To the Environmental Protection Authority

Att: Cathryn Bridge
Manager, Standards and Performance
Nationally Significant Proposals
30 October 2011

Dear Ms Bridge,

Thank you for your letter dated 27 October.

Your response as the manager of Standards and Performance to the issues I have raised is ludicrous and inappropriate. Are you seriously suggesting I should take the following to a local Citizens Advice Bureau?

- The Turitea wind farm knowingly approved on two of this country’s major active fault lines. Paid consultants to MRP, Beca Carter, did not do a proper seismic assessment; indeed they are members of the New Zealand Wind Energy Association.

- The Mafia like contract between MRP and PNCC not only rendering PNCC incapable of administering any consents but illegally erasing the rights of city ratepayers enshrined in The Local Government Act 2002 upon pain of a $3 million penalty. The Board has failed to acknowledge the request of some submitters apart from myself that PNCC cannot be the consent holder or enforcer of consent conditions because of this contract. One of the reasons given by the Minister, in his press release 19 December 2008, for the Call-in was, "I also believe there were risks of the Palmerston North City Council being open to claims of bias and appeal because of it being the owner of the reserve land where the wind farm is proposed". Therefore the Board was grossly negligent in not addressing this issue.

- The blatant misinformation as revealed in one of my previous letters, by the Board regarding the level of support from Tararua District residents and the location of the wind farm (according to the Board’s description being 10km east of the city boundary locates it in the main street of Pahiatua)

- The blatant favouritism, by former judge Kenderdine shown to a single victim who just happens to have restored a colonial cottage. Kenderdine of course being the chair of the Historic places Trust. Many other residents are severely impacted upon and they have been ignored.

- The placing of 6 turbines against the manufacturer’s own instructions within 400 meters of a busy state highway. Manufacturers recommend a safety zone of 400m from turbines.

- The application of a noise standard which does not meet the conclusive science test imposed by the Board on other evidence.
• The unacceptable treatment imposed on me at the hearing as well as the severe failures to ensure a just and fair hearing as identified in my correspondence to date.

• The failure by the Board to address the significant issues raised repeatedly by me, *during the process.*

In your letter to me you characterise the above failings by the Board to meet their statutory obligations as simply “complaints”. This is trivialising the reality. To say that you have no process to follow is incorrect. The process is not complete until all issues are covered off and I have pointed these out. You are cynically giving the Board the opportunity to cut and run. The well remunerated Board has failed to discharge its duties as required in its brief and relevant guidelines. The Board has not completed the task it was assigned. This means the decision is not valid until the process has been completed to the high standard required. From this it can be concluded that the Board still exists and is obliged to consider and seek satisfactory solutions to the points I have identified in order to validate any final decision. It is the responsibility of the Minister for the Environment and the EPA to ensure this is done as soon as possible and is the only way forward out of this monumental mess created by a compliant and incompetent Board.

Mighty River Power will be put up for sale and the non disclosure of the Turitea wind farm being approved on two fault lines is highly likely to become a very public litigious matter in the near future.

Finally you ask me to seek legal advice that even the EPA claims it is unable to tap into and use effectively to deal with the very serious issues raised in my correspondence. Judicial reviews and High Court action can only be taken on points of law and not the disreputable process which has disenfranchised submitters such as myself. Any accruing expense and liabilities lie with the Board and it is totally unreasonable to expect submitters such as myself to further exhaust already depleted emotional and financial reserves as a result of the Board’s failure to complete its statutory task. Fortunately the court of public opinion is free.

I expect a prompt and thorough response to these very serious matters and will not be fobbed off by an amateurish whitewash.

Yours sincerely

Paul Stichbury