

## Complaint to the New Zealand Law Society

This complaint concerns Karen Price of Chancery Green lead counsel to Mighty River Power for the Turitea wind farm.

This complaint is made on behalf of all adversely affected parties

**The principle issues and findings of fact are classified into 15 categories labeled A - O.**

**Links to supporting documents are numbered 1- 67. The linked documents are evidence to be considered in their entirety and frequently cover one or more of the 15 categories A - O.**

**Note that in several instances for clarity there are duplicate links.**

**17 Specific questions are addressed to the New Zealand Law Society.**

### **A. Kenderdine not a judge with a warrant**

Ms Price knew that for the last 13 months during the Turitea Call-In, from August 6 2010, that Shonagh Kenderdine was not a judge with a warrant.

She not only failed to communicate this to submitters but was actively involved as the key player in suppressing this material fact by continuing her very prominent participation in the charade.

Both Price and Kenderdine were well known to each other.

“Highlights for me were Judge Shonagh Kenderdine on how climate change is being treated in the Environment Court (with special reference to sea level rise), Karen Price on the process (and contractual pitfalls) of carbon trading.....”

1/ <http://hot-topic.co.nz/the-green-green-grass-of-home/>

This astounding statement from Chancery Green’s website shows not only what a “cultivated” little club Price belongs to, but who she “cultivates” *and that includes judges*.

“The key to anticipating problems is holding excellent knowledge about the decision-maker.

**We have cultivated and developed relationships with a wide range of consultants, staff within regulatory bodies, elected officials and independent commissioners. We are familiar with members of the Environment Court, and have studied their styles and preferences.**

Karen Price is certified by the Ministry for the Environment as an independent commissioner, with a chair endorsement. So we understand the issues involved from a decision-making

perspective as well.”

(Emphasis added)

2/ [http://www.chancerygreen.com/images/pdf/capability\\_statement2013.pdf](http://www.chancerygreen.com/images/pdf/capability_statement2013.pdf)

Collusion between Price and Kenderdine was palpably evident to PNCC as seen here.

3/ <https://turiteadocuments.files.wordpress.com/2012/04/price-kenderdine-collusion-even-pncc-knew.png> (This matter is dealt with in detail in section H)

When I made my oral presentation to the Board of Inquiry the collusion between Kenderdine and Chancery Green was blatant as my presentation was deliberately and repeatedly delayed until almost the end of the day until I registered a strong protest.

N Davidson QC, Price’s colleague (Price didn’t show up that day), did all he could, clearly on instructions, to prevent my presentation, knowing full well that I was due to return to Sydney. Kenderdine then tried pathetically, in contravention of the Call-In protocols, to throw me to the mercy of Chancery Green by allowing their QC to cross examine me, apparently on the basis that I correctly noted online that one of the wind farmers, John Love, was an Australian. I then walked out. My letter of protest to Judge Newhook went unanswered.

4/ <http://turiteadocuments.files.wordpress.com/2011/11/complaint-re-judge-kenderdine.pdf>

There is nothing to suggest that Price warned the Attorney-General that by Kenderdine continuing as chair of the Turitea Board of Inquiry both she (Price), Kenderdine and he were breaking the Secret Commissions Act 1910.

The fact that Kenderdine was not a warranted judge was secretly and deliberately withheld from submitters. This is fraud by failure to disclose material information.

Price and her team are proud of their “outside the box” “solutions” to get “controversial” projects across the line.

“Karen Price is ‘**exceptionally good strategically**’, Jason Welsh is rated for ‘being able to see the **bigger picture** and foresee any particular **issues before they occur**’, and Mark Sly holds ‘**invaluable knowledge** of the law and current state of legislation’.”

Asia Pacific Legal 500 2010/2011



Price as a member of the New Zealand Law Society has signed up to this code of conduct.

“To uphold the rule of law and to facilitate the administration of justice in New Zealand”

This confession on their website is as breathtakingly stupid as it is arrogant. What an admission to make that if there is a regulatory barrier, i.e. *the law*, Price and her team will have a chat to politicians to get around it!

“Our track record speaks for itself. We have successfully managed the consenting of truly innovative energy generation projects, and major and controversial industrial, commercial, and residential developments. **We are noted for thinking outside the box, and identifying opportunities and suggesting alternative approaches to challenges. We identify the risks, pro-actively manage them, and when any barrier is encountered, are ready with plan B (or C or D) to take another route.**

The answers to a problem are not always immediately obvious. **We encourage and support novel solutions, and work with our clients to develop and refine them. When it will assist, we are also active in exploring answers to regulatory barriers through dialogue in the political sphere.”**

(Emphasis added)

5/ [http://www.chancerygreen.com/images/pdf/capability\\_statement2013.pdf](http://www.chancerygreen.com/images/pdf/capability_statement2013.pdf)

So how did Price get around the following? What is her plan B or C?

6a/ <http://turiteadocuments.files.wordpress.com/2012/04/gascoigne-page-one.png>

6b/ <http://turiteadocuments.files.wordpress.com/2012/04/gascoigne-page-two.png>

Kenderdine continued to chair the Turitea Call-In and received very substantial compensation further contravening the Secret Commissions Act 1910.

