

BOARD OF INQUIRY

**Turitea Wind
Farm Proposal**

TRANSCRIPT OF PROCEEDINGS

BOARD OF INQUIRY

Turitea Wind Farm Proposal

Hearing

HEARING at PALMERSTON NORTH on 19 MARCH 2010

BOARD OF INQUIRY:

Environment Court Judge S.E. Kenderdine

Mr D. Bunting

Mr R. Heerdegen

Mr J. Hudson

Mr C. Shenton

APPEARANCES

MR N DAVIDSON and MS K PRICE appeared on behalf of Mighty River Power Limited

MR K LOW appeared on behalf of Tararua-Aokautere Guardians Inc

MR W JOHNSON appeared on behalf of Huatau Marae

MR BUWALDA appeared as a submitter

MS MILDON appeared as a submitter

MRS TREMAIN appeared as a submitter

MR KELLS appeared as a submitter

MR LOVE and MRS LOVE appeared as submitters

MR DENCH appeared as a submitter

MR PUGMIRE and MRS PUGMIRE appeared as submitters

[9.15 am]

HER HONOUR: Good morning everybody, Mrs Harker please. I am sorry, a
correction to that, Mr Buwalda please. Good morning, sir.

5

MR BUWALDA: Good morning.

HER HONOUR: Thank you. Yes?

10 MR BUWALDA: Good morning, your Honour and members of the Board. I
want to thank you for the opportunity to present my representation. I
am Robert Buwalda, I live at 259 Kahuterawa Road and have been
living there for approximately 22 years. I work at Fonterra Research
Centre as senior technical officer, mainly dealing in technical issues
15 around equipment.

Now, as we know, Kahuterawa Road is a rural two lane road, accesses
to a rural lifestyle community with a small number of economic unit
dry stock cropping farms, and also access for established recreational
20 uses such as cycling and hiking. There are approximately 68 residents
accessing the road and from a recent road frequency total from Mighty
River Power the majority of the traffic flow is light domestic style
vehicles.

25 HER HONOUR: Now, Mr Buwalda, I wonder if I can interrupt here, I see
this is a lengthy representation.

MR BUWALDA: No, I have only highlighted two or three pages.

30 HER HONOUR: Yes, we have a lot of this information already so I really
want your ideas about what you think about the redesign.

MR BUWALDA: Okay, am I allowed to talk first about the roading and road
safety?

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HER HONOUR: Well, I think you have already done that and certainly a lot
of other submitters have talked about the road safety. What we want to
know is whether the redesign has affected your judgement of what is
going to go on in the road?

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MR BUWALDA: The redesign, from what we have seen, has not changed our
perception of the wind farm. Having read a book recently on sound,
noise, flicker et cetera we are still concerned that there is some
outstanding issues associated with existing wind farms that I feel need
45 to be addressed before I would be happy to see a wind farm occurring
within the Turitea area.

HER HONOUR: Would you like to just highlight why you think that in respect of Kahuterawa Road and the noise? By all means look at your notes but we do not need to go right through them.

5 MR BUWALDA: Okay, I had not concentrated on that because on the notes I was going through like the road structure and the safety of the road, because at the back page I have done a hazard assessment on traffic use of the road and it has come through that it is not very favourable for use for heavy vehicle access to the wind farm.

10

HER HONOUR: And who has done this assessment?

MR BUWALDA: I did, your Honour.

15 HER HONOUR: I see.

MR BUWALDA: Based on statistics provided by Mighty River in their publications.

20 The photographs were of how thick the base material is from Kahuterawa Road, which shows that when it was designed it was not really designed for heavy vehicle use.

25 HER HONOUR: Yes. Well, if you would just concentrate on – you focused on noise, is that the real problem?

MR BUWALDA: No, I focused mainly on the traffic safety because I perceive myself not to be a noise expert and thought that the noise experts would be better to be able to give that sort of information.

30

[9.20 am]

35 HER HONOUR: So you still think that safety on Kahuterawa Road is a problem?

MR BUWALDA: Yes.

HER HONOUR: Yes, anything you want to add to that?

40 MR BUWALDA: No, it is in the representation here, the statistics associated with why I have put forward that representation.

45 HER HONOUR: Right. Well, in a way it is new evidence and this is the problem with this approach and the initial evidence on Kahuterawa Road was out there at the outset and this could have been done for your first submission.

MR BUWALDA: We never appreciated that the road use would be as heavy as what they are now saying when it was first presented and, as late as the start of January this year, Might River Power in a mail drop says, “approximately four trucks per day”. Later in January they upgraded that to approximately 35 trucks per day. Now, in their latest information I was given at the last road meeting, it was up to a maximum of 60 trucks per day.

10 HER HONOUR: Yes.

MR BUWALDA: Since that has come about, I then did some homework to find out what the road was like and came through with the photographs to show that I do not think that road is capable. It is already deteriorating badly with each time there is a storm and the road is damaged further up the road, the heavy trucks used to clear the damage are damaging the lower part of the road by cracking or making the base deteriorate underneath the tar seal causing the tar seal to crack inside which I have given - - -

20

HER HONOUR: Yes, I have got you now. Yes, well, I agree that the statistics on the trucks on the road have changed and it is something we are concerned about too, and that is actually, in a way, almost outside the redesign because the redesign applies to the turbines, but if you want to highlight some of the stuff, I see you have marked it here,

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MR BUWALDA: Yes, I have highlighted where I was going to talk about it directly rather than the whole document because I appreciated that reading the whole document would take too much of your time.

30

HER HONOUR: Yes, all right, well, if you would like to do that, thank you.

MR BUWALDA: Okay, is this is just on the safety, we move through then to page No 7. From Mighty River Power we have got notes, we have got approximately 380 existing vehicles movements per day, it works out to be one every 90 seconds. They first, as I mentioned, said four to seven trucks, now they are up to about 60 and I have worked through on statistics the chance of a truck meeting a vehicle somewhere on the road for the different frequencies of truck movements.

40

Now, there is 19 domestic entrances servicing approximately 46 domestic residents on the vehicle route to the farm drive. I counted eight entrances that are considered to have restricted vision from one or both directions. These entrances service approximately 18 residences. So 42 percent of the entrances servicing 39 percent of the directly affected residents have access with restricted vision.

45

5 Then I completed the hazard assessment card, going through the statistical chance of a truck meeting a car, a truck meeting a cyclist and a truck meeting another truck. The cut in associated with heavy trucks there would not be width of road for them to clear cleanly on a lot of occasions.

10 With the cyclists and pedestrians, then I have got the risk analysis. The road is approximately 5.8 metres wide from verge to verge and the only real way of eliminating that hazard is to not have cyclists on the road at all during the time the trucks are on the road. I did make a suggestion that for the school children if they had a dedicated school bus just going up and down the road once to pick up the children, leave them and stay at the main road until their respective school buses arrived to pick them up, and the reverse apply in the opposite direction, so that it keeps the children off the road while the trucks are about.

15 The interesting one was when we categorised the domestic and light commercial traffic. Even though the risk is slightly less, the absolute risk is greater because of their greater number.

[9.25 am]

25 Okay, and taking into account the number of residents that have restricted vision are on their entranceways and the number of trucks, that is how I have categorised those and that it is to be in a high risk.

30 The heavy vehicle use of Kahuterawa Road, is again because it is narrow, it is winding, there is not so much clear room for trucks to pass each other as there would be on other wider roads. And I will leave it.

35 As far as the safety hazard assessment, I fill these in for work for different machinery, the mentality of assessing a risk is the same, whether it is for a machine or for the road, it is just opening our eyes and looking at what are the potential consequences if something occurs at a certain point.

HER HONOUR: Yes, thank you. Thank you, very much. Ms Price?

40 MS PRICE: No questions, your Honour.

MS PEARCE: No, thank you, your Honour.

45 HER HONOUR: Mr Heerdegen?

- MR HEERDEGEN: Thank you, Mr Bulwada. My question is to what extent do you think a well thought out and debated traffic management plan can deal with the issues that you have mentioned?
- 5
- MR BUWALDA: We would hope it would be able to resolve many of the issues but it would have to look at what the physical layout of the road is and the road use frequency.
- 10
- MR HEERDEGEN: It would seem that some of the issues that you have raised are, what I will call, physical or structural issues associated with bends and entrances and things like that. How do you believe, if the project goes ahead, how do you think they ought to be addressed and who ought to do it?
- 15
- MR BUWALDA: I am not an expert but I would like to see a speed limit and a restriction on numbers.
- MR HEERDEGEN: Those are two issues that can be dealt with in a traffic management plan.
- 20
- MR BUWALDA: Yes.
- MR HEERDEGEN: Do you think that would then resolve the issue of entrances?
- 25
- MR BUWALDA: I am not sure I would like to answer that at this stage, I would like to think about it and also ask some advice.
- 30
- MR HEERDEGEN: It was my belief that most of the heavy traffic, and I could be wrong here, but most of the heavy traffic was actually going to be routed around the Pahiatua Track and would come in from the northern end?
- 35
- MR BUWALDA: Yes, that is correct, but also there is a substantial number of truck/trailer loads of gravel or aggregate, road forming materials, and the power lines, cables and poles for the transmission line from the substation through to Harts Road.
- 40
- MR HEERDEGEN: Okay, that is fine, that is all I need to know, thank you.
- MR SHENTON: No, I have no further questions, thank you.
- MR HUDSON: I have no questions.
- 45
- HER HONOUR: Well, thank you. Thank you very much, Mr Buwalda.

MR BUWALDA: Thank you.

HER HONOUR: Alison Mildon please. Good morning.

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MS MILDON: Thank you, your Honour and good morning to the Board. Thank you for this opportunity to speak today, I am Alison Mildon, I live at 346 Millricks Line at the base of the Te Mata escarpment, which you cannot see today yet.

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First of all if I might be permitted I would like to clarify something said by Mr Kevin Low yesterday in answer to a question from the Board, I think it was Mr Hudson.

15

[9.30 am]

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Mr Low was not a member of TAG during either of the Motorimu wind farm hearings. TAG's deep involvement with Motorimu, of which I was a part, sought non-consent for the entire project. The decision of the commissioners consented 75 turbines and on balance TAG decided not to appeal that decision, largely because the enormous cost on top of the costs to date was something TAG members could not be expected to shoulder and we were, relative to this one, a pretty small community around that particular wind farm site.

25

30

Partly, also, because the written decision gave some members sufficient confidence that the development has consented and its worst effects would be physically contained. I think that MRP's submitted evidence to this hearing shows that this was not likely to have been the reality had it been built but that is another matter. And also partly because an organisation such as TAG covers the spectrum of views in relation to renewable energy. A reduced wind farm was an acceptable trade off in the eyes of those who were grappling with a dilemma.

35

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Such a pragmatic position was not quite the same as agreeing with the decision and as a section 274 party TAG opposed the applicant's appeal to the High Court. Judge Dwyer's decision to consent five additional turbines was hardly grounds for any appeal to the High Court on a point of law. TAG received that decision and for them that was the end of the matter.

45

I do not live in a photomontage but a real place where, over a period of 60 years, I have in a sense been saved by the fact that I can look upon the Tararua Range landform and witness the every changing view that arises from season to season, day to day, minute to minute. The Wednesday just past ran through many of those changes, starting with a

view of the hills at about their least attractive – similar to today – hazy, dull and flat, gradually getting better as the day progressed to culminate between about 5 pm and sundown in what was, for me, a breathtakingly beautiful scene.

5

After the days proceedings, moving around city streets with framed views of the Tararua Range south of Pahiatua Track, the precious windows - that I think have been explained, I think by Mr Anstey, to this hearing – were evident, then moving around the Summerhill-Turitea area looking at favourite views southwards along the main range ridge foothills and spurs up the Kahuterawa Valley to Arawaru, which is essentially public viewpoint 04.

10

Then nearly home, just before 7 pm Te Mata and its associated ridge bathed in gold, the ridgeline sharp and clear with the sky above slate grey, and as I drove up Millricks Line, I could not believe it, there was also a rainbow before the scene turned to darker flashes of red, gold and green. There must have been many others moving around towards the hills or across the plains witnessing much the same things equally moved. But I am one of the fortunate people, the wind farm consented in my immediate beautiful place is now a wind farm off the table and my heart can lift, if not yet completely.

15

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[9.35 am]

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For those whose prospect is an unwanted Turitea wind farm hearts could well have been heavy. I see little point in comparing Mighty River Power's notified wind farm proposal, plan A I will call it, with their redesigned proposal, plan B, to then haggled over the significance of the reduction of effects. It is plan B that is now on the table and it is this design that if built in all or part will, along with its context of existing and consented but yet to be built turbines, create the landscape with which I and others would have to live for the foreseeable future.

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For the past three years I have been committed to efforts that might make a positive difference to the ways in which we value and treat our landscape overall and the special places and values that are easily spoilt or lost. The Tararua range, the skyline continuum, the Turitea Reserve, Hardings Park, the Kahuterawa Valley, Te Mata Peak, and escarpment Kaihinu and the bits in between.

45

For this reason I was a submitter to but not exclusively both Motorimu wind farm hearings as an individual and in both cases also wrote TAGs non-expert landscape evidence. I emphasis non-expert. The one plan process for which I also prepared and presented TAGs non-expert witness statements in relation to several different topics. Palmerston

North City Council's Turitea Reserve change of purpose consultation process. The Kahuterawa outdoor recreation plan. Stage 1 of PNCs landscape assessment and PNCs strategic growth review.

5 It distresses me deeply that all of the people inclusive work that has and is being done on so many fronts by so many people could, in respect of the Tararua Range as it is seen from the territories of Palmerston North, Manawatu and Tararua, be usurped or decided on the basis of a consent I guess - well, no, or non-consent of the redesign version of the Turitea wind farm application.

10 Furthermore, I do not want the wider landscape to which I currently attach to become known as MRP's flagship or this landscape to be sacrificed to leverage that extracts future and advantageous procurement conditions for MRP.

15 The redesign. In 2.4 of the opening legal submissions of counsel for MRP it states in part, "the redesign process was only intended to seek ways of reducing the project's potential visual and landscape effects by making amendments that responded to views expressed by submitters to date and Board observations".

20 In 4.4 it goes on to say, "unavoidable effects must be appropriately and conservatively managed. MRP put considerable time, effort and money into fine tuning the project from its inception through to the present redesign process" and I have to assume in light of 2.4 that this must mean the unavoidable visual and landscape effects.

25 On to 4.5 which states, "MRP continues to consider that it has achieved an appropriate balance between the project's economic benefits and level of potential environmental effects". My interpretation of the above therefore is that up until their offer to redesign MRP did not consider that any part of the notified proposal, plan A, was anything but entirely appropriate. Certainly a view which Mr Wyatt, lead landscape architect for MRP emphatically advanced, vigorously defended and still holds in relation to his own area of expertise.

[9.40 pm]

30 And that the offer to redesign was simply a concession from MRP that on reflection there might be some visual and landscape effects, nothing else, needing to be addressed.

35 Plan B is now before us and the opening legal submission to the redesign presented by Ms Price confirms that MRP now submits that this proposal is appropriate, based on amendments made only in respect

of some visual and landscape matters. However, I have searched the supplementary statement of Mr Brown, MRP's landscape architect for the second bite at the cherry, for a clear and unequivocal endorsement of this point of view, but find none.

5

At point 24, conclusions and recommendation, Mr Brown states, "I am satisfied that the most dominant prominent turbine zones about which I was most concerned have either been removed or relocated such that I consider the landscape and visual effects of the revised proposal to be acceptable". When pressed under cross-examination, or it was possibly in response to questioning from the Board, I cannot quite remember, although Mr Brown eventually said that "acceptable" could be taken as meaning "appropriate" I really did not hear or feel certain conviction.

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I also searched MRP evidence written in visual and my own imagination for something to convince me that the revised layout has substantially reduced the project's landscape effects. But in this too I failed. I am mindful of the fact that at the end of the day the opinion of expert usually carries more weight than that of submitters except perhaps in the area of amenity. But I feel compelled to say that I would be shocked and dismayed by a decision that preferred the evidence of Mr Brown and Mr Wyatt over that of Ms Lucas, Mr Anstey or Mr Bray, or the section 42 report from Ms Julia Williams presented last year.

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25

It is apparent I think that the proposed site offers very little room in which to physically move and I am sure MRP would have know that from the outset. Topography precludes a Te Apiti-style design and no one appears to consider that smaller turbines would be better. Therefore to significantly reduce effects downsizing would seem to be the only real option or withdrawing the application I guess. Mr Brown's onion analogy is pertinent to such an approach but sadly is it not one that he is prepared to fully implement.

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Does the redesign convince me? Mr Brown's brief, .4 of his evidence, was only to review ways by which direct landscape and visual effects might be reduced. And to this end he focussed on the potential effects he listed in point 6. The first was visual prominence dominance individually and cumulatively. And what I say here might sound a little bit like repeating what I would have said about the first proposal, but it does end with a reflection on the redesign.

40

45

I believe that MR P downplay the significance of the number of turbines in view as a potentially adverse effect just as they do not acknowledge that they plan to introduce these turbines into what I would call the dress circle view, not just of urban Palmerston North, but of a clear zone on visual influence at least as far out as Mount Stewart

on the western side, that way from mid point which is about Marama, and across a similarly almost flat plain on the eastern side.

[9.45 am]

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They also fail to address the fact that south of Pahiatua Track a wind farm landscape does not currently exist. And their proposed wind farm would virtually double the linear extent of wind turbines along the ranges in the Palmerston North territory anyway. And that is the view of Manawatu as well. They also downplay effects relating to the size and proximity of turbines and factors that can influence perceptions of size and turbine visibility. On the other hand, however, they ask us to accept that the removal of proportionally very few turbines will effect a significant reduction in affects.

10

15

I note that no comprehensive table giving number of turbines theoretically in view of residents has been prepared for this hearing as was prepared out to 6.19 kilometres in TAGs evidence to the Motorimu hearing based on applicant provided information.

20

104 turbines is a large wind farm. The proposed turbines are located along predominant ridgelines and are larger at 125 metres than those for Motorimu at 81 metres and in this case, for those with wide views, turbines from other wind farms are also very likely to be apparent. Point 238 of the Motorimu Environment Court decision discusses a situation where it is estimated that 40 turbines comprising some already consented turbines and turbines seeking consent would be seen from a bedroom ranging from an approximate 1.7 to 2.5 kilometre distance from those turbines.

25

30

The applicant had estimated a visual amenity effect of the additional turbines as moderate but the Court disagreed stating that, “firstly the turbines seem to dominate the landscape from this viewpoint in the sense that they become the principal landscape element to which the eye is drawn. Secondly, we consider that the turbines will have a dominating effect on the property itself as they tower above the nearby horizon and appear to overwhelm the property. The close presence will be an inescapable fact of life on this property”.

35

40

I concede that from some selected narrow viewpoints the new photomontage illustrate a reduction in the number of turbines in that view and perhaps the closest, but in terms of wider views on both eastern and western sides, and in existing windows, and the removal and shifting of turbines makes in my opinion a negligible difference and thus the redesign fails in relation to this factor.

45

5 Dominance of particular landscape high points. The natural contours of the landform along the skyline of the proposed site are completely self-evident and seemingly unmodified. That is the contours of the landform. Given that vegetation cover can be lost by natural or man induced reasons to me it is preposterous to suggest that the presence of pristine indigenous vegetation is all that stands between a landscape that can be called natural and outstanding I gather and one that cannot. All the skyline of this site is a high point in the context of that dress circle view.

10

[9.50 am]

15 Also an important and visual amenity but the presence of turbines will completely alter that skyline and thus the character of the landscape would inescapably impact on the visual amenity of the existing natural landscape and be in direct contravention of relevant planning provisions. And I am aware of the fact that that does not mean the planning provisions are an absolute but just a matter for consideration.

20 The clutter of turbines north of Pahiatua Track to me are testament to the fact that relevant provisions of the operative RPS have achieved little to date of the protection of the regionally recognised outstanding skyline feature of the Tararua Range and perhaps the Manawatu Wanganui Regional Council's consistent failure to submit to wind farm hearings on its own landscape related provisions has been a contributing factor. I am pleased to see them here this time.

25

30 The Turitea wind farm is a cross boundary issue for the Tararua, Manawatu and Palmerston North Districts successive ceding (ph 1.24) over of sections of this natural feature to build mechanical structures makes what is turbine-free increasingly valuable. On this factor therefore I consider the redesign to fail.

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35 Intrusion into the foreground middle distance with turbines sitting in front of key ridges and high points. In my opinion offending turbines still remain. Dark background vegetation increases prominence. When turbines appear in front of indigenous vegetation this detracts from the special character of the current view and little if anything has done been done about turbines partially protruding from behind key ridges high points, including the skyline, although offending turbines are plain to see on the new photomontage.

40

45 Research undertaken by Scottish Natural Heritage identifies that partial views of turbines, rotors appearing just above or close to land contours and rotor tips flicking intermittently above a ridge or highpoint as particularly adverse. In this case they do that in front of backgrounding

landscape and I think in some case into the skyline. Yes, they do, in many cases into the skyline.

5 Pylons, monopoles and overhead cables comprise a considerable part of this proposal. Something that I feel has largely been overlooked. Nonetheless photomontage that include existing pylons, poles, transmission lines et cetera - and I would refer her to viewpoint RP25B in which you can see, it is from Polson Hill Drive, in which you can see poles, pylons and overhead cables very clearly and the cables very clearly highlighted against any dark green vegetation background. And I can also testify to the fact that sunlight on cables causes them to shine, shown up, very significantly.

15 In reality I see such infrastructure as blight on our landscape. The pylons near my property are the things that I find annoying all the time. And I think that that response to that type of infrastructure is an observation with which very few people would probably disagree.

[9.55 am]

20 On all the above matters, therefore, to me the redesign fails. Excessive structural complexity with multiple turbines visually overlapping one another. It is claimed that some turbines have been moved to avoid an existing crossover effect with another turbine. However, new photomontages show that this effect remains, even in frontal views. And, given that the relationship of distant objects to each other, can completely alter when an observer shifts his or her position, even slightly.

30 It is likely to arise in a multitude of places, particularly in more oblique views, that is when two turbines appear to be standing in front of each other or just slightly – the tower is slightly separated from one another, but the rotors merging together.

35 From many open view – on this factor – have I said that? I believe this redesign fails to deliver significant relief.

40 Cumulative effects. Only I gather on the visual extension juxtaposition relative to the Te Rere Hau extension.

45 It is my contention that very few people would perceive the current wind farms on the Tararua Range and lower Ruahines as five distinct developments. They appear to me as a conglomeration, a mass, a lineal mass, one that I would also describe as a mess.

From many open viewpoints, turbines of different styles coalesce together. And I believe that a built redesign Turitea wind farm would simply add to that.

5

In conclusion, it is heartening that all evidence and submissions remain on the table regardless of whether or not submitters have submitted to the redesign. I thank the Board for their obvious commitment to this process and my opportunity to speak and your patience, I have been rather long.

10

I thank all individual submitters for their continuing commitment and passion and I can only conclude with a continuing plea, please do not consent either the notified or redesigned Turitea wind farm proposals.

15

I would just finish with something one might like to reflect upon in mind's eye. If this Board was presented with a single wind farm application that included everything we already see before us, plus consented but not yet built turbines, plus the Turitea proposal, which is the potential end result and the one we will live with, where would the Board have drawn the line in their consent. Thank you.

20

HER HONOUR: Thank you very much, Mrs Mildon. That was very helpful, thank you.

25

MS PRICE: No questions, thank you.

MS PEARSE: No, thank you, your Honour.

30

MR HEERDEGEN: No, thank you.

HER HONOUR: Commissioner Bunting?

35

MR BUNTING: Thank you. Mrs Mildon, I just have one question to do with your paragraph 29. Do you want to just turn to that, please? I cannot tell you what the page number is. Have you got that, 29?

MS MILDON: Yes.

40

MR BUNTING: It seems to suggest, to me anyway, that downsizing would be the only real option. Are you suggesting there is an option if it was downsized?

45

MS MILDON: Well downsizing might reduce effects, and that is what MRP were attempting to do. However, I would downsize to nil simply because I cannot see a reduced consent of turbines that would do

anything but add negative effects and spoil yet another what I actually can see as a defined landscape unit.

[10.00 am]

5
And it is simply jumping the fence and it is simply, to me, another potential death by a thousand cuts. A little bit more will not hurt. Oh look, we have got this consent, so let us apply for a few more; and all the things that go on; and efforts to take more and more and more of a
10 finite landscape resource for turbines.

MR BUNTING: Okay. I think you clarified that for me, so thank you.

15 HER HONOUR: Mr Shenton?

MR SHENTON: No questions, your Honour.

HER HONOUR: Commissioner Hudson?

20 MR HUDSON: If we can look firstly at your paragraphs 8 through to 15 and you comment about your distress at the fact that this is being decided through a consent process rather than through a plan process essentially. You are aware that the RPS has got provisions relating to the ridgeline, skyline?
25

MS MILDON: Yes, the operative RPS.

MR HUDSON: The operative RPS.

30 MS MILDON: Yes.

MR HUDSON: And the proposed plan is going through its process and is essentially keeping some of the provisions?

35 MS MILDON: Yes. And there is provisional determination out from the panel which heard the landscape evidence and witness statements. And that confirms, unless it is appealed, that the skyline of the Tararua Range as a whole, is – or the natural skyline of the Tararua Range as a whole - I can read those provisions to you if you wish.
40

MR HUDSON: No, I do have them and I am aware of them.

MS MILDON: Yes, and that there is a definition that clarifies that skyline.

45 MR HUDSON: Yes.

MS MILDON: Is a continuum that can be composed of ridgeline or main range ridgeline, whichever is predominant in the view.

5 MR HUDSON: So there is a statutory guidance and process and the district plan essentially reflects the same as the RPS.

MS MILDON: Yes. One plan also, or the provision or determination, also puts forward, I think that you could probably call them 'requirements',
10 for territorial authorities to do their own landscape assessments because it has been accepted that a landscape can be considered outstanding at many levels. It can be outstanding at a local level, at a regional level, at a national level, at an international level.

15 Now, I am not claiming that this view or this to be internationally or perhaps even nationally, but it is currently recognised regionally and I am almost certain that, regardless of that in the RPS, that locally people would, if our landscape assessment had continued, would probably come to the conclusion that it was pretty outstanding, and also an
20 outstanding landscape for this territory.

MR HUDSON: Yes, that is not the point that I am querying. I am querying how you can say that that would all be usurped by this process, this consenting process - - -

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MS MILDON: Well, for example - - -

MR HUDSON: - - - because we have to take account of that statutory framework.

30

[10.05 am]

MS MILDON: Well, for example, Palmerston North City Council has already started, without direction from the regional council, has already started
35 a landscape assessment. And it has been put on hold because essentially, the landscape units that were described in the first stage of the landscape assessment would completely change if this wind farm were to go ahead. I mean it is described – the upper reaches are described as this territories only wilderness area for all the precious
40 reasons that go along with that.

Now, if wind turbines go into Hardings Park or perhaps into Turitea Reserve, et cetera, that alters matters.

45 MR HUDSON: Can we move onto paragraph 27. Now we have had evidence from those people that you list there. Now I think the ones that you are

most closely aligned with would be Ms Lucas, and in this order, then Mr Anstey, the Mr Bray.

5 MS MILDON: Yes. There are issues that I do not agree with Mr Bray on and that is skyline issues.

MR HUDSON: Okay.

10 MS MILDON: And I do not mention Mr Baker because he is not putting himself as an expert landscape witness.

MR HUDSON: So - - -

15 MS MILDON: Although I admire his work.

MR HUDSON: I know that you said it in an answer to a question asked before, that your preference is for none. But are you saying in paragraph 27 that the evidence of Mr Anstey you could empathise with?

20 MS MILDON: Well, largely, very much so. I think Mr Anstey - - -

MR HUDSON: And therefore, the conclusions that he reaches?

25 MS MILDON: I would have to re-read the conclusions to know exactly what he said, but I think he said 12 turbines.

MR HUDSON: The conclusion essentially he said would have about 10 or 12 turbines in the north-eastern corner.

30 MS MILDON: Yes. I cannot really comment on that. I have not been given that I do not think. 12 turbines is likely to be a viable wind farm.

MR HUDSON: That point has been made to us by - - -

35 MS MILDON: And I cannot visualise what that means, so.

MR HUDSON: Mighty River.

40 MS MILDON: I also believe that would be a mistake. It is jumping the fence. But I could live with that better than with Mr Bray, and even with - - -

45 MR HUDSON: Well then if I can move on then to your comment at paragraph 50, about the effect of transmission lines. If you can live with the type of approach that Mr Anstey has got, what is your comment on the effect of the transmissions lines which have got a route heading south, then across the reserve?

5 MS MILDON: Well then I – if that sized wind farm still require transmission lines in that location, I would be appalled to trade off the Turitea landscape, the Turitea Reserve landscape, for 12 turbines. It would just appal me.

MR HUDSON: Yes, okay. And you talk about the windows, which Mr Anstey mentioned.

10 MS MILDON: I mean Fitzherbert Avenue is always the one that is put forward as the example, but there are hosts of very attractive, more attractive streets really, than Fitzherbert Avenue, such as Victoria Avenue, Albert Street, et cetera, as you approach the eastern direction. Right across Palmerston North, I mean the grid pattern of Palmerston
15 North streets leads, many streets to that view.

[10.10 am]

20 Peoples gardens, parks, reserves, open spaces, recreation grounds. I can take you to numerous views and windows.

MR HUDSON: I appreciate that matters, that point has been made to us. On paragraph 42 you suggest that the RPS has not maintained the skyline. Do you detect a difference, though, in the outstanding nature of the
25 Turitea Reserve skyline compared to the skyline north of Pahiatua Track, where the existing wind farms are?

MS MILDON: I guess I focus on what is left, more than I do on what is lost. What is lost I try not to focus on.

30 MR HUDSON: Yes, but if you could consider the question. Is there a significant difference between the qualities of the skyline in the reserve compared to the qualities of the skyline where the turbines currently exist?

35 MS MILDON: I think there are some additional things in terms of the Turitea and that is the regenerating or possibly original vegetation cover. I spent all my young life and family still live at Kairanga, on the Manawatu Plains. And those were the views that sustained me as a
40 young person. And, in certain lights and conditions, one could almost detect individual tree canopies of the Turitea Reserve from a distance of, what would that be, 10 kilometres.

45 MR HUDSON: Yes.

MS MILDON: I mean I think it is a very special area.

5 MR HUDSON: And I think we went into that discussion with yourself and with others at the original hearing, which is not really in dispute at this redesign session.

10 And just finally I would comment that you refer to, and you have got quotes from Mr Brown's evidence the other day, and you question, essentially, your acknowledging and addressing of amenity, and you question the addressing of larger scale effects. You might care to look at transcript 3087, paragraph 25, after you have finished, because he does actually comment on that wider character issue.

15 MS MILDON: I am sorry, I actually lost my concentration. Whose transcript?

MR HUDSON: Mr Brown's transcript.

20 MS MILDON: Mr Brown.

MR HUDSON: It will be in the transcript on Monday, that you can look at that reference.

25 MS MILDON: I agree that Mr Brown acknowledges quite a lot. He did at the original hearing, and he certainly has for the area in which I live. I agree with him totally in terms of that. I just find it difficult to understand why he does not extrapolate some of those really important observations about where I live, to the area in which this wind farm is proposed.

30 MR HUDSON: Right.

MS MILDON: The view up the Kahuterawa Valley, Arawaru, et cetera.

35 MR HUDSON: Thank you Ms Mildon.

MS MILDON: Thank you.

40 HER HONOUR: Now, Ms Mildon, I see that in paragraph 48 you look as though you have been looking at the Scottish National Heritage provisions, and I wondered if you had any documentation related to that?

45 MS MILDON: Yes, your Honour, I do. I actually stayed up all night writing this submission. I started last night and finished at 7.00 this morning. And it was my intention to actually append that information, but I just

did not have time to go through my boxes and boxes of old stuff to find it. Would you like me to - - -

5 HER HONOUR: Yes, I think the Board would be grateful if you could give us that documentation. It has come up before in respect of, I think, distances from turbines, I think three kilometres.

MS MILDON: Yes.

10 HER HONOUR: But this is the first really proper reference to it. So we would be very appreciative if that could be submitted through the project coordinator and she will then put it on the website. Thank you. Thank you very much, Ms Mildon.

15 **[10.15 am]**

MS MILDON: Thank you very much. Thank you.

20 HER HONOUR: Mrs Tremain, please. Good morning, Mr and Mrs Tremain.

25 MRS TREMAIN: Good morning, your Honour. Members of the Board. My name is Lorraine Tremain from 406 Pahiatua Track. With my husband, Ashley Kells, we have close neighbours of the Huffman Deveys and a little further away the Grassicks and the Stewarts. We have also worked closely on wind farm issues with other residents of the Pahiatua Track, including on Te Rere Hau and the Harrison Hill Range View Road community who are across the valley from us.

30 In my submission dated 19th of February, I indicated that I wished to speak to the Board on a number of issues, but in the interests of time I will focus on just those three areas listed. This does not mean, however, that other topics are not of concern to us. You will gathered from Lee Huffman's presentation yesterday that our families have worked together to present a joint view on noise issues. I am also a member of the Friends of the Turitea and I wholeheartedly support their position on ecological and water quality issues.

40 Returning to adverse landscape and visual effects, you have attached to your documentation figure 1 which I could have also put on the screen but I have not. It is the one that Lee showed you yesterday which establishes where we are. The removal of 13 of the closest turbines to our home is a significant improvement for our family. There are now no turbines within two kilometres of our house. However, this is not the case for our neighbours, the Huffman Deveys or for the Grassicks or for the Stewarts further up the track, nor indeed for a number of other local communities on both sides of the Tararua Ranges.

45

Two kilometres is not a magic setback distance. It depends so much on so many other factors and when there is a wide open space between you and the turbines and they are on a ridge above you they are still clearly a dominant feature of the view. The redesign has left turbines 74 and 78 from group A on Bryant's Hill. This is a very prominent landmark when viewed from our property and from many other places in the wider Manawatu.

If you look at the view from RVP3 there is no way that you can say these turbines connect with others in that way. And I just ask you to look at the lower one. You can see those turbines standing there and the others (**INDISTINCT 3.37-3.52**). They are an isolated group and contrary to what the montage actually says this group also contains the turbine that is now closest to our home. That is T74, not T71.

Moving now to group C I find it difficult to understand the reasoning behind the removal of just T94 and not the other turbines in this group. 68, 69, 70 and 71 remain very dominant turbines for us. Even more so for the Huffman Deveys. In addition there are two rows of turbines behind such that a few of overlapping turbines is inevitable from almost any position on our properties. I would also remind of you slide that I previously provided that even with a mature pine plantation close to our home these turbines can never be screened out and that is attached as figure 2.

There are still 27 turbine hubs visible from RVP3 and there are many more than that if you just count the ones where blades are constantly moving. Add to that the 25 Te Rere Hau turbines currently with more to come and six T3s, our previously well loved natural landscape will no longer exist.

[10.20 am]

Another significant feature of the Tararua landscape for me is the ridge that leads up to Tirohanga. Travelling along Okauteri (**ph 0.09**) Drive towards the city my eyes are always inevitably drawn to this area and I am loath to accept the presence of turbines here. 133 and 132 have already been removed, so too should the rest of the group K. This is foreground foothills area that Mr Anstey and Mr Bray agree is inappropriate for turbine development from a landscape perspective.

