

IN THE MATTER of the Resource Management Act 1991 (RMA)

AND

IN THE MATTER **Resource Consent Applications by Northport Ltd - Port Expansion project at Marsden Point**

Application numbers:

- Whangarei District Council: LU2200107
- Northland Regional Council: APP.040976.01.01

DIRECTION 7 (12 SEPTEMBER 2023) FROM THE HEARING PANEL

EXTENSION OF EVIDENCE EXCHANGE TIME FOR WAKA KOTAHI

1. The Hearing Panel has received an email from Waka Kotahi's Principal Planner, Ms Ho stating¹:

I am letting the Hearings Panel know that Waka Kotahi intends to file its evidence late due to a number of reasons.

As the hearings panel are aware, evidence was filed late by Council and the Applicant, and some submitters have already sought a 2 day extension. For Transport, expert conferencing was held on 5 September on the basis that issues were more likely to be resolved prior to evidence exchange. While substantial progress was made, not all issues were covered, and further expert conferencing is scheduled for Wed 20 September. Waka Kotahi therefore consider it more efficient to file its evidence after the second round of expert conferencing, and no later than Friday 22 September.

Waka Kotahi are also engaging in further discussions with Northport outside of the RMA process, and additional time is needed to work this through.

As there are few submitters in relation to Transport (Council Parks I believe are the only other submitter on this topic), we do not consider this to affect the rebuttal evidence that is due on 3 October.

2. The Applicant's response to Waka Kotahi's request is²:

¹ 12 September 2023

² 12 September 2023

Response to Waka Kotahi extension of time sought:

Northport understands that the extension sought will allow additional time for further discussions/conferencing, and may avoid redundancy. That said, Northport does not wish to suffer prejudice due to what is, in context, a fairly substantial extension of time.

Northport therefore does not object to the extension, but expressly reserves its ability to itself seek a further extension of time, if needed, to reply to any issues raised by Waka Kotahi in rebuttal evidence.

3. On the basis of the positions set out above by the two parties, the Hearing Panel grants Waka Kotahi's request – that its expert evidence is lodged no later than **4.00 pm 22 September 2023**. The Hearing Panel acknowledges that the Applicant “*expressly reserves its ability to itself seek a further extension of time, if needed, to reply to any issues raised by Waka Kotahi in rebuttal evidence*”.
4. Any enquiries regarding this Direction, or related matters, should be directed to Alissa Sluys - Consents and Hearing Administrator at alissas@nrc.govt.nz



Greg Hill Chairperson
13 September 2023