

**In the Environment Court
Christchurch Registry**

ENV -2011-CHC-090

Under the Resource Management Act 1991

And in the matter of a resource consent application under sections 87C-I of the RMA

Between

Meridian Energy Limited

Applicant

and

Hurunui District Council and Canterbury Regional Council

Consent Authorities

and

Others

**Memorandum of Counsel on behalf of Meridian Energy
Limited – Request for Further Particulars**

7 June 2012

BELL GULLY

BARRISTERS AND SOLICITORS

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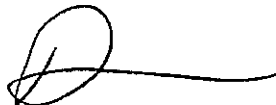
May it please the Court:

Request for further particulars

1. During the course of preparing rebuttal evidence Meridian Energy Ltd's (**Meridian**) experts have identified a small number of matters arising from briefs filed on behalf of project opponents that they require further information about.
2. These matters either relate to methodologies leading to conclusions which are not fully explained in the evidence of the relevant witnesses, or are copies of material referred to and relied upon by the opponent's witnesses which are not widely available.
3. We have made repeated requests for this information (e-mails were sent to Mr Wallace, Counsel for Glenmark Community Against Wind Turbines, on 29 May, 30 May, and 1 June and I called and spoke to Mr Wallace on 6 June) but we are yet to receive the requested information.
4. Meridian requests that the Court makes the following directions:
 - (a) That Dr Shepherd is to provide Meridian with copies of the following studies referred to in paragraphs 4.6 and 4.7 of his evidence in chief dated 30 April 2012:
 - (i) Lee, J., Hautus, M. J., & Shepherd, D. (2012). Neural correlates of noise annoyance. Kiwi Cognitive and Memory Conference, University of Victoria, Wellington, 20 – 22 April, and
 - (ii) Further electrophysiological studies where Dr Shepherd "explored the relationship between level of noise sensitivity and the emotional reactions triggered by sounds differing in pleasantness".
 - (b) That Mr Huson is to provide Meridian full details of the attenuation measurements he referred to having undertaken (on page 7 of his evidence in chief dated 26 April 2012) including:

- (i) The test standard used and the detailed test methodology;
- (ii) Photographs and drawings of the spaces tested and equipment locations (if there are any), otherwise a description of the same;
- (iii) Details and dimensions of the windows and window openings;
- (iv) Summary of constructions and internal fittings;
- (v) Details of equipment types, settings and calibration;
- (vi) Measured spectra in third octave bands for individual outdoor and indoor positions; and
- (vii) Results for each individual room tested in third octave bands.

5. At the Pre-Hearing Conference on 8 June we would like to discuss whether the above requests require an extension of the timetable for the filing of rebuttal evidence from Dr Chiles, Dr Petrie, and Dr Black or whether the Court would prefer these experts file supplementary rebuttal evidence, if the directions sought are made, and once the evidence requested becomes available.



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A J L Beatson

Counsel for Meridian Energy Limited

7 June 2012