. Mr Davis indicates he agrees with this view but considers it will be dependent upon rehabilitation work being completed to a high level. To ensure the desired environmental outcomes are achieved it will be critical that performance criteria for plantings are be established and rehabilitation is monitored throughout the process.

44. Currently Section 9.1 of the Habitat Restoration and Enhancement Management Plan ('**HREP'**) proposes a 90% target survival after 10 years is appropriate. Mr Davis suggests that 90% survival target should be bought forward to 5 years. If 90% is achieved through this period it is reasonable to assume the plants have established and the objectives have been met. In the event that survival falls below 90% within the first 5 years, the 10 year target would inevitably be missed, however the establishment of replacement planting at that time will increase the opportunity to reach 90% at 10 years.

45. Management of the residual effects on the loss of vegetation communities is through the suite of offsetting and compensation measures set out in the HREP. Mr Davis endorses all of the measures set out in the HREP and agrees that significant ecological benefits to the flora and fauna within the site can be achieved through successful implementation. However, Mr Davis notes that while extensive ground and aerial pest control is proposed within the Jedburgh Station Pest Control Area to minimise the browsing of regenerating vegetation stock the grazing of stock has not been excluded from this area.

46. Council endorses the management plans and consider significant improvement in habitat can be achieved through minimising effects on high value areas and activating ecological processes by controlling pests, predators and ungulates.

47. It is unclear whether the Applicant has any intention to enable the grazing within this area however Council considers this is a matter for clarification. The enhancement of ecological values and natural character within this area through the removal of pest species may be compromised if grazing is to continue and consequently the benefits identified may be less certain.

48. Mr Davis notes that the Applicant proposes to manage effects on fauna through a series of fauna specific management plans (e.g. the LMP, TIMP, AMP). The inclusion of the management plans with the application provides greater clarity regarding the implementation of measures required to mitigate, offset and compensate for ecological effects that will occur.

49. Mr Davis has reviewed the management plans and considers the identified measures are largely appropriate to mitigate the effects of the construction of the windfarm.

50. Mr Davis recommends the inclusion of an additional measure to mitigate the risk of adverse effects on lizards and invertebrates is appropriate. The application currently enables the mulching of cleared vegetation in areas where lizards have not been identified to be present. Mr Davis notes that even with the most thorough pre-clearance checks it is likely that tautoko geckos will be missed in areas that are being surveyed, particularly in areas of high value habitat.

51. To mitigate the risk of potential lizard fatalities Council recommended that the location of areas of high value habitat for the tautoko geckos in proximity to the areas of works are identified and the mulching of vegetation is precluded within these areas during construction.

52. In respect of the operational effects of the windfarm Mr Davis considers management response to the risks associated with the wind turbines and transmission lines have been well thought through and the mitigation proposed is of a very high standard with respect to deterring bird and bat

collision's, monitoring effects and management responses in the event monitoring finds effects on bats and birds exceed effects targets.

53. Mr Davis agrees with the view of Applicant's experts that the operational effects of the wind farm on birds and bats can be managed such that a low level of effect can be achieved and the provision of financial support to the Department of Conservation for establishment of pest control in the Beresford Range will make a significant contribution to protecting long tailed bat and wildlife in general, which should result in a significant benefit to invertebrate, bird and bat populations in this area.

54. Overall, Mr Davis is of the opinion that the suite of measures set out in the offset and compensation package are considerable and can result in the project achieving a net positive benefit for most of the ecological values recorded across the site

Topic 4: Landscape and Natural Character

55. Mr Rhys Girvan of Boffa Miskell was engaged by Council to provide a peer review of the landscape assessments supporting the wind farm application. This included an assessment of the following supporting technical reports:

    - Bradyn Thomas Coombs (H03 and H03A), 18 August 2025 ('**Isthmus Assessment'**)
    - Shannon Bray (H04), 18 August 2025 ('**Wayfinder Assessment**')

56. In response to engagement with the Applicant prior to and following lodging of the application, Mr Girvan has provided the following review:

    - Southland Wind Farm Summary Landscape Comments, Boffa Miskell, 5 December 2025

57. Mr Girvan's peer review is attached at Appendix 3.

58. Mr Girvan undertook a visit to the windfarm site accompanied by the Applicant's technical experts on 13 November 2025.

