

Jenna Silcock

From: Tipapa Events [tipapaevents@tipapa.com]
Sent: 20 August 2012 10:52 a.m.
To: holly.o'connell@justice.govt.nz
Subject: Commissioner Sutherland.

Sent 11.50 20 August 2012

Dear Holly.

Please pass the below letter to Judge Harland.

This is being sent this morning to all other parties.

Please acknowledge receipt. Thank you.

○ Regards

John Carr

Subject: Reply to minute of 16 August 2012 regarding Commissioner Sutherland.

Your Honour

I have considered your Minute of 16 August 2012 regarding Commissioner Sutherland. I have undertaken due diligence on the matter, and as a result have arrived at the very strong conclusion that Commissioner Sutherland should under no circumstances be appointed a Commissioner at the forthcoming Environment Court hearing of Hurunui Wind.

I arrived at the above decision for two reasons.

○ 1. Notwithstanding that Commissioner Sutherland's son has no involvement in wind energy at Meridian, the sheer fact that he is employed by Meridian is sufficient reason alone to reject him as a Commissioner on this hearing. In view of the great importance of this case, which if consented would benefit Meridian at the huge cost of Tipapa, and members of the Glenmark Community. I am surprised that the Commissioner accepted the appointment.

2. In paragraph 2 of your Minute you referred to the fact that Commissioner Sutherland's son was employed by Meridian whilst the Commissioner was a member of the Environment Court hearing for the proposed wind farm on the Lammermoor Range in Central Otago. I understand that Commissioner Sutherland was the lone supporter on the bench for granting Meridian consent for this wind farm. Whilst not wishing to infer any lack of probity by the Commissioner the very fact he was the sole supporter of Meridian in the final decision whilst his son was an employee of Meridian could be misconstrued.

The above two reasons both individually, and together, eliminate Commissioner Sutherland from sitting as a Commissioner at the forthcoming Hurunui Wind hearing.

I hereby request from the Court the background of Commissioner Oliver, the other Commissioner selected for this hearing, as regards the cases she has heard in the Environment Court, and any connection direct or indirect that she has, or has had, with Meridian. Also any public statements that she has made, or written, on the subject of wind or renewable energy.

Yours Sincerely,

John Carr

On behalf of Tipapa Limited