



## Jacob Paget

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**From:** Nathan Riley s 9(2)(a)  
**Sent:** Thursday, 27 April 2023 2:14 pm  
**To:** Fast Track Consenting  
**Subject:** Re: [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Southland Wind Farm

### **MFE CYBER SECURITY WARNING**

This email originated from outside our organisation. Please take extra care when clicking on any links or opening any attachments.

Hi Jacob,

Thanks for your correspondence and invitation below.

With respect to the two key questions outlined by your team, I provide the following:

1. Clutha District Council sees no reason why the application would be more appropriately processed through the existing RMA pathway rather than the fast-track process.
2. A search of our records showed no environmental compliance history or activity by the applicant within Clutha District.

I trust this assists. Please do let me know if you require any further information.

Regards,

### **Nathan Riley**

**Manager Planning and Regulatory Services**

**Clutha District Council**

s 9(2)(a)

s 9(2)(a)

For more information about Council visit [www.cluthadc.govt.nz](http://www.cluthadc.govt.nz)

[www.cluthacountry.co.nz](http://www.cluthacountry.co.nz) – “where everyone says hello”

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**From:** Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

**Sent:** Friday, April 14, 2023 12:00 PM

**To:** Steve Hill s 9(2)(a)

**Cc:** Help Desk <help.desk@Cluthadc.govt.nz>; Fast Track Consenting <fasttrackconsenting@mfe.govt.nz>

**Subject:** [COMMERCIAL]COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Southland Wind Farm

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TÄ“nÄ koe Steve

Attached is a letter inviting your comment on the following application that has been made to the Minister for the Environment under the COVID-19 Recovery (Fast-Track Consenting) Act 2020.

- Southland Wind Farm ā€“Out of Scope

**NOTE: This information is provided to you in confidence and as part of the statutory process set out in the FTCA. Please do not forward the application or the request for comments to anyone outside your organisation, including any Crown Entity or statutory body.**

Many thanks

*Jacob*

### Fast Track Consenting

Ministry for the Environment | Manatū Mā Te Taiao [fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz) | [mfe.govt.nz](http://mfe.govt.nz)

*This email account is monitored by several members of the team, to ensure responses are managed in a timely manner.*



Ministry for the  
**Environment**  
Manatū Mō Te Taiao



**A flourishing environment  
for every generation.**  
He taiao tōnui mō ngā  
reanga katoa.

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# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

<b>Local authority providing comment</b>	Gore District Council
<b>Contact person (if follow-up is required)</b>	Katrina Ellis – Gore District Council Planning Consultant
	s 9(2)(a)
	s 9(2)(a)

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Southland Wind Farm
<b>General comment – potential benefits</b>	In addition to the benefits of renewable energy supply, potential benefits of the project to Gore District include: <ul style="list-style-type: none"> <li>- Employment opportunities</li> <li>- Potential investment to update infrastructure (being roads and bridges needed to haul the windfarm turbine parts)</li> </ul>
<b>General comment – significant issues</b>	The key issue that impacts the Gore District is traffic management. It is understood that the most appropriate transport routes for turbines is through Gore District. While it is likely this can be managed, Gore District Council sees it as important to have the ability to review and sign off traffic related consent conditions that apply within the Gore District (i.e. the traffic management plan and any other transport related consent conditions).  The project may be of interest to the community and community consultation throughout the consenting and construction phases of the project is supported.
<b>Is Fast-track appropriate?</b>	Yes Gore DC supports the project going through the fast track process, subject to: <ul style="list-style-type: none"> <li>- There being sufficient community consultation so the community are aware of the nature of the project, and that there is a community liaison contact during construction; and</li> <li>- The Council can input into consent conditions to ensure that effects within the District are managed. The primary matter of relevance to Gore District is management of construction traffic and potential upgrades needed to roads and bridges to support transportation of wind turbines</li> </ul>
<b>Environmental compliance history</b>	There is no known compliance history with Contact Energy
<b>Reports and assessments normally required</b>	Reports and assessments (in addition to planning) would include: <ul style="list-style-type: none"> <li>- Traffic</li> </ul>