So much of the discussion that I have heard this time and previously, and read from expert witnesses has been around the definition of words. Is it dominant or prominent? Are the ONLs? Or ONFs? Everyone has a different view in more ways than one. It therefore becomes even

more important that the existing statutory documents are heeded as Julia Williams, section 42A, also pointed out the RPS identifies both the Tararua state forest park and the skyline of the Tararua ranges as ONFLs.

5

The RMA section 6 and 7 which I am sure you are very familiar with states that the protection of the outstanding natural features from inappropriate subdivision, use and development, and also that there should be particular regard given for the maintenance enhancement of amenity values. This redesign proposal is still in direct contravention of this in my opinion.

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Mr Wyatt has suggested that mitigation should be offered to all homes within three and half kilometres of turbines. Surely this is an acknowledgement on his part that there are likely to be adverse effects at the very least within this distance. As I have previously stated the people of Palmerston North and the wider Manawatu and Tararua regions deserve to have the remaining ranges left uncluttered. We love seeing the hills. We do not want to have to screen out the views along with the turbines and we do not want to have to live in a city.

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30

Our particular concern is also for others who have not yet had to deal with the reality of living with wind turbines which leads me on to the issues of noise. Viewing the turbines is a first stress factor for me. They ruin my views of the ranges but more stressful still is the issue of noise. Mighty River Power have acknowledged that potential for noise is an issue for those residents who find themselves located between existing wind farm and this proposal. And yet the redesign has made little attempt to avoid this problem.

35

We live two and a half kilometres from the current Te Rere Hau wind farm and we are already adversely impacted by the noise that these turbines make. Ever since those first five turbines were erected we have heard them. And as numbers have increased so too has the noise levels. For me it is just so simple. More turbines mean more noise. No turbines means no turbine noise. As Bob Stewart and Lee Huffman have so clearly demonstrated, we are also highly sceptical of the ability of noise models to accurately predict the future reality.

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I acknowledge that Mr Hegley has taken a worse case scenario by modelling the sound coming to receiver locations from all directions. This, however, is not such an unlikely event as it may first seem to be. The worst noise conditions that we experience at our home are during light winds that are insufficient to mask any other noise but the wind is always substantially stronger at the wind farm site if they are going. It may even be blowing from a different direction over there to what we

experience and in my opinion we might very well get noise from every direction.

5 In the corporate world in which I work, health and safety is the number one issue for our senior management team. We are being encouraged always to extent this to every part of our daily lives and with regard to wind farms, considerable caution should be exercised in order to protect the public from the adverse effects of noise. Think about the tobacco industry. German scientists formally identified the link between smoking and lung cancer as early as the 1920s and led the first anti-smoking campaign in modern history. In 1950 health authorities again began to suggest a relationship between smoking and cancer. And yet the tobacco industry continued to ignore the mounting scientific evidence right through the 1980s until eventually political action against the practice commenced.

20 Are we going to have to wait 70 years for action that will protect our health? I certainly will not be around then but our children could be. Even since this hearing was adjourned in October 2009 there is a significant body of new literature that has become available and this will continue but consenting the wind farm application now will pre-empt our growing knowledge and understanding of these issues. And Ashley will continue this discussion in a little more detail.

25 **[10.25 pm]**

30 Turning to the Turitea Reserve, the status of the reserve should never have been changed to allow this wind farm development. And this has been confirmed by the fact that many members of the council who made this decision were voted out at the following election. Unfortunately the current council are locked into a development most of them no longer want.

35 The redesign has changed very little in the Turitea Reserve. A number of turbines remain extremely close to the Turitea water catchment streams and resevoirs and we should be holding the quality of our water in the highest regard. There has been very little change to the large amounts of indigenous vegetation that will be cleared from the reserve and I also believe that the impact from the noise and the vibrations of the turbines will drive fauna out of the reserve.

45 I would like to make a comment on just a couple of process issues. My faith in the RMA process has almost been completely destroyed. I say "almost" otherwise I would not be here in front of you now. I would have already given up as I suspect many others have. My experience with the Te Rere Hau extension hearing was particularly demoralising.

5 Despite being listened to by the Commissioners in the final event what we said was largely discounted. And I made the reference there that no submitters called any independent expert evidence to establish or substantiate any claims or potential adverse effects arising from the Te Rere Hau extension in terms of noise effects or to dispute the evidence on visual impact.

10 We are already stretched cost and time-wise with the Turitea proposal. How could we have committed to even more cost? And surely we are the experts on what we hear at our own homes? No one else independent or otherwise can tell me what I hear and see. Even our motivation was called into question by Mr Holme, the legal counsel for New Zealand Wind Farms, who said that, “many of the comments received by individual submitters must be treated with respect but considerable caution. A hearing such as this is unable to explore with any forensic accuracy the motivation or potential conflicts of interest of any individual submitter”.

20 My motivation is none other than to preserve the peaceful lifestyle that we have enjoyed for 20 years until the erection of the first five turbines at Te Rere Hau. It has been downhill all the way ever since. What possible conflict of interest could we have? Although we have been given the opportunity, we were given the opportunity to provide input into the preparation of conditions for the Te Rere Hau extension it was largely ignored. Will that be the same for Turitea? We have not seen the latest version of the proposed conditions and will there be any chance to comment after this hearing concludes?

30 And then due to the hearings being run essentially in parallel, I felt it was impossible to consider appealing the Te Rere Hau extension decision due to the time required to prepare for this hearing. Now I do understand that these things are not managed by the individual hearings that often you do not know what is going on. But I do not think we are being given a fair go. Indeed perhaps we would get a better response if we did appeal to Kevin Milne at Fair Go.

40 We also have neighbours who did not make original submissions regarding the Turitea wind farm because they were unaware of the potential for adverse noise effects but when more Te Rere Hau turbines became operational they realised what they were in for and it was too late to make any comment to this hearing. I am also concerned that such a high proportion of people who made a submission on the redesign have not the opportunity to speak at this hearing. Many of them did not provide any detailed explanation of why they were in opposition at that submission stage because they expected to be able to

elaborate at this hearing. Yes, we wish for the process to be over but not at the expense of being not heard.

5 The Board needs to be aware that there is a large body of concerned people out there. Here is one comment that I got in an email just the day before. “We get the impression that the wind farm is pushing ahead no matter what and people are being shut out of the process. We are certainly with you and any others who are able to have a voice”.

10 If we are so unfortunate as to be faced with a wind farm development in the future the Palmerston North city council does not have the expertise or the resource to deal with the ongoing issues. And this has been clearly demonstrated with regards to complaints about the noise from Te Rere Hau. As Lee very graphically showed you yesterday we register our complaints, we meet with the wind farm owners but nothing ever happens. Whose responsibility will it be to monitor the consent conditions if this is consented? As with Te Rere Hau and the extension, the Turitea wind farm as proposed will have a foot firmly in both the Palmerston North city and the Tararua district.

20 Mighty River Power staff have certainly attempted to improve their consultation since the first late discussion we had with them. But it seems to have been an inconsistent approach and I speak specifically about the issue of traffic. I have read in a number of the submissions from Pahiatua Track residents that there is a concern about the additional traffic that will be on the road and the potential danger that this creates for the safety of cyclists on the road. The Kahuterawa Road residents were offered the opportunity to discuss and to develop traffic management but we were not.

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[10.30 am]

35 The issue of compensation and relocation was raised yesterday by a couple of submitters. And you may recall that I raised this issue last time I spoke in September. I said that if Mighty River Power is so sure that we will not be significantly affected please will they put their money where their mouth is and guarantee to buy us out if we cannot stay. But please be clear we do not want to move. This is not about money.

40

I know there will be a whole lot of other things after this talk that I wish that I had remembered to say, but I hope that you will think about those things even I have not said them.

45

This redesign proposal remains to me too close to too many homes that will affect the future amenity of residents. Too close to too many

5 properties with the potential for adverse health effects. Too close to the city of Palmerston North with the consequent loss of the city's backdrop landscape. Too much of the Tararuas are already covered with turbines. The fact that a number of wind farms already exist does not in itself justify the addition of another. Two wrongs do not make a right. Too many different turbines exist already and this wind farm adds yet another. And it is too risky for Palmerston North's water supply and the ecology of the Turitea Reserve.

10 So my conclusion, I really wish to support other residents in their desire like us to have no turbines within 3.5 kilometres of their home. I cannot see the national or local benefits that outweigh the adverse effects on the people of the Manawatu and the Tararua if this consent application is granted and I beg the Board to reject this proposal. If you bite the bullet and say "no", there will be thousands of people that will thank you for the rest of their lives.

20 There are just too many unknowns that may well affect the future health of a significantly large portion of the population of the surrounding area. And I started to put there a table that if the proposal is consented what ones are the most important ones for me to go. And that was as far as I got because I could have gone on until they had all gone. Peel back the onion as it were. So that in the end is my final position. It is no position. Thank you.

25 HER HONOUR: Thank you very much Ms Tremain. We will take questions of you now I think before we hear from Mr Kells, thank you. Yes?

30 MS PRICE: Thank you, ma'am. I think I heard you right, but could you please confirm that you were a submitter on the Te Rere Hau extension?

MRS TREMAIN: Yes.

35 MS PRICE: Did you ever compare the noise conditions that were proposed for Turitea in this hearing last year with those proposed for the Te Rere Hau noise conditions?

40 MRS TREMAIN: Not in any detail, no.

MS PRICE: Do you know or do you understand how much more stringent the Turitea proposed noise conditions are than those proposed for the Te Rere Hau extension?

45 MRS TREMAIN: I have not seen the latest version so, no, I do not know.

MS PRICE: No, I am talking about the version last year. The version that is being prepared right now - - -

MRS TREMAIN: Yes.

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MS PRICE: - - - is even more stringent. So if you understood that the Turitea conditions were so much more stringent, did you not contemplate filing an appeal on the Te Rere Hau extension when it was confirmed?

10 MRS TREMAIN: As I said before we cannot afford the time or the money. And I chose to put my effort into the Turitea because that will have more impact on us than the extension in fact will.

15 MS PRICE: Did you understand the evidence that was filed on this redesign on the 1st of February, prior to the appeal period closing on Te Rere Hau which concludes that it is Te Rere Hau that controls the noise contour in your area?

MRS TREMAIN: Yes, I understand that.

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MS PRICE: Do you understand what that means in terms of which wind farm is likely to have the noise contour issues around your residence?

MRS TREMAIN: That it will be Te Rere Hau?

25

MS PRICE: Correct.

MRS TREMAIN: Yes.

30 MS PRICE: Have you contemplated the cheaper option of filing an interested party notice on the appeal that is still extant on the Te Rere Hau extension?

MRS TREMAIN: No, I am afraid I do not know anything about that.

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MS PRICE: In your original submission you listed a number of turbines that you were concerned with. Do you know how many it was? 26. Of the 26 how many of those still remain after the redesign?

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[10.35 pm]

MRS TREMAIN: If there were 26 then there are 13 gone so there is 13 left.

MS PRICE: Thank you.

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MS PEARCE: No, thank you, your Honour.

HER HONOUR: Mr Heerdegen?

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MR HEERDEGEN: No, I do not have any questions, thank you.

HER HONOUR: Mr Bunting?

10 MR BUNTING: Yes, thank you, it may be obvious but in the table right at the end with qualification priority order for removing turbines, are you able just to briefly comment what has determined that order?

15 MRS TREMAIN: Yes, there were a number of things. One is the closeness to our property, clearly. One is the impact on the landscape feature as we see it from a much wider distance, from moving around the Manawatu and the city. And then the other was to do with – can I just have a look at what “H” was - the group H is really what I said about, you know, if we think that 3.5 k is the distance that it should be then it should be for the residents of Kahuterawa as well. And then the other issue that came
20 along was the reserve and that there should not be any in the reserve.

MR BUNTING: That presumably the 3.5 k would remove all the turbines completely?

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MRS TREMAIN: Sorry, can you repeat that?

MR BUNTING: 3.5 k would probably remove all the turbines and all of the wind farm?

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MRS TREMAIN: I understand, yes.

MR BUNTING: Okay, thank you for that. Thank you, your Honour.