59. Mr Girvan as reviewed the visual simulations prepared by Isthmus and consider them to have been prepared in accordance with best practice and the assessments set out a comprehensive analysis of the existing landscape and its spatial scale, including an understanding of the area from which the potential windfarm may be visible.

60. Mr Girvan notes there remains some variation in expert opinion regarding the identification and subsequent description of what qualifies as an outstanding natural feature in the context of Southland's natural features and landscapes.

61. Both the Isthmus and Wayfinder assessments identify that the scarp upon which the SWF is located is likely a candidate to be an outstanding natural feature in accordance with Section 6(b) of the RMA. When evaluating the nature of potential outstanding landscape values, both assessments emphasise the nature of the singular landform feature comprising the steeper bush-clad scarp. Mr Girvan considers the delineation of the landscape feature is not predicated on mapping singular landform units and that natural features may encompass a combination of different attributes that it is the sum of these elements that creates a coherent feature.

62. The natural character of the site has been identified and assessed within both the Isthmus and Wayfinder assessments and both assessments draw on the ecological input provided by the Applicant's ecologists. Isthmus identify areas of high and very high natural character, including substantial areas of the Jedburgh Plateau, as well as the adjoining southern rātā-kamahi forest gully. In addition, the natural character values of the south branch of the Mimihau Stream are

identified as moderate-high. The Wayfinder assessment concludes that the Jedburgh Plateau is not a natural landscape due to degradation as a result of stock and pest-animal grazing.

63. The assessments by Isthmus and Wayfinder both categorise the landscape effects in the context of the proposal as being within a working rural environment.

64. In light of these assessments Mr Girvan reviewed the basis on which he previously identified the Slopedown / Mokoreta – Pukemimihau as a candidate outstanding natural feature ('**ONF**') as part of the Southland / Murihiku Regional Landscape Assessment ('**SMRLA'**). Mr Girvan remains of the view that Slopedown / Mokoreta – Pukemimihau merits consideration as a candidate ONF due to the combination of natural elements including topographic, vegetation and habitat features.

65. Mr Girvan agrees that in physical and visual terms, the proposed access and foundations of turbines generally avoid the more visible bush clad scarp, as usually seen from beyond the Site to the east, south and west.

66. However, Mr Girvan considers the impacts of constructing the wind turbines will occur throughout the dip slope, including disrupting then natural character of areas of regenerating shrubland, some forested areas and some limited areas of wetland on Jedburgh Plateau where effects cannot otherwise be avoided.

67. Mr Girvan considers a coherent natural system remains apparent within parts of the Jedburgh Plateau which contrast with surrounding exotic covered working farmland and plantation forestry. While rural land uses continue across parts of the dip slope, parts of the adjoining Jedburgh Plateau and the adjoining southern rātā-kamahi forest gully remain distinctively less modified and contribute to the legibility and coherence of the Slopedown natural feature when appreciated as a whole. Consequently Mr Girvan considers the underlying natural values do not neatly culminate along the scarp edge but are formed by a combination of the Jedburgh Plateau, including its natural values, and the strike ridge which read together as a coherent natural feature comprising 'Slopedown'.

68. The natural values on the dip slope are comparatively reduced compared to the steeper scarp slopes and adjoining rātā-kamahi forest gully; however Mr Girvan considers a level of naturalness remains evident and contributes to the overall coherence of the natural feature when considered as a whole and contrasts with the more managed rural landscape. Consequently, Mr Girvan disagrees with the conclusion of the Wayfinder assessment, that this cannot be considered a natural landscape.

69. The level of landscape effects ultimately relates to the consequence of landscape impacts on the specific values to be protected. Mr Girvan considers construction of the Southland windfarm would inevitably disrupt the dominant cover and sequence of indigenous forest which culminates along grassland and scrub upon the plateau that contributes to the naturalness of this area and, in considering impacts of the proposed windfarm in the context of the Jedburgh Plateau, such effects are more than moderate-low (minor).

70. In this context, Mr Girvan considers managing the potential for more significant adverse landscape effects depends on actively maintaining a clear distinction between the working rural landscape and the transition into what has been identified as a coherent natural feature when appreciated as a whole and will require ongoing measures to protect the important natural values which contribute to this coherence within the site from further degradation.

