

Shonagh Kenderdine the Orwellian activist, unmasked.

A cosy relationship between the dishonourable Shonagh Kenderdine and MRP's lawyer at the Turitea Board of Inquiry, Karen Price, has emerged.

NB: the following extract is from a web site inhabited by global warming extremists, and Kenderdine, who in her NZ Wind Energy 2012 presentation absurdly claims the world will be uninhabitable by 2040, is right at home here.

Back at my desk briefly (it's a hectic week), some catching up in progress. The Going West panel session on Saturday morning was fun to do, and well received. There will be a recording available (for download, I hope) and I'll link to that if/when it's available. The climate change legal summit in Te Papa was a fascinating couple of days, with excellent speakers. Some of it was fairly dry stuff, as you might expect when considering the legal minutiae of carbon trading, and how the ETS might interact with the RMA process, but there were really useful sessions on dealing with greenwash, checking out the quality of offsets, the pitfalls of carbon trading, and so on. **Highlights for me were Judge Shonagh Kenderdine on how climate change is being treated in the Environment Court (with special reference to sea level rise), Karen Price on the process (and contractual pitfalls) of carbon trading, and Professor Martin Manning on climate science and politics.** Prof Manning had some interesting thoughts on targets – which luckily for me, reinforced the message I'd given in my morning introduction. There were also interesting and challenging presentations on agriculture and its future from Guy Salmon and Chris Ward (Hort NZ). All good stuff: would be great if it could find a wider audience, because this is where the real debate about climate change is – dealing with it, and moving forward.

<http://hot-topic.co.nz/the-green-green-grass-of-home/>

Karen Price as lawyer for MRP worked hand in hand with Kenderdine and provided a comprehensive summing up for the Turitea Board of Inquiry, where all Kenderdine had to do was say “Thank you Ms Price”

Evidence of Kenderdine's long standing bias here.

THE CARBON CAPTURE REPORT 

Shonagh Kenderdine: Person DB Profile: All Organizations

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This page lists all organizations mentioned in articles mentioning [Shonagh Kenderdine](#) relating to [Green Energy](#). For a complete overview of this entry's activities relating to this topic, please see the [Shonagh Kenderdine Person DB Profile](#).

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http://green.carboncapturereport.org/cgi-bin//profiler_showlist?key=shonagh_kenderdine&pt=2&field=orgs

Here Kenderdine is acting as a climate change activist, *yet she is a judge*. Her bias surely disqualifies her – but no, this doesn't happen in the rarified world of the elite. In April 2012 as a lead speaker at the New Zealand Wind Energy Conference she would have boosted her “performance“ for the Carbon Capture Report to 100%

Her outrageous presentation which was online and then quietly removed by the NZ Wind Energy Association until critical comment forced them to put it back, demonstrated her method of stamping out opposition.

In the following report of an address made to The New Zealand Federation of Graduate Women, Kenderdine is talking hypocritical nonsense.

[Martine Cashell-Smith](#) says:

11 June 2010 at 00:37

I'm sorry for such a late reply but I have only just discovered this discussion.

Given the example set by the United Nations (19 men and 0 women on their Climate Change Finance Committee) it appears that involving women in decision making about Climate Change is certainly not happening at an international level! In New Zealand we have the example of the Government replacing a regional council with 5 women and 9 men with 6 male commissioners and 1 female commissioner. It appears that for Climate Change and the management of natural resources, like for so many other government appointed Boards, women will continue to be in a small minority unless we make our protest known.

I am interested in this question of "How can we make sure women are part of the decision-making process on climate-change actions?" and I hope that there will be some suggestions on this blog and also at our workshop at the IFUW conference:

Women, Lifestyle and Climate Change: Compromise for Planetary Survival

Using the World Caf  style conversational process we will link and synthesise ideas of 'eco-friendly' changes women can make in their daily lifestyle. We will produce action lists of initiatives for individuals, branches and national associations. Members will be challenged to eco-change prior to conference via the IFUW Environmental Network.