35 HER HONOUR: Mr Shenton?

MR SHENTON: No questions.

HER HONOUR: Mr Hudson?

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MR HUDSON: Just following on from that last question. I know when I asked you last time, which turbines were of concern to you, you gave me a list - and as Ms Price has just mentioned, there are 26 on it - and I have not checked, but does this list here that you have got now align
45 with that original list you gave me last time?

MRS TREMAIN: Yes, it will. The remaining group A would have been on that original list and so too group C, and that is probably pretty close to being the 13 that were still there.

5 MR HUDSON: Right, but when we look at RVP3, which is on your place, and it is the one, I think, that you have - - -

MRS TREMAIN: Shown part of, yes.

10 MR HUDSON: You have shown part of, you have got part C there, I am looking at part B. Is part B available?

MRS TREMAIN: It is just down the side.

15 MR HUDSON: Now, I would think a lot of the turbines that are seen in that are not on the list that you have just given me, would that be right?

MRS TREMAIN: The ones to the left are. The ones to the right of that frame are not, and those are the ones which, in fact, are the ones that seem to remain on everybody's list of what is acceptable, so those ones to the right they are going to be the last to go. They are the ones that are on the back ridge group E.

20 MR HUDSON: Group?

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MRS TREMAIN: And group D.

MR HUDSON: Sorry, can you say again?

30 MRS TREMAIN: Group D and group E, they are going to be the ones from turbine Nos 1 through to 8, 13, 14, 12, 11 and then the ones behind that 102 in group E down to 10. That is the - - -

35 MR HUDSON: Well, the northern end of group D, which goes – as you just said – 1, 2 et cetera looks to me to be quite a lot closer than the other ones that you have asked to be removed. Now, is your motivation for removal visual or noise because it would appear to be visual based on that list?

40 MRS TREMAIN: It is both, but the original list that I prepared was probably done on visual.

45 MR HUDSON: But this would appear to be also based on visual because 97, 98, 1, 2, 3, 4, 99 et cetera, that group at the northern end still remains, which is approximately two kilometres from your place?

MRS TREMAIN: That is right. It is more, it would be about two and a half to three.

5 MR HUDSON: Two and a half to three, and you are not expressing a concern about those, even though there is that distance or closeness with - - -

10 MRS TREMAIN: Well, it is like I said when I started doing the table, you know, you start with what you think is going to be of most concern but if you keep going you just take them all out, and when sound comes into the issue, you know, as Ms Price has pointed out, the sound impacts that we experience now are from Te Rere Hau and they are probably likely to continue to be that, rather than being from the Turitea ones that you are referring to here.

15 **[10.40 am]**

MR HUDSON: Yes, the noise experts are here en masse on Monday if you want to come and hear, for want of a better word, what they have got to say and it is being very closely looked at.

20 Then your comment about group H, and you thought that they should go out because of the similar distance or effects, are you aware that a number of those have limited visibility from Kahuterawa Road?

25 MRS TREMAIN: Yes, I do appreciate that but, again, it is both the visual and sound potential adverse effects. The sound is just such an unknown, that the nature of the landscape and the modelling that we have experienced, which does not actually add up to what the reality is.

30 MR HUDSON: Yes, well, Lee Huffman gave us a presentation on that yesterday as well which was making similar points, I am sure you are aware of it, you probably worked on that together being neighbours.

35 And just one comment. You talked, in paragraph 11, about experts and their words and the meanings of all those words “dominance” and “prominence” and “ONLs” and “ONFs” and I am sure you could have some other acronyms that you have probably thought of. They do have a relevance, which I know you appreciate because of what you say in paragraph 12, there is a statutory relevance for those, so that is why
40 there has been some focus on classifying those effects in that language but I take your point that no matter how you describe it you are the one that lives with it.

45 MRS TREMAIN: That is right.

MR HUDSON: Okay, thank you very much.

HER HONOUR: Thank you very much, Ms Tremain. As was your first submission, this is very hard hitting and to the point, thank you very much indeed.

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MRS TREMAIN: Thank you.

HER HONOUR: Yes, Mr Kells? I am sorry I called you “Mr Tremain”.

10 MR KELLS: Thank you, I am getting used to it, thank you.

Your Honour and Board, thank you for the opportunity to speak. I just wanted to add some detail to the broad brush view that I put in my submission to the new proposal, and essentially this, even though that we are now further away from the turbines, I am still opposed to the redesign because of the high risk of adverse health effects of wind turbines.

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And my belief is supported by the paper that I have attached, a summary of recent research on adverse health effects of wind turbines by Keith Stirling (**ph 3.24**) and Carmen Crowe. (**ph 3.26**) in October 2009, which I had not seen at our first submission. And, at that stage, I just had fears and concerns but now they seem to becoming a reality from the peer reviewed research that they have summarised here.

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And in particular on point 3 on page 9 of this document, section 3, a view is expressed by Dr Robert McMurtry, former dean of medicine of University of Western Ontario, who pointed out increases in cases of adverse health effects within and including September 2009. He concludes that there has not been any systematic epidemiological field study that could yield authoritative guidelines for siting of wind turbines and, secondly, no epidemiological study has been conducted that establishes either the safety or harmlessness of the wind industrial turbines. But Stirling et al have really summarised this with an opposite view made by Health Canada which advises that this must be reviewed and, in fact, there are peer reviewed scientific articles indicating that wind turbines may have an adverse impact on human health.

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[10.45 am]

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Now, in section 4, this is a series of those scientific articles, a survey based on literature, and it focuses on, essentially, the low frequency sound and how the resultant sleep deprivation causes the so called “wind turbine syndrome”. It is this survey of evidence and the clinical evidence in section 4.1 to 4.5 of this summary by Stirling et al that has increased my concern for the family’s health if they are to be subjected

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to the noise from the 10 turbines at a distance of about two to three kilometres in the revised Mighty River Power plan.

5 We already, at our home, experience medium to severe noise from Te Rere Hau turbines and it has been noted that the noise heard further down the farm at 3.5 to four kilometres is louder than at the house which is 2.5 to three kilometres, so it does not necessarily mean that further away is quieter, there are other effects in play here.

10 Stirling et al also say that evidence suggests that animals are even more severely affected by low frequency noise than humans, and in section 5.2 suggests that the wildlife will abandon a habitat constantly subjected to flicker and vibrational noise. So turbine strike may well be the least of the natural faunas problem in the Turitea Reserve.

15 I sort of had a funny image of this huge kiwi living up there in the reserve and he has got his nose stuck in the undergrowth and he is going, "There has got be a big worm around here I can feel him vibrating". You know, it just seemed to me that it could easily drive all the fauna out of that place.

20 Closer to my home I am concerned about the future effect of my cattle, when you read section 5.4. This describes how a cattle farmer was affected and driven out of business in Ontario due to the sound effects, and behaviour changes and performance changes of his cattle. Section 5.5 also relates to how 400 goats died from sleep deprivation when they were grazed under a series of windmills. So I am rather anxious about how my red deer herd will cope when you consider how much more skittish they are.

30 More or less in summary, to protect and to ensure the future of the viability of my farm I would like to see maximum use of scientific knowledge, of published and collected data, during operations of consented farms to understand the type and level of noise that can affect the health and life close to wind farms.

35 And to that end if there are any consented wind turbines the outcome I would request of the Board would be to have no turbines closer than three kilometres of non-consenting landowners true boundaries; no noise levels greater than 35 dBA and including sea weightings; no turbines in the reserve where surface water can end up in the water reservoir. That is really the summing of the outcome if there is any consent, and thank you very much for your patience.

45 HER HONOUR: Yes, thank you, Mr Kells, a very interesting take on animals, which is the first time we have heard this.

MS PRICE: No, thank you, your Honour.

MS PEARCE: No, thank you, your Honour.

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HER HONOUR: Mr Heerdegen?

MR HEERDEGEN: Yes, Mr Kells, thank you. On paragraph No 2 you quote,
and you have attached this paper by Keith Stirling and Carmen Crowe,
10 can you please advise us of the source of that publication, where it
actually appeared?

MRS TREMAIN: I can do that, I have got the details here - - -

15 MR HEERDEGEN: All right, thank you, if you could just - - -

MRS TREMAIN: - - - web address.

MR HEERDEGEN: Yes, that is fine, if you can do that.

20

And the second thing is that you mention in your submission here that
the noise was actually greater further down the farm at three and a half
or four kilometres, and yet the outcome you request is that no turbine be
closer than three kilometres, and I just wondered how you can deal with
25 that inconsistency?

[10.50 am]

MR KELLS: Well, I am not dealing with it specifically other than I wanted to
bring it to your attention that I think the three kilometre setback is a
30 realistic one and recommended by several experts. But I wanted to
point out that further down the farm at a different elevation to the
house, which is actually higher and closer to the same elevation as Te
Rere Hau, the noise is louder.

35

Now, one would have expected it to have attenuated with distance but it
is not, for some reason or other there is a reinforcement at that point
where I operate and work. Because I have noticed the noise quite high
and I said, "Oh, there will be lots of complaints this morning" and you
beetle off back home for smoko and "I can't hear it now". You go back
again and, yes, you can still hear it. So what is going on? I mean I am
40 not the expert in the field but I just wanted to alert you to the fact that it
does not happen as always predicted, if you know what I mean, by the
lines of sound that are predicted by models. Even when they take into
some consideration the topography and landscape, they are not always
45 correct.

MR HEERDEGEN: All right, thank you very much, that is all for me.

HER HONOUR: Mr Bunting?

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MR BUNTING: No questions.

HER HONOUR: Mr Shenton?

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MR SHENTON: No questions.

HER HONOUR: Mr Hudson?

15

MR HUDSON: No questions.

HER HONOUR: No, and I have no questions either, thank you very much, Mr Kells, thank you.

20

MR KELLS: Thank you.

HER HONOUR: We will take the morning adjournment, thank you.

ADJOURNED

[10.51 am]

25

RESUMED

[11.25 am]

HER HONOUR: John and Kathryn Love, good morning.

30

MR LOVE: Good morning. I will just give a brief expansion of some of the main points in our redesign submission and then Kathy will follow.

35

Deletion of turbine zones 122 to 125. Turbine zones 122 to 125 have been deleted on the basis of dominance according to the viewpoints RVP20 and RVP21. We acknowledge the concerns of the two families that these viewpoints represent and respect their concerns however, on balance, consider the deletions have been too harsh for the following reasons.

40

The four turbines zones represent a generating capacity of 12 megawatts, which is enough power for over 4000 houses. No attempt has been made to recess the turbine zones as has occurred elsewhere in the redesign. From our local topographic, geological and wind energy knowledge we are extremely confident that at least three of the four zones could be recessed by 200 to 300 metres back from the viewpoints. This would result in two on the solid outer edge of Browns Flat and one near the substation on our land, see plan attached.

45

5 The recessing would put the turbine zones almost as far back as zone 52
 and, from our local topographic knowledge, we contend that the three
 recessed turbines would not be much more prominent than turbine 52.
 10 In fact our suggested turbine zone on our land near the substation has
 more flat land in front of it than the others and would therefore,
 although slightly closer to the viewpoints, would look more recessed.
 We realise that the transmission line may need to be shifted slightly
 near the substation toward Tirohunga but the change will be very minor
 15 from a landscape perspective.

20 One of our criticisms of the redesign was that in some sections the
 deletion caused illogical gaps, which tended to destroy cohesion and
 harmony on the landscape. If we look at the modified VP06 there is a
 25 gap where 122 to 125 once were. Recessing of those turbine zones,
 where practicable, would eliminate the gap shown and draw the eye
 away from any perceived structural complexity caused by turbines 121
 and 120.

30 If we look at modified RVP20 and 21 we believe the deletions have
 caused an illogical void on the landscape to the left of the turbine
 zone 52. Viewpoints are looking at a wind energy landscape not just a
 lovely ridge. From a wind energy landscape perspective it is our belief
 35 that some attempt should be made to fill that void to the left of turbine
 zone 52, and recessing at least would do that. Recessing of two of the
 turbines to Browns Flat would provide more income to the citizens of
 Palmerston North and protect reserves.