71. In terms of the visual effects of the proposal Mr Girvan has reviewed the findings of the Isthmus assessment and finds them to be credible, and on this basis agrees with the offer of off-site planting within private properties to reduce visual effects is appropriate where at least moderate adverse visual effects have been identified.

72. Mr Girvan considers the assessment of natural character undertaken by Isthmus, drawing on the ecological assessments of Wildlands and Ryder, to be consistent with natural character as envisaged by s6(a) of the RMA. However, he notes that Wayfinder consider the naturalness of these areas has been highly degraded as a result of stock and pest animal grading.

73. Mr Girvan is of the view that higher natural values extend across parts of the dip slope, particularly the southern rātā–kāmahi forest gully and parts of the Jedburgh Plateau, including a contiguous mosaic of induced and naturally occurring wetlands and natural habitats. Based on differences in opinion highlighted between the landscape planners the delineation of very high natural character throughout the Jedburgh Plateau remains a relevant matter through which the acceptability of the introduction of wind turbines in this area must be carefully considered.

74. With regards to the potential cumulative effects of the proposal in relation to the Kaiwera Downs Windfarm, Mr Girvan concurs with the views provided by Isthmus that the proposed windfarm will not give rise to significant adverse cumulative effects on landscape or visual amenity values.

75. Mr Girvan also agrees with the Isthmus assessment that measures which ensure adverse lighting effects resulting from the proposed windfarm will be addressed are necessary, including through ensuring this remains shielded from view below the horizontal. However the effects arising from nighttime lighting can be effectively managed in accordance with best practice.

76. The Isthmus assessment considered the landscape and visual effects from the electricity transmission infrastructure associated with the windfarm development, including up to 50 towers/ poles and structures. Mr Girvan concurred with the detailed Isthmus assessment that landscape and/ or visual effects of these elements are likely to be low or very low.

77. It is Mr Girvan's view that recognising and managing effects on the coherence of this natural feature has not operated as a primary constraint on the design and layout, and nor has this resulted in a refinement of the proposal to a point where landscape effects on the candidate ONF can reasonably be considered minor or less.

78. The assessments by Isthmus and Wayfinder place significant emphasis on the degradation of natural values by grazing of domestic and feral animals to discount the natural values present. As mitigation of the effects on ecological values the application similarly places significant emphasis on the removal of pest species as a means to maintain or restore natural values. Mr Girvan acknowledges that the proposed long-term pest animal control, particularly within the 245 hectare fenced Ecological Enhancement Area, has the potential to materially improve vegetation condition and promote rehabilitation within this area. However, on the wider plateau improved access will create the potential for increased grazing pressure on indigenous vegetation and this is not addressed in the HREP. Without measures to manage a reduction in natural values resulting from ongoing or increased pastoral grazing, clear limits and ongoing monitoring, the proposal may in fact lead to further undermining of the levels of naturalness that currently supports recognition of the ONF values extending onto the plateau.

79. To address this issue Mr Girvan proposes the development of a Landscape and Natural Character Management Plan ('**LNCMP**') for the parts of the Slopedown / Mokoreta – Pukemimihau (candidate ONF) occupied by the windfarm. The management plan would include specific provision to manage earthworks and grazing to maintain the transition between the working rural landscape and the natural features within the site and maintain or enhance the naturalness of the natural values and landform, vegetation patterns and hydrological features which remain evident on the dip slope.

80. Details of the proposed LNCMP are provided at paragraph 52 of Mr Girvan's report and are supported by Council as an appropriate method to provide ongoing certainty regarding the protection of natural character and landscape values of the site.

81. Overall Mr Girvan considers the layout of turbines avoids the scarp face itself and broadly maintains an appropriate separation between the most visually legible parts of the scarp and the main turbine array. As a consequence he does not consider that relocation of turbines off the plateau is necessary to achieve an acceptable landscape outcome. However, the acceptability of the proposal turns on stricter controls over land management, access formation and restoration within the candidate ONF and high natural character areas than are currently proposed.

82. Subject to those strengthened conditions to address the potential adverse effects identified, Mr Girvan considers the landscape, natural character and visual effects of the SWF can be reconciled with the intent of the FTAA to facilitate regionally and nationally significant renewable energy infrastructure while protecting high-value landscapes and natural character as far as practicable.

Topic 5: Planning

83. The application site is located within the General Rural Zone and is not subject to any spatial overlays or site specific controls in the SDP.

84. The Applicant has outlined the relevant rules the proposal breaches in the SDP in Section 3.3 of the Application. Compliance with relevant permitted activity rules of the SDP are outlined in Appendix M of the application.

85. We have reviewed the Permitted Activity Rule Assessment in Part M of the application in relation to activities identified as permitted under the Southland District Plan.

86. Based on the evidence provided we accept the noise from wind turbines proposed can comply with the permitted activity rule NOISE-R8. However, as noted in the acoustic peer review by AES, in the event the proposed turbines are to be substituted for an alternative design it may be necessary to assess any consequential change in acoustic effect to confirm continued compliance with this rule.[1]

87. The project compliance comment for permitted activity rule Noise-R12 states that construction noise effects on nearby dwellings will generally be minor and that restricting Project Village construction to daytime hours will ensure compliance with NZS 6803:1999. However, there is some inconsistency, as the application acknowledges that certain activities (such as turbine foundation pouring or assembly) may require night-time work and may not fully comply with the standard limits. Notwithstanding this, NZS 6803:1999 allows for limited exceedances where managed through a Construction Noise Management Plan (CNMP) required by Condition NO3. Accordingly, the proposal is considered able to comply with Noise-R12.

88. The proposed Operations and Maintenance Building complies with the requirements of permitted activity rule GRUZ-R1(4).

89. Table 3.3 indicates the proposal breaches seven rules and will be considered as a discretionary activity with respect of the SDP. However, under the principles of 'bundling' the overall status of the application is non-complying due to a failure to comply with the requirements of other regulatory plans.

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[1] Contact Energy Southland Wind Farm Fast-Track Consultation Comments on noise related matters, AES, October 2025, Page 5, Bullet 2.

90. From Council's perspective the application largely addresses the planning instruments that are relevant to its functions and is generally thorough in terms of the assessments provided. In terms of this assessment Section 10.17 of the application is of particular relevance and considers the consistency of the proposal in relation to the Objectives and Policies of the SDP.

91. We would like to provide the following comments on the Applicant's assessment of the objectives and policies of the SDP.

92. Section 4.2 of the application addresses Chapter 2.1 – Tangata Whenua and the Applicant discusses the involvement of mana whenua in the process to lodgement and the commissioning of a Cultural Impact Assessment from Te Ao Marama Incorporated ('**TAMI'**) on behalf of local rūnaka to inform the project. This approach is considered generally consistent with the direction of the objective TW-O1 and policy TW-P1 to recognise and provide for Tangata Whenua to exercise kaitiakitanga in the management of and decision-making process regarding natural and physical resources.

93. Section 8.20.10 of the application addresses the relevant objectives and policies of Chapter 2.2 Biodiversity. Of particular relevance to the application are objective BIO.1 and policies BIO.1-3 and BIO-9. The application has included ecological assessments of the relevant values of the site and has identified significant habitats of indigenous fauna. The application includes measures to avoid, remedy and mitigate adverse effects on ecological values and where significant residual effects remain, the Applicant has identified measures to offset or compensate for these effects.

94. After reviewing the application documents and taking note of the technical review by E3S discussed in Topic 3 above, I concur with the Applicant's assessment that the application is generally consistent with the policy direction of this section. However, as identified earlier, there remain areas Council considers merit clarification to ensure complete consistency with these provisions.

95. Section 8.20.11 of the application addresses the relevant objectives and policies of Chapter 2.3 Natural Features and Landscapes.

96. Objective NFL-O1 applies to ONFL and states:

    Outstanding Natural Features and Landscapes are protected from inappropriate subdivision, land use and development.

97. Policies relevant to ONFL are NFL-P1 and NFL-P3. Policy NFL-P1 states:

    Avoid inappropriate subdivision, land use and development within areas identified as Outstanding Natural Features and Landscapes.

98. The Application AEE notes there are no ONF identified in the SDP present on or near the site. We concur with this view. However, although the application site is not currently identified in the SDP as an ONF or ONL this policy is relevant in understanding how the plan anticipates these features or landscapes should be managed, should they be present. I consider this is relevant in due to the findings of the Southland / Murihiku Regional Landscape Assessment (Boffa Miskell, 2019) in relation to the subject site, and Policy NFL-P3, as discussed below.

