

Pat Evans

From: Pat Evans [pat.evans@buddlefindlay.com]
Sent: 4 May 2012 11:01
To: Pat Evans
Cc: Pat Evans
Subject: FW: Lodged with the Environment Court 26 April 2012
Attachments: Document.pdf

-----Original Message-----

From: John Carr [mailto:johncarr@tipapa.com];
Sent: 27/04/2012 1:20:24 p.m.
To: Kerry Smith [mailto:kerry.smith@buddlefindlay.com];
Subject: Lodged with the Environment Court 26 April 2012

To Judge Harland

From John Carr

Subject Hurunui Wind.Access to proposed wind farm

Date 26 April 2012

Your Honour

I write in response to the Memorandum from Meridian Energy Ltd dated 24 April 2012. I note the contents of the Memorandum and the attachment thereto.

Please find attached my substantive response, including photographs, to this Memorandum. This involves the detailed dissection by me of the Opus report by Mr Leonard Wiles on the access along Reeces Road and via the Stevenson property.

It is to be noted that to each Principal Objective stated by Meridian as set out at the beginning of Mr Wiles report attached to their Memorandum the Reeces Road/Stevenson property access to Centre Hill, the site of the wind farm, meets all the stated objectives by a very considerable margin over and above those from Meridian's preferred access via Motunau Beach Road.

Paragraph 10 of Meridian's Memorandum states " The RMA only requires an assessment of alternatives where the adverse effects are significant". It can be clearly seen that the Moutunau Beach Road access, as applied for by Meridian, has significant adverse effects being significantly more dangerous and more damaging environmentally than the Reeces Road access. I suggest that the objection to access of one hosting landowner, who would be receiving substantial financial benefit from the wind farm if built, is not a reason for rejecting the Reeces Road/Stevenson property access.

I consider clause 18(d), last sentence of Meridian's Memorandum, is only partly relevant as Mr Rhys Chesterman has yet to do a traffic assessment of the Reeces Road access, and a comparison between the two, which has now been asked for by Hurunui District Council following Councillors decision on 12 April.

My request to the Court remains as I set out in my letter on 22 April, that being that at the Environment Court hearing later this year the

Court gives equal consideration to the both access routes to the wind farm, due to the very significant adverse effects of the Motunau Beach Road access route that Meridian have applied for. Further that evidence on the access route via Reeces Road by Mr Chesterman and any evidence of an expert appointed by myself is accepted by the Court as evidence in the forthcoming Court case albeit recieved after due date,

Thank you for your consideration.

Yours faithfully,

John Carr

NOTE

1. Photographs refered to in paragraph 3 form part of my response to the Evidence in Chief of Leonard Wiles. My complete response to Meridian's and their experts Evidence in Chief will be delivered to the Hurunui District council on monday. It was delivered by me in person to the environment Court in Auckland on 26 April 2012.

2. The above letter, attachment, and photographs as one submission was delivered by me in person to the Environment Court on 26 April 2012. A full copy of this submission was sent by courier to Mr Beatson of Bell Gully also on 26 April.

John Carr

① EXTRACTED FROM MY RESPONSE TO MR WILES EVIDENCE

In March 2012 at a meeting with Meridian I was given Mr Wiles' "summary of notes on assessment the Stevenson access". It is attached. Curiously, whilst information in more detail was provided on all the other accesses, in Mr Wiles' Evidence-in-Chief no detailed information on this access was included. I had to ask for it.

I set out below my response to this document.

1. Page 1. Sets out principal objectives.
2. Page 2. States moderate earthworks and minimal road cuts. It also refers to a stream crossing within 50 metres of the entrance.
3. Page 6. Sets out the reasons for ruling out this option.

(a) Constraints of Reeces Road.

CONTINUED PAGE 2

2

See photograph of the one lane bridge. This bridge is a class 1 bridge safe up to 44 tonnes. Vehicles of extra long length and weight can pass over it as the front part of the vehicle will be off the bridge before the back part is on the bridge. The bridge has low sides and should it need widening, this can be done with ease in the same way Transwaste widened the bridge on the Mt Cass Road to facilitate access to the dump.

To argue the difference in distance when access to the Stevenson entrance is only 2.7 kilometres longer is of no relevance. In fact the ^{LONGER} ~~longer~~ distance is ^{MITIGATED} ~~mitigated~~ by the fact that traffic on Reeces Road is on average under half of that on Motunau Beach Road. Reeces Road has ^{A MAXIMUM} ~~average~~ 150 traffic movements per day, Motunau Beach Road ^{AN AVERAGE} 316 traffic movements per day. The likely low pavement strength on Motunau Beach Road is in fact worse than on Reeces Road. See photograph taken on Motunau Beach Road on 7 April 2012. Both damage and repaired damage.

As regards the dedicated right turn bay along SH1 for turning into Motunau Beach Road, I have spoken with NZTA and to create such a turning bay at the junction of Reeces Road requires a minimum of three metres of roadside clearance before reaching private property. At this junction there is approximately six metres of roadside clearance. Whilst NZTA have to approve a right hand turning bay from the information that I have received there is the facility to do so which is also on a straight section of road.

(b) Operational constraints.

