

12 February 2009

Hurunui District Council
P O Box 13
AMBERLEY 7441

Attention: Helga Rigg

BY EMAIL: helga.rigg@hurunui.govt.nz
CC: dean@planitassociates.co.nz; paul.thomas@emslimited.co.nz

Dear Helga

MAINPOWER NZ'S APPLICATION TO ERECT WINDFARM ON MOUNT CASS

Please find **enclosed** a memorandum for circulation.

Yours faithfully

ANTHONY HARPER



Paul Rogers
Partner

Contact: Paul Rogers (03) 364 3821 paul.rogers@ah.co.nz
Our reference: PGR-036568-14-17-V1

IN THE MATTER OF the Resource Management Act 1991
AND
IN THE MATTER OF an application for land use consent to establish, maintain and
operate a wind farm on the ridge of Mount Cass, Waipara
BETWEEN **MAINPOWER NEW ZEALAND LIMITED**
The Applicant
AND **HURUNUI DISTRICT COUNCIL**
The Local Authority

MEMORANDUM OF COMMISSIONERS

DATED 12 February 2009

MEMORANDUM OF COMMISSIONERS

- 1 We refer to our memorandum dated 23 December 2008.
- 2 We record we have now received from the applicant via the Hurunui District Council all information that was outstanding as at the date of presentation of the reply.
- 3 At paragraph 2 of our 23 December 2008 memorandum we raised the point about whether we would circulate those further materials among submitters. We also noted that we did not envisage that submitters would be asked to comment on that information as it was received during the course of the hearing and was part of the applicant's reply.
- 4 In relation to the site visit we can confirm that we have now concluded the site visit. We have completed a walk over of the Dovedale section of the site. In addition, we have completed site visits to and from a number of submitters' properties.
- 5 We now direct as follows:
 - 5.1 The Hurunui District Council is to ensure that all submitters have received copies of information provided by the applicant in response to questions asked during the course of the hearing and provided by the applicant to the Commissioners as part of the applicant's reply. If this information has not yet been circulated it is to be done so as soon as possible, with the Hurunui District to confirm to us circulation has occurred. We do not seek or require any responses from any other party to this information;
 - 5.2 We have resolved not to seek any further information and accordingly we now formally close the hearing as at Thursday, 12 February 2009.
- 6 As we signalled at paragraph 5 of our 23 December 2008 memorandum, because of the volume of evidence received and the complexity of the issues raised during the course of this hearing it was likely we would seek to extend the decision-making period provided for under the Resource Management Act 1991 (RMA) from the standard 15 working day period to 30 working days. We confirm that intention.
- 7 In considering whether or not we should extend the decision-making period as described above we have taken into account:
 - (a) the interests of person who, in our opinion, may be directly affected by the extension or waiver; and
 - (b) the interest of the community in achieving adequate assessment of the affects of the proposal, and our duties under Section 21 RMA to avoid unreasonable delay.
- 8 Accordingly, it is our decision to extend the decision-making period from the standard 15 working-day period to 30 working days.
- 9 This results in an outcome that the written decision will, in the absence of any unforeseen eventualities, be available on Friday, 27 March 2009.

- 10 We have asked that the Hurunui District Council reporting officer circulate this memorandum among all parties to the hearing.



12 February 2009 at Christchurch

Per P G Rogers for and on behalf of the Panel

Paul G Rogers (Chairperson)
Dean Chrystal
Paul Thomas