	<ul style="list-style-type: none"> <li>- Ecology – note there may be wetlands and ecology expertise in line with the NES-F is required. Also need flora and fauna assessments. Of note there may be falcons in the area and falcon management may be required. Input from DoC is would be required.</li> <li>- Landscape</li> <li>- Acoustic</li> <li>- Cultural Impacts (Āpiti Hoho Tātai Hono assessments are the method TAMI now uses)</li> <li>- Assessment on feedback from CAA, FENZ and DoC</li> </ul> <p>Note: in addition to the below assessments, it is expected there would need to be a number of management plans (e.g. traffic management, construction management, earthworks and sediment control plan, etc), which can be in prior to works consent conditions.</p>
<b>Iwi and iwi authorities</b>	<b>Te Ao Mārama Inc.</b> (authority that represents Ngai Tahu ki Murihiku tangata whenua, except for Hokonui Rūnanga), and <b>Hokonui Rūnanga</b> (who sometimes work via TAMI, and sometimes independently of them).
<b>Relationship agreements under the RMA</b>	There is a memorandum of understanding between Gore District Council and Hokonui Rūnanga on their involvement in RMA processes.
<b>Insert responses to other specific requests in the Minister’s letter (if applicable)</b>	Request are answered in above questions. For completeness it is noted that Gore District Council do not consider it more or less appropriate to proceed through the RMA instead of FTCA. And, there is no known environmental compliance history with Contact Energy in the District.
<b>Other considerations</b>	There is an adjacent consented windfarm within the Gore District under construction, being the Kaiwera Downs Wind Farm which Mercury Energy are undertaking in a staged manner. There may be instances where both construction projects are running processes in tandem. E.g. use the same roads at the same time, or are both running community consultation. The Kaiwera Downs Wind Farm was publicly notified under the RMA.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry’s proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.



























# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

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<b>Local authority providing comment</b>	Otago Regional Council
<b>Contact person (if follow-up is required)</b>	Alexandra King, Consents Manager (Acting)
	s 9(2)(a)
	P 0800 474 082 s 9(2)(a)

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Southland Wind Farm Project
<b>General comment – potential benefits</b>	No Comment. This question would best be addressed by the District Council.
<b>General comment – significant issues</b>	The ORC Transport and Policy teams have no comments on this application
<b>Is Fast-track appropriate?</b>	There is no reason, from a regional council perspective, why this application could not go through the standard RMA consent process within statutory timeframes. However, ORC have no objection to this proceeding as a Fast-Track application.
<b>Environmental compliance history</b>	<p>The ORC compliance team reviewed enforcement action against Contact Energy Limited and there has been one abatement notice (EN.RMA.22.0045) issued to Contact Energy Limited in July 2022. This abatement notice required them to submit a revised Landscape and Visual Amenity Management Plan as per the conditions of Resource Consent 2001.385.V3. The plan was submitted to the satisfaction of the ORC and the abatement notice was cancelled in February 2023.</p> <p>It is noted that Contact Energy Limited hold a number of resource consents issued by the ORC. There are no major compliance issues with these consents at this time.</p>
<b>Reports and assessments normally required</b>	<p>The resource consent application and final design of the Wind farm has not yet been provided.</p> <p>The Fast-track Consent Referral Application states that part of the proposed transmission line and the Grid Injection Point (“GIP”) will be within either the Gore District (Southland Region) or the Clutha District (Otago Region) depending on the final alignment of the transmission line route. The preferred</p>

	<p>transmission line route will be confirmed prior to lodgement of the resource consent application.</p> <p>It is not possible to provide any detailed discussion on what reports and assessments would normally be required by ORC until this information is available.</p> <p>It is noted in the application that Contact will engage with ORC throughout the consenting phase and as the detailed design for the project is completed, and the final transmission line route confirmed.</p> <p>The application states that the potential routes have been designed to avoid DOC land, wetlands and known archaeological sites and that no structures associated with the transmission line will be placed in the bed of any waterbodies.</p> <p>The Regional Plan: Waste for Otago includes rules which apply to contaminated sites. A contaminated site is defined as a site at which hazardous substances occur at concentrations above background levels and where assessment indicates it poses, or is likely to pose an immediate or long term hazard to human health or the environment. If the chosen transmission line route involves the disturbance of land at a contaminated site in Otago then consent would be required.</p> <p>Once final plans have been provided further consent requirements may be identified.</p>
<b>Iwi and iwi authorities</b>	Te Rūnanga o Ngāi Tahu (for notified applications only) and Aukaha and Te Ao Marama (consultancies operating on behalf of iwi).
<b>Relationship agreements under the RMA</b>	Nil
<b>Insert responses to other specific requests in the Minister's letter (if applicable)</b>	N/A
<b>Other considerations</b>	N/A

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

<b>Local authority providing comment</b>	Southland District Council
<b>Contact person (if follow-up is required)</b>	Cameron McIntosh § 9(2)(a) [REDACTED]
	Marcus Roy § 9(2)(a) [REDACTED]

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Southland Wind Farm Project
<b>General comment – potential benefits</b>	Council generally supports the increase of renewable energy generation as to meet Aotearoa's energy needs. A wind farm will utilise the known wind resource in in the area.
<b>General comment – significant issues</b>	<p>Council is concerned that the fast-track consenting process will not enable sufficient consultation with the local community who will be most impacted by a windfarm in their area. Specifically:</p> <ul style="list-style-type: none"> <li>- When a windfarm was previously proposed at this site (2008-2010) the local community was very engaged in the pre-lodgement consultation and raised a number of valid local factors which would be realised if a project was approved.</li> <li>- A lack of community engagement is likely to prevent some short, medium and long-term adverse effects on the community from being identified and resolved through a fast track process.</li> <li>- Benefits to the local community may not be adequately identified through lack of community input into the project.</li> </ul> <p>Elected councillors take a consultative approach to decision making across the District and facilitate local input into decision making for small on the ground decisions for which they have madidate to make in the absence of local consultation. In the councillors views this project should have a significant period of community engagement to ensure that all interested parties have the opportunity to provide feedback.</p>
<b>Is Fast-track appropriate?</b>	<p>No. In council's view, the fast track process does not provide sufficient opportunity for public input into the decision-making process.</p> <p>A modified fast track process providing for public participation would be more appropriate or alternatively a publicly notified resource consent process.</p>
<b>Environmental compliance history</b>	Contact Energy does not have a significant presence in Southland District. Generally, compliance has been good.
<b>Reports and assessments normally required</b>	Being a windfarm, a vast array of professional reports will be needed to inform a good decision. Some reports (not an extensive list) include landscape, ecology, cultural impact, aquatic ecology, earthworks, roading impact assessment etc.

<b>Iwi and iwi authorities</b>	Te Ao Marama Incorporated (TAMI), being the environmental agency representing all four Southland Runanga. Additional specific consultation should be had with Hokonui Runanga.
<b>Relationship agreements under the RMA</b>	There is a Charter of understanding which exists between TAMI and the four Southland local authorities. This outlines the relationship agreement for all LGA and RMA matters between Council and the four Runanga.
<b>Insert responses to other specific requests in the Minister's letter (if applicable)</b>	The specific questions have already been answered.
<b>Other considerations</b>	

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# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

<b>Local authority providing comment</b>	Southland District Council
<b>Contact person (if follow-up is required)</b>	Cameron McIntosh § 9(2)(a)
	Marcus Roy § 9(2)(a)

