



BRF-3158

Contact Energy Limited  
c/- Brigid Buckley  
Senior Specialist – Resource Management  
s 9(2)(a)

Dear Brigid Buckley

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – Southland Wind Farm Project**

Thank you for Contact Energy Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Southland Wind Farm Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is to construct and operate a wind farm on approximately 5,500 hectares of land at 248 and 794 Venlaw Road, and 232 Campbell Road, Oware, Southland, and to connect to and supply electricity to the national grid. The wind farm will comprise up to 55 wind turbines with blade tip heights up to 220 metres high and will have an approximate installed capacity of 230–300 Megawatt peak. Ancillary activities for the wind farm will also occur on approximately 90 hectares of land at 16 Davidson Road East, Gore. The project includes:

- a. construction of infrastructure and associated structures including internal roads, turbine foundations and hard stand areas, underground electrical cables, two meteorological masts approximately 140 metres high, a substation, transformers, and ancillary buildings including concrete batching plants, a machinery workshop, workers accommodation, and temporary laydown areas.
- b. construction of a 220 kV transmission line, approximately 15–17 kilometres long with up to 50 pylons, extending north along one of three possible routes from the proposed wind farm to a switching station to connect to the existing 220kV Transpower New Zealand Limited (Transpower) North Makarewa-Three Mile Hill A Circuit
- c. construction of an access road connecting 16 Davidson Road East, Gore, to the wind farm site
- d. minor improvement works within the State Highway 1, 93 and 98, and Kaiwera Road and Kaiwera Downs Road road reserves to enable transportation of the wind turbines.

The three route options for the 220kV transmission line cross various private and public land parcels within the Southland and Gore Districts (Southland Region) or Clutha District (Otago

Region). Notices of requirement to designate a 400-metre-wide transmission corridor for the new transmission line may be lodged under the FTCA process.

The purpose of the FTCA is to promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

I can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider it will help to achieve the FTCA's purpose as it has the potential to:

1. generate employment by providing approximately 160-240 direct full-time equivalent (FTE) jobs over a 2-year construction period, and 10–14 on-going FTE jobs once construction is complete
2. provide infrastructure that will contribute to improving economic and employment outcomes
3. contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation
4. progress faster than would otherwise be the case under standard Resource Management Act 1991 process.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

*Information required to be submitted with your resource consent applications and notices of requirement*

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the following information with any resource consent applications and notices of requirement for the project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6:

1. an ecological assessment, including:
  - i. an assessment of the effects of the activities involved in the project (including the operation of the wind farm) on vegetation, natural inland wetlands, birds, bats and lizards, and their habitats
  - ii. complete field survey data and survey reports for birds, bats and lizards
  - iii. a description of measures to avoid, remedy, mitigate, offset or compensate for

these effects.

I draw your attention to clause 14 Schedule 6 of the FTCA that details that the above information must be provided in sufficient detail to correspond to the scale and significance of effects. You should therefore provide what you believe is a reasonable level of information, and if a panel requires further information, they can seek it from you under clause 25 Schedule 6 of the FTCA.

This information will inform a panel's assessment of the proposal's effects and whether to invite comment from persons or groups in addition to those specified in clause 17 Schedule 6 of the FTCA. This does not preclude a panel from requiring you to provide any additional information on any application lodged with the EPA under the FTCA.

*Persons or groups a panel must invite comments from*

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any resource consent applications and notices of requirement for the project lodged with the EPA from the following persons or groups additional to those specified in clause 17 Schedule 6 of the FTCA:

1. Minister of Energy and Resources
2. Minister of Agriculture
3. Transpower New Zealand Limited
4. Te Ao Marama Incorporated
5. Aukaha (1997) Limited.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

*Timeframes for a panel to make their decision*

In accordance with section 24(2)(f) of the FTCA, I have also decided that a panel must issue its final decision on any resource consent applications or notices of requirement lodged with the EPA for the project no later than 50 working days after the date specified for receiving comment under clause 18 of Schedule 6 of the FTCA rather than 25 working days after the date specified for receiving comments as described in clause 37(2)(b)(i), with the option to extend the period for issuing its final decision by up to a further 50 working days rather than the 25 specified in clause 37(3)(b)(i). This will enable a panel to source technical information and relevant expertise to assist in their decision-making and provide sufficient time for a panel to consider the project and hold a hearing if necessary.

I will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made you will be able to lodge your applications for resource consent and notices of requirement for a designation with the EPA for a decision by a panel. The decision

to approve or decline the resource consents and designation is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, my decision does not in any way endorse any related or concurrent planning decisions such as zoning decisions that may affect the project.

Please do not publicly release my decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. I provide a copy of my decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. My decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

I have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. Te Ao Marama Incorporated
2. Aukaha (1997) Limited.

Please contact the Fast-track Consenting Team at the Ministry for the Environment ([fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)) if you have any questions or wish to discuss this decision.

Yours sincerely



**Minister for the Environment**

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)–(m) of the FTCA:

Arts, Culture, and Heritage; Māori Crown Relations: Te Arawhiti; Housing; Infrastructure; Education; Transport; Land Information; Defence; Treaty of Waitangi Negotiations; Local Government; Conservation; and Climate Change

Additional relevant Ministers:

Minister of Energy and Resources  
Minister of Agriculture

Local authorities:

Southland District Council  
Clutha District Council

Gore District Council  
Southland Regional Council  
Otago Regional Council

Other parties:

Transpower New Zealand Limited  
Te Ao Marama Incorporated  
Aukaha (1997) Limited.

Relevant iwi authority and Treaty settlement entity:

Te Runanga o Ngāi Tahu

Environmental Protection Authority

The Panel Convener