Regarding actions by our local Branch:

In March, the Otago Branch of NZFGW had **Judge Shonagh Kenderdine**, an Environment Court judge from Wellington, speak addressing the topic of "Climate Change: A Perspective from the Environment Court". **Linda Robertson (our meeting co-ordinator) provided the following summary of Shonagh's talk:**

"The talk was an account of the many issues that will arise from the ongoing climate changes and was illustrated with New Zealand scenarios. **One major concern was that of people being heard. There were references to the cost of battling with well-established and polished corporate groups and their lawyers and concerns about the willingness of local councils to listen to the voice of the people and to consult in a timely fashion (or in a meaningful way).** It was emphasised that informed people were needed to join local sustainability groups. Topics such as coastal risk, coastal policies and the problems with rigid structures such as sea walls, renewable energy initiatives, the importance of avoiding sedimentation and developing the wetlands were touched on. It was suggested that a critical stance on future planning was essential to the future of New Zealand with examples such as promoting suitable farming to maintain the land; the inevitable move of many Pacific people to New Zealand when they lose their homes due to the rise in sea levels; being

aware of hazard zones and planning in advance to manage these. The value of information sharing was stressed to educate people about these issues.”

Hearing Shonagh speak stimulated a lot of conversation about these issues. I am hoping that this will be picked up upon and will lead to further action by both Otago and NZFGW.

I look forward to reading further responses on this blog and warmly invite all interested members going to Mexico to attend our workshop.

<http://www.ifuw-forums.org/blog/2010/05/12/women-climate-change-and-sustainable-development/>

Shonagh Kenderdine, as the principal actor in a legalistic parody, was unfit to participate in the Turitea Board of Inquiry, where her bias and agenda were so blatantly obvious.

Palmerston North, its environment and ratepayer equity, were literally and corruptly sacrificed to the Emissions Trading Scheme, by Kenderdine, and her carefully chosen Board.

We believe there is no precedent for this anywhere else in the world.

Kenderdine abandoned the obligations of her judicial oath. This letter further exposes the extent to which she cynically manipulated the process and marshaled support for her “cause” knowing full well that she could act like a little tin god and not be held to account.

True to form she ignored the matters raised here.

24 Greens Road

RD 2

Palmerston North

Judge LJ Newhook

Acting Principal Environment Judge

PO Box 5027

DX: SX11154

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

Kenderdine in this next theatrical excursion cynically attempted to publicly place the blame on Horizons for the inevitable disastrous outcome of the Board of Inquiry. The “failure” of the Horizons Regional Council, however, was premeditated and predetermined.

Horizons was at the time involved in a very lengthy process of consultation for the ONE PLAN, which covered a raft of environmental issues, including inappropriate development on the Tararua and Puketoi Ranges.

Mighty River Power opposed the ONE PLAN, which has now been upheld by Judge Thompson in the Environment Court. Had the ONE PLAN been in effect neither the Puketoi nor Turitea wind farms would have gained consents.

Kenderdine knew this full well.

All along the whole process was shored up by the corrupt contract between MRP and PNCC, orchestrated by the government, and which imposed a \$3 million dollar + penalty on PNCC if it obstructed in any way the development of the Turitea wind farm.

Kenderdine was fully aware of this contract and the serious negative impact on ratepayers and can be said to have prostituted every legal principle regarding fair play.

PNCC is performing poorly with its finances and had a gun to its head.

Judge: Horizons 'reprehensible'

BY GRANT MILLER

Last updated 12:00 25/03/2010

Horizons Regional Council has had its planning efforts slated as "reprehensible" after turning up to a wind farm board of inquiry and having almost nothing to say.

Turitea Wind Farm inquiry chairwoman Judge Shonagh Kenderdine said yesterday it was poor that the regional council had so little to contribute to the decision-making process, but it was too late to do anything about it.

Horizons planner Philip Hindrup told the board of inquiry the regional council set policy, but relied on district and city councils to decide what was appropriate or inappropriate development.

"I think it is a very great pity," Judge Kenderdine said. "I think it's reprehensible that the regional council can vacate everything to district councils." The regional council's planning documents were important, she said.

Mighty River Power is seeking consent to build a wind farm with up to 104 turbines on the Tararua Range near Palmerston North.

Outside the hearing, Horizons regional planning group manager Greg Carlyon hit back, saying comments by the judge and board members were "unfortunate and unwarranted".

<http://www.stuff.co.nz/manawatu-standard/news/3503417/Judge-Horizons-reprehensible>

On August 31, the Environment Court's Judge C J Thompson ruled on points of the One Plan that could not be settled by mediation.

His rulings established some environmental bottom lines which could end up being applied nationwide, due to the appeal and precedent processes in courts.

<http://www.wanganuichronicle.co.nz/news/calm-urged-over-horizons-plan/1554736/>

Judge Thompson in his minute on the One Plan appeal dated 21 September 2012 states in paragraph {4}

If, after that process, a directly affected party believes it can still identify a significant error or omission in the redraft offered by the Court, the Court would be prepared to consider written submissions from that party, if lodged by 2 November 2012, as part of its review and approval process.

