

Departmental Memo



Department of
Conservation
Te Papa Atawhai

GS ref: 22-B-0469

DOCCM: 7082446

In Confidence

Date: 19 July 2022

To: Minister of Conservation

From: Natasha Ryburn, Director, Planning Permissions and Land

Subject: Wind Quarry Zealandia (WQZ) and the Coastal Policy Statement

Purpose – Te aronga

1. **s 9(2)(a)** a public relations consultant working on behalf of Wind Quarry Zealandia (WQZ) is seeking a meeting with you to discuss an offshore wind farm (OWF) proposal in the South Taranaki Bight (meeting request at Attachment A).
2. This memo is to provide you with advice on the proposed meeting, and context regarding offshore wind development including regulatory settings.

Background and context – Te horopaki

3. **Out of scope**
[Redacted content]

Out of scope

[Redacted]

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[Redacted]

Biodiversity context

- 11. The South Taranaki Bight is a biodiversity hotspot due to the presence of threatened marine mammals and birds.
- 12. OWFs present significant risks to marine and avifauna species. There is the potential for significant adverse effects on threatened species from offshore wind development and operation. This will primarily be on marine mammals (from underwater noise) and likely birds, depending on the location of windfarm, density of turbines and operating regime.
- 13. In New Zealand there is very little baseline data with which to model potential adverse effects. Research is needed to understand species distribution and habits.
- 14. Some international research on biodiversity impacts may be transferable (noise) but have different applicability in New Zealand, and other research is unlikely to be relevant (seabirds). A research programme is not being developed and the system currently relies on individual applicants collecting their own data to inform their applications.
- 15. DOC does not have the resources to undertake the studies needed.

Regulatory context

- 16. Out of scope

[Redacted]

[Redacted]

[Redacted]

- 19. Out of scope

[Redacted]

[Redacted]

- 21. Out of scope

[Redacted]

Out of scope

Meeting request

24. Out of scope

Risk assessment – Aronga tūraru

29. Out of scope

31. WQZ may seek your understanding of the values that may be present. If you chose to comment our advice is that you note that desktop studies are insufficient to understand the potential impacts of this novel activity in New Zealand and that we understand that appropriately detailed research is likely to take approximately two years to complete.

32. Out of scope

Next steps – Ngā tāwhaitanga

33. Out of scope

Attachments – Ngā tāpiritanga

[Attachment A and Attachment B - Out of scope in part, remainder withheld under section 9(2)(b)(ii)]

- Attachment A: INV 2022-297
- Attachment B: WQZ paper - s 9(2)(b)(ii)
- Attachment C: Additional context
- Attachment D: Draft letter to s 9(2)(a)

Contact: Natasha Ryburn, Director Planning Permissions and Land; s 9(2)(a)

ENDS

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Attachment C: Additional Context

New Zealand OWF context

- 34. There is little current knowledge within New Zealand about offshore wind development. Many countries have commissioned extensive research on a range of topics prior to allocating space for offshore wind.
- 35. New Zealand’s current regulatory regime allows a first-in, first served allocation of public space. Any application would likely result in an uncertain and expensive consenting process for all involved, as substantial technical evidence along with legal arguments would be provided by parties involved in the process. This is unlikely to lead to optimal economic or biodiversity outcomes and there is significant potential for cumulative adverse effects due to the ad-hoc nature of case-by-case consenting. We support an allocation-based approach for this industry as this would enable avoidance of areas with the highest risk to marine species, a more effective and efficient approach to a public resource and be more aligned to approaches taken internationally.
- 36. We have met with Boffa Miskell a consultancy who is providing advice to potential applicants (including advice to WQZ). They share our concerns that the *“emerging offshore wind industry in NZ could present a maladaptation risk for conservation values if we can’t undertake quality research and assessments to properly understand the impacts in a NZ context and design appropriate mitigations”*. We are looking to work with the New Zealand Wind Energy Association to explore opportunities to develop assessment methodology guidance and explore how data could be shared.
- 37. Technology and techniques related to offshore wind are rapidly evolving. In New Zealand, it is likely that construction could begin within 5-10 years. So, there may be some smaller farms by the late 2020s and larger farms by ~2030. Whether this eventuates and the risk to conservation values will depend on an effective regulatory regime and understanding of the environment.

