

**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 10 (4 October 2023) FROM THE HEARING PANEL**

**EXCUSING ADDITIONAL EXPERT WITNESSES FROM ATTENDING THE HEARING.**

1. The Hearing Panel excused a number of expert witnesses in its Direction 9 - Excusing Some Expert Witnesses from Attending the Hearing, dated 3 October 2023.

2. The Applicant responded with a Memorandum stating<sup>1</sup>:

*Direction 9 excuses some expert witnesses from attending the hearing. Northport acknowledges the pragmatic approach adopted by the Panel here.*

*In addition to the five witnesses listed in Direction 9, Northport respectfully requests that the Panel consider also excusing the following witnesses, on the same basis as set out in paragraph 2 of the Direction. The additional witnesses which Northport requests be excused are:*

*(a) Professor David Fox – turbidity methodology, and*

*(b) Dr Matt Pine – underwater acoustics.*

3. The Hearing Panel agrees to excuse these witnesses for the same reasons set out in Direction 9 – i.e. there are no issues in contention between the relevant experts, and/or the Hearing Panel has no questions for those witnesses.

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<sup>1</sup> 3 October 2023 – paragraphs 2 and 3.

4. Also, as set out in Direction 9, in excusing these witnesses, we also excuse the 'equivalent experts' who are part of the section 42A reporting team or submitters expert(s). We reiterate (as set out in Direction 9) that notwithstanding the above, should any questions arise during the course of the hearing for these witnesses, the Hearing Panel may request that the witness appear at the hearing (either in-person or by AVL facility), or we may provide written questions.
5. Any enquiries regarding this Direction, or related matters, should be directed to Alissa Sluys - Consents and Hearing Administrator at [alissas@nrc.govt.nz](mailto:alissas@nrc.govt.nz)



Greg Hill Chairperson  
4 October 2023