Senior members of the Executive were fully aware of Kenderdine’s deception. The hundreds of opposing submitters were not expected to find out.

The Final Decision is a fraudulent, corrupt document as defined by the Secret Commissions Act 1910.

It has Price’s fingerprints all over it. Price’s involvement as Kenderdine’s understudy to produce the Final Decision made her an agent of the Crown in the service of a State owned Enterprise.

The Secret Commissions Act 1910 states:

16 (c) *every person in the service of the Crown, or acting for or on behalf of the Crown, or holding any office in the public service, shall be deemed to be an agent of the Crown:*

6 Giving false receipt, invoice, etc, to agent an offence Every person is guilty of an offence who, with intent to deceive the principal, gives to any agent, *or signs or otherwise authenticates* for

the use of any agent, any receipt, invoice, account, or other document of any nature whatsoever in relation to the affairs or business of the agent or his principal which contains any statement which is false, defective, or misleading in any material particular or which omits to state explicitly and fully the fact of any commission, percentage, bonus, discount, rebate, repayment, gratuity, or deduction having been made, given, or allowed, or agreed to be made, given, or allowed, in relation to the matters referred to in that document.

7 Delivery of false receipt, etc, to principal an offence

*Every agent is guilty of an offence who delivers or presents to his principal any receipt, invoice, account, or other document of any nature whatsoever in relation to the business or affairs of his principal which to the knowledge of the agent is false or defective in any material particular, or is in any way likely to mislead the principal...*

7/ <http://turiteadocuments.files.wordpress.com/2012/04/the-turitea-wind-farm-errors-and-omissions.pdf>

8/ <http://turiteadocuments.files.wordpress.com/2012/04/turitea-consent-issues.pdf>

9/ <http://turiteadocuments.files.wordpress.com/2012/04/to-the-environmental-protection-agency-deliberate-errors-19-10-2011.pdf>

Don't let the lives of others get in the way of achieving your goals!

10/ <http://turiteadocuments.files.wordpress.com/2011/11/pahiatua-track-safety-issues.pdf>

In the meantime Kenderdine lies about her time as a judge.

11/ <http://turiteadocuments.files.wordpress.com/2012/04/about-shonagh-kenderdine-fraud.png>

The facts say otherwise.

12/ <http://turiteadocuments.files.wordpress.com/2012/04/a-tissue-of-lies-and-a-fraudulent-turitea-wind-farm-consent-2-january-20132.pdf>

And what has Price, a barrister and part of the gene pool for the next generation of judges, done about this? Obviously nothing as she has too much to lose as is clearly evident as this complaint unfolds.

Will the Attorney-General, who initiates prosecutions under the Secret Commissions Act, do himself, Kenderdine and Price in? Hardly likely is it, although this little group certainly had "political chats" about how to get around "regulatory hurdles" i.e. *the law*.

**Question 1:** What is the degree of tolerance by the New Zealand Law Society of this level of corruption?

**Question 2:** Did Price have an obligation to expose Kenderdine faking judicial authority and if not why not?

**Question 3:** Are there documented instances the Law Society is aware of, of similar occurrences which have not been reported to the public?

**Question 4:** If there are similar occurrences in New Zealand legal practice which have been reported, please list them and describe in detail what action was taken.

## **B. The corrupt PNCC MRP contract**

“Karen Price and Senior Associate Helen Andrews advised Mighty River Power throughout the scoping, feasibility, consultation and consenting process for the Turitea Wind Farm, a significant wind farm proposed to be located in the Tararua Ranges near Palmerston North.”

13/ <http://www.chancerygreen.com/index.php/what-we-do/our-projects/mighty-river-power-turitea-wind-farm>

“She leads large project teams on major and contentious developments from their inception through to consent, providing legal advice and strategy to get projects over the line.”

14/ <http://www.chancerygreen.com/index.php/what-we-do/10-our-people/14-karen-price>

Submitters at the Call-In often wondered at the time who was behind the disastrous wind farm proposal.

The above is nothing more than a stunning public confession by Price that she was behind every aspect of the wind farm and had been involved in supervising, advising on and “pro-actively managing” every aspect/tactic/strategy, literally for years.

It is obvious from these statements on Chancery Green’s website that Price drew up, advised on and certainly gave sign off approval to the corrupt contract between Mighty River Power and PNCC, a contract which took away Palmerston North City ratepayer’s rights and placed a vice like grip on PNCC, once it had irrevocably taken “milestone” payments.

PNCC was then forced to lie to me and others as this sample correspondence submitted to the Turitea Board of Inquiry clearly shows.

15/ <http://www.mfe.govt.nz/rma/call-in-turitea/submissions/325stichburypwappendix24.PDF>

Why was this done? The answer is clearly the location of the wind farm, *inside* the city boundary and towering over 10% of the city.