40 Turbine zones 122 to 125 form only 30 degrees of the view from
 viewpoints RVP20 and 21. If we assume that the eye can distinguish
 objects clearly within a 60 degree viewshaft, then one or more turbines
 45 122 to 125 would only come into sharp focus for 90 degrees of the view
 or a quarter of the views from these viewpoints. Surely the option
 exists to look elsewhere and not be annoyed by the turbines, there are
 other hills and lovely ridges to look at.

50 These viewpoints do not have large tracts of turbines in their view, as is
 the case to the north about Pahiatua Track and Ngahere Park, as shown
 in the redesign montages. With all due respect RVP20 and 21 represent
 55 the viewpoints of only two families in our immediate area that are
 opposed to the original plan. We note also that in the redesign process
 Mr Brown did not take into account local support for the project.

[11.30 am]

45

5 In his evidence, paragraph 21, Mr Brown states that the deletion of turbine zones 122 to 125 has very significantly reduced the proposed wind farms impact on Kahuterawa and Greens Roads. We believe this statement is not supported by the facts.

10 My questioning and Mr Hudson's questioning of Mr Anstey about turbine effects on these roads caused by those turbines that were not deleted quite clearly illustrate that there are very few opportunities to see the turbines 122 to 125 in full view from these roads and in fact the turbines could arguably add interest to the landscape as one caught fleeting glimpses of them.

15 Deletion of turbine zones 132 and 133: The questioning of Mr Brown and in fact Mr Bray has confirmed that turbines 132 and 133 were deleted because of the landscaping effect from the plains where these turbines encroached toward the so-called foreground. If we look from the fourth floor here at Arena Manawatu, in a landscape sense I can appreciate that turbines 132 and 133 would have appeared to be dropping down and be completely in front of the reserve. However, if we look at public viewpoints number 2, 4 and 6, the attention grabbing parts of the turbines, the blades, are at the skyline just as many others are shown and thus we do not believe they would look out of place.

25 We believe in the area of turbine zones 132 and 133 that the difference between the original and redesign plans from the plains and the city are imperceptible. We also note that the turbine zones 132 and 133 are further away from the plains than the ones that are left on Bryants Hill.

30 We urge the Board, for the above reasons, to engage MRP and their landscape expert, Mr Brown, to immediately investigate the recessing of turbines 122 to 125. We request that the original plan be adopted, but in the alternative now ask that at worst the original plan be adopted and modified according to the redesign with the reinstatement of the above recommended changes for turbines 122 to 125 and the reinstatement of turbine zones 132 and 133.

HER HONOUR: Yes, thank you, Mr Love. Ms Price.

40 MS PRICE: No questions, thank you, ma'am.

MS: No, thank you, your Honour.

45 MR SHENTON: No, thank you.

HER HONOUR: Mr Hudson?

MR HUDSON: Mr Love, you have as always given us some good food for thought. You raise a – and this is what a lot of this landscape and visual stuff has been about is the addressing of local amenity effects on one hand and the consideration of broader character issues on the other.

MR LOVE: Sorry, the water character issues?

MR HUDSON: Broader character issues on the other, and Mr Brown has acknowledged that he has essentially concentrated on the first and has expressed broad opinions about the remaining effects on the character, and I discussed this with your wife in the short time that we had at the end of the last part of the hearing. But what you have suggested is dealing with the amenity issues because there are couple of turbines here and a couple of turbines there that you are concerned about and you are making suggestions for alternatives.

But the part that interests – not that that does not. But the part that interests me that we have not discussed to date in the public part of this is your comment about putting the turbines – it will leave a group of turbines and a gap on the left essentially, and I did not mark it. Here we are, paragraph 1.5.

[11.35 am]

I do not know if you have read all of Mr Brown's reports because there has been quite a few of them, but in his first one which was the January 2006 preliminary assessment which he carried out, he cites some research which has been undertaken by Caroline Stanton who is a Scottish academic at the Heriot-Watt University in Edinburgh. Part of that, and you can look at it in your own time but I will just read it out. It says, "Interestingly Stanton finds that intrusiveness of a wind plant is not directly proportional to the number of turbines and array, and instead more a factor of design features. For example, large wind farms (defined as more than 70 turbines) may appear less dominating than a smaller project when the large wind plant is subdivided into several visually comprehensible units".

Now I do not want to get bogged down in all this theory stuff because I know that you are a practical man and you have got some views on just being able to provide that, but I just wanted to bring that to your attention and make everybody else aware of it that there is this research which has gone on in the past on this, what you would probably think is a very subjective subject, but that is one of the findings. If what you are suggesting is a reason for – part of the reason for putting those turbines which have been deleted back in is to provide a continuous ridgeline, a

5 continuous array along the ridgeline then there is the counter argument which is this, which is essentially that the – and it was also touched on by Mr Anstey the other day when he talked about windows, that there can be the counter argument which says a group frames a window and then another group can be seen as a standalone feature in its own right and the collective result of that can be less dominance in the broader landscape character sense than a continuation of the whole.

10 So you are welcome to comment on that if you wish, but I just wanted to give you the other side of that. That may be coming in Mrs Love's presentation?

MR LOVE: Can she comment or not?

15 MR HUDSON: Well, yes, if - - -

MS LOVE: It is actually something I have been thinking about for the reason partly for our submission, but also it reminds me of a comment that Mrs Mildon made where she was slating this development as being a conglomeration, and to me that sums it up nicely what it is. I see a conglomeration as being a good thing, that it is a coming together of separate elements and the whole nature of the terrain around the Turitea reserve means that we have to have – that there are separate elements because the landscape is so broken up.

25 So I come somewhere in the middle that I think it comes down to balance. If everything is too disparate it makes the development look too big and it does not have any sense of cohesion. Then again, if everything is too overlapping and too squished together that is equally tiresome for the eye. So I think it is a question of balance, of just having some gaps but having that cohesion altogether. I do not know it that helps.

30 MR LOVE: I would just answer that in two ways. First of all from a layman's point of view that is just my interpretation and I bow to any expert of course. The second thing is that I would like to hear her opinion of this. And the third thing - - -

35 MR HUDSON: I would, too, but it is probably not - - -

40

[11.40 am]

45 MR LOVE: The third thing is what springs to mind when you mention that is that if we took the Turitea wind farm, for example, I would imagine that someone from her point of view would argue that, okay, if it is going to be there et cetera, we will have sort of three or four groups. Like we

have the left hand side of T3, for example, rather than turbines – as I look at number 6, turbines dancing across the skyline and then all of a sudden there is a break where the ridge is coming up, and then there is another group or little cluster. So that is my comment.

5

MR HUDSON: Well I would think that that is an application of her theory.

MR LOVE: Yes. It is just when I look at it, you know, you have got a little small rise there going up that main ridge. As you go towards Kahuterawa Road you pick up the main ridge, and as you go along and see bits of Kahuterawa Road you are still seeing the main ridge, and then you have got this relatively small group of turbines on the right and then another one on the left. Not so much when you get really close, but when you are sort of mid zone or mid point, or whatever. Yes, it does seem strange that sort of from the left hand side of Tirohanga to the right hand edge of Kahuterawa Valley there is nothing there. I think it is probably the mid point concern more than the plains view, but – yes.

MR HUDSON: Yes, I think it is. I think it is, yes. But that was the point of your cross-examination, too, of Mr Anstey was over that?

MR LOVE: Yes.

MR HUDSON: Well her Honour may have some questions because I think we should hear Mrs Love's before we pursue that other area?

HER HONOUR: No, I have not questions.

MR LOVE: Thank you.

MS LOVE: Good morning, your Honour and members of the Board.

I oppose the redesign as I believe it has made unwarranted changes to the original proposal for a Turitea wind farm by deleting 17 turbines.

This has been a difficult representation to write because I support the original design I must also support elements of the redesign. It is difficult to evaluate many opposition submissions when many have not addressed redesign issues. Others have cleverly said that the redesign does not change their original concerns so they have repeated these same concerns with a little tweaking to appear as if they are new.

The main issue of the redesign as I see it is visual, the effect of the proposed wind farm on the landscape. I, like others obviously, from the people that came before us, have found the evidence presented over the

past few days very confusing. For example, how is it that an object considered beautiful will make an adverse effect on the landscape? My brain is obviously too simple to be a landscape architect.

5 I was disturbed to hear the question of whether the wind farm would be
sited on or adjacent to an ONL (outstanding natural landscape) raised
again earlier this week as I thought the question had been answered in
caucusing at the previous hearing, that this area of Turitea reserve and
10 surrounding farmland is not an outstanding natural landscape but is a
transitory area between the two ONLs, being the Ruahines to the south
and the Tararua Ranges proper to the north.

Arawaru is the highest point in the region around the Turitea reserve at
15 767 metres high. It is three and a half kilometres from the nearest
proposed turbine. How can this landmark compare in majesty to the
ranges south of Levin where, for example, Mount Dundas is 1500
metres high and Bannister is 1537 metres high, which is double the
height of Arawaru.

20 Woodpecker pine forest, Gordon Kear pine forest and farmland
surround much of the proposed wind farm site. In the south Hardings
Park retains native cover, but it is not eminent or conspicuous. These
were two qualities Mr Brown considered as necessary in an outstanding
natural landscape, and I read this on page 13 of the Environment Court
25 decision about the project Central Wind. Hardings Park can barely be
seen from an elevated city view such as looking out from this room. It
is even less conspicuous from street level.

[11.45 am]

30 I quote from the Wakatipu Environmental Society Incorporated v
Queenstown Lakes District Council which was noted in the Central
Wind decision on page 13: "Usually an outstanding natural landscape
should be so obvious in general terms that there is no need for expert
35 analysis". If the area in and around the reserve is not an ONL then it is
appropriate visually to place a wind farm there, especially because it is
also not a pristine environment. It may look natural but the reserve has
been modified by logging, deliberate burn offs, liberation of trout right
back in I think 1778 and possums, liberation of pigs and deer, and
40 construction of a dam and treatment plant, and that dam has been
modified I think about four times. It started off four metres high and
then went up to 30, so each time there has been more earthworks and so
forth.

45 Being able to see turbines does not automatically ruin the visual or
recreational value of an experience. I talked to the manager of the

Karori Golf Club which is nestled amongst some of the West Wind turbines at Makara. He said the presence of turbines had made no difference to club membership levels. Some golfers never took any notice of the turbines, others thought them spectacular.

5

Maintaining visual amenity does not mean denial of changes to the landscape. There is no caveat on any property title that says the view will not change. It is landowners attitude to change in the vista that determines how they will enjoy the visual amenity of their properties.

10

Recently the Palmerston North City Council contributed public money towards a sculpture for the city. The mayor commented at the unveiling, "That is the wonderful thing about art, that some people are going to love this and some people are going to hate this". The mayor knew that some people would hate the sculpture yet the city council contributed \$50,000 towards it.

15

I know that some people hate wind turbines, even though I agree with Mr Anstey that they are beautiful. I also believe that many people who think the turbines will be intrusive will become accustomed to them, as Mr Wyatt found when the majority of people offered mitigation after a period of time refused it.

20

The Forest and Bird Society's submission on the redesign claims that the wind farm will create barriers to prevent species travelling about the reserve and to riparian corridors of native planting formed by the Green Corridors Group. As a member of Green Corridors I was at our regular monthly meeting yesterday. The members disputed this assertion by Forest and Bird and are confident that the turbines proposed both in the original design and redesign will not be a threat to birdlife moving to green corridors areas.

25

30

Finally – well not quite finally actually because I have thought of two other things, so if you will bear with me. But I would like to clarify a small point, Mr Jones speaking for Huatau Marae when asked if the whanau marae was on traditional land replied that Rangitane had once had possession of all of the land in this area, but the transcript from the earlier hearing reads that the Jones family are Ngati Apa with ties to Rangitane and that their ancestral marae is between Marton and Wanganui.