99. The explanation to Policy NFL-P1 notes that within areas identified as Outstanding Natural Features and Landscapes, activities should be undertaken in a manner that avoids adverse effects on these landscapes and ensures their protection and further that:

    Particular consideration should be given to the design, siting and scale of buildings and structures and associated curtilage, utilities, signs, earthworks and landscape plantings and the way in which

these factors integrate and respect the landform, natural character and landscape quality. Consideration should also be given to the visibility of buildings, structures and activities from public places.

100. Policy NFL-P3 states:

Avoid, remedy or mitigate adverse effects of subdivision, land use and development on the District's natural features and landscapes that have not been assessed by Council for landscape values.

101. Policy NFL-P3 recognises that not all of the Southland District's natural features and landscapes had been assessed by Council for landscape values and the need to avoid, remedy or mitigate adverse effects on these areas.

102. I consider the direction of Policy NFL-P3 to avoid, remedy or mitigate adverse effects on areas within Southland District where the values of natural features and landscapes had not been assessed is of particular relevance to this application, and note this is reinforce by the identification of the area in which the site is located (inner Catlins) as an area not having been assessed to determine their landscape values at the time the plan was written within the explanation to this policy.

103. The explanation to Policy NFL-P3 states:

However, there is a range of natural features and landscapes within the District that have not been assessed to determine their landscape values. These landscapes are the Inland Mountains (Tākitimu, Livingstone, Eyre, Garvie and Umbrella Ranges), the Southland Hills (Longwoods, Taringaturas, Hokonuis and Inland Catlins), the Southland Valleys and Plains (Lower Waiau Valley, Waimea Plains, Southland Plains). As landscape assessments of these areas are undertaken Council, through the plan change process, may identify and protect additional Outstanding Natural Features and Landscapes and Visual Amenity Landscapes.

Subdivision, land use and development requiring resource consent should give particular consideration to the location to which they are proposed, to ensure that they achieve integration within the landscape.

104. To avoid, remedy or mitigate potential effects as directed by Policy NFL-P3, it is considered the effects of the application need to be considered against the values of the feature or landscape identified.

105. SDC have recently participated in a regional landscape assessment to determine their landscape values of areas that were not fully assessed at the time the plan was developed and are in the process of reviewing the Natural Features and Landscapes section of the SDP with the intention of updating the plan.

106. The divergence of views between the Applicant's landscape expert and our technical reviewer on the landscape values of the site is discussed in Topic 4.

107. Council has considered the assessment provided by Isthmus and Wayfinder, but remains of the view that the Slope Down / Mokoreta – Pukemimihau ONF merits consideration of a candidate ONF for inclusion in the SDP by way of the plan change process currently underway.

108. It is important to SDC that the landscape values of the district are appropriately recognised and protected. Due to the divergence of views on the landscape values of the site Council are concerned the Applicant has not given sufficient weigh to the direction of Policy NFL-P3 to avoid,

remedy or mitigate adverse on the landscape values present or the significance of the site as an ONF.

109. Council request the panel consider the proposed mitigation identified by Mr Girvan as a means to address landscape effects on the Slope Down / Mokoreta – Pukemimihau candidate ONF.

110. Section 8.20.9 of the application addresses the relevant objectives and policies of Chapter 2.5 Historic Heritage. The Applicant has undertaken an assessment of the historic heritage values of the site and proposed measures to avoid any direct effects on these sites. I consider the proposal is consistent with the objectives and policies of this section.

111. Section 8.20.6 of the application addresses the relevant objectives and policies of Chapter 2.7 Natural Hazards. The site is not identified as subject to any natural hazard overlay and geotechnical investigations have not identified any issues in relation to construction or access. As no natural hazard issues have been identified it is considered the proposal is not inconsistent with the direction of this chapter of the SDP.

