

## FILE NOTE

### EXTENSION OF TIME - TIME LIMIT FOR SUBMISSIONS: SECTION 37 OF THE RESOURCE MANAGEMENT ACT 1991:

Service Request No: 176538  
Site Address: 184 Takarau Gorge Road  
Proposal: Land Use Consent is requested for the construction, operation and maintenance of a wind farm and ancillary activities.

This file note records the decision by the Wellington City Council to extend the time frame a further 10 working days to 50 working days in total, pursuant to section 37 of the Act, in which to serve submissions on the Council for the resource consent application considered under SR No. 176538.

Please find attached a table summarising the late submissions.

#### ***Legal framework***

Section 37(1)(a) of the RMA allows for consent authorities to extend any time period specified under the Act.

Section 37A(1) requires that the consent authority must not extend the time limit unless it has taken into account:

- (a) *The interests of any person who, in its opinion, may be directly affected by the extension;*
- (b) *The interests of the community in achieving adequate assessment of the effects of any proposal, policy statement or plan;*
- (c) *Its duty under section 21 to avoid unreasonable delay.*


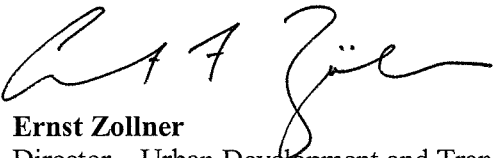
Section 37A(2) (b) states that the applicant must agree if the time period is extended by more than twice the maximum time period.

#### ***Decision***

Having taken the above matters into account, Wellington City Council officers have exercised their delegated authority to apply section 37, to extend the time for the time limit for submission on this application, for the following reasons:

1. Meridian (the applicant) has agreed to the extension of the time frame to allow the acceptance of late submissions received within 10 working days of the original deadline.
2. The person who may be possibly affected by the granting of this time extension is the applicant (Meridian), as the 'late' submitters will be formally accepted and would have the same appeal rights as the other submitters who were on time. However, it is noted that 776 submissions were received within the timeframes with 364 in support, 408 in opposition and 4 neutral. There were 27 late submissions received within the 10 working days after the closing date of these submissions. 17 were in support, 9 in opposition and 1 is neutral. The proportion of late submissions is not considered to significantly affect the chances of appeals to the Council decision.

3. The late submissions have raised issues which are relevant to the assessment of the proposal. It is considered beneficial to the assessment of the effects of this proposal to accept these late submissions and allow these persons to participate in the process. The acceptance of the late submissions is not considered to significantly affect the applicants case as the issues raised within the late submissions have already been raised by other submitters.
4. The granting of this time extension does not create any unreasonable delay under s21 of the Act as timing of the hearing and the overall process would not be altered as a result of the acceptance of these late submissions.

<p><b>Signed</b></p>  <p><b>Dougal List</b> Manager – Local Area Planning Urban Development &amp; Transport</p>	<p><b>Signed</b></p>  <p><b>Ernst Zollner</b> Director – Urban Development and Transport Urban Development &amp; Transport</p>
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## Summary of Late Submissions

782	Transit New Zealand	186-190 Willis St, PO BOX 27477	City	Wellington	8012580		Neutral to the application. Submission refers to the proposed transportation route, in particular, the required access and use of SH1. If the Mill Creek consent is granted, that it be subject to the conditions in order to avoid, remedy and/or mitigate potential adverse effects: that a traffic management plan is prepared prior to the construction of the wind farm and to the satisfaction of Transit NZ; that the traffic management plan includes, but not necessarily limited to the logistics of the proposed transporter route and in particular 1. lane occupancy of the transporters/pilot vehicles; 2. hours of operation; 3. navigation of intersections; and contractor methodology for monitoring of transportation, impact on overtaking and impacts on the pavement surface. The final transporter until designs be submitted to Transit NZ for approval prior to the construction that demonstrate their ability to achieve adequate clearance of SH1 bridges, the ability of the transporter units to negotiate SH1 curves, and the Mungavin off-ramp and the bridge intersection. All of the permits for overweight, and over dimension vehicles using SH1 shall be obtained from Transit NZ prior to construction.
783	Wellington Regional Chamber of Commerce			Wellington			Support the application. Provides short and long term boost to Wellington economy. Wellington's wind resource would enhance security of electricity supply to Wellington as well as increasing the supply to NZ, especially at a time of potential electricity shortages. It offers a natural advantage for the provisions of an increasing important source of renewable energy. Renewable energy is fundamental to the Governments energy strategy. Would contribute to WCC's carbon neutral vision, and contribute to making Wellington self sufficient in terms of energy. Will provide economic growth for the region as employment opportunities. Will be a useful addition to project West Wind. In support of this proposal, we would expect disruptions to the local community to be minimised and the lifestyle and characteristics of the area to be preserved as much as possible throughout construction and operation.
784	Darren Hoskins	Ohariu Valley Rd	Ohariu Valley	Wellington	3834306	<a href="mailto:dhoskins@livingearth.co.nz">dhoskins@livingearth.co.nz</a>	Opposes all aspects. Traffic/construction impact, noise and health concerns, environmental concerns, landscape, intrusive industrial machinery. Whole community will be affected just for the personal gain of 5 lazy farmers.
785	Hamish Sisson	82 Jubilee Rd	Khandallah	Wellington	0212225493	<a href="mailto:hsisson@paradis.net.nz">hsisson@paradis.net.nz</a>	Supports all aspects of the application.
786	Jennifer & John Boyd	45 Spencer St	Crofton Downs	Wellington	4796366		Supports, need for renewable energy, allowing rural aspect to continue.
787	Ministry of Economic Development	PO BOX 1473		Wellington	472 0030		Supports the application. Mill Creek will offer national benefits by making use of a viable and renewable energy source. Electricity generation in an environmentally responsible manner that mitigates greenhouse gas emissions. Would contribute to meeting the govts. energy objectives. NZ needs to respond to climate change and reduce carbon emissions from our energy production and use. Energy systems therefore need to deliver secure, clean energy at affordable prices to support economic development. Govt. has introduced energy related policies and strategies that contribute to a more sustainable energy system; 1. The NZ Energy Strategy 2050 for sustainable low emissions energy system; 2. The NZ Energy Efficiency and Conservation Strategy; 3. introduction of an Emissions Trading Scheme to address climate change, implemented progressively from 2008 to include all sectors of the economy by 2013; 4. Sustainable development programme of Action 2003; 5. Govt Policy Statement on Electricity Governance; 6. amendments to section 7 of the RMA; 7. preparation of a National Policy Statement on Renewable Electricity; 8. establishment of Electricity Commission 2003. Mill Creek would contribute to all of these. Electricity demand is growing, and Mill Creek would contribute to the generation capacity required to satisfy demand, while reducing NZs dependence on non-renewable energy sources. There is heavy reliance on hydro-electricity, this dependence needs to be shifted around different energy sources. Wind is intermittent, with wind farms being dotted over the countries geography, it will reduce the disruptions experienced if it is not blowing in one place.
790	Mathew Knight	30 Mortimer Tce	Aro Valley	Wellington	021577144	<a href="mailto:knightmathew@paradise.net.nz">knightmathew@paradise.net.nz</a>	Supports, renewable generation is best solution for meeting NZs growing demand for electricity
791	Janine Crossley	121 Akaroa Drive	Maupia	Wellington	3808103	<a href="mailto:jcrossley2@xtra.co.nz">jcrossley2@xtra.co.nz</a>	No reason supplied
792	Philip Mladenov	116/103 Thorndon Quay	Thorndon	Wellington	021872393	<a href="mailto:philip@sevensseas.co.nz">philip@sevensseas.co.nz</a>	Supports development of renewable energy sources.
793	Reena Soma	6 Chilka St	Berhampore	Wellington	3811342	<a href="mailto:rinkyrag@hotmail.com">rinkyrag@hotmail.com</a>	No reason supplied
794	Ross Weston	60 Downing St	Crofton Downs	Wellington	4791166	<a href="mailto:rosswestom@xtra.co.nz">rosswestom@xtra.co.nz</a>	Opposed, need to see more evidence that output is worth the environmental cost. Wait until westwind is completed/tested. Other technologies need to be researched before landscape is damaged.
795	Nicholas Weis	20 Rifle Range Rd	Ohariu Valley	Wellington			Opposes - windfarm will significantly reduce natural beauty, impacting tourism. Major noise impact, wildlife/birds also adversely affected. Safety concerns.
796	Sarah Clinehens	104-2 Rongotai Rd	Kilbirnie	Wellington	048940404	<a href="mailto:sarahtrelle@hotmail.com">sarahtrelle@hotmail.com</a>	Fully supports, would like NZ to increase sustainable energy production from wind farms.
797	Rupert Francis	169 Ohiro Rd	Brooklyn	Wellington	0212155628	<a href="mailto:happilyamazed@gmail.com">happilyamazed@gmail.com</a>	Supports, renewable energy for a sustainable future
798	P A Crisp	3 Forth Place	Porirua		042331699		Supports conditionally, renewable energy good, but affected residents should be compensated.
799	Peter Webb	12 Somerset Ave	Newtown	Wellington	0211746304	<a href="mailto:sirpetealot@hotmail.com">sirpetealot@hotmail.com</a>	Supports wind farming in general, supports green power initiatives. Go ahead with project asap, stop letting a few dozen people stop such proposals when the benefit far outweighs.
800	Ian K.S Baxter	60 Motuhara Rd	Plimmerton	Porirua	8037359	<a href="mailto:ian.baxter@xtra.co.nz">ian.baxter@xtra.co.nz</a>	Support the application. Sustainable form of electricity generation. Good compliment to hydro-electricity. Wind farms do not use non-renewable resources and are completely free of the fuel cycle problem associated with nuclear. Mill Creek will provide local generation of electricity for the Wellington region and will lessen the reliance on imported electricity. The site is a prime location and would be short sighted not to utilise it for this purpose. Maui gas will not be available much longer for electricity generation. In the Wellington region, electricity is already being used in replacement of fossil fuels for public transport reducing the effects of climate change. mill Creek will contribute to this reduction in carbon emissions.
801	Ms Andrea Tangohau	8/4 Akaroa Drive	Maupuia	Wellington	3887842		Support the application. Concerned about the way the wind farm has been kept secret. Would like more information to be made public.
802	Gregory Kent	10 Atamna Close	Churton Park	Wellington	8905556		Support the application. It is a renewable form of energy. Helps to maintain the viability of farming on marginal land. Consent should be granted on the conditions that turbines are positioned no close the 1000m to any house.

