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Judge LJ Newhook  
Acting Principal Environment Judge  
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Wellington

26 September 2011

Dear Judge Newhook

Ref. Final Report and Decision of Turitea Wind Farm (Sept. 2011)

At the hearing for the Turitea Wind Farm the Board states, on page 3-1 paragraph 5, in reference to the admission of Professor Sims evidence on greenhouse gases causing climate change:

*“we directed that there was no prejudice arising from Professor’s Sims evidence, although it would have been more appropriate if it had been included as evidence-in-chief”.*

In paragraph 41 of my response to the Draft Decision I stated:

*“I do not accept the Board’s justification in Chapter 3 (5) of why it allowed admissibility of Professor Sims evidence to rebut Mrs Melhuish. There is prejudice arising from Professor Sims evidence because Huatau Marae would have introduced*

*an expert on climate change, if Professor Sims evidence had been included as evidence-in-chief. Further prejudice arises because Professor Sim's unchallenged opinions could have permeated the balancing process".*

The point I wish to make is that we had arranged for Professor Bob Carter to be an expert witness on the issue of anthropogenic climate change for Huatau Marae if necessary. Huatau Marae deemed it was not necessary for Professor Bob Carter to appear because there was no evidence-in-chief on anthropogenic climate change. Also it appeared at the time that all parties thought little was to be gained by exploring the Minister's reason for the call-in, i.e. anthropogenic climate change and NZ's associated obligations under Kyoto.

I believe it is disingenuous of the Board to make the claim cited above, i.e. "no prejudice". In order for the official record to be correct I expect that the Board publicly notify all parties that "J.Adams believes there was prejudice". Or alternatively publicly delete Chapter 3 from the Final Decision.

Yours sincerely

John Adams