112. Section 8.20.5, 8.20.7 and 8.20.8 of the application addresses the relevant objectives and policies of Chapter 2.8 Waste, Hazardous Substances and Contaminated Land. The use of hazardous substances on site is anticipated to be limited to fuels such as oil or diesel used for vehicle and machinery on site and the volumes proposed for use have not been identified as exceeding the permitted activity rules of the plan. Investigations of the site area have indicated that there are no known areas of contaminated land within the project area. The Applicant has proposed management approaches to address any issues that may arise in relation to hazardous substances of contaminated land and I consider the approach is consistent with the direction of the policies and objectives of Chapter 2.8.

113. Section 8.20.2 and 8.20.3 of the application addresses the relevant objectives and policies of Chapter 2.9 Energy, Minerals and Infrastructure. This chapter includes provisions seeking to recognise the importance of energy resources to the current and foreseeable needs of Southland and New Zealand[2] and that these resources are developed in a manner that avoids, remedies or mitigates adverse effects on the environment[3]. Policies ENGM.4 and ENGM.6 requires recognition that the generation of electricity can have a functional, technical or operational requirement to be sited at a particular location. Policy ENGM.8 provides for the use of offsetting measures or environmental compensation where the residual environmental effects of renewable energy generation activities cannot be avoided remedied or mitigated.

114. Objective INF.1 and Policy INF.1 seeks to provide for the current and foreseeable the infrastructure meets of the District whilst ensuring that the adverse effects on the environment are avoided, remedied or mitigated. Policy INF.2 recognises that infrastructure may have a functional, technical or operational requirement to be sited at a particular location. The Applicant considers the proposal is consistent with these policies and objectives. The proposal constitutes regionally significant infrastructure and has a functional and operational need to be located at the proposed site. The construction and operation of the wind farm will be undertaken in a way that avoids, remedies or mitigates adverse effects on the environment, or, where residual effects remain after these measures they will be offset or compensated for.

115. Overall, I consider the infrastructure and Energy policies of the SDP are generally supportive of the proposal, however as noted above, I consider it may be appropriate to consider the extent to

[2] Objective ENGM.2, Policy ENGM.3
[3] Objective ENGM.1, Policy ENGM.1

which the proposal adequately meets the direction to avoid, remedy or mitigate effects on the landscape values of the site.

116. Section 8.20.4 of the application addresses the relevant objectives and policies of Chapter 2.10 Transportation. The proposal will involve effects on the transportation network beyond the subject site and will involve the upgrading of roads where required to manage the movement of oversize and overweight vehicles. In relation the effects on the roading and transportation network I rely upon input from the Council Roading Department and accept their view that these effects can be effectively managed through the use of a CTMP as proposed. As such I concur with the Applicant that the proposal is generally consistent with the policy direction of Chapter 2.10.

117. Section 8.20.14 of the application addresses the relevant objectives and policies of Chapter 2.11 Noise. Objective NSE.1 and Policy NSE.1 seek to manage the effects of noise emissions in a manner that avoids, remedies or mitigates adverse effects. Objective NSE.1 also seeks to manage the potential for conflict between activities. Policy NSE.2 seeks to avoid, remedy or mitigate reverse sensitivity effects arising from noise emissions. The Applicant notes that the technical assessment by MDA indicates the wind farm will meet the relevant standards and permitted activity limits within the SDP and is therefore consistent with the provisions of the plan relating to noise. This view is generally supported by the technical review by AES covered in Topic 2.

118. Section 8.20.12 of the application addresses the relevant objectives and policies of Chapter 2.13 Water and Surface Water Activities. Objective Water.1 and Policy Water.1 are relevant to the proposal and seek to manage the adverse effects of land use and development activities on water by avoiding, remedying or mitigating adverse effects. The Applicant is not seeking consent for any activities relating to water from SDC but is seeking a number of related consents from Environment Southland.

119. Section 8.20.13 of the application addresses the relevant objectives and policies of Chapter 2.14 Financial Contributions. Objective FIN.1 requires developers to meet the fair and reasonable costs of developing, maintaining and upgrading roading infrastructure necessitated by land use or development. The Applicant has noted they will meet all fair and reasonable costs associated with developing, maintaining and upgrading roading infrastructure associated with the wind farm development.