## Summary of Late Submissions

803	Graeme Hook	819 Makara Road	Makara	Wellington	4764007	
804	Shane Deagan	154B Newlands Road	Newlands	Wellington	8022266	<a href="mailto:shaneandsteph@xtra.co.nz">shaneandsteph@xtra.co.nz</a>
805	Paul Lang	14 Janet Place	Rotorua	Rotorua	(07)3495809	<a href="mailto:paulandlucy@ihug.co.nz">paulandlucy@ihug.co.nz</a>
806	Grant Higgins	4 Fairway Grove	Palmerston North	Palmerston North	(06)3571025	<a href="mailto:grant.h@higgins.co.nz">grant.h@higgins.co.nz</a>

Oppose the application. West Wind is not built. Mill Creek is too close to homes, too close to West Wind. Will ruin Wellington's western coastal environment. No consideration to surrounding streams. Concerned about noise, visual pollution. Turbines designed for offshore use. Wind power is expensive, intermittent and unreliable.

Oppose application. Concerned about the number of proposed turbines. The height of windmills and the proximity to housing. Health and safety concerns, noise concerns, environmental impact, impact on land value.

Support whole application. High value efficient, renewable energy. Site maximises benefits, minimal impacts. This is a high productivity site so compared to the other possible locations, the environmental impact per MWH produced is relatively low.

Support the building of more turbines. Better energy generation options. Wellington will be more self sustainable for its energy needs.