

**SOUTHLAND WIND FARM – PROPOSED WILDLIFE ACT APPROVAL  
CONDITIONS – UPDATED JANUARY 2026**

Wildlife Act **Authority Approval** for wildlife located on private land

**Commented [MD1]:** DoC amendment accepted.

**SCHEDULE 1**

1	<p><b>Authorised activity</b> (including the species, any approved quantities and collection methods)  (Schedule 2, clause 2)</p>	<p>A. <b>Activity:</b></p> <p>a) To catch, salvage and relocate Helms' stag beetle and lizard species listed in Schedule 4 prior to, and during, vegetation clearance in areas that have either confirmed or expected presence of these species (as identified in (B) below) <u>and the marking of lizard species listed in Schedule 4, for the purpose of wildlife salvage and monitoring.</u></p> <p>b) To incidentally harm or kill wildlife listed in Schedule 4 if the harm or death is not directly intended but is unavoidable and foreseeable and all reasonable effort has been made to meet the conditions in the approval.</p> <p>B. <b>Methodology:</b></p> <p>a) The methods set out in the following sections of the Terrestrial and Wetland Ecological Management Plan, and included in Part J of the application documents:</p> <p>i. Lizard Management Plan, <u>dated August 2025</u>; and</p> <p>ii. Terrestrial Invertebrate Management Plan, <u>dated August 2025</u>.</p>
2	<p><b>The Land</b> (Schedule 2, clause 2)</p>	<p>The Southland Wind Farm Site, Slopedown, Venlaw Road, Southland, identified in the map included in Schedule 6.</p>
3	<p><b>Personnel authorised to undertake the Authorised Activity</b> (Schedule 2, clause 3)</p>	<p>a) <u>[to be confirmed] Samantha King;</u>  b) <u>Cameron Thorp;</u>  c) <u>Jade Christensen;</u>  d) <u>Vikki Smith;</u> and  e) Additional personnel as may be approved in writing by the Department.</p>
4	<p><b>Term</b> (Schedule 2, clause 4)</p>	<p><u>[insert date of approval]</u> to <u>[insert date 320 years from date of approval]</u></p>
5	<p><b>Authority Holder's address for notices</b> (Schedule 2, clause 8)</p>	<p>The Authority Holder's address in New Zealand is:  Physical: Level 2, Harbour City Tower, 29 Brandon Street, Wellington, New Zealand</p>

**Commented [MD2]:** DoC recommended approval is expressly sought for marking lizards, this has been accepted

**Commented [MD3]:** DoC amendment accepted.

**Commented [MD4]:** DoC amendment accepted.

**Commented [MD5]:** DoC amendment accepted.

**Commented [MD6]:** DoC amendment accepted.

**Commented [MD7]:** Contact has amended to a duration of 20 years for the reasons set out in its primary response to comments document.

		Postal: PO Box 10742, Wellington 6143 Phone: 027 225 2745 Email: <a href="mailto:property@contactenergy.co.nz">property@contactenergy.co.nz</a>
6	<b>Department of Conservation's (the Department) address for notices</b>	The Department's address for all correspondence is: [Murihiku / Invercargill Office Physical: 7 <sup>th</sup> Floor, CUE on Don, 33 Don Street, Invercargill 9810 Postal: PO Box 743, Invercargill 9840 Phone: 0800 275 362 Email: <a href="mailto:invercargill@doc.govt.nz">invercargill@doc.govt.nz</a> ]

## **SCHEDULE 2**

### **STANDARD TERMS AND CONDITIONS OF THE AUTHORITY**

#### **1. Interpretation**

- 1.1. The Authority Holder is responsible for the acts and omissions of its employees, contractors or agents. The Authority Holder is liable under this Authority for any breach of the terms of the Authority by its employees, contractors or agents as if the breach had been committed by the Authority Holder.
- 1.2. Where obligations bind more than one person, those obligations bind those persons jointly and separately.