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40

I would also like to just make a comment on the person worried about there stock. We have been friendly with the Jacksons who have Tararua wind turbines on part of their large farm. The turbines have been there for years now, they have never had any problems with sheep and cattle health or behaviour, and in fact we are always amused when

45

we go there to see the sheep actually cuddled up to the base of the turbines seeking a bit of extra shelter. So I think that possibly – I think it was Mr Kells fears - hopefully are needless.

5 I would like to share one of my most vivid memories from the earlier part of the hearing because for me it encapsulates so much of the debate around this proposal.

[11.50 am]

10 And that was when Dr Maurice Alley said that of the three dead falcons he had examined, two had died from starvation. We actually saw and I think they might be the pair that Mr Cookson wrote about. We actually saw them from behind our woolshed circling around our house. They actually looked very agitated and then they just took off in entirely separate directions. So I wish I knew a bit more about bird behaviour and just what the story was. Whether they were searching for food. Whether they were searching for new places to live, or what. We have never ever seen them in that part of the farm. In fact I have only ever seen them on one other occasion on the farm in 15 years. So it was quite weird actually. They were agitated birds and it so strange to see them there.

20 Thank you very much for giving us the opportunity to contribute to this hearing.

25 HER HONOUR: Yes, thank you, Mrs Love. It is very difficult we know for submitters to come forward in this environment. Ms Price have you any questions?

30 MS PRICE: No questions, ma'am.

MS PEARCE: No thank you, your Honour.

35 HER HONOUR: Mr Heerdegen? **(INDISTINCT 1.42 - 1.55)**

40 MR HUDSON: I think the issues that we started to discuss before have probably been covered by what you have said here. I notice in your written submission which was sent in some time ago, you were concerned about the amount of time that you had at the last hearing. Is there anything else that you want to, now that you have presented this, want to add? Yes.

45 MR LOVE: I since discovered that that problem is solved because I did not realise the transcript was attached to the date hearing if you know what I mean.

MR HUDSON: Right.

5 MR LOVE: Yes, so if it available to whoever wants to look at it so that is fine. Yes. I did not realise that.

10 MR HUDSON: Good, okay. Thank you. And the issue came up, I think you were here the other day, well Mr Love was anyway, in which there was discussion about the use of the word “appropriate” and “acceptable” and “significance” and that and Mr Love made some very pointed cross-examination points throughout, but despite what may have been said by various people we are aware of the application of those words. There is significance in the ONL, ONF. There was ambiguity in earlier transcripts particularly from Mr Brown. He was not clear on his position which is the need for clarification on that.

15
20 And we are having to balance those things up which you are fully aware of, having heard all of this, the different viewpoints. So thank you for coming forward and giving this very practical view of the benefits then of your position. Thank you.

HER HONOUR: Just a comment on the falcons. I wondered if you saw in fact the two young ones?

25 MS LOVE: I did wonder about that. Again I need to - I know there are one or two people at Massey that are quite expert and I am going to consult with them because I do not know if they would have got that big in that amount of time, but they may have done. And I know that when people in Okauteri, was it last year, had trouble with a falcon attacking and taking their domestic poultry and so on, pigeons and so on, apparently young falcons will sometimes do that because they are not very good hunters, they are still learning. So they go for the easy prey first and then as they get older they go back to the forested areas where the birds are a bit more cunning and harder to catch.

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[11.55 am]

HER HONOUR: I think the previous expert witness described the feathered tails of the young ones and they may be something to look for.

40

MS LOVE: I was not quick enough to get binoculars.

HER HONOUR: Well thank you very much indeed. Thank you. Chris Dench, please. Good morning Mr Dench.

45

MR DENCH: Good morning, your Honour and members of the Board. My name is Chris Dench. I live at 311 Ngahere Park Road and have owned my property for 10 years and have lived there for seven years. I would like to thank you for the opportunity of letting me speak to my submission on the redesign.

I love the view from my property and I love living in the country for the peace it gives me and the space around me. I objected in the first round of submissions and was pleased to hear MRP was submitting a redesign. Unfortunately the redesign has fallen short of my expectation, removing 17 turbines and relocating 44 within the existing building platforms. This has not addressed my concerns on the proximity, landscape and possible noise effects.

It has also not addressed my immediate neighbours' concerns which are evident from the 16 objections to the redesign from 24 neighbours. The redesign has required another huge investment in time, researching the redesign, analysing the effects it will have on my property, writing a submission, informing others of the redesign and now attending the hearings which impacts on my business and personal life.

I have been living with the stress and the fear of the wind farm in my backyard for approximately four years now. I do not think from all I have read and heard so far with the redesign MRP have any respect or appreciate the concerns of the residents.

From the redesign I am objecting to the following turbines due to the impact of the landscape on my property and possible noise effects on my property, mainly because I am indicated within the 35dBA line. I object to 78, 127, 128, 129, 130, 131 which are within 2. (ph 3.12) kilometres of my home, 134, 135, 136, 76, 77 which are within three kilometres of my home. I consider them too close as they will disturb my landscape view and this will become more disturbing in the future when the current pine trees are milled.

Therefore in total there are still 11 turbines close to my property after the redesign. I consider the opinion expressed by Mr Anstey during the hearings validates my concerns. Ngahere Park was designed as a rural lifestyle development and now all 24 residents in the upper Ngahere Road and Pine Drive will be affected by these turbines, and others of course.

In 2006 representation from MRP, a Mike Omer, came to a meeting at 307 Ngahere Park Road when Jack and Rosemary Cootes were in the process of building. He assured them the nearest turbine on the reserve

was four kilometres away, no closer. This has been proven to be a false statement. Also having this many turbines close to my property will have an adverse effect on the value of my property and the resaleability of my property.

5

[12.00 pm]

I do not believe that MRP have been able to prove in their redesign that they will be responsible and have the intention and the integrity to manage any adverse noise effects especially when it occurs in the middle of the night and disturbs my sleep and that of my neighbour. Long-term sleep deprivation will affect my health and the state of mind. We simply cannot rely on MRP to turn off the turbines during an easterly wind as suggested for expected compliance or when we as residents feel the turbines affecting our lives.

10

15

I believe it is human nature to push the boundaries. If the turbines are permitted MRP will use them at their discretion. I believe the Board should not permit any of these 11 turbines proposed. Thank you.

20

HER HONOUR: Thank you. Ms Price?

MS PRICE: No, thank you.

25

MS PEARCE: No thank you, ma'am.

30

HER HONOUR: Do you realise Mr Dench that the noise conditions thus far anyway have the turbines turned off if special audible characteristics, depending on which version we are looking at at the moment, are turned off?

35

MR DENCH: I have read the expected compliance schedule, section 6. I personally believe that if a turbine is there it is human nature that if you want to use it you will use it. I know that they say they will turn them off, but if there was not a turbine there they would not need to turn it off.

40

HER HONOUR: But if they are automated and it is a condition of consent then they can be prosecuted if they do not comply with that condition, surely.

45

MR DENCH: It is all man - people control it. Like you just readjust - like in the end if there was no turbine there we would not have this problem.

HER HONOUR: Yes I realise that but in terms of mitigation of this proposal the applicant has gone quite some way further into noise conditions to

try and rectify any perceived breach and at this stage it is only a perceived breach.

5 MR DENCH: My preference is that - like they have already stated that I am in a 35dBA line. My preference is they move me away from that 35dBA line.

HER HONOUR: Yes we know that.

10 MR DENCH: You understand that? That is cool.

HER HONOUR: Yes, we do.

15 MR DENCH: And also part of my submission is for the landscape. It is not just the noise. For the life of me I cannot see why I need to be in that 35dBA line. I work in the fire sprinkler industry where we have multiple standards. People breach them all the time. Like it comes down to a personal thing. If MRP decide in five years time they need more power, it will go on.

20 And then it is up to whom to - it is up to the residents then to then amount another campaign against them to try and get them all turned off? If it is a simple matter of setting a computer to measure it at 35dBA someone can simply change it. And we then have to have the problem of fighting it again. So why not just move them away so I do not have that problem.

25 HER HONOUR: Yes, well, thank you. You have made that clear in your submission. I do not think your view is one of cynicism shared by the Board at this stage. I think that - I am sure the members would agree that although this is an iterative process the applicant has made great strides in trying to meet some of the concerns of the submitters. I know you feel different, but certainly that is our impression. They have been very open in the way they have gone about certain measures.

30 MR DENCH: I do not fully - well, like Mike Omer making a statement to my neighbours which I have a copy here which I will present to you. When they first come in they say they are going to be four kilometres away. When they come they are closer. I do not trust them, basically. Time will tell.

35 HER HONOUR: Quite.

[12.05 pm]

45 MR DENCH: But if there is no turbines there then we do not have a problem.

5 HER HONOUR: Yes. Well thank you very much for coming. Thank you. I think that probably Mr and Mrs Pugmire are not here yet. Are they? Grand, thank you. I had a note that you were nowhere to be seen, but you have been there for quite some time have you not, yes, thank you. Good afternoon.

MRS PUGMIRE: Good afternoon.

10 MR PUGMIRE: I am just going to speak first about two of the things we are concerned about and the Sue was going to add some further comments on the concerns that she has.

15 HER HONOUR: Could you speak up Mr Pugmire. Those at the back cannot hear. Thank you.

MR PUGMIRE: Sorry. I was going to speak first on the visual impact and concerns about safety and then Sue will add some other comments on those and talk about sound issues which is a concern she has.

20

HER HONOUR: I think Mrs Harker is shaking her head. We still cannot hear.

25 MR PUGMIRE: Still cannot hear? Sorry, I will put this a bit closer. Is that okay? Good. Okay, I think firstly looking at the visual impact. We have been pleased with the redesign in terms of the impact of the view of the wind turbines from our house. We have essentially gone from something which we looked up at, 10 turbines sort of looking down on us, to four turbines over to the right-hand edge of our view, at a slightly greater distance. So we are quite happy with that aspect.

30

In terms of the road use and safety issues, I think like other people we have seen quite a change in what has been predicted as the use of the road if the wind farm goes ahead. And I do feel that the figures that have been given have been portrayed in a slightly misleading way. So the current use of the road is mostly residential and tidal and the additional use will be in a counter direction and therefore I think will have quite a large impact.

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40 My estimate is that are only perhaps half a dozen places on the road where you can safely pass even a cyclist. And only if there is no oncoming traffic. Currently when we drive into town we expect to see one maybe two cars in the opposite direction. So this would be a very significant increase in that.

45

5 I also think that the special nature of the road requires additional
 thought when looking at road usage. Because this road is used for
 recreational users and is actually promoted by the council as the
 recreational hub of the Manawatu I think you cannot look at it just as a
 road which is just normally used for cars and trucks and so on. You
 have actually got to think about that very carefully and I think mixing
 serious construction traffic with a recreational hub for an extended
 period of time will take very careful planning.

10 We have good discussions with both Mighty River Power and council
 engineers and I think there are a number of things which can be done to
 make the use much safer and I would like to just go through those that I
 have outlined. I think it is important to minimise the use of the
 15 southern access, firstly by building the batching plant as early as
 possible to avoid concrete trucks driving up the road in large groups.

[12.10 pm]

20 I think we need to get the contractors to travel together from in town
 depots. I think there is good scope for setting up parking areas at the
 beginning of the road. Due to the changes that happened at the start of
 the road there are some large areas of sealed areas there which could be
 used for parking and are largely unused at the moment.

25 It would seem to me to make sense to collect water on the site and store
 it in large tanks to avoid having to have water trucks travelling up and
 down the road. And I think it will be important to ensure the northern
 entrance is used for car/van traffic even when the southern access is
 30 more convenient. We need to make sure the southern access is used
 when it is necessary, not just when it is convenient.

35 One other point that I would add there is that I think it is important that
 the vehicles working on the wind farm do have identification on them
 and an 0800 number. At one of the meetings on roading issues it was
 suggested this is impractical because they are not owned by Mighty
 River Power or they may at other times be used for other reasons. I do
 not see that this is really impractical at all to have them clearly marked
 and with a clear 0800 number on them.

