

**BOARD OF INQUIRY  
HAUAURU MA RAKI WIND FARM PROPOSAL**

In the Matter of the Resource Management Act 1991

And

In the matter of resource consent applications by Contact  
Wind Limited in respect of the Hauauru Ma Raki Wind Proposal

And

In the matter of notices of requirement and a resource consent application  
by Contact Energy Limited for transmission infrastructure  
related to the Haua uru Ma Raki Wind Farm Proposal

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**BRIEF OF EVIDENCE IN CHIEF OF GAVIN AND JAN BALL**

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Gavin and Jan Ball  
1047 Wairamarama Rd  
R.D.2 Tuakau

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wairama@ps.gen.nz

## Introduction

1. My name is Jan Ball. I am a teacher at Pukekawa Primary School in a job sharing position. While teaching I worked towards furthering my qualifications and gained an education degree in 2002.
2. I am married to Gavin and we own and farm Wairama Downs, a 450 ha sheep & beef property carrying 4,000 stock units at 1047 Wairamarama Rd. Contact Energy proposes to place a 200kv transmission line from the Wind Farm through the operational core of our property to connect to the national grid at Orton.
3. We both oppose Contract Energy proposal and I am giving the evidence on behalf of Gavin and I explaining to the Board of Inquiry how our home and working environment and future personal and business endeavours will be adversely affected.

## Historical Background

4. We have owned and farmed this property since June 1979. This property has only been farmed by three different families. The first family settled on this property around 1890. The homestead and farming operation were situated down the farm near the Mangapapa Stream overlooking native bush and limestone bluffs. This area has important historical significance for this property. There is still existing evidence of the pioneer farming life.

- The 3 bay concrete shed now used as a storage shed
- Concrete posts made and still used in fencelines today
- Foundation remains of the waterwheel used in the Mangapapa Stream to drive the milking machines in the cow shed.
- Remains of one of the three homesteads

Around the early 1950's the home and farm buildings were shifted up to its present position and it's where we live today near the Wairamarama Road.

## Contact's Proposal

5. The initial contact by 'The Property Group' in 2007 was an unexpected phone call asking to arrange a meeting to speak to us about a power line upgrade in the area.
6. We very naively thought it had something to do with the power poles or transmission lines along the road. It was certainly a huge shock to be confronted with a map of our farm depicting pylons across the middle of the property.
7. It is pleasing to see Mr. Wayne Mills acknowledges that Contact had to reassess its dialogue with the transmission landowners.(1)
8. The proposed easement on our property will extend for approx 4kms with ten pylons up to 32—48 metres high. Mr. Mills states that Contact is planning for a designated corridor of up to 400 metres in width.(2)
9. We find it hard to believe that Contact needs a designated corridor of up to 400 metres wide when all that Transpower is seeking for the much bigger transmission line it's proposing to build between Auckland and Whakamaru is a corridor that is generally only 65metres wide. (This is from Transpower's Notice of Requirement, Page 25).
10. In our view the excessive width of Contact's proposed corridor, over and above any reasonable width is totally unacceptable. If the Board of Inquiry approves this 'envelope approach', it leaves us (the landowner) in a compromising position having to negotiate with Contact over an extensive area of our property. Even Mr. Crighton states in his evidence that the designation is likely to have a negative impact on the value of the land.(3)

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(1) Mr. Wayne Mills Evidence Vol 1, Tab 3. Page.10 No. 33

(2)Mr. Wayne Mills Evidence Vol 1, Tab 3. Page 27. No.104

(3)Mr. Timothy Crighton Evidence Vol 3 Tab 13, Page 5, No 20.

11. If the designated corridor on our property was 400 metres wide potentially that would be 160 hectares or one third of our farm. If the corridor was reduced to 200 metres that is still 80 hectares of our property. This can only exacerbate the adverse effects of Contact's proposal, which I set out in the paragraphs that follow.

### **Adverse Effects:**

12. The proposed expansive length and breath of the easement and the large number of pylons running through the operational core of our property will make daily farming practices very difficult. It will restrict the natural movement of stock across paddocks and make shifting stock with the dogs very unruly. Pylons are situated accordingly to Contact's proposal in an important holding paddock, in the middle of access tracks. They transverse over main sheep yards making farm management and operational tasks impossible.
13. They are placed on narrow ridges, making stock movement unworkable and vehicle access dangerous and over the top of a fenceline. They are very visible from the Wairamarama Rd. We appreciate this dramatic view of Northern Waikato limestone country and we know other members of the community enjoy this scenic view also.
14. The lines transverse over working sheep yards also highlighting health issues to the farmer and animals. We are also concerned with the possibility of the lines falling down on the yards below especially if there are sheep being held there.
15. The pylons and lines will impede our view over the unique and breathtaking scenery of 60—70 acres of native bush cascading down limestone bluffs to the Mangapapa Stream. It contains a wide variety of native flora and fauna species and this expansive habitat facilitates the movement of many native bird species in the area.

