Dear Hon. A. Adams

Ref. Your letter dated 16 August concerning Huatau and Adams complaint about the Board of Inquiry for Turitea Wind Farm

Thank you for your letter. It is unfortunate that our concerns about errors in the Final Report and Decision for Turitea Wind Farm have not been addressed. The only matter that has been confirmed is that there is no mechanism of accountability for the inexcusable behaviour of the Board of Inquiry to rectify errors after they were pointed out via written submission. We are unsure if this was due to incompetence, bias, blinkered doggedness or whatever. The whole matter is fully documented.

The Board of Inquiry was well resourced and renumerated to conduct the Inquiry. Failure to meet the terms of reference, i.e. report on fact, and to meet other ethical and moral expectations amounts to fraud in our opinion. The Board has not met its statutory duties. One of the members of the Turitea Board, Mr Bunting, is now on the Board of Inquiry for the Kapiti bypass. Mr Bunting does not appear to have been sanctioned or held accountable as a signatory to the Turitea fiasco.

The Adams and Huatau have no mechanism to ensure errors of fact are rectified in the Final Report because there is no statutory framework against which a judicial review can be conducted. The failure of the Board has many downstream ramifications not only for us but also for Mighty River Power having a shonky and contentious consent on their asset register. The ramifications include potentially litigious matters such as sections being sold in the area where the Final Report states no turbines will be visible, but in reality several turbines will be visible and highly intrusive.

Boards of Inquiry are put in place to ensure projects proceed. In our opinion the Board of Inquiry process has exploited, in a blatant and pathetic way, the sacred separation of executive from judiciary to sidestep accountability. If a project is going to be severely constrained there are mechanisms that can be used such as buy out at valuation, which usually only involves a small number of severely impacted parties. We request that the Board of Inquiry is ordered to reconvene to consider the issues we have raised in previous correspondence to meet its statutory duty of reporting on findings of fact.

Yours sincerely

John Adams
(On behalf of the Adams and Huatau)

Cc. Hon. Dr Smith, Hon. C.Finlayson, Solicitor General, Rt Hon J. Key, Chief Justice, Hon. B.English, Hon. G.Brownlee, Law Commission, EPA