3

To try and negate the Stevenson access option because it is on a bend is manipulative in the extreme. This bend is on a low traffic secondary road. It is a left hand turn into the Stevenson property. This is compared to a sharp left hand bend with just 195 metres of sight at the turn, and a right turn across oncoming traffic into Motunau Beach Road. The traffic flow as set out on Andrew Carr's transportation assessment report dated February 2011, paragraph 7.1, shows daily volume of traffic on SH1 north of Waipara as 3,702 in 2008. This would have certainly increased in four years. However, based on this SH1 figure of 3,702 daily traffic volume, compare the sharp left hand bend and a right turn at the SH1/Motunau turn off, with the 116 daily traffic movements in 2005, estimated to have increased to no more than 150 now, and a left hand bend with good visibility at the entrance to the Stevenson drive. For Mr Wiles supported by Andrew Carr and Meridian to argue the SH1/Motunau turn off is okay, but the Reeces Road/ Stevenson entrance is not okay, is plainly written for Meridian's own interests with total disregard for the safety of those travelling along SH1 and Motunau Beach Road. See photos.

A material fact when considering Reeces Road to Motunau Beach Road, is that Reeces Road is relatively flat with no sharp bends, whilst Motunau Beach Road has 1.3 kilometres of high saddle. The accurate description of this saddle whilst travelling east is as follows.

"As it rises the road bends to the right from where it rises steeply to the crest of the saddle which blind until one gets close to the top.

As it descends there is a sharp left bend then the road bears to the right before a second very sharp left bend, shortly thereafter there is a long sweeping bend to the right with very poor visibility of oncoming traffic." This is a factual and accurate description of the saddle whereas the description of the saddle by Andrew Carr in his Evidence-in-Chief is incomprehensible and meaningless, written for the benefit of Meridian and to mislead the Court of the dangers of this saddle.

Whilst I accept that there are no flat paddocks available at the entrance to the Stevenson property, once past the Stevenson house, the paddocks are open, ^{and} wide to accommodate with ~~some~~ temporary site offices, lay down areas, and vehicle parking. It has the added benefit of being away from all properties, and affects no neighbours. It's visual aspect will also be extremely small.

(c) Constraints on Stevenson's access.

This argument is completely unacceptable. Sue Stevenson is beneficiary of two or three wind turbines. From this she will be receiving substantial monetary benefit each year once built for 25 years. The driveway passes within maybe 70-100 metres in front of their house. See photograph attached, the track to the left leads to the Stevenson house, the track to the right leads up to the site. To widen the track leading to the site would not it appears impact the Stevenson garden. Once the wind farm is built, as stated by Andrew Carr in his Evidence-in-Chief, traffic to the wind farm will be minimal, maybe as little as four vehicles a day. Thus has no impact on the Stevenson's.

(5)

(d) Environmental effects.

The environmental impact of this access option is hugely better than the Batchelor access 4 option.

- (1) There ^{ARE} ~~is~~ less earthworks.
- (2) The stream crossing is already crossed and enlarging it has no relevant environmental effects. Note how Meridian argued successfully for all the water crossings required for the Mill Creek Wind Farm. Further there will need to be a water crossing when traversing the front Batchelor paddock to the lay down point. This paddock has a substantial visual indentation to capture water off the hill which then flows to a drain on Motunau Beach Road and under the road where it exits. The drain area at the exit point Mr Wiles admits has to be enlarged to accommodate the lay by area being created on that side of the road. *NOTE MR WILES DOES NOT COMMENT ON ANY ENVIRONMENTAL EFFECTS OF THESE WORKS.*
- (3) There is further significant environmental advantage of the Stevenson's access over the Batchelor access. The total additional distance to reach the point of turn off from Motunau Beach Road onto the Batchelor property, as opposed to reaching the Stevenson access, is nine kilometres. Averaging Andrew Carr's construction traffic flow graph, paragraph 7.1, page 22, of his traffic assessment ^{EVIDENCE} ~~report~~, the saving in distance, therefore fuel, and carbon emission is, around 640,000 kilometres, based upon 71,000 vehicle movements over the 18 month construction period.

There is also a very substantial further saving in distance and fuel costs that needs to be considered, 22 out of the 33 turbines are closer to the southern access than the northern access. Therefore the movement of construction vehicles over the site both from a fuel and environmental degradation aspect would be greatly reduced by access through the Stevenson property. Meridian's application has the construction traffic, almost all, if not all, coming from the south, travelling to the north of the site along roads and then travelling for the majority of the construction all the way back to the southern section of the site.

In conclusion, the Stevenson access ticks all the boxes of the "Principal objectives".

- (1) Minimise impact on the environment.
- (2) Minimises disruption to other road users and the public road network.
- (3) Maximises the efficiency of materials transport.

THERE IS NO CONTEST. The Stevenson access meets Mr Wiles principal objectives ^{FAR} ~~for~~ in excess of the Batchelor access.

The Stevenson option, if the wind farm is consented, is shorter, safer, environmentally better all round. It is being stopped by Sue Stevenson who does not wish the access to be past her home, also Meridian's compliance. Notwithstanding that, she is a financial beneficiary of the

(7)

wind farm. Her inconvenience will be for 18 months and then, as stated in Evidence-in-Chief, it will be minimal. Her position is totally unacceptable when compared to the dangers on the hugely busy SH1, and very busy in the summer along Motunau Beach Road. The Reeces Road access avoids two railway crossings, the steep and dangerous Omihi Saddle, the difficult and dangerous Greta Valley Village/Scargill cross roads, the extremely dangerous SH1/Motunau Beach turn off and the Motunau Saddle with its twists and bends and lack of visibility at several points.

Meridian state that they are not going to alter their access application, therefore, the Court must reject their application altogether. The arguments set out above are overwhelming against their access application.