So, what do we have here? Why an Environment Court Judge willing to face up to and correct identified errors in a legal document. Kenderdine on the other hand has arrogantly refused to correct the abundant, egregious errors in the Turitea Final Decision. These errors are factually reported in excruciating detail on

<http://turiteadocuments.wordpress.com/turitea-wind-farm-documents/>

Thompson has complied with his judicial oath of office, but Kenderdine has just pocketed the loot and scarpered.

The excerpt below from an interview shows further how the judicial system works against knowledgeable submitters. They are relegated to the sidelines to watch helplessly while experts paid for by an applicant are courted and fawned upon by the judge, who has customarily no expertise whatever in the area being presented. This was most certainly the case in the Turitea hearings, where despite being given cogent evidence that the noise standard was concocted by the applicant's paid for experts, Kenderdine went ahead in the face of the highest qualified, professional, independent experts, Dr Thorne and Professor Dickinson, and accepted, without explanation, the noise conditions the applicant wanted.

The same situation arose over landscape, where Ms Mildon's landmark submissions were ignored. See

<http://turiteadocuments.files.wordpress.com/2012/04/landscape-alison-mildon.pdf>

Furthermore:

- **P Stichbury's earthquake evidence was ignored,**
- **Huatau Marae's evidence was contemptuously ignored,**
- **The traffic objections were ignored,**
- **Perjury and malfeasance were ignored,**
- **A memorandum of understanding, reportedly paying \$3 million to a local Maori group for the ranges, avoided the light of day,**
- **The corrupt contract between PNCC and MRP was suppressed,**
- **Safety issues were ignored,**
- **Board of Inquiry protocols were not followed,**
- **Selective favouritism was shown to chosen victims,**
- **Transmission line detail was buried in prolix duplicity; really, the list just goes on and on.**

How such a total embarrassment ever made it into the judiciary is a mystery to us.

JS: That's an interesting point. There are those who are willing to believe that you can't be impartial simply because you're being paid, but since the strategy is that the Court does not employ experts...

I took this up years ago with [Environment Court Judge] Shonagh Kenderdine I said,

'Wouldn't it be better if the Court employed independent experts?' She said, 'No, the Court says that it can judge the relative merits of the experts'.

So, you've the arrogance of the professionals, and you've got the arrogance of the Court.

JW: Architects, for once, would surely have to defer on that front.

JS: Absolutely The Auckland Art Gallery [hearing] is an interesting case, actually, because Judge Newhook determined that there wasn't enough independence of thought within Auckland and we needed an Australian architect to act as a heritage authority
(Emphasis added)

https://webcache.googleusercontent.com/search?q=cache:zu_ZQQPwEkwJ:http://devonporthheritage.org/documents/Salmond.pdf%2Bshonagh+kenderdine&hl=en&biw=1366&bih=659&site=webhp&ct=clnk

Kenderdine willfully deliberately and corruptly approves the Turitea wind farm right on the Wellington and Northern Ohariu fault lines and then has the utterly astounding gall to make this public presentation. You just couldn't make this stuff up. Does this retired Environment Court Judge even have a grip on reality?

Tuesday June 12

Shonagh Kenderdine

Standing Firm on Heritage: Building Resilience in the Face of Change

Shonagh, first woman Planning Tribunal Judge/Environment Court Judge (1990-2006) and is currently Chair of the New Zealand Historic Places Trust, will talk about Earthquakes: Lessons from Turkey and Italy (PowerPoint); impending legislation issues; new role for regional committees; insurance issues; community buy-in.

http://www.u3awellingtoncity.org.nz/documents/newsletter85_000.pdf

Kenderdine is not done yet, though.

NEW from the Resource Management Law Association of New Zealand

Published by Thomson Reuters for the RMLA on 27 September 2012

Special offer for IUCN Academy of Environmental Law members

Frontiers of Resource Management Law

Edited by Trevor Daya-Winterbottom, University of Waikato

The best practicable option: Accentuate the positive, eliminate the negative

Shonagh Kenderdine, formerly Environment Judge, Environment Court, New Zealand

[NEW from the Resource Management Law Association of New ...](#)

So New Zealanders, if you are in the way get ready to be eliminated.

Public confidence in politicians and the judiciary is at historic lows.

It is our view that Kenderdine is not fit for public office and should immediately resign from the Historic Places Trust.