40 I would like to see a 70 kilometre per hour speed limit on the road for
 all road users. I thought it was interesting when cycling the road the
 other day that travelling from Greens Road to the start of the road on a
 bicycle with an average speed of 40 kilometres per hour it only takes
 45 six minutes. So this suggests that it is a very short trip and that limiting
 your speed to under 60 kilometres an hour will make very little

difference to the time it takes people to travel the road and would make a huge difference to the safety issues.

5 I would like to see the truck access limited to 9.15 to 3.15 Monday to Friday so that there was no truck access in weekends. And that truck access was kept out of those peak times for residential use and for children and cyclists travelling to school and so on.

10 I think the one in one out system is a very good idea, but it should be applied to all truck access, not just to the occasions when there are more trucks on a particular day than expected than normal.

15 I think it would be very useful to add signs to the beginning of the road which warn drivers to expect a variety of traffic, cycle, foot traffic and so on and to encourage both drivers and cyclists to be courteous to each other. And share the road. I think there are a number of places on the road where at first view it might appear that a cyclist could get off the road or could move slightly to the side, but often those places have loose chip gravel on them and as a cyclist you have got to avoid them.
20 This a fairly small change that could be made to seal some more of the entrances and some of the entrances which are sealed could be cleared of loose gravel and that would provide an option for slower traffic to move out of the way to let others pass.

25 I think that adding some slow vehicle bays to allow passing both of cyclists and possibly of slow trucks at times is pretty well essential and there is several places that I have identified there but you probably need two or three others as well to provide opportunities for people to pass throughout the length of the road.

30 The last point I have point there is the idea of adding a separate cycle walking track. Obviously it would be ideal to have this going the entire length of the road, but as a practical compromise it seems to me a very good idea to initially do this for the first one kilometre of the road. This is the area where the highest traffic speeds are and where the highest density of traffic are and also where there is a number of children walking to catch the school bus and so.

[12.15 pm]

40 And it would provide a sort of a not too expensive thing which could be done now and then could be extended in the future as necessary. It may well be that safety issues do become more significant that has been realised at this stage and if we started on something like that then there
45 is an opportunity to extend it later. Okay. Thanks.

HER HONOUR: Thank you very much. I think the detail of what you have given us here is interesting. Particularly this separate cycle walking track. But I will comment when we have heard from other people. Ms Price?

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MS PRICE: No question, thank you.

MS PEARCE: No thank you, ma'am.

10

HER HONOUR: Mr Heerdegen?

15

MR HEERDEGEN: Yes, thank you very much. Would you just to make it quite clear to us point on the map that is being projected beside you, exactly where your house is, please? Right. So I take it from that that your house is not on the road as such. You have a long driveway to it, is that right?

20

MR PUGMIRE: It is roughly five and a half kilometres from the start of the road. It is on the other side of the river. It is probably maybe 200 metres from the road.

25

MR HEERDEGEN: I am not questioning the evidence with respect to that, I am just trying to identify where it is that is all. That is fine, thank you. Towards the top of your submission here you say, "several things in the redesign affects us and (b) is moving of the other turbines that could be seen from our house". Does that mean that the turbines that have been shifted or the turbines that have not been shifted?

30

MR PUGMIRE: Sorry, I am not quite clear what the question is. Initially before the redesign there were 10 turbines that we could see.

MR HEERDEGEN: Yes.

35

MR PUGMIRE: Now there are four.

MR HEERDEGEN: Now there are four, and two of those are - and that is 122 to 125 is it?

40

MR PUGMIRE: Yes.

MR HEERDEGEN: Okay so (b) is not something you want done. It is something that has happened?

45

MR PUGMIRE: Yes.

MR HEERDEGEN: Right, that is all I needed to know. Thank you very much. That is my questions.

5 MR BUNTING: Yes, I have got a couple of things. Did I hear you say you cycle at 40 kilometres per hour?

MR PUGMIRE: Yes, that is what we measured the other day, yes.

10 MS PUGMIRE: That was the average was it not?

MR PUGMIRE: Yes.

MR BUNTING: So you actually go faster than that.

15 MS PUGMIRE: Yes, we have done 63 kilometres an hour down the hill on the tandem.

20 MR PUGMIRE: That was with the City Council engineer. We timed a cycle trip from Greens Road to the start of the road and then back again. So the average going out of the road was 40 kilometres per hour. The average coming back was about 22.

MR BUNTING: Do many others travel at that speed?

25 MR PUGMIRE: Yes, there are plenty of people travel faster than that.

MR BUNTING: Is that safe?

30 MR PUGMIRE: Yes, I believe so. Not if there is somebody coming - I think many cyclists would be travelling at that speed.

35 MR BUNTING: We have heard a lot of evidence about the narrow winding alignment of the roads and if people are cycling at that speed it just seems at odds with **(INDISTINCT 3.47)**

40 MR PUGMIRE: The cars and trucks are travelling often at 80 kilometres per hour and they are stopping distance is much longer and their ability to corner is much worse.

MR BUNTING: Okay. Just picking up on the point that her Honour raised about the cycling track, do you actually know if there is room to build the cycling track within the road reserve?

45 MR PUGMIRE: I think that first section of the road there mostly is. There may be some points where you may have a problem I am not sure. But

certainly the majority of that first one kilometre it would be quite feasible.

5 MR BUNTING: There may be some (INDISTINCT 4.27) from your understanding anyway.

MR PUGMIRE: Yes.

10 MR BUNTING: Okay, well thank you very much. Thank you, your Honour.

MR PUGMIRE: Perhaps I could just add to that. That I think given there may well be two or three years before anything happens if the turbines did go ahead, I think there is lots of scope for useful discussion between landowners, residents and council. I think there is quite a lot of support for a separate cycleway. And there may well be a lot of options there, but if we do not start it will not happen.

[12.20 pm]

20 HER HONOUR: Mr Hudson?

MR HUDSON: Would that be better than widening the road?

25 MR PUGMIRE: Yes, I think a number of residents are concerned that if you just widen the entire road all that will happen is that people will travel much faster and it will be more dangerous and you will also destroy the quiet country road that so many people enjoy.

30 By separating a cycle track and by having slow passing bays you get the added safety without destroying the resource that we have there now.

MR HUDSON: Is it sealed all the way that you averaged 40?

35 MR PUGMIRE: Yes.

MR HUDSON: That does help. You refer to the beneficial effect of removing the number of turbines, and I am looking at RVP21 which is the one from your house, and there are three or four that are still visible. Are you happy with this as it is now?

40 MR PUGMIRE: Yes, I am very comfortable with it.

MR HUDSON: Should I ask the same question later?

45 MR PUGMIRE: You probably should.

MR HUDSON: I should, okay. Because the closest one is turbine 52 at 1.85 kilometres?

MR PUGMIRE: Yes.

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MR HUDSON: You are happy with that?

MR PUGMIRE: Yes.

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MR HUDSON: Okay, thank you.

HER HONOUR: Mrs Pugmire, have you anything to add?

MRS PUGMIRE: I would like to add a few things if that is all right, yes.

15

Just going back to the cycle track thing, I think it is very important that certainly ideally there is a separate cycle track because there are safety issues. Ralph said that he thinks there is maybe up to half a dozen places you can pass. There is very few places I would pass a cyclist – feel safe passing a cyclist on that road. Maybe one or two if they are in the perfect position and so am I at the right time. But we find both as car users and cyclists is that cars do not wait behind cycles and I do not even know if they would wait for passing bays, they just pass where they are and hope for the best. At the moment most of the flow is tidal with people going out in the same direction and back in the same direction and people get away with it. But it is going to be horrific with the extra traffic. So I think the idea of cycle lanes that are separate are very important.

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30

There are a lot of cyclists, quite apart from the residents there is a lot of recreational cyclists that use that road, particularly with the cycle tracks at the end of the road and the mountain bike track and so on.

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Ralph said a lot of the things. I guess I could – I am just trying to think if there is anything else. That is the main thing with the traffic. I think that we agree something needs to be done to make it safe.

40

With the windmills I do feel that 1.85 kilometres is still too close. I really appreciate what Mighty River Power has done taking out those six from our view but we still have four, or some of four windmills in our view. Partly the visual thing for me which is much lessened by the taking out of those six because they were in our main view, but the other thing is the health and noise issues which are unknown at this stage – well for me, you read so much conflicting evidence and there seems to be a lot of people saying, you know, headaches and nausea and dizziness and lack of sleep, and all sorts of things and it is very,

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very, hard to know what the effect will be when these things come if they come.

5 Philosophically I think they should not be nearer that – from my reading – six kilometres to existing houses. I know someone earlier said three. I think three is very conservative given the noise and those long sound waves and things do funny things, particularly in valleys.

10 The trouble is because it is an unknown, at this point I do not know if it is something I can live with, or cannot live with, and the same with my family, and the same with Ralph. He does not see that so much as a problem but we do not know. If it is, it would be very nice to know something would be done about it. That maybe the ones that cause the problems can be shutdown or something. But of course there is huge financial input in these things and Mighty River Power is not going to want to have to have – having spent millions/billions, I do not know how much, putting them there is not going to want to stop using them. So there is a huge concern I think amongst everyone on this issue.

20 **[12.25 pm]**

Yes, I have fears about these windmills for sure, being so close, under two kilometres.

25 I would like to say with the traffic and the huge amount of traffic I do think that John and Rosemary Adams and the Buwaldas particularly have a special case - one with doing the night shifts, the other one doing the home schooling – with this huge amount of traffic past their doors, quite apart from the safety issues.

30 Yes, we would like the Board to consider those as well.

35 I think that is everything else – oh, the only thing is that I do consider our valley an outstanding natural landscape, it means a lot and I love the view of the hills. I love the light and shade, it does something for me for sure. Including the drive out there looking at the ranges. But I also do believe in sustainable clean energy so I am a bit caught between a rock and a hard place with this.

40 Anyway, those are the main things I wanted to add to Ralph's submission, or to our other submission. Thank you.

HER HONOUR: Thank you very much. Ms Price?

45 MS PRICE: No, thank you.

HER HONOUR: Mr Hudson?

5 MR HUDSON: Yes. I will just give you the opportunity to comment on the same question I asked your husband. I heard you say that you think it is a vast improvement and are very grateful for the changes. You have got concerns about noise because of the unknown.

10 What is your view on the acceptability of the visual effects of what is there?

15 MS LOVE: Way better than it was, definitely. They are very huge, they are very close. I think I could – I am hoping I could live with it. I would prefer them not to be there visually. But as I say, before I do not think I could have lived with it. Now possibly I can. It is very hard to imagine them there actually, but it is way better than it was I have to say.

MR HUDSON: Thank you.

20 HER HONOUR: Thank you very much, both of you. I am sure that Mr Henry has listened attentively to some of your suggestions, and they seem very sensible. So thank you both, and thank you, Mr Baker, for all your looking after the visuals for everyone. Mr Baker, thank you.

25 MS LOVE: Thank you.

30 HER HONOUR: Well that is all for today. I am sorry that I get names muddled up, I am actually quite dyslexic when it comes to names. They used to call me Mrs Mellaprop (**ph 3.30**) at school because I transposed letters and it is endemic in my family, we do very interesting things. I hope you do not get a whiff of that in the judgment when you get it.

35 Thank you all very much for coming. Thank you for your intense presentations. We are really very appreciative of the care and the time and the thought that has gone in from all parties, and we look forward to seeing you on Monday at 10 o'clock, and we will have the noise experts there. A day or so after that we may have some other experts who are coming to perhaps give us further information on noise. We are contemplating issuing subpoenas at the moment to various people who might shed some light on where the experts have got to.

45 But we have decided that we really do need to hear from – where the experts have given evidence to this inquiry have made their conclusions and then to re-evaluate whether we need to call in some further troops to shed further light, because clearly there is a crossroads here between the emerging special audible characteristic forum and the straight sound

level noise forum. How we resolve this is a difficult issue for all parties and we will respect your indulgence and patience while we work through this.

- 5 So thank you again. We will see you on Monday morning, thank you.

**MATTER ADJOURNED AT 12.30 PM UNTIL
MONDAY, 22 MARCH 2010**