

## Jenna Silcock

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**From:** Jenna Silcock  
**Sent:** 5 July 2012 5:16 p.m.  
**To:** Jenna Silcock  
**Subject:** RE: Further letter to Judge Harland.

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**From:** Tipapa Events  
**Sent:** Thursday, 5 July 2012 10:06:52 a.m. (UTC+12:00) Auckland, Wellington  
**To:** S & B Barnes; A Baxter & N Stanley; Andrew Beatson; N & B Burgham; Marie Dysart; M & K Fitzsimmons; Natasha Garvan; A Goodship; Chris Herbert; G & J Higginson; Lisa Kissell; Marcus Langman; L Love; A Marr; T McBreen; J & J McKone; J McLachlan; H & K McLachlan; G & M McLean; V Meares; David Meares; Lyn Meares; Belinda Meares; M Messervy; Ellie Messervy; Eric - NZ Wind Energy Assn; Heather & John Pankhurst; Scott Pearson; Stuart Ryan; Kerry Smith; Judy Symonds; Gary Thomas; H & Y Turnbull; Phoebe Vincent; Malcolm Wallace  
**Subject:** Fwd: Further letter to Judge Harland.

----- Forwarded message from johncarr@tipapa.com -----  
Date: Wed, 04 Jul 2012 14:07:00 -0600  
From: John Carr <johncarr@tipapa.com>  
Subject: Further letter to Judge Harland.  
To: tipapaevents@tipapa.com

Dear Holly.

I have received the Memorandum of Meridian's Counsel dated 2 July responding to my email to you setting out the list of witnesses of Tipapa Ltd. This Memorandum requires me to respond by way of a further letter to Judge Harland. Please forward to below letter to her as soon as possible.

I will forward it to all parties on 5 July.

Regards

John Carr

To. Judge Harland

Subject. Reply to Memorandum of Counsel on behalf of Meridian Energy Ltd dated 2 July 2012.

Your Honour.

A. Dr Thorne.

I refer to your Directions arising from the Pre-Hearing conference on 8 June 2012, paragraph 4. In addition to the Memorandum of Meridian's Counsel dated 2 July, paragraphs 3 to 10.

1. Dr Thorne's 131 pages of evidence was submitted to the Court and parties, including hard copies where required, with my response to Meridian's Evidence in Chief on 26 April 2012. It is acknowledged in Mr

Beatson's Memorandum, clause 7, that he has received Dr Thorne's evidence. He attempts to belittle it by disparagingly referring to Dr Thorne's evidence as "notes". The very substantial document submitted by Dr Thorne are not "notes" it is Dr Thorne's evidence. It is no difference in category or substance to the evidence submitted by Dr Chiles, and Mr Camp, the noise experts for Meridian and Council. It is however hugely more comprehensive, significant, and it includes a substantial bibliography supporting his evidence. I have therefore complied with your Direction 4 (a) and 4 (b).

Meridian and the Hurunui District Council have been Directed in your paragraph 4(c) of your Memorandum and Directions to reply to Dr Thorne's evidence by 5pm on 31 July 2012, and to serve copies as Directed. Paragraph 8 of Meridian's Memorandum dated 2 July is without any foundation. Your Directions in your paragraph 4(c) are not conditional, other than Dr Thorne's evidence being submitted by 9 July 2012. I hereby reiterate that Dr Thorne's full evidence was submitted as required on 26 April. In accordance with your directions Meridian and the Council are required to respond not later than 31 July 2012. I ask that it is made clear to Meridian and Hurunui Council that they are to comply with your Directions.

I refer to paragraph 5 of Meridian's Memorandum. I have submitted to the Court and all parties a copy of the letter from Dr Thorne dated 16 May 2012 appointing me as his representative. Should Dr Thorne not be available to be a witness at the time of the Court hearing I state that I have every right to act on his behalf in accordance with my appointment. Further I state that with the information contained in Dr Thorne's evidence, and any rebuttal by Dr Chiles and/or Mr Camp, which will be reviewed by Dr Thorne, combined with my substantial knowledge that I have gained since April 2010 on the matter of wind farm noise, that I have the expertise, ability, and intellect to be a witness on his behalf.

I reconfirm that I will advise the Court by mid August as to whether Dr Thorne or myself will be the noise witness for Tipapa Limited.

B. Meridian's Memorandum dated 2 July paragraph 11 and 12.

Paragraph 11. In my submission of witnesses dated 16 March 2012 I listed myself on behalf of Tipapa Limited as an expert witness. As a result of the way that the running of the Hearing has been formatted, I refer paragraph 36 of your Directions, it requires that I on behalf of Tipapa Limited have to list myself as an additional expert witness on each of the topics set out in my email to the Court dated 1 July 2012.

I reiterate that I am an expert witness as well as being a lay witness in all the topics in which I have listed myself, these being landscape, tourism, valuation, and traffic. With regard to landscape, tourism, and valuation as it relates to Tipapa, I am very considerably more expert, with considerably greater qualification, than any of Meridian's or Council's experts on these topics.

I confirm my revised witness list as submitted on 2 July to the Court in accordance with clause 37 of your Directions.

Paragraph 12. The format of the hearing has been Directed. This requires expert and lay witnesses to present separately on each topic in accordance with the order in which each topic is to be heard. I intend to present in accordance with this Direction.

Yours sincerely

John Carr

On behalf of Tipapa Limited.

----- End forwarded message -----

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