16. Family, friends and overseas visitors all tell us they have enjoyed and relaxed in this unspoiled New Zealand landscape only one hour from two major cities. They all leave our farm ecstatically describing this unique spot and proclaiming it as a wonderful image of New Zealand. "Unspoilt, rugged, green and an environmentally friendly part of the country".(4)
17. This certainly will not be the case if ten huge pylons and transmission lines crisscross the land dimensioning the aesthetic value of our farm. Mr. Lister (Landscape Architect giving evidence for Contact) acknowledges there would be significant amenity effects on this property.(5)
18. We have **only one** access from the Wairamarama Rd to our home, farm buildings and farm because of the contour of the property no other access can be constructed from Wairamarama Rd.
19. We need this access to move sheep to the woolshed for shearing, dagging and drenching. Also to move all stock going to sales or 'the works' loading them onto trucks at the entrance to our property on Wairamarama Rd.
20. We foresee major farm management problems as Contact Energy has stated in the Option Agreement that surveyors, engineers, agents, workmen and contractors with or without vehicles, implements, machinery, materials and equipment will need access to build and maintain the transmission lines on our property.

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(4) Evidence: photos 'Wairama Downs'

(5) Mr. Gavin Lister Evidence: Vol. 4, Tab 15. Page 60, No.219 (b)

21. The construction of the pylons and placing of the lines will be erected over a reasonable length of time using heavy machinery and using many types of vehicles. We therefore foresee serious problems regarding traffic, noise, air pollution (dust) and the **most valued are privacy and security** issues. The many workers, contractors, subcontractors required make us feel very apprehensive having unknown personal in close promixty to our home. We argue all of these will definitely impact and interfere on the quiet use and enjoyment of our family home. **Photos of access**(6)

22. We were surprised to note Mr. Mills' comment in his evidence (7) that we declined to discuss the placement of the pylons and other issues. This is misleading and not correct. Our family lawyer advised us to seek further legal representation to discuss options with Contact. This Barrister began advising us on the 17<sup>th</sup> October 2008 and because he wasn't able to attend the meeting on the 22<sup>nd</sup> October 2008 we cancelled it and requested consultation on farm purchase to be directed through our Barrister but this didn't preclude Contact requesting a meeting about pylons. We received a letter dated 24<sup>th</sup> November 2008 from Contact stating that Mr. Simon Prince would be in contact.(8) At this stage we are still waiting for Mr. Prince to contact us.

### **Future Endeavours:**

23. No one can foresee future developments but we believe this property has the potential to move into a niche tourism market. The historical character of the farm, the natural, unspoilt beauty of the limestone landscape and the expansive area of native bush make the property ideal for activities like horse riding, bush walks, writing or art retreats. This potential market could become a financial asset to the property but pylons and transmission lines will restrict the opportunities for any such future development.

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(6) Photos of Farm and Private access

(7) Mr. Mills Evidence: Vol. 1, Tab 3. Page 30 & 31. No.120

(8) Letter: From Contact Energy, Mr. Wayne Mills Dated: 24<sup>th</sup> November 2008

24. We are very concerned that Contact Energy wishes to exercise their option within an initial period of four years commencing from the date of the agreement but it can be extended up to a maximum of six years. While the Notice of Requirement, that is subject of this hearing provides for a lapse period of ten years stated in Mr. Geoghegn evidence.(9)
25. It is all very well for Contact to state their reasons for when and if they are going to build but this only suits Contact. There is no consideration for us and they expect us to carry the burden of uncertainty and to delay making or planning any commitments personally or in our farming business. Gavin and I will be 69 and 65 years old in ten years time
26. Our plans were to sell this farm within three years to four years. Contact is putting us in a precarious position. Contact's proposal would have to be included in any negotiations with prospective buyers. The perception of buyers has a huge impact on the market. The buyers are now more aware of problems surrounding pylons and the impact they have on the landscape, in this case on pristine limestone hill country.
27. Mr. Crighton states in his evidence that if there two identical properties, one with transmission lines and one without, it is more likely the buyer will choose the property without the transmission line, or alternatively require a discount on price to purchase the property with the transmission line.(10) We feel there is definitely an undesirable wish in the market not to purchase farms with pylons therefore having a devaluing effect on our property. This 'Stigma Effect' was acknowledged by the courts in the 'Fernwood Dairies Case"
28. We also recently read that Transpower advertised farms for sale and they would meet the market price but no one was prepared to bid at the auction. We feel we should not be disadvantaged financially by the placing of pylons and transmission lines on our property while Contact waits for favourable market conditions which are profit driven.

