

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

JOINT WITNESS STATEMENT (JWS) IN RELATION TO:

RECREATION and PLANNING

21 September 2023

Expert Conferencing Held on: 21 September 2023

Venue: Online

Independent Facilitator: Marlene Oliver

Admin Support: Emma Cairncross

1 Attendance:

1.1 The list of participants is included in the schedule at the end of this Statement.

2 Basis of Attendance and Environment Court Practice Note 2023

2.1 All participants agree to the following:

- (a) The Environment Court Practice Note 2023 provides relevant guidance and protocols for the expert conferencing session;
- (b) They will comply with the relevant provisions of the Environment Court Practice Note 2023;
- (c) They will make themselves available to appear before the Panel;
- (d) This statement is to be filed with the Panel and posted on the Council's website.

3 Matters considered at Conferencing – Agenda and Outcomes

3.1 Assessment of effects

Craig Jones agrees with Rob Greenaway's assessment of effects in relation to recreation. They agree that some components of the proposed on-site mitigation (on and surrounding the residual beach)

addresses some of the adverse effects, but there are residual significant adverse effects at the local scale and more than minor at the regional scale that are not being avoided, remedied or mitigated.

3.2 On-site proposals

The recreation experts agree that the following elements and outcomes be provided:

- All mobility access to the beach from land
- Carparking
- Toilet to meet public needs
- Fishing access to deep water
- General pocket park design and function
- Revetment fishing with walking access
- Surfcasting off the beach
- Beach access
- Swimming directly off the beach
- Water taxi operations provided in the marina environment with a change in the Te Araroa walkway location

Rob Greenaway considers that providing for a pontoon is appropriate as this will provide for the uses of the existing pontoon. Craig Jones does not support providing for a pontoon on the basis of safety concerns and some potential recreation conflict issues including swimming, fishing and the movement of vessels plus the proximity to the Channel Infrastructure terminal.

3.3 Off-site proposals

Rob Greenaway and Craig Jones agree that there are residual significant adverse effects at the local scale and more than minor at the regional scale that are not being avoided, remedied or mitigated. The residual effects relate to access to coastal space of scale, fishing, walking and passive recreation. They agree that off-site mitigation is required to address these residