

**BEFORE THE WHANGAREI DISTRICT COUNCIL AND NORTHLAND REGIONAL
COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a resource consent application by Northport
Limited under section 88 of the Resource
Management 1991 for a port expansion project
at Marsden Point

APPLICATION NO. APP.005055.38.01

LU 2200107

STATEMENT OF REBUTTAL EVIDENCE OF NERISSA HARRISON

(TRANSPORTATION)

3 OCTOBER 2023

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INTRODUCTION

Qualifications and experience

1. My name is Nerissa Rachael Harrison. I am a Technical Director Transportation Engineer, working for WSP.
2. My qualifications and experience are set out in my statement of evidence dated 24 August 2023.

Code of Conduct

3. I record that my evidence in chief incorrectly references the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note (2014). This is a typographical error, and I confirm/reconfirm that I have read the Code of Conduct for Expert Witnesses as it is contained in the Environment Court Practice Note (2023) and I agree to comply with it.

SCOPE OF REBUTTAL EVIDENCE

4. In my rebuttal evidence, I address:
 - (a) Issues raised in the Transportation Joint Witness Statement; and
 - (b) Relevant matters of rebuttal arising from the evidence of the submitters.

ISSUES RAISED DURING EXPERT CONFERENCING AND REBUTTAL

Issues raised during expert conferencing.

5. Expert conferencing between the traffic expert witnesses and planners was held on:
 - (a) First session: 5th September 2023, a Joint Witness Statement (JWS) was issued.
 - (b) Second session: 20th September 2023, no JWS was issued.
 - (c) Third session: 26th September 2023, no JWS was issued.
6. In my view, the experts generally agreed on the traffic effects, but it was the wording of conditions where consensus was not always found. Therefore, my responses below primarily pertain to the condition wording.
7. At the third conferencing session, Waka Kotahi submitted draft conditions for consideration, these draft conditions aligned with the joint statement of evidence of

Angela (Angie) Crafer and Catherine Heppelthwaite dated 22 September 2023. I support most of the condition changes presented by Waka Kotahi as they generally clarify rather than change the intent of the conditions. However, I do not support some condition changes presented by Waka Kotahi that pertain to:

- (a) Crash mitigation
- (b) Intersection upgrading
- (c) Traffic monitoring
- (d) Intersection monitoring.

8. Some agenda items of the third expert conferencing session were not able to be addressed during conferencing, so I also respond to them here, they are:

- (a) Carparking;
- (b) Operational site travel management plan;
- (c) Cruise ship management plan;
- (d) Impacts on local roading network; and
- (e) Retention of access to Ralph Trimmer.

Crash mitigation

9. The draft condition wording of the first conferencing session joint witness statement (JWS) dated 5th September 2023 obligates the consent holder to mitigate all crashes on SH15, regardless of whether they are attributable to the expansion activity. The Waka Kotahi experts support this draft condition as set out in the joint witness statement of evidence of Angela (Angie) Crafer and Catherine Heppelthwaite for Waka Kotahi.

10. My recollection, and my clear intention, is that the draft condition wording was only included in the JWS on the basis that it would be reviewed in context of the full suite of conditions, rather than in isolation.

11. I acknowledge there is difficulty attributing crashes to either the consent holder or other users of the state highway. However, in my opinion, the consent holder should not be solely responsible for safety along SH15 as implied by the draft condition supported by Waka Kotahi.

12. In my opinion, the consent holder should only be responsible for mitigating crashes where safety effects have been identified as attributable to the expansion activities. As stated in the TIA, the port expansion activities are estimated to result in only 1 additional injury crash every 20 years, which is considered less than minor. However, I acknowledge that as the intersections (listed below) reach capacity, the safety at these intersections could be affected. Therefore, in my opinion the consent holder should only be responsible for contributing to mitigation of safety effects at the intersections of:
- (a) SH15/One Tree Point Road;
 - (b) SH15/Marsden Point Road;
 - (c) SH15/Marsden Bay Drive.
13. I consider that Northport may appropriately be required to make a contribution toward improving safety at the intersections listed above. I understand that conditions reflecting this are included in the draft conditions appended to Mr Hood's rebuttal evidence.

Intersection upgrading

14. In my opinion, the consent holder should be responsible for contributing to mitigation at the affected intersections (listed in paragraph 12 above), proportional to effects reasonably attributable to traffic movements associated with the consent holder. The level of upgrade that the consent holder should be required to contribute should be sufficient to mitigate the full expansion activities, not to mitigate the effects of other third-party use and development that may affect the intersections. As stated in the TIA there is substantial residential growth predicted in the area, which will affect the operation of the intersections irrespective or alongside any port expansion activities.
15. Waka Kotahi have proposed conditions obligating the consent holder to limit their traffic if the intersections are not upgraded, effectively obligating them to incur the full cost of any upgrade (refer the joint statement of evidence of Angela (Angie) Crafer and Catherine Heppelthwaite, at paragraph 7.3).
16. I do not agree with any condition that obligates the consent holder to either incur the full cost of upgrading the affected intersections (listed in paragraph 12 above), regardless of their proportional effect at the intersection, or to significantly limit their activities.

Traffic monitoring

17. The TIA identified that the three intersections listed in paragraph 12 above are affected by the expansion activities. In my opinion, it is reasonable that the consent holder should

no longer have obligations to monitor traffic on SH15 if, and when, these three intersections have been upgraded.

18. I do not agree with any condition proposed which would provide for the consent holder to cease traffic monitoring only when the SH1/15 roundabout is upgraded. Such condition would potentially require the consent holder to continue to monitor SH15 even if all three affected intersections (listed in paragraph 12) have been upgraded. The SH1/15 intersection was not identified in the TIA as being an affected intersection. Although I acknowledge monitoring traffic along SH15 to understand potential operation of the SH1/15 roundabout may be useful for Waka Kotahi as road controlling authority, in my opinion, the consent holder should not have to continue monitoring for an intersection that does not have any mitigation of effects attached.
19. I do not agree with any condition that requires the consent holder to monitor traffic or crashes after all affected intersection have been upgraded.

Intersection monitoring

20. In my opinion the consent holder should be obligated to assess the intersections listed in paragraph 12 at a time that traffic volumes indicate the intersection(s) will be getting close to capacity. I understand that a condition reflecting this requirement is included in the updated proposed conditions attached to Mr Hood's rebuttal evidence.
21. The SH1/15 intersection was not identified in the TIA as being an affected intersection. Although I acknowledge assessing the operational performance of the SH1/15 intersection may be useful for Waka Kotahi as road controlling authority, in my opinion, the consent holder should not have to continue monitoring or assessing the performance of an intersection that does not have any mitigation of effects attached.
22. I do not agree with any condition that requires the consent holder to assess the operation of the SH1/15 intersection, which is not identified in the TIA as an affected intersection.

Carparking

23. WDC has proposed a condition requiring 100 carparks to be provided onsite based on the 100 new employees for the expansion activities.
24. In my opinion, a minimum carparking condition is not required because Northport have indicated the port has a current carpark capacity of 215 spaces and that there is plenty of spare carpark capacity, despite having fewer carparks than employees. Spare capacity is available because the workforce operates in a shift pattern, over 7 days. This

shift work will continue to be the case, so additional car parks for expansion activities may not be required.

25. Although additional car parks may not be needed to accommodate the additional employees for the expansion activities, if more car parks are required Northport have indicated there is space onsite for over 130 additional car parks.
26. I do not agree with the minimum car parking condition proposed on behalf of WDC.

Operational site travel management plan

27. WDC has proposed a condition requiring an operational site travel management plan. Although an operational site travel management plan will be useful for the consent holder to understand and manage their staff journeys, it will be less effective for the management of other traffic generated by the consent (e.g. freight operators). It is also only one means of the consent holder mitigating their effects.
28. I do not consider a specific condition requiring an operational site travel management plan is required especially as the consent holder has limited ability to control the freight operators, who are third parties and not included as a party within this consent application.
29. I do not agree with the operational site travel management plan condition proposed on behalf of WDC.

Cruise ship management plan

30. WDC has proposed a condition requiring a cruise ship management plan. Cruise ships are already permitted to use the port. Therefore, although a cruise ship management plan may be useful to understand operation of cruise ships using the port, I do not think a specific condition requiring this is required as part of this consent, especially as the consent holder has limited ability to control the cruise ship operators, who are third parties and not included within this consent application. Further, I am aware of no effects, including cumulative effects, having been identified. In practical terms, there is substantial safe queueing space at the port entrance (approximately 400m), with good visibility and a central flush median, which allows for turning traffic to wait clear of any traffic waiting at the port gates.
31. I do not agree that a condition requiring a cruise ship management plan is necessary.

Impacts on local roading network

32. I met with Mr Robert Inman, the WDC traffic expert, on 11th September 2023 to discuss the local road network impacts. I understand the local road network impacts that WDC has received concerns about were regarding:
- (a) Heavy vehicles using Marsden Point Road and the safety of the SH15 / Marsden Point Road intersection.
 - (b) Construction traffic using Sime Road.
33. Regarding heavy commercial vehicles (HCV) using Marsden Point Road, I do not think monitoring heavy vehicles on Marsden Point Road is necessary or should be included in conditions and I do not think the SH15 / Marsden Point Road intersection requires upgrade for safety immediately because:
- (a) The SH15 / Marsden Point Road intersection would not currently be prioritised for safety improvements given its crash history (it has a lower crash rate than typically expected for a rural T intersection).
 - (b) The HCV using Marsden Point Road are from a variety of uses not associated with the consent (refuelling stations, timber yard etc).
 - (c) The safety of the SH15 / Marsden Point Road intersection as it pertains to the consent, is already addressed in the draft conditions proposed by Northport.
 - (d) HCV accessing the port are expected to use the SH1/15 intersection, which is a shorter travel time (by 1 minute) than accessing the port via Marsden Point Road.
34. Regarding construction traffic using Sime Road, I can see no reason why Sime Road would be affected by construction traffic, unless construction traffic is choosing to refuel there. If Sime Road is affected by construction traffic, then in my opinion the draft condition requiring a Construction Traffic Management Plan (CTMP) adequately mitigates this.
35. Having considered the above issues raised by Mr Inman, these have not caused me to change my assessment or conclusions as set out in my evidence in chief.

Retention of access to Ralph Trimmer

36. I understand this conference agenda item pertained to the temporary closure of Ralph Trimmer Drive during construction activities and the potential damage to pavement. I

have not seen any construction traffic management plans for Ralph Trimmer Drive so cannot comment on the specific effects of the closure.

37. A temporary traffic management plan would be required for any construction activities affecting the roadway and I would expect it to suitably mitigate any traffic risks.
38. In regard to pavement damage, this can be mitigated through a suitable consent condition. I suggest the following wording, which I understand is included in the proposed conditions attached to the rebuttal evidence of Mr Hood:

The consent holder shall ensure vehicles and machinery leaving the site do not deposit earth or other material in or on the road reserve or otherwise damage road surfaces and surrounds; if such spills or damage occurs, the consent holder shall clean or repair road surfaces to their original condition immediately and avoid discharge of any material into the stormwater system.

39. While I support the inclusion of the above condition, I consider this to be a relatively peripheral issue. To clarify, this has not caused me to change my assessment or conclusions as set out in my evidence in chief.

Waka Kotahi joint statement of evidence¹

40. I have read the joint statement of evidence of Angela (Angie) Crafer and Catherine Heppelthwaite. I have substantively responded to some of the issues raised in their joint witness statement above. For completeness, I provide a specific response below.
41. Ms Crafer and Ms Heppelthwaite acknowledge in their joint witness statement that the “*general structure of the conditions which propose a series of ‘steps’ to monitor, identify issues and provide traffic volume reductions as a method to reduce effects is conceptually sound*”, but they raise issues with some of the detail of the conditions, specifically:
- (a) Level of mitigation.
 - (b) WDC conditions - they support inclusion of some WDC conditions that are not included in the draft conditions.
 - (c) Contributions.

¹ Joint statement of evidence of Angela (Angie) Crafer and Catherine Lynda Heppelthwaite for Waka Kotahi regarding LU2200107 at 21 Ralph Trimmer Drive, Marsden Point, dated 22 September 2023.

Level of mitigation

42. Regarding the level of mitigation required, Ms Crafer and Ms Heppelthwaite have concerns with:

- (a) the level of upgrade required, and
- (b) demonstrating how recommendations are being implemented.

43. To address these concerns, they propose a condition to limit port traffic.

44. In my opinion, limiting port traffic with the draft condition Ms Crafer and Ms Heppelthwaite propose is problematic because it could result in no expansion port traffic being able to use SH15. As the TIA shows SH15 can accommodate port expansion traffic, it is not proportional to effects.

45. I do not agree with a condition limiting port traffic.

WDC Conditions

46. Ms Crafer and Ms Heppelthwaite support the draft WDC conditions.

47. My response to the draft WDC conditions is addressed in paragraphs 23 - 39 above.

Contributions

48. Ms Crafer and Ms Heppelthwaite propose conditions to require the consent holder to fully fund the upgrade of the affected intersections, rather than pay a contribution proportional to their effects.

49. My response to contributions is addressed in paragraphs 14-16 above.

50. To be clear, I do not agree that it is appropriate for the consent holder to be required to fully fund the upgrade of the affected intersections.

Nerissa Harrison
WSP

3 October 2023