

BEFORE THE BOARD OF INQUIRY

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a Board of Inquiry appointed under section 146 of the Resource Management Act 1991 to consider an application by Mighty River Power Limited for resource consents to construct, operate and maintain a wind farm at Turitea

**FOURTH MEMORANDUM OF COUNSEL FOR MIGHTY RIVER POWER
LIMITED REGARDING THE DESIGN REFINEMENT PROCESS AND OTHER
MATTERS**

Solicitors

ChanceryGreen
11 Bacons Lane Chancery Square
P O Box 106 202
Auckland Central 1143
p +64 9 357 0600
f +64 9 357 0340

Solicitor: K R Price karen.price@chancerygreen.com

Counsel Acting

Nicholas Davidson QC
Bankside Chambers
Level 22, 88 Shortland Street
Auckland 1010
PO Box 825
Christchurch 8140
p + 64 9 379 0802
f + 03 366 7653

MAY IT PLEASE THE BOARD:

Further update on design refinement process

1.1 Further to our memorandum of 28 October 2009, and the submissions made at the adjournment of the hearing on 14 October 2009, the following provides the next update as to progress of the design refinement process thus far:

- (a) As indicated in our earlier memorandum, Mr Brown met with the Project Team last week to discuss the revised photomontages. While he is generally satisfied with the progress being made in the design refinements, there are still a number of further minor adjustments to be made.
- (b) A further set of photomontages are therefore currently being prepared by Mr Wyatt's team, to be sent to Mr Brown shortly.
- (c) While the updated montages are being prepared, the GPS co-ordinates for the updated layout have been provided to the civil design team. This team, led by Mr James, will assess the revised layout in terms of its constructability and refine the roading requirements accordingly.
- (d) Once an agreed layout has been agreed upon, it, and the updated montages, will be provided to other relevant experts within the Mighty River Power project team for assessment and comment. They will also be peer reviewed by Mighty River Power's other landscape experts.
- (e) Mighty River Power therefore expects to be able to advise whether any further iterations to the montages are required by the time of its next fortnightly update, which will be provided on Wednesday 25 November 2009.

Other matters

1.2 The Environment Court's decision in respect of Meridian Energy's Project Hayes Wind Farm was released on 6 November 2009. Mighty River Power

is currently reviewing this decision, and will provide further comment on it in its next update, due on Wednesday 25 November 2009.



K R Price
Counsel for Mighty River Power Limited
11 November 2009