Mighty River Power continually lied in the media and promotional material, without any question under Price's guidance, as the invisible supervisor of the entire project, claiming that the wind farm was 10 kms *outside* Palmerston North. This puts the wind farm pretty much in the main street of Pahiatua. This lie was outed by submitters yet perpetuated in the Final Decision without dissension by Price, the strategist.

The contract put a 3 million dollar price tag on any help given to victims of the wind farm. This included my wife and I as our residential section was virtually in the middle of the then proposed 131, 40 story wind turbines.

Furthermore if PNCC reneged on the wind farm contract it faced unlimited liability.

For this contract to be both secret and the foundation document for the wind farm is an outrage.

We did not know about the contract in any detail until the hearings were substantially over.

Price had eventually emailed me to allow my wife and I (and no other member of the public) to view the photomontages. A meeting was duly arranged where we went to Mighty River Power's Palmerston North Linton Street office where under mafia like supervision we were allowed to look at photomontages which were never shown to the public.

I asked one Mike Omer, "MRP must have a huge war chest?" after seeing a map where MRP had circled a huge number of properties, including ours, which were clearly affected. He gave a sickly smirk, turned his back on us and stared out the window.

Obviously because of my very public protests and repeated correspondence with PNCC demanding answers, MRP's tactic, on Price's advice, was to isolate us and hopefully scare us into selling our property at 309 Ngahere Park Road to someone else.

My wife and I realised when we saw the shocking photomontages that in the Environment Court this wind farm wouldn't stand a chance. We were also not prepared to sacrifice the plans we had for years worked on, neither were we willing to act dishonestly and sell a potentially major problem to someone else. I no longer have the email from Price but it is certainly in her records.

Omer later confessed to me at a meeting at John and Rosemary Adams residence that the wind farm would not get through the Environment Court and that is why the Call-In process was invoked. Price, advisor and strategist, was obviously working behind the scenes to see that the Call-In went ahead.

A number of submitters aware of ugly rumours asked for the contract to be part of the open deliberations of the Call-In.

16/ <http://www.mfe.govt.nz/rma/call-in-turitea/draft-report-decision-docs/579-harker-helen.pdf>

17/ <http://www.mfe.govt.nz/rma/call-in-turitea/draft-report-decision-docs/290-monaghan->

[diana.pdf](#)

**18/** <http://www.mfe.govt.nz/rma/call-in-turitea/draft-report-decision-docs/236-stichbury-monica.pdf>

**19/** <http://www.mfe.govt.nz/rma/call-in-turitea/draft-report-decision-docs/106-stichbury-simon-sonia.pdf>

Kenderdine and Price clearly working hand in glove ignored these written, public submissions. This is outright fraud by failure to disclose information and a mockery of the “inquiry process”.

**20/** <http://www.mfe.govt.nz/rma/call-in-turitea/draft-report-decision-docs/comments/236-325-stichbury-monica-paul.pdf>

In my case I quoted directly from the contract. See page 11

**21/** <http://www.mfe.govt.nz/rma/call-in-turitea/draft-report-decision-docs/325-stichbury-paul.pdf>

Next is my letter to Judge Newhook about the contract. You will note that I did not know at the time that Kenderdine was no longer a warranted judge and Newhook certainly wasn't going to tell me, nor did he refer my complaint to The Office of the Judicial Conduct Commissioner. The complaint is included as link number **4/** above.

**22/** <http://turiteadocuments.files.wordpress.com/2011/11/letter-re-pncc-mrp-contract.pdf>

The contract in a scanned and non searchable form was accidently put online on the Ministry for The Environment's website for a short time, when Mighty River Power submitted its rebuttal evidence.

Chapman Tripp's logo is on this document. Price worked for Chapman Tripp, 1987 – 1991, and 1996 – 1997

The document is dated 28 Sept 2005 but as stated above on Chancery Green's website Price was the chief advisor and strategist to MRP throughout all stages of the wind farm process which substantially predate the consummation of the contract.

The Chapman Tripp, Mighty River Power and PNCC logos are there, I contend, to lend distance between Chancery Green and the contract as Price was intended all along to be lead counsel in the consenting process.

When you read the document, the three institutions, whose logos head up the contract, are not actually claiming ownership or authorship of the contract.

The solicitor witnessing the contract one A P Nagel of Auckland is the General Counsel and Company Secretary for Mighty River Power.

The PNCC signatory is one Paul Wylie who subsequently quit his \$300, 000 a year CEO position to flee the anticipated consequences of his being found out. This occurred shortly after the fake consultation over the Turitea change of purpose. (See section C below)

Clauses 17.3 and 17.4 bind the parties to the agreement to absolute secrecy. The full contract

23/ <http://turiteadocuments.files.wordpress.com/2011/11/christopher-shaw-attachment-1-part-a.pdf>

**Question 5:** Is it a regular practice by New Zealand Law Society members to subvert the law in the manner Price did and then go on to fake a display of neutrality and innocence in public as was done at the Turitea hearings?

### **C. The fraudulent Change of Purpose Consultation Document distributed to PNCC households in August**

PNCC ratepayers were blissfully unaware of the mafia style contract between PNCC and MRP but did receive this in the mail prior to a fake public consultation, which was mandated in the contract.

24/ <http://turiteadocuments.files.wordpress.com/2012/04/reserveconsultationweb.pdf>

This disgraceful and deliberately misleading document, which has unsurprisingly vanished from the internet, has Price's fingerprints all over it. Her description of her deep and supervisory involvement in the Turitea scam is admitted to in her online curriculum vitae.

There was never any intention to build the eco park described in this document. The eco park was a diversionary tactic to deflect from the intention to industrialise the city's water catchment and only prominent landscape.

This is fraud by false representation. The eco park was summarily killed off by Kenderdine in the Final Decision.

This is what was being hidden from city ratepayers at the phony public consultation. The 125 metre high wind turbines are just 8 kilometres away in a straight line from the top of Fitzherbert Avenue

25/ [http://1.bp.blogspot.com/\\_blnN-QHR9C4/SLd2BPzHnVI/AAAAAAAAAEQ/OcIpoFDThrs/s1600-h/wind.jpg](http://1.bp.blogspot.com/_blnN-QHR9C4/SLd2BPzHnVI/AAAAAAAAAEQ/OcIpoFDThrs/s1600-h/wind.jpg)





The image above appears prominently twice in the consultation document delivered to households. Compare it to the image in the link above.

No ratepayers, especially those living under the proposed wind farm could make any sense of it, as it bore no relation whatsoever to the views experienced by those living in the city. I even participated in meetings with neighbours to our property where we tried in vain to try to work out where the image came from.

It was chosen to deliberately deceive and confuse and is fraud by false representation. Price, the “strategist” signed off on this.

The turbine logo below appeared from nowhere to be plastered on the PNCC website, council vehicles and billboards at city entrances.

PNCC lawyer, Annabell, eventually caved in and admitted to me there was no public consultation over its use. He declined to say where it came from.

This logo was nothing more than a cheap psychological trick to soften up and condition an unsuspecting public for the wind farm. Once again this is the work of Price, the strategist, proactively managing every stage of the project, using “novel solutions”.



**Question 6:** What is the degree of tolerance by the New Zealand Law Society for a member such as Price going to such extraordinary lengths to deceive the public? Rate it on a scale of one to ten with one being of least concern and justify your rating with empirical evidence.

**Question 7:** What is the threshold where there is an obvious conflict of interest as in Price's case where the New Zealand Law Society says enough is enough?

#### **D. Online censorship**

The Dominion Post is a Fairfax newspaper and when I posted an online comment on their website to the effect that the wind farm was a looming disaster for the city Mighty River Power inadvertently gave the game away and showed that they were working hand in glove with Fairfax to suppress this fact. Joan Withers was Fairfax CEO at the time having previously been at Meridian and now at Mighty River Power. This censorship looks to have Price's imprimatur on it as she confesses publicly her skill of taking "contentious" projects, providing legal advice, strategizing and getting them "across the line". This is fraud by abuse of position.

The evidence is here

26/ <http://goo.gl/dgT32J>

**Question 8:** Will the New Zealand Law Society require signed affidavits from Withers and Price to explain how and why this controlling of the media in respect of the Turitea wind farm took place?

#### **E. The variation to the wind farm agreement**

Mighty River Power, in effect a proxy for the government, plans for the possibility that a tame judge, i.e. a compliant judge, who can be bought to produce the desired result, might not be available. The executive would then overturn any judicial result with the help of PNCC, held hostage by the secret financial milestone bribes it had already irrevocably taken.

Price by her own admission in her CV is the one who advised and signed off on this outrageous attack on the judiciary and democracy.

27/ <http://turiteadocuments.files.wordpress.com/2012/04/mighty-river-power-to-impose-its-will.pdf>

28/ <https://turiteadocuments.files.wordpress.com/2012/04/variation-to-the-wind-farm-agreement.pdf>

**Question 9:** Has the New Zealand Law Society tolerated this type of subversive conduct by a member before and will it raise this particular matter with the New Zealand Law Commission?

**F. Keeping submitters in the dark until *after* submissions closed, signed off by Price, the strategist**

“Asked about "negative" press coverage, Mr McDonnell said Mighty River Power had previously created an information vacuum through lack of communication.

The company planned to be more forward in the coming weeks.”

29/ <http://www.stuff.co.nz/manawatu-standard/news/2276176/Wind-farm-to-bring-500m-to-Manawatu>

This statement is evidence that Price’s work to conceal was successful and that the ensuing Call-In was going to be nothing more than a jack up, a Kenderdine kangaroo court. This is blatant fraud by failure to disclose material information to submitters.

The month long period for submissions just happened to fortuitously coincide with the latter part of the Christmas holidays when many affected people were away. Was this Price’s A, B, or C strategy?

Price signed off on a fraudulent survey. And her strategy? Fool the public. Keep the method and questions secret. This survey claimed widespread support for the wind farm which did not exist. Last minute pleas for fairness and justice fell on deaf ears.

30/ <https://turiteadocuments.files.wordpress.com/2012/04/ms-tanock-for-tag-and-friends-of-the-turitea-reserve.pdf>

Note the final remarks by Davidson QC, Chancery Green, as the hearings closed. Page 146

31/ <http://www.mfe.govt.nz/rma/call-in-turitea/hearing-schedule/day-36-hearing-schedule.pdf>

“I can speak for all counsel here, because there is a common perspective that we have seldom, if ever, appeared before a more courteous, more responsive Board.”

Let me paraphrase this unctuous drivel by Davidson, who couldn't help himself from interjecting at the very end of the hearing

“The public who sat through months of jacked up hearings has no idea that you, your Honour, and your carefully chosen board, have worked hand in glove with us. All that remains now is for us to tot up our massive invoices”

**Question 10:** Is it normal practice to withhold material information from submitters and implement a time frame for submissions which permanently excludes absent affected parties? Does the New Zealand Law Society condone Price's strategy?

### **G. The Kahuterawa Outdoor Recreation Centre, another “novel “confidence trick signed off by Price, the strategist**

This was nothing more than a “feel good” smokescreen to disguise what was really going on. There was no intention to implement it and had it been it would have deliberately placed cyclists and other recreational users in physical danger from the 5,800+ wind farm truck movements on the winding, narrow Kahuterawa valley road.

I and others participated in focus groups for the Kahuterawa Outdoor Recreation Centre. It was obvious at the time that it was nothing more than an amateurish con.

Of course this wind farm strategy has gone down the memory hole, but saved on the internet archive.

[32/http://web.archive.org/web/20130223091842/http://pncc.govt.nz/yourcouncil/councilactivities/shared-articles/kahuterawa-outdoor-recreation-plan/](http://web.archive.org/web/20130223091842/http://pncc.govt.nz/yourcouncil/councilactivities/shared-articles/kahuterawa-outdoor-recreation-plan/)

**Question 11:** How will Price be held to account for a ruse such as this?

### **H. Stacking the “jury”**

Price tried disgraceful underhand tactics to run roughshod over her now growing opposition. This email from John Maassen, PNCC, shows the unbelievable lengths she was prepared to go to get her way.

33/ <https://turiteadocuments.files.wordpress.com/2012/04/prices-tactics.pdf>

Source:

34/ <http://www.mfe.govt.nz/rma/call-in-turitea/memorandum/16-june-appendix-i.pdf>

PNCC vigorously responded to Price's tactics. This memorandum contains all correspondence and commentary on specific letters. Note in particular Virginia Shaw's statement also referenced in section A link number 4/

The implied threat is of course driven by the mafia like and at the time secret wind farm agreement.

35/ <https://turiteadocuments.files.wordpress.com/2012/04/22-june-09-affidavit-of-virginia-shaw.pdf>

Source:

36/ <http://www.mfe.govt.nz/rma/call-in-turitea/memorandum/22-june-09-affidavit-of-virginia-shaw.pdf>

This unethical manipulation and conduct was also recognised by submitters, although ignorant of their origin and at a loss to know what to do about it. Appeals for justice went unheeded, as in this example.

37/ <http://turiteadocuments.files.wordpress.com/2012/04/prejudice.pdf>

Had the alternative view on global warming been put before the BOI the case for the wind farm would have been eviscerated. Price's strategy was to avoid this at all costs. This is fraud by abuse of position.

Noise authority Dr Thorne was on the sharp end of Price's behind the scenes supervision of the manipulation of evidence for the noise conditions for Turitea, as evidenced here.

38/ <http://turiteadocuments.files.wordpress.com/2011/11/appendix-1-dr-thorne-noise-report-15-june-2011.pdf>

**Question 12:** The "cultivated" Kenderdine duly complied with Price's disgraceful manipulative conduct recorded here. Would she have got away with identical behaviour in the Environment Court with the New Zealand Law Society turning a blind eye?

## **I. The wind farm approved on major earthquake fault lines**

In the submissions referenced above there is detailed information as to the proposed wind farm being directly on two major earthquake fault lines. Price was present and participated in the subsequent truly shocking whitewash of this defining issue. This is the transcript from the hearing.

39/ <http://turiteadocuments.files.wordpress.com/2011/11/evidence-alexander.pdf>

Despite the Christchurch earthquakes Price and Kenderdine simply ignored the issues that I in particular raised after this presentation by Alexander.

It was at this point that the Turitea Board of Inquiry should have been abandoned.

Subsequently the danger of routine 8+ magnitude earthquakes on the Wellington fault has penetrated the consciousness of PNCC. Such an earthquake in the Palmerston North region occurs on average every 150 years. No one remembers the last one and it could come anytime. The Palmerston North CDB, apart from domestic housing on now identified land prone to liquefaction, will be devastated.

The letter I later wrote to Judge Newhook provides a useful summary.

40/ <http://turiteadocuments.files.wordpress.com/2012/04/turitea-seismic-issues.pdf>

Beca Carter, Members of the New Zealand Wind Energy Association, had not done a proper earthquake assessment in the first place and later showed up on the sitemeter for

41/ [www.palmerston-north.info](http://www.palmerston-north.info)

Note the search terms: “fault lines in the vicinity of Palmerston North”

42/ <http://turiteadocuments.files.wordpress.com/2012/04/beca-carter-seismic-survey-turitea.pdf>

A fraud by failure to disclose material information was subsequently perpetrated on investors in MRP.

