

**BEFORE THE WHANGĀREI 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 Act 1991 for a port
expansion at Marsden Point.

**STATEMENT OF EVIDENCE OF CHRISTINE JO-ANNE NIBLOCK
ON BEHALF OF
WHANGĀREI DISTRICT COUNCIL INFRASTRUCTURE GROUP**

Dated 14 September 2023

1. INTRODUCTION

Qualifications and Experience

- 1.1 My name is Christine Jo-Anne Niblock. I am Team Leader for the Infrastructure Planning Team within the Infrastructure Planning Department of the Whangārei District Council (WDC).
- 1.2 My qualifications include a Bachelor of Landscape Architecture from Unitec Institute of Technology, Auckland (2010), and I am working towards completion of a Masters in Resource and Environmental Planning at Massey University, having completed all relevant papers, I am writing a thesis and expect to graduate in 2024. I am a student member of the New Zealand Planning Institute.
- 1.3 I have approximately six years of experience as a Landscape Architect and five years of experience as a Planner for WDC. My qualifications and experience are complimentary to my role as an Infrastructure Planner for WDC.
- 1.4 My role typically involves provision of RMA planning advice relevant to infrastructure and capital works projects, as well as advice on resource consent applications that impact Council infrastructure and parks assets. I prepare planning assessments, resource consent applications and provide landscape and resource management advice, including landscape and visual assessment and landscape management input. I provide both planning and landscape advice and support to all WDC Infrastructure Departments. This includes representation of WDC Roading, Water, Waste and Drainage and the Parks and Recreation Departments on planning matters.
- 1.5 I have been involved in a range of large-scale infrastructure development proposals, including coastal and marine proposals throughout the Whangārei District and am familiar with the statutory context of relevance to this application. I am familiar with the application site and the surrounding locality.
- 1.6 I have read the application and supporting documents, submissions, the s42A report, and other additional documents, including expert witness statements and supporting evidence as made available.

Code of Conduct

- 1.7 I have read and agree to comply with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note (2023). I confirm that the evidence I present on planning and landscape matters is within my areas of expertise. If I rely on the evidence or opinions of another, my evidence will acknowledge this position. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. SCOPE OF EVIDENCE

- 2.1 The evidence provided in this statement will cover the following matters;

- Tourism
- Stormwater
- Transport and Connections
- Recreation

3. THE ENVIRONMENTAL SETTING

- 3.1 A description of the subject site, the surrounding environment and the proposed port expansion is provided in Appendix 19 of the Assessment of Environmental Effects provided with the application. Having undertaken a site visit on 12 September 2023, I agree with the descriptions provided and adopt those for the purpose of this report.

- 3.2 Key elements of the proposal:

- Reclamation of approximately 11.7ha resulting in the loss of approximately 2ha of beach and dune habitat to provide for the expansion of the container terminal and a fifth berth.
- Removal of the existing tug wharf and jetty located along the eastern boundary of the existing reclamation, to be replaced with a new tug berthing facility, water taxi berth and fishing/swimming pontoon at the new eastern boundary of the proposed reclamation.
- Removal of the existing public car park, toilet and beach access and the development of a new 'Pocket Park' with car and bike parking, a public toilet, shelter and new access nodes.

4. TOURISM

- 4.1 Northport is a regional asset that is part of an integrated network of ports throughout New Zealand and a key contributor to the Northland economy.
- 4.2 Despite many uncertainties relevant to the exact scale of benefits, providing for the expansion of the port now will protect the future potential of the port by enabling increased capacity and efficiencies in the facilitating of trade. Mr G Akehurst has provided a number of scenarios that reflect positive economic growth as a result of the port expansion across all scenarios.
- 4.3 Tourism is a key driver of the economic success in Northland. Concerns raised relevant to the management of future cruise ship transfers can be addressed through the provision of a section on Cruise Ship Operations within an Operational Traffic Management Plan.
- 4.4 WDC Infrastructure is supportive of the retention of the Te Araroa Trail, although further comment is provided in the following sections.

5. STORMWATER

- 5.1 A comprehensive description of the stormwater management systems proposed to be utilised for the port expansion project are provided in Appendix 20 of the AEE. Mr J McLaren provides further assessment of the stormwater management in his evidence dated 12 July 2023.
- 5.2 An amended approach to incorporate mixing zone thresholds as a trigger for the application of proposed new at-source compliance parameters is provided by Northport in the evidence of Mr J Blackburn, dated 24 August 2023. WDC Infrastructure are supportive of the amended approach.
- 5.3 Concerns raised within our submission have either been addressed through the evidence provided or are technical matters that will otherwise be refined through expert conferencing.