38. Out of scope [Redacted]

Out of scope [Redacted]

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41. **Out of scope**

NZCPS policies

42. We consider, based on extensive engagement in plan development and consenting in the coastal environment and the outcomes of other consent processes, that the NZCPS policies are unlikely to prevent all and any development, but they may reduce the extent and distribution of potential sites.
43. Onshore wind farms have been built within the coastal environment at several locations around New Zealand (but none in the marine environment). The NZCPS applies to these sites and did not prevent these wind farms from being developed. Many other activities that may impact threatened or at-risk species have also been consented in the coastal environment. s 9(2)(b)(i)
44. WQZ note that it would take lengthy and detailed investigations to understand the risks to seabirds. WQZ have only obtained desktop studies to date. Desktop studies are insufficient to understand the potential impacts of the proposal on biodiversity. Relying on desktop studies for a project of this size and extent WQZ is proposing is inappropriate, the onus should be put on WQZ (and any other potential applicants) to commission appropriately detailed investigations which would provide information that would help inform the site design and location. Appropriate studies are likely to take a couple of years to complete once initiated.
45. DOC technical experts are concerned about the potential impact of the project on threatened and protected species. This does not mean that the potential impacts could not be appropriately considered within the current framework (as noted above incorporating an allocation step could improve biodiversity and economic outcomes).

International regulatory regimes

46. Many jurisdictions use an allocation process with associated leases. Australia introduced new legislation at the end of last year which formerly established their approach at the national level.
47. In the USA there is a four-stage process: Planning and Analysis; Leasing; Site Assessment; Construction and Operations. Decisions are made at each stage regarding the suitability of a proposal.
48. In the Netherlands they have a 'noise budget'.

Case study - Netherlands

49. In the Netherlands before 2016, wind farm owners who were awarded permits were required to monitor and investigate the effects. In 2016, the Dutch government initiated a central and long-term offshore wind ecological research programme: Wozep (2016 - 2023 and probably an extension until 2030). They recognise the ecology is appropriate to be a showstopper in some instances. The programme enables:
- Reduced uncertainties in knowledge gaps and assumptions
 - Reduced uncertainties in upscaling offshore wind energy
 - Understanding of the effectiveness and necessity of mitigation measures

50. Wozep focusses on a range of topics and specifically on matters like those New Zealand will experience:
- Marine mammals: under water noise
 - Birds: collision and displacement
51. The Dutch context is simpler than New Zealand as it is only accounting for less threatened species, and marine mammals less prone to injury from the frequency of noise that wind farm construction creates, for example Harbour Seals, Grey Seals, and Harbour porpoise. The South Taranaki Bight has a wide array of species including the critically endangered Māui dolphin (population size estimate of less than one hundred, Harbour porpoise population is approximately 350,000) and a large number of low frequency hearing cetaceans, including a resident population of blue whales. There are also a large number of mid-frequency hearing cetaceans. New Zealand is also the sea bird capital of the world, and the behaviour of our species differ significantly to those in the North Sea.
52. A similarly coordinated research approach may be appropriate in New Zealand but would require specific funding.

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Hon Poto Williams

MP for Christchurch East
Minister of Conservation
Minister for Disability Issues
Associate Minister for Children



Ref: 22-B-0469

Out of scope

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DOC has also advised me that from their perspective a key issue that there is currently insufficient information to understand the distribution of significant biodiversity values within the South Taranaki Bight and the potential impacts of offshore renewable energy on these values. They will look to engage with the industry, likely through New Zealand Wind Energy Association, to explore methodology and/or national guidance that identifies the necessary scope and scale, ensures the right variables are considered, and leads to quality outputs to support ecological assessments for proposed offshore wind projects.

Nāku noa nā

Hon Poto Williams
Minister of Conservation