Dear Mr Shaw

Ref. Your letter dated 7 March 2013

Appeal Adams against Bunting, Turitea Board of Inquiry

Thank you for your letter outlining the reasons for dismissal of our complaint.

The issue raised is the necessity to establish blatant dishonesty as a breach of good faith. We agree with CPEC that blatant dishonesty cannot be established. We now believe that the matters we raised amounted to gross negligence. It appears that the negligence resulted from failure to read submissions on the Draft resulting in failure to address the substantive matters raised in the submissions, i.e. correction of errors, the major earthquake risk to the wind farm and associated infrastructure, undefined tests of science, statistical invalidity of noise modelling, stacked expert conferencing and peer review anomalies. Note such matters are process matters and not objection to the decision itself.

We also agree with CPEC concerning immunity. However, Mr Bunting was also wearing the hat and ethical obligations of CPEC. The judgement of thresholds and relativity of negligence is your prerogative but we believe that such a matter is absolute in the maintenance of full trust and confidence in professional engineering. On this basis we disagree with CPEC.

- The issue now becomes how does negligence contribute to lack of good faith and what threshold applies to negligence that could have resulted from failure to read and consider submissions on the Draft decision as well completing full due diligence in the first place?
- Is it possible for Mr Bunting to confirm or deny failure to read the submissions on the Draft decision and the opinion of CPEC on this issue?
- It is our opinion that the sidestepping and shielding, as well as the issues raised in the complaint, collectively contribute to a highly suspect consent soon to be sold as part of Mighty River Power’s asset register. The issues are covered in detail on www.turiteadocuments.wordpress.com

Yours sincerely

John Adams
(On behalf of the Adams and Huatau)

Cc. Environment Court, Attorney General