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(9) Mr. Geoghegan Evidence: Vol. 1, Tab 1, Page 14, 15. No.69

(10) Mr. Timothy Crighton Evidence: Vol. 3, Tab 13, Page 6, No.25

29. Our family has worked hard for 30 years on this property and we wish to state fervently Contact Energy's proposal will have a devastating and fundamental impact on our family life, working and home environment, farm management and future business ventures.

30. We hope the Board of Inquiry will decline Contact's Energy proposal after it considers all the evidence. We strongly feel if Contact Energy wants to use our property as part of their proposal, it is not unreasonable to ask them to purchase it and our family can move on to new personal and business endeavours.

## Adverse Effects On Wairama Downs



Proposed pylon location in Dufaur's paddock.



Proposed pylon location in Centre paddock.

Proposed pylons to be placed on very narrow ridges that are the only stock and vehicle access to the operational core of the farm.



Proposed pylon to be placed in important holding paddock for stock. Also next to main cattle and sheep yards.

The pylons and lines will impede our views over the unique and breathtaking scenery of native bush.



This photo was taken from the historical site of one of the three original homesteads. The proposed pylons and lines will completely destroy the unique character and beauty of Wairama Downs.



The proposed location of pylons and transmission lines will transverse over the main sheep yards beside the shed and will travel up to the ridge on the horizon.

## House Entrance and Farm Access



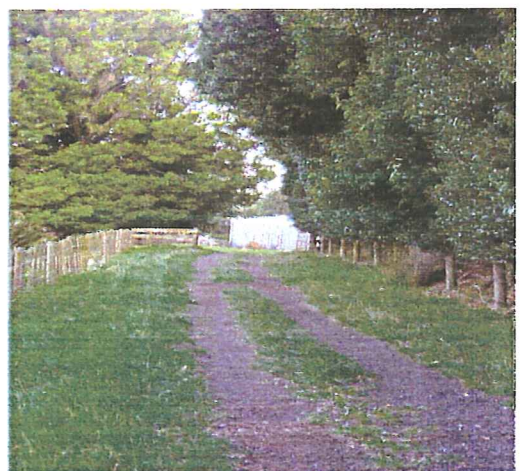
This photo shows the entrance to the property from Wairamarama Road.



On the left is the entrance to the house and the motorbike is on farm access.



These photos depict how close the farm access is to our home and garden.



These photos show the narrow farm access past the house and woolshed to the farm.



24<sup>th</sup> November 2008

Gavin Ball Farms Limited  
C/- Gavin & Janice Ball  
1047 Wairamarama Road  
RD 2  
Tuakau

Dear Gavin and Janice

I am writing to inform you that my colleague, Simon Prince, has been appointed as Project Manager for the Hauāuru mā Raki – Waikato Wind Farm – project.

Simon is an electrical engineer with commercial and project management experience in energy projects. He will assume responsibility for all aspects of our new wind farm project going forward, including the negotiation of appropriate easement agreements with affected transmission line landowners.

In the near future Simon will make contact with you to pursue further progress in relation to the transmission line as it affects your property, and any related issues you may be concerned with. To the extent it is possible, I hope to introduce Simon to you personally and I will of course be providing him with a full update on our discussions to date. In some cases where we are close to finalising an agreement, I will probably remain involved to complete that assignment.

Simon will be based in Contact's office at 106 Customs St West, Auckland, and can be contacted at any time on (09) 301 9519, or on his mobile; 021 241 7378.

Though I will no longer be directly involved in discussions with you, I will continue to assist Simon as we seek Resource Consents for the project. If you are unable to contact Simon at any time you should also feel free to contact me in his absence.

Yours sincerely

Wayne Mills  
**Land Development and RMA Manager**

cc P D Allan, Thackeray Chambers, 26 Thackeray Street, Hamilton 3204