120. Section 8.20.15 of the application addresses the relevant objectives and policies of Chapter 3.1 Rural Zone.

121. The provisions of the Rural Zone seek to ensure land use and development is undertaken in a manner that maintains the life supporting capacity and productive value of the land resource[4], and to maintain amenity values, including rural character[5]. The development and construction work associated with establishing the wind farm will result in significant disturbance of the subject site and loss of life supporting capacity in areas where roading and hard stands are established. However, the proposed fencing and pest control measures will potentially increase the life supporting capacity of areas being protected. Elsewhere the wind farm site will continue to be used for productive rural activities, including pastoral farming and forestry.

122. The proposed development will have an impact on amenity values of the surrounding rural area, particularly visual amenity and rural character. The wind farm will result in the establishment of

[4] Objective Rural.1, Policy Rural.1
[5] Objective Rural.2, Policy Rural.2

highly visible artificial structures in an area otherwise characterised by pastoral rural activities, forestry and indigenous vegetation.

123. The assessment by Isthmus indicates that the wind farm will generate a range of level of effects on visual amenity values for rural properties around the subject site and notes the wind turbines will be prominent in the outlook of a number of rural properties, however the assessments by both Isthmus and Bray conclude the windfarm will maintain the overall rural character of the surrounding environment and this view is not disputed by Council's peer reviewer, Mr Girvan.

124. Due to the relatively low frequency with which they occur I do not think that wind farms can be considered characteristic of the rural environment of the Southland District, however, as it is widely accepted that renewable energy infrastructure of this nature is more likely to be established in the Rural Zone than any other area, and a number of other wind farms have been established in the district I do not think they can be considered entirely unexpected or inherently uncharacteristic.

125. Policy Rural.8 requires the adverse effects of earthworks be avoided, remedied or mitigated and Policy Rural4 requires land use and development avoid or mitigate erosion, sedimentation and instability of soils. The proposal will involve significant volumes of earthworks and the disturbance of the land resource as a result of earthworks to create access roads and to establish platforms for turbines. The Applicant has suggested impacts from construction activities will be mitigated by their temporary duration, separation from public and private viewing points and site rehabilitation. It is noted that access roads will need to be maintained for servicing purposes and the effectiveness of site rehabilitation to address the impacts of construction roads on character and amenity will need to be ensured through the construction management plan process.

126. Overall, I generally concur with the Applicant's assessment regarding the objectives and policies of the Rural Zone. The turbines will have adverse visual amenity effects for residents in close proximity to the site but elsewhere will not be inconsistent with the direction of the provisions of the Rural zone.

Conditions

127. I would like to acknowledge the collaborative efforts made by the Applicant to develop conditions in consultation with Council prior to lodgement of the application.

128. While Council is generally satisfied with the condition framework advanced by the Applicant, we have identified a number of areas we think merit further consideration in the topics covered in this document.

129. In particular we note the heavy reliance on topic and site specific management plans to address effects that have yet to be fully evaluated or to enable an adaptive approach to be taken to mitigation. The provision of these documents with the application to enable a more robust understanding of the application of mitigation measures is a significant improvement over the previous application.

130. SDC is supportive of the ability of management plans to be adapted to respond to changing circumstances on large developments and generally agree with the conditions proposed as MP1-MP9. However we consider some clarification is appropriate to the wording of the condition MP9 to ensure works proposed in the amendments are not undertaken until the certification of the amended plan has been approved.

131. The monitoring and reporting obligations of a consent of this nature are significant and Council is supportive of the establishment of independent reviewers and certifiers with specific technical expertise to assist Council and the Applicant in this area.

132. Council considers it appropriate that conditions are included to manage the potential future decommissioning of the wind farm and appreciates the Applicant's identification of conditions to manage this process. To this extent the decommissioning conditions DT1-DT3 are welcomed however it is noted there is no mechanism to ensure that revegetation of the foundation and hard stand areas is undertaken in a manner to endure past initial planting season. This does not need to be particularly onerous, and we consider the inclusion of standard conditions requiring replacement of planting that does not survive during the initial establishment period would address this concern.

133. Specific comments on conditions are provided in document attached in Appendix 5.

134. Council would appreciate further opportunity to review/ comment on any further set of draft conditions that may be recommended, with a particular focus being on enforceability as it relates to SDC.

Appendix 1: Acoustic Peer Review

Appendix 2: Ecology Peer Review

Appendix 3: Landscape Peer Review

Appendix 4: Comments from Waihopai ToeToes Community Board (WTCB)

Appendix 5: Annotated Conditions of Consent