#### **2. What is being authorised?**

- 2.1. The Authority Holder is only allowed to carry out the Authorised Activity on the Land described in Schedule 1, Item 2.
- 2.2. Any arrangements necessary for access over private land or leased land are the responsibility of the Authority Holder. In granting this authorisation the Department does not warrant that such access can be obtained.
- 2.3. The Authority Holder must advise the Department of Conservation's local Operations Manager(s) prior to carrying out the Authorised Activity in the District (where possible, one week prior), when the Authority Holder intends to carry out the Authorised Activity.
- 2.4. The Authority Holder and Authorised Personnel must carry a copy of this Authority with them at all times while carrying out the Authorised Activity.
- 2.5. The Authority Holder must comply with any reasonable request from the Department for access to any wildlife.
- 2.6. The Authority Holder may publish authorised research results.
- 2.7. The Authority Holder must immediately notify the Department of any taxa found which are new to science. In addition, the Authority Holder must lodge holotype specimens and a voucher specimen of any new taxa with a recognised national collection.

#### **3. Who is authorised?**

- 3.1. Only the Authority Holder and the Authorised Personnel described in Schedule 1, Item 3 are authorised to carry out the Authorised Activity, unless otherwise agreed in writing by the Department, such agreement is not to be unreasonably delayed or withheld.

#### **4. How long is the Authority for – the Term?**

- 4.1 This Authority commences and ends on the dates set out in Schedule 1, Item 4.



**5. What about compliance with legislation and Department’s notices and directions?**

5.1. The Authority Holder must comply with all statutes, bylaws and regulations, and all notices, directions and requisitions of the Department and any competent authority relating to the conduct of the Authorised Activity. Without limitation, this includes the Conservation Act 1987 and the Acts listed in the First Schedule of that Act and all applicable health and safety legislation and regulation.

**6. When can the Authority be terminated?**

6.1. The Department may terminate this Authority at any time in respect of the whole or any part of the Land, and/or the whole or any part of the Authorised Activity if:

- a) the Authority Holder breaches any of the conditions of this Authority; or
- b) in the Department’s opinion, the carrying out of the Authorised Activity causes any unforeseen or unacceptable effects.

6.2 If the Department intends to terminate this Authority in whole or in part, the Department must give the Authority Holder such prior notice as, in the sole opinion of the Department, appears reasonable and necessary in the circumstances.

**7. How are notices sent and when are they received?**

7.1. Any notice to be given under this Authority by the Department is to be in writing and made by personal delivery, by pre-paid post or email to the Authority Holder at the address, fax number or email address specified in Schedule 1, Item 5. Any such notice is to be deemed to have been received:

- a) in the case of personal delivery, on the date of delivery;
- b) in the case of post, on the 3rd working day after posting;
- c) in the case of email, on the date receipt of the email is acknowledged by the addressee by return email or otherwise in writing.

7.2. If the Authority Holder’s details specified in Schedule 1, Item 5 change, then the Authority Holder must notify the Department within 5 working days of such change.

**8. What about the payment of costs?**

8.1. The Authority Holder must pay the standard Department of Conservation charge-out rates for any staff time and mileage required to monitor compliance with this Authority and to investigate any alleged breaches of the terms and conditions of it.

**~~9. Biosecurity~~**

~~9.1. The Authority Holder must take all precautions to ensure weeds and non-target species are not introduced to the Land; this includes ensuring that all tyres, footwear, gaiters, packs and equipment used by the Authority Holder, its staff and clients are cleaned and checked for pests before entering the Land.~~

Commented [MD8]: DoC amendment accepted.

**910. Are there any Special Conditions?**

910.1. Special conditions are specified in Schedule 3. If there is a conflict between this Schedule 2 and the Special Conditions in Schedule 3, the Special Conditions will prevail.

**101. Can the Authority be varied?**

101.1. The Authority Holder may apply to the Department for variations to this Authority in accordance with clauses 7(2) and (3) of Schedule 7 of the Fast-track Approvals Act 2024.

## SCHEDULE 3

### SPECIAL CONDITIONS

Note: Any reference in the conditions in this Schedule to the resource consent conditions is a reference to the approvals as granted by the Fast-track Approvals Act 2024 expert panel on [17 April 2026]. Any change to those approvals and/or conditions of those approvals will not constitute a change to the conditions of this wildlife approval, unless or until this wildlife approval is varied in accordance with the requirements of the conditions of this wildlife approval and/or the Wildlife Act 1953.

**Commented [MD9]:** Note added to reflect cross-referencing approach adopted, discussed in Contact's main response document.

### Compliance with Management Plans and Relevant Resource Consent Conditions

1. The Authorised Activity must be carried out in accordance with the documents listed in Schedule 1, Item 1B, except when instructed otherwise by the Department.

~~2.~~ The Authority Holder may propose amendments to the Lizard Management Plan and Terrestrial Invertebrate Management Plan at any time. Any proposed amendment must be prepared by a Suitably Qualified and Experienced Person and must be submitted to the local Operations Manager of the Department's Invercargill Office, for certification by the Director-General of Conservation. Any amendments may only be implemented once certification has been received.

**Commented [MD10]:** DoC amendment accepted. As explained in the response to comments, this will be addressed in the RMA approval conditions through the certification process outlined in condition MP11, which has been amended to require consultation with DoC on any amendments to the LMP and TIMP.

~~3-2.~~ The Authority Holder must undertake avoidance, remediation, mitigation, offsetting and compensation measures for lizards and Helms' stag beetles in accordance with the resource consent conditions and associated management plans for the Southland Wind Farm Project.

### Lizard and Helms' Stag Beetle capture, salvage and relocation

3. The Authority Holder must undertake lizard and Helms' Stag Beetle capture, salvage and relocation as set out in the Lizard Management Plan and Terrestrial Invertebrate Management Plan.

#### Lizard Capture and Handling

**Commented [MD11]:** DoC amendments accepted.

4. Lizard capture, handling and relocation must only be undertaken between 1 October and 30 April when lizards are most active.

5. Capture and handling methods must involve only techniques that minimise the risk of infection or injury to the animal and must follow those described in the Herpetofauna inventory and monitoring toolbox <http://www.doc.govt.nz/ourwork/biodiversity-inventory-and-monitoring/herpetofauna/>.

6. The Department of Conservation Operations Manager for Murihiku must be contacted immediately for further advice if lizard species that are not covered by this approval are located within the Project Footprint.

#### Green Skink

4.7. The Authority Holder must comply with Condition EC16 of the resource consent approval conditions in the event one or more green skink is found within the Project Footprint.

**Commented [MD12]:** Cross-reference to relevant resource consent condition outlining the protocol in the event of the discovery of green skink within the Project Footprint to address DoC's proposed conditions 8 and 9.

#### **Ownership and holding of Absolutely Protected Wildlife**

5.8. This Authorisation gives the Authority Holder the right to hold absolutely protected wildlife for no longer than 12 hours in accordance with the terms and conditions of the Authorisation, but the wildlife remains the property of the Crown. This includes any dead wildlife, live wildlife, any parts thereof, any eggs or progeny of the wildlife, genetic material and any replicated genetic material.

**Commented [MD13]:** DoC's comments regarding the management of green skinks in the event one or more is found within the Project Footprint is addressed in Contact's response to comments and is also clearly outlined in the LMP - if avoidance is not possible, green skink will be salvaged and relocated in accordance with the procedures outlined for tussock skink.

6.9. Unless expressly authorised by the Department in writing, the Authority Holder must not donate, sell or otherwise transfer to any third party any wildlife, material, including any genetic material, or any material propagated or cloned from such material, collected under this Authority.

#### **Death of wildlife associated with activities covered by the authority**

7.10. If, in the course of undertaking the Activities, all reasonable effort has been made to meet all of the conditions expressed and implied in this authority; and wildlife is killed by the Authority Holder, then that will be permitted under this authority.

8.11. If any lizard or Helms' Stag Beetle is found dead; the Authority Holder must contact the Department's Invercargill Office on 0800 275 362 within 48 hours, with known details of the animal's history. Then, if the Department requests it, the body must be sent to Massey University Wildlife Post Mortem Service (or as otherwise advised by the Department) to be confirmed by DOG for necropsy. For the avoidance of doubt, this condition applies to lizard or stag beetle deaths that are associated with salvage activities and does not apply to incidental deaths that occur during lawful activities. The purpose of the above clause is to ensure the methodologies and practices for catch, transfer, and liberate are functioning successfully and to require investigation in the event that deaths occur during salvage activities.

**Commented [MD14]:** DoC amendments accepted.

9.12. In that eventuality; the Authority Holder must, if requested by the Department:

- a) Ensure that the body is to be chilled if it can be delivered within 24 hours, or frozen if it will take longer than 24 hours to delivery.
- b) Ensure appropriate measures are taken to minimise further deaths.
- c) Discuss with the Department's Invercargill office, whether it is necessary to halt all further handling until full investigations of death(s) occur.

- d) Pay for any costs incurred in investigation of the death.

#### Euthanasia

~~10.~~ ~~If any lizards or Helm's stag beetles are found injured, the Project Herpetologist or Project Entomologist must be contacted to get advice on management of the lizard or stag beetle. Injured lizard(s) may be euthanised on recommendation of the Project Herpetologist/Entomologist or a veterinarian. The Authority Holder must not euthanize any wildlife unless the Authority Holder.~~

Commented [MD15]: DoC amendments accepted.

~~13.~~

~~Consults with the Captive Management Co-ordinator (as applicable) and obtains the consent of the Department; or~~

~~Obtains the recommendation of a veterinarian where euthanasia is on animal welfare grounds; or~~

~~Carries out the euthanasia under direction from the Department and in consultation with the Captive Management Co-ordinator (as applicable).~~

#### Records

~~11,14.~~ All survey, salvage and release records must be made available for inspection at reasonable times by officers of the Department.

#### Lizard and Helms' Stag Beetle Salvage Reporting

~~12,15.~~ A report is to be submitted in writing to the DOC Operations Manager, Invercargill ([at.invercargill@doc.govt.nz](mailto:at.invercargill@doc.govt.nz) and [permissionshamilton@doc.govt.nz](mailto:permissionshamilton@doc.govt.nz)), by 30 September each year (covering the proceeding 1 July – 30 June period) during the construction of the Southland Wind Farm; summarising outcomes, in accordance with the Lizard Management Plan and Terrestrial Invertebrate Management Plan. Each report must include:

Commented [MD16]: DoC amendment accepted.

- a) The permission number;
- b) The species ~~the species~~ and number of any animals collected and released;
- c) The GPS location (or a detailed map) of the collection point(s) and release point(s);
- d) Results of all surveys, monitoring or ~~research~~.

~~13,16.~~ Completed Amphibian and Reptile Distribution System (ARDS) cards for all herpetofauna sightings and captures must be sent to the Herpetofauna Database Administrator, PO Box 10420 Wellington 6143, or via email to [herpetofauna@doc.govt.nz](mailto:herpetofauna@doc.govt.nz).

Commented [MD17]: DoC suggested adding (e) details of habitat enhancement, predator control, and fencing; and f) Details of any offsetting or compensation implemented.

~~14,17.~~ If required in writing by the Department, the Authority Holder must make such improvements to techniques (including catching, handling, releasing, preserving and storing), and take such other steps as directed by the Department.

Contact notes this will be addressed in the compliance monitoring report required by the resource consent conditions and discussed in section 7.2 of the LMP. This report will be provided to DoC. Contact considers these measures are more appropriately addressed in the compliance monitoring report and therefore has not accepted including them in this condition as well to avoid unnecessary duplication.



## SCHEDULE 4

Common Name	Scientific Name	NZ Threat Classification <i>(from Hitchmough et al., 2021)</i>
Tussock skink	<i>Oligosoma chionocholescens</i>	At Risk – Declining
Tautuku gecko	<i>Mokopirirakau</i> <i>“southern forest”</i>	At Risk – Declining
Green skink	<i>Oligosoma chloronoton</i>	Threatened – Nationally Critical
Herbfield skink	<i>Oligosoma murihiku-</i>	At Risk – Declining
Helms’ stag beetle	<i>Geodorcus helmsi</i>	N/A

Commented [MD18]: DoC amendment accepted.

Commented [MD19]: DoC amendment accepted.



**SCHEDULE 5**

Lizard Management Plan

Terrestrial Invertebrate Management Plan

# SCHEDULE 6

## Wind Farm Site Plan