Turitea in the offer document

43/ <https://turiteadocuments.files.wordpress.com/2012/04/turitea-in-the-mighty-river-power-share-offer-document.pdf>

They were not told that Turitea is directly on the Wellington Fault line and the Northern Ohariu fault runs through the Southern section. This is a sample of correspondence on this matter.

44/ <http://turiteadocuments.files.wordpress.com/2012/04/letter-to-the-prime-minister-the-rt-hon-john-key-16-october-20121.pdf>

45/ <http://turiteadocuments.files.wordpress.com/2012/04/to-the-fma-may-9.pdf>

46/ <http://turiteadocuments.files.wordpress.com/2012/04/201210261737.pdf>

47/ <http://turiteadocuments.files.wordpress.com/2012/04/from-the-financial-markets-authority-may-15.pdf>

Price actively participated in a fraud on investors in Mighty River Power. From the get go she took money to get this wind farm “across the line” no matter what.

**Question 13:** What legal liability does Price and Chancery Green have for this simply stunning and deliberate negligence and will the New Zealand Law Society come to Price’s rescue?

## **J. The fraudulent noise standard**

Kenderdine says this in the Final Decision.

“This is one of the first wind projects in New Zealand that will impact on a large population base. Visual amenity, landscapes and the potential effects the project may have on viewers’ perceptions and lifestyles were thus one of the most significant issues to be discussed during the inquiry”

The Executive Summary also states

“A large number of rural residential properties are located on the slopes below the wind farm with the residents of these properties having major concerns primarily over visual and noise effects.”

The noise standard was carefully researched and revealed to be fraudulent. I raised this in submissions as did others, including highly qualified professionals in the field. We were all ignored by Price and Kenderdine. In the end there were no agreed noise conditions at Turitea. Instead they were imperiously imposed by a corrupt one time judge.

The noise standard appears to have been specifically developed to smooth the way for Turitea, the first flagship wind farm in a residential setting, and to appear to be reasonable.

It is nothing of the sort. It was crafted by the wind industry and passed into existence by a stacked committee.

**48/** <http://turiteadocuments.files.wordpress.com/2011/11/turitea-wind-farm-noise-issues-and-nzs6808-2010.pdf>

\*Note that as this complaint was compiled link **48/** was found to have been sent to a “404 file not found page”. This is just one more example of criminal hacking by the wind farm fraternity.

It is easy to see why this link was hacked. Price’s wind farm associates have been well and truly caught with their thumbs on the scale. This is fraud by abuse of position.

The following further address the noise issue and was submitted to the Board and carefully read by Price and her team.

**49/** <http://turiteadocuments.files.wordpress.com/2011/11/appendix-1-christchurch-press-on-the-noise-standard1.pdf>

**50/** <http://turiteadocuments.files.wordpress.com/2011/11/appendix-2-revisit-noise-standards-christchurch-press.pdf>

Professor Dickinson.

**51/** <http://turiteadocuments.files.wordpress.com/2011/11/doc-119-dickinson-presentation-1.pdf>

**52/** <http://turiteadocuments.files.wordpress.com/2011/11/professor-dickinson-page-11.jpg>

**53/** <http://turiteadocuments.files.wordpress.com/2011/11/professor-dickinson-page-22.jpg>

**54/** <http://turiteadocuments.files.wordpress.com/2011/11/professor-dickinson-page-3.jpg>

Dr Thorne (note the link below is a duplicate of link number **37/**)

**55/** <http://turiteadocuments.files.wordpress.com/2011/11/appendix-1-dr-thorne-noise-report-15-june-2011.pdf>

Price was involved in doing deals with Councils and it was only discovered by submitters last year that Tararua District Council had agreed that no noise conditions should apply to the Tararua District. This is simply astounding. This is blatant fraud.

Price appears to have engineered this capitulation and it would come as no surprise to discover that there is in existence a secret contract with TDC with milestone payments to sweeten the abandonment by TDC of its ratepayers to the accumulated audible noise and infrasound associated with 131, 3 MW, 125m wind turbines coming straight at them from the prevailing westerly winds.



TDC Mayor, Roly Ellis, was subsequently in 2013 feted at the annual New Zealand Wind Energy Association conference as had Kenderdine the year before.

See the TDC consent conditions applied for by Price on behalf of MRP in this document, pages 13 and 14. Pay particular attention to the top of page 14.

56/ <http://turiteadocuments.files.wordpress.com/2012/04/16-sept-directions-from-judge.pdf>

57/ <http://turiteadocuments.files.wordpress.com/2011/11/appendix-2-compensation-issues-wheeler-b.pdf>

58/ <http://turiteadocuments.files.wordpress.com/2011/11/appendix-2-compensation-issues-a.pdf>

**Question 14:** What obligations and courses of action are demanded by the New Zealand Law Society on members when compelling evidence of fraud is supplied by submitters, as in the case of the noise standard and where compensation is selectively applied?

