

BEFORE THE BOARD OF INQUIRY

IN THE MATTER of a Board of Inquiry appointed under s146 of the Resource Management Act 1991 to consider an application by Mighty River Power Limited for resource consents to construct and operate a Windfarm at Turitea

MINUTE TO THE PARTIES

REBUTTAL EVIDENCE OF MR P BAKER FOR MRP

[1] There has been a query from MRP as to the status of Mr Baker's rebuttal evidence as there was no mention of him in the 'Directions' issued by the Board last week.

[2] The reason Mr Baker was omitted from the 'Directions' discussion was because apart from his name and qualifications being included in the list provided by counsel for PNCC in his initial memorandum, there was no reason given for his being named at all, apart from being a 'new witness' in rebuttal to the evidence presented by Ms Melhuish and Mr Leyland.

[3] There is no legal reason however to prevent a new witness being called like Mr P Baker to give rebuttal evidence, which is why he was not part of the 'Directions'.

[4] Mr Baker's evidence was considered nevertheless, the conclusion being it was legitimate rebuttal evidence, albeit given in considerable detail.

DATED at Wellington this 30th day of June 2009



S E Kenderdine

Environment Judge

Chair

Board of Inquiry