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Southland Wind Farm Project
<b>General comment – potential benefits</b>	Council generally supports the increase of renewable energy generation as to meet Aotearoa's energy needs. A wind farm will utilise the known wind resource in in the area.
<b>General comment – significant issues</b>	<p>Council is concerned that the fast-track consenting process will not enable sufficient consultation with the local community who will be most impacted by a windfarm in their area. Specifically:</p> <ul style="list-style-type: none"> <li>- When a windfarm was previously proposed at this site (2008-2010) the local community was very engaged in the pre-lodgement consultation and raised a number of valid local factors which would be realised if a project was approved.</li> <li>- A lack of community engagement is likely to prevent some short, medium and long-term adverse effects on the community from being identified and resolved through a fast track process.</li> <li>- Benefits to the local community may not be adequately identified through lack of community input into the project.</li> </ul> <p>Elected councillors take a consultative approach to decision making across the District and facilitate local input into decision making for small on the ground decisions for which they have madidate to make in the absence of local consultation. In the councillors views this project should have a significant period of community engagement to ensure that all interested parties have the opportunity to provide feedback.</p>
<b>Is Fast-track appropriate?</b>	<p>No. In council's view, the fast track process does not provide sufficient opportunity for public input into the decision-making process.</p> <p>A modified fast track process providing for public participation would be more appropriate or alternatively a publicly notified resource consent process.</p>
<b>Environmental compliance history</b>	Contact Energy does not have a significant presence in Southland District. Generally, compliance has been good.
<b>Reports and assessments normally required</b>	Being a windfarm, a vast array of professional reports will be needed to inform a good decision. Some reports (not an extensive list) include landscape, ecology, cultural impact, aquatic ecology, earthworks, roading impact assessment etc.

<b>Iwi and iwi authorities</b>	Te Ao Marama Incorporated (TAMI), being the environmental agency representing all four Southland Runanga. Additional specific consultation should be had with Hokonui Runanga.
<b>Relationship agreements under the RMA</b>	There is a Charter of understanding which exists between TAMI and the four Southland local authorities. This outlines the relationship agreement for all LGA and RMA matters between Council and the four Runanga.
<b>Insert responses to other specific requests in the Minister's letter (if applicable)</b>	The specific questions have already been answered.
<b>Other considerations</b>	

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

1 May 2023

Environmental Protection Authority  
Private Bag 63002  
Wellington 6140  
[fasttrack@epa.govt.nz](mailto:fasttrack@epa.govt.nz)

Dear Sir

***Application under COVID-19 (Fast-track Consenting) Act 2020 – Contact Energy Limited – Southland Wind Farm Project***

Contact Energy Limited has lodged an application with the Authority in regard to a Southland wind farm project.

Contact Energy has undertaken preliminary consultation with Environment Southland on this project in late 2022 and early 2023.

We can advise that Environment Southland is neutral as to whether the application proceeds as a fast-track application or via the standard resource consent process. We are also aware of Southland District Council's comments on this matter, as provided to you on 27 April 2023.

Attached is the completed Ministry for the Environment form that enables local authorities to provide comments.

Yours sincerely



Wilma Falconer  
Chief Executive

# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Southland Regional Council ( Environment Southland)
Contact person (if follow-up is required)	Bruce Halligan- Consents Manager Alternate – Lacey Bragg- Consents Team Leader  Comments authorised by Wilma Falconer- Chief Executive s 9(2)(a) Phone 0800 768 845 s 9(2)(a)

## Comment form

Please use the table below to comment on the application.

Project name	Contact Energy Limited - Southland Wind Farm Project
General comment – potential benefits	Potential benefits to the province of the provision of a further renewable energy source to cater for current and anticipated future demand, also benefits from reduction in use of fossil fuels for energy production.
General comment – significant issues	<p>The area contains some significant ecology/biodiversity, such as bat species. While Environment Southland is not saying at this stage that the effects on these will necessarily be significant, they require close scrutiny. From preliminary consultation with Contact Energy Limited, Environment Southland is aware that the applicant has commissioned a range of ecological studies.</p> <p>Preliminary discussions with Contact Energy Limited indicate that there is a natural wetland on the site. It has been suggested to Contact that the development seeks to avoid this if possible and mitigate any potential adverse effects on the existing wetland.</p> <p>Other potential significant issues such as landscape and visual effects and noise effects are out of scope for Environment Southland and would be covered by the relevant territorial authorities.</p>
Is Fast-track appropriate?	<p>Environment Southland is neutral as to whether the project proceeds via the fast-track pathway, or via the standard resource consent process.</p> <p>However, Environment Southland is aware of, and notes, the comments of Southland District Council in this regard. Environment Southland wishes to avoid community confusion from misalignment between the two organisations; and recognises Southland District Council's desire for a more public process, and that several of the more significant considerations sit within territorial authority jurisdiction.</p>



<b>Environmental compliance history</b>	Contact Energy Limited has no current Environment Southland resource consents and no record of any compliance history.
<b>Reports and assessments normally required</b>	Ecology/ biodiversity including ecology / biodiversity effects of any proposed instream structures, water quantity and quality effects, effects from discharge of contaminants to soil, cultural impact assessment.
<b>Iwi and iwi authorities</b>	Te Rūnanga o Ngāi Tahu, Te Ao Marama Incorporated (Ngāi Tahu – Murihiku- Authorised Resource Management Agency), Hokonui Rūnanga.
<b>Relationship agreements under the RMA</b>	The <i>Charter of Understanding / He Huarahi mo Nga Uri Whakatupu</i> with rūnanga which contribute to Te Ao Marama Inc in Murihiku/Southland - being Awarua Rūnaka, Waihopai Rūnaka, Oraka/Aparima Rūnaka.
<b>Insert responses to other specific requests in the Minister's letter (if applicable)</b>	None - comment has been provided above on compliance history as requested in letter.
<b>Other considerations</b>	<p>For the panel's information, there has been a previous proposal by a different company in relation to a wind farm project in this locality approximately 2008-2010, and some preliminary public consultation meetings held in the area at that time.</p> <p>It is worth the panel being generally aware that another consented wind farm development is currently under construction by Mercury Energy at Kaiwera in eastern Southland. This is approximately 20 km north of the site of this application.</p> <p>The applicant, Contact Energy Limited, has undertaken preliminary consultation with Environment Southland on this project, prior to the lodgement of this application with the EPA. Hence, Environment Southland has a general awareness of the project.</p>

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.



# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Transpower New Zealand Limited
Contact person (if follow-up is required)	Jo Mooar
	Senior Corporate Counsel
	s 9(2)(a)

## Comment form

Please use the table below to comment on the application.

Project name	Southland Wind Farm (Contact)
General comment	<p>Transpower has been identified as an “other person” for the purpose of section 21(3) of the COVID-19 Recovery (Fast-Track Consenting) Act 2020 (<b>Act</b>). Thank you for the opportunity to provide comments about the Project, and its potential impact on National Grid assets.</p> <p>Transpower supports the application, as the development is well thought through and “contribut[es] to New Zealand’s efforts to mitigate climate change and transition more quickly to a low emissions economy (in terms of reducing New Zealand’s net emissions of greenhouse gases)” (section 19(d)(vii) of the Act).</p> <p>Transpower is not aware of any reason for the application to be declined. We do not consider the Project to be inconsistent with Policy 10 (in particular) of the National Policy Statement on Electricity Transmission (section 23(5)(c) of the Act).</p> <p>The applicant proposes to connect to National Grid via a new switching station adjacent to the existing North Makarewa-Three Mile Hill A line.</p> <p>Transpower has had discussions with Contact about the proposed connection. Transpower operates a Queue Management Framework, for managing investigations into generation connection. The Project is in the queue.</p>

<b>Other considerations</b>	N/A.
<b>[Insert specific requests for comment]</b>	<p>The following questions have been asked of Transpower:</p> <ol style="list-style-type: none"> <li>1. What additional approvals will be applicant require from Transpower New Zealand Limited to connect to the national electricity grid?</li> </ol> <p>The applicant will need to:</p> <ul style="list-style-type: none"> <li>• enter an investigation Services Agreement to fund the costs of Transpower’s investigation;</li> <li>• enter a Transpower Works Agreement (TWA) to fund the works identified by the investigation for the connection to the Grid. The TWA would also cover the need to obtain any RMA approvals and subsequent construction and other works to connect to the Grid; and</li> <li>• obtain generating commissioning approval from the System Operator, which is required before generation can occur.</li> </ul> <ol style="list-style-type: none"> <li>2. Will obtaining the above approvals likely impact on project delivery or timing as outlined in the referral application?</li> </ol> <p>We do not anticipate any approvals from Transpower, or for Transpower works would impact on project delivery as outlined in the referral application, provided the investigation proceeded without delay.</p>

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