#### **K. Memorandum Of Understanding not disclosed at the hearings despite requests**

Price was the legal advisor and strategist to MRP and the MOU covered in the letter linked below was not disclosed. There is no doubt that money, rumoured to be \$3 million, was either promised or indeed paid to a Rangitane iwi group keen to sell their maunga. Two members of this group dined at our table, yet unknown to us were conspiring against us. By failing to disclose information yet another fraud has been committed. The old adage applies that if you have nothing to hide you will be open and honest.

59/ <http://turiteadocuments.files.wordpress.com/2012/04/admissibility-of-evidence-before-the-turitea-board-of-inquiry.pdf>

It would also be most interesting to know what advice Price gave to Heffernan and Henry when they perjured themselves with impunity before the Board.

**Question 15:** How can an MOU be touted as evidence but never presented or discussed? What was Price who supervised the multiyear negotiations hiding from submitters?

## **L. The nightmare impact on Palmerston North**

The Turitea wind farm will wipe \$100 million plus from Palmerston North city ratepayer equity. The London School of Economics recently released a draft report on property values affected by UK wind farms. This definitive, landmark survey covered 12 years and more than one million property transactions.

### **Abstract**

This study provides quantitative evidence on the local benefits and costs of wind farm developments in England and Wales, focussing on their visual environmental impacts. In the tradition of studies in environmental, public and urban economics, housing costs are used to reveal local preferences for views of wind farm developments. Estimation is based on quasi-experimental research designs that compare price changes occurring in places where wind farms become visible, with price changes in appropriate comparator groups. These comparator groups include places close to wind farms that became visible in the past, or where they will become operational in the future and places close to wind farms sites but where the turbines are hidden by the terrain. All these comparisons suggest that wind farm visibility reduces local house prices, and the implied visual environmental costs are substantial.

### **Relevant finding re Turitea's 60 huge turbines**

“A wind farm with 20+ turbines within 2km reduces prices by some 12% on average, and the implied effect of the visual disamenity is around 15%. Note though that there is a relatively small number of transactions within 2km of the centroid of a 20+ turbine wind farm (988) and given the geographical spread of the turbine array, this price effect could also relate to noise and visual flicker problems.

However, even at 8-14km there is a 4.5% reduction in prices associated with large visible Operational wind farms, and the willingness to pay to avoid visibility is 6.5%.

Even at 8km there is some negative impact of the large wind farms, and all of this is attributable to visibility. Medium size wind farms above average size also have strong effects throughout the distance range up to 8km, but no effect after that.”

60/ <http://turiteadocuments.files.wordpress.com/2012/04/gone-with-the-wind-survey-of-serious-negative-effect-on-property-values.pdf>

**NB** This survey was in part funded by the Welsh Government

**The implication of this report and the corrupt manner in which the Turitea wind farm was approved is likely to result in Price and her law firm being sued for massive damages.**

### **M. Pride in her dirty work**

MWH Global, the project coordinator for the shambolic and corrupt Turitea Call-In, has quite understandably removed from their website all mention of their involvement.

61/ <http://turiteadocuments.files.wordpress.com/2012/04/mwh-global-search-results.png>

Contrast the above with Price's trumpeting the Turitea wind farm as being at the top of her accomplishments.

### **NOTABLE EXPERIENCE**

§ Lead counsel for Mighty River Power before the Board of Inquiry hearing for its proposed Turitea Wind Farm near Palmerston North

62/ <http://www.chancerygreen.com/index.php/senior-team/10-our-people/36-karen-price-2>

### **N. Other issues**

As can be seen from Price's irrefutable confessions on the Chancery Green website she has, until now, with Kenderdine and the submissive board's help, got away with unparalleled breaches of ethical conduct.

The following is from my May 5<sup>th</sup> submission on the Draft Decision. (NB: this link is also used in 21/)

63/ <http://www.mfe.govt.nz/rma/call-in-turitea/draft-report-decision-docs/325-stichbury-paul.pdf>

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The Draft decision makes the outrageous recommendation that the Turitea wind farm be connected to an unspecified, at present non-existent, wind farm to the south.

This is totally outside the Board's brief, formed no part of the hearing, had no expert witness input and is a naked move to bolster the economic viability of Turitea. To the casual observer it looks like a cosy little in house arrangement has been negotiated by the Board behind closed doors.

*NB: In fact the board was just rubber stamping Price's strategy of withholding information from bewildered and exhausted submitters who felt they had no apparent legal recourse. Additionally at this time (May 2011) Kenderdine wasn't a warranted judge and hadn't been for 10 months.*

From the Draft Decision

“From an infrastructure perspective, the transmission lines required for the project will have **significant** effects, but we note that landowners have granted permission where these are located on private land” (emphasis added)

Here the Board gives its blessing to a monumental visual eyesore, which will ruin amenity values for neighbours, but disingenuously notes that landowners have granted permission for these transmission lines, while at the same time neglecting to state that these same landowners have pocketed money from Mighty River Power.

What the Board is doing here is failing to protect the landscape and the amenity rights of neighbours, as required under the RMA. There has been no mitigation whatsoever. The only reason for this is the economic imperative of Mighty River Power.

Transmission lines details were coyly kept from the unwitting public. I do not recall any properly scaled photomontages supplied for public assessment. The public has even been forced to rely on the online map supplied by the Manawatu Standard for the draft decision turbine locations.  
<http://static2.stuff.co.nz/files/Turitea.pdf>

We are grateful to the Standard for providing this visual, but it, along with clear infrastructure transmission images should have been provided by both the Board and Mighty River Power.

Considering the drive to consent a viable wind farm, come what may, it is hardly surprising that this has not been done.

These omissions are totally unacceptable, none the less. I believe this is deception by omission, which I believe the Board has overlooked.

The focus has been on turbines, and the infrastructure impact has not been adequately addressed. On its own, this infrastructure would be the subject of a bitterly contested resource consent application, as has been the case in other parts of the country.

In my opinion, the Board is here frankly admitting the serious impact of this infrastructure in the Draft Decision, so that it can claim some immunity from the certain public criticism.

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Price was behind these deliberate omissions and Kenderdine was in her pocket.

**Question 16:** Will the New Zealand Law Society require from Price a detailed inventory of payments and gratuities made or promised to all parties to the Turitea wind farm scam, including wind farmers and the few property owners identified for selective compensation?

## **O. Further financial implications**

Numerous ratepayers face very serious loss of equity with the wind farm decision.

There will be properties which are unsalable.

In our case it is too late. We had money invested which we held back from accessing to build on our land because information was deliberately withheld from us.

We were lied to and fobbed off by both PNCC and MRP. This went on for years and in the end our investment collapsed into bankruptcy.

Our total losses including lost revenue from the new B@B lodge we planned for our section in Ngahere Park total a conservative \$2 million.

We were in the quality accommodation business for 12 years (The Gables, 179 Fitzherbert Avenue, listed in Friars Guide for the Discerning Traveler, Lonely Planet, and The Rough Guide)

David Cunliffe, leader of the Labour Party had this to say on 26/10/2012

“A bill stopping the expansion of the emissions trading scheme sparked impassioned debate, including claims from Labour MP David Cunliffe that his two "wonderful young sons" face "extinction" from climate change.”

64/ <http://www.stuff.co.nz/national/politics/7867109/Bill-halting-ETS-expansion-sparks-heated-debate>

People derided Cunliffe as an idiot. However I take an alternative view. His claim that his sons will be snuffed out by “climate change” (is that cooling *or* warming?) was motivated by something else altogether. His was a shameless plug for his wife’s carbon trading business.

### **And who is his wife?**

Why none other than Karen Price, lead counsel for Mighty River Power at the Turitea Call-In, advisor throughout the scoping, feasibility, consultation and consenting process for the Turitea Wind Farm, and leader of large project teams on major and contentious developments from their inception through to consent, providing legal advice and strategy to get projects over the line.

“Karen is recognised as a leader in climate change issues. She negotiated the only two Negotiated Greenhouse Agreements with the Crown, and has facilitated securitisation and trading in carbon credits on international markets for a range of clients.”

Director, the New Zealand Carbon Exchange, (2004 – present)

65/ <http://www.chancerygreen.com/index.php/senior-team/10-our-people/36-karen-price-2>

ChanceryGreen advises on the types of emissions units that exist internationally, and the potential for generating and, if appropriate, trading emissions units (both Kyoto Protocol credits and voluntary market credits) from various projects.

Karen Price heads the ChanceryGreen climate team.

66/ <http://www.chancerygreen.com/index.php/what-we-do/climate>

ChanceryGreen has extensive expertise in project consenting. We have successfully consented some of New Zealand's most significant projects, both at the Environment Court and Board of Inquiry level.

67/ <http://www.chancerygreen.com/index.php/what-we-do/energy>

**Question 17:** Has the New Zealand Law Society ever come across such a blatant conflict of interest? Rate it on a scale of 1 to 10 with 1 being of least concern and justify your choice.

## **Conclusion**

“Fraud has to be ferreted out by carefully following its marks and signs, for fraud will in most instances, though ever so artfully and secretly contrived, like the snail in its passage leave its slime by which it may be traced.”

### **Tennessee Supreme Court 1835 Floyd v Goodwin**

Palmerston North city, its environment and ratepayer equity have been corruptly sacrificed to support Price's Herne Bay lifestyle.

Price, with her carbon trading business, apart from receiving around a decade of payment for substantial legal fees, appears to be *the single individual in New Zealand* with the largest pecuniary interest in pushing this wind farm “over the line”

Karen Price's utterly unethical conduct requires that common justice prevail and she is struck off.

Paul Stichbury

10/9/2014

**Note:** all information in this complaint was obtained legally via correspondence and from internet searches. When this complaint was assembled all links worked. Should any not work contact me immediately for this to be rectified. Should you require clarification on any point contact me.