6. TRANSPORT AND CONNECTIONS

Intersection Monitoring and Upgrades

- 6.1 WDC Infrastructure is supportive of the inclusion of monitoring requirements and defined triggers across 4 key intersections, as outlined in the Joint Witness Statement developed in relation to Transport and Planning matters, dated 5 September 2023. WDC Infrastructure agrees with the s42A evidence report provided by Mr R Inman, dated 20 July 2023, that these triggers should be based on level of service and demand.

Cruise Ship Management

- 6.2 WDC Infrastructure agrees with the statement provided in the evidence of Mr R Inman, dated 20 July 2023;

The TIA does not adequately assess the on or off-site effects of the large numbers of coaches required to transport cruise ship passengers. (pg.6)

It is accepted that the inclusion of a section on Cruise Ship Operations within an Operational Traffic Management Plan, to be incorporated as a condition of consent, as suggested in the evidence of Mr Inman, would satisfy the concerns raised in our submission that are relevant to the impact of cruise ships and the number of associated coaches required for passenger transfer on local infrastructure.

Pedestrian and Cycle Facilities

- 6.3 In agreement with Mr Inman, there are recently completed (April 2022) investigations and a design report on the provision of a cycle trail and shared user path from Waipu through to the Marsden Cove Marina; there has been active public interest in implementing this trail. The proposal forms part of the Northland Walking and Cycling Strategy that was adopted by Council in 2018. The proposed cycle trail and shared user path will provide alternative transport mode connections between Waipu, Ruakākā and Marsden Cove communities.

- 6.4 A key section of the identified route is from Marsden Cove Marina to Marsden Point Beach. The proposed trail follows Mair Road, beside the Marsden Oil Refinery, to join State Highway 15. Along SH15 a dedicated unsealed cycle track is proposed to be constructed along

the existing wide berm. The cycle trail continues along the berm onto Marsden Bay Drive and through to the Marsden Cove Marina, as identified in Image 1 below.



Image 1: Trail alignment Marsden Point to Marsden Cove Marina

- 6.5 Implementing this section of the trail would provide users with a formal connection that ultimately bypasses the Northport site, directing users to access Marsden Point Beach from Mair Road and use the public carpark located at the end of Mair Road. Note: The carpark is located within Department of Conservation land, being Section 1 SO 461691.
- 6.6 If the Te Araroa Trail ferry terminal is able to be relocated - either temporarily or permanently – into the Marsden Cove Marina area, there is opportunity to realign the Te Araroa trail so as to link into the proposed cycle and shared user trail, further enhancing connections within the cycle and pedestrian network.
- 6.7 There are opportunities for Northport to contribute towards the implementation of this section of the cycle trail. This would provide benefits relevant to the promotion of sustainable travel modes, along with enhanced recreation and amenity value for the immediately

surrounding area.

- 6.8 It is acknowledged that there is further discussion to be had during expert conferencing. It is anticipated that any off-site mitigation is captured through a condition of consent and accompanying Development Agreement or similar, to be entered into between Council and the consent holder prior to activities being undertaken.

Te Araroa Trail

- 6.9 The Te Araroa trail is identified as a key recreational asset that WDC Infrastructure supports the retention of as a broad outcome. A water taxi berth is located on the eastern edge of the existing port facility and is a currently key connection point that forms part of the trail.
- 6.10 As acknowledged throughout the evidence of multiple contributing experts, the water taxi berth and a section of the trail will be impacted by both the temporary construction works, and through the permanent physical alteration of the site. The evidence of Mr Greenway, for Northport, states that “Alternative boat access to Marsden Cove will be available for the Te Araroa Trail ferry”. However, there is no further information provided and it is assumed further investigation is necessary.
- 6.11 Notwithstanding the above, WDC Infrastructure agrees with the evidence and commentary provided by Mr M Farrow, dated 21 July 2023. Mr Farrow reaffirms the adverse nature of effects of the port expansion on the overall landscape and amenity values, as identified in the application assessment prepared by Mr S Brown, dated 15 September 2022. Mr Farrow considers the proposal will result in a marked reduction in experiential and amenity value to the area and raises concerns over the presence of the proposed passenger jetty within an area that is confined, busy and set amongst an industrial backdrop.
- 6.12 WDC Infrastructure agree with Mr Farrow that there is merit in relocating the passenger jetty to a permanent alternative location. Further investigation should be considered and WDC Infrastructure are willing to work in partnership with Northport in seeking appropriate outcomes.

- 6.13 There are opportunities for Northport to contribute towards permanent relocation of the passenger jetty that services users of the Te Araroa Trail. This would provide benefits relevant to the promotion of sustainable travel modes, along with enhanced recreation and amenity value for the immediately surrounding area.
- 6.14 It is acknowledged that there is further discussion to be had during expert conferencing on the matter of potential off-site mitigation. It is anticipated that any off-site mitigation is captured through a condition of consent and accompanying Development Agreement or similar, to be entered into between Council and the consent holder prior to activities being undertaken.

Car Park and Pocket Park Beach Access

- 6.15 WDC Infrastructure generally aligns with the opinion of other experts, including Mr M Farrow and Mr Jones, that the proposal would result in a marked reduction in the experiential values and visual amenity of the setting.
- 6.16 With this in mind, it is considered the necessity of public amenities in the immediate area is reduced. WDC Infrastructure agree with both Mr Jones and Mr Farrow that the proposed Pocket Park is, in essence, a replication of the existing facilities and that these facilities may no longer be appropriate within the revised physical setting of the port expansion.
- 6.17 While WDC maintain and manage the existing public toilets, WDC Infrastructure are not supportive of the provision of new public toilets within this area, as has been proposed in the concept provided for the Pocket Park. Any public toilet facilities that are provided in the immediate vicinity of Northport would need to be managed and maintained by Northport. Particularly acknowledging that WDC will no longer be the owners and administrators of the land on which the toilets are proposed to be located.
- 6.18 As with the passenger jetty, there is merit in relocating these services (or similar public amenities) to an alternative location. Further investigation should be considered and WDC Infrastructure are

willing to work in partnership with Northport in seeking appropriate outcomes.

- 6.19 It is acknowledged that there is further discussion to be had during expert conferencing on the matter of potential off-site mitigation. It is anticipated that any off-site mitigation is captured through a condition of consent and accompanying Development Agreement or similar, to be entered into between Council and the consent holder prior to activities being undertaken.

7. RECREATION AND AMENITY

- 7.1. A number of reports have been provided through the expert evidence on both landscape, amenity and recreational matters; these have been considered, along with my own observations.
- 7.2. WDC Infrastructure accept that there will be a temporary impact on public access and recreation during a construction period of approximately 6-12 months, and that this is a temporary effect that is generally able to be managed. While temporary alternative access provisions will suffice in managing temporary adverse effects during construction, a permanent alternative solution is preferred due to the level of effects on both recreation and landscape values as a result of the physical alteration of the site.
- 7.3. There is an opportunity for more appropriate off-site mitigation efforts that can be integrated into the wider public access network. The evidence provided by Mr Jones, Mr Greenway and Mr Farrow generally aligns to conclude that without mitigation beyond that already proposed, there will be moderate to significant adverse effects on recreation, landscape and amenity.
- 7.4. Opportunities for off-site mitigation that have been identified and that WDC Infrastructure are supportive of further investigation include, but are not limited to;
- Relocation and realignment of the Te Araroa passenger jetty and trail;

- Contributions towards the construction of a cycle and shared user path from Marsden Cove Marina through to Marsden Point Beach;
- Provision of additional public amenities, such as a public toilet and shelter, outside of the Northport site.

8. CONDITIONS

8.1. It is acknowledged that conditions of consent are likely to be refined during the expert conferencing sessions, and as such, a detailed review has not been provided.

8.2. Notwithstanding, the below is provided as suggested wording for a condition incorporating a Development Agreement or similar;

A Development Agreement (or similar agreement) shall be entered into between Council and the consent holder prior to the activities authorised under this consent being undertaken. The Developer Agreement will address the following;

[Outcome 1]

[Outcome 2]

[Outcome 3]

9. CONCLUSION

9.1. Overall, my assessment generally aligns with that of the Council's reporting officer and the technical experts referenced throughout my report.

9.2. I am of the opinion that the associated effects created by the port expansion, though significant, are able to be appropriately mitigated or offset to a level that is considered appropriate, provided that off-site mitigation efforts are able to be achieved.

9.3. It is my opinion that consent should be granted for this application subject to further expert conferencing and the negotiation of a Development Agreement or similar between Council and the Applicant.



Christine Jo-Anne Niblock

Landscape Architect and Resource Management Planner

Team Leader Infrastructure Planning

Whangārei District Council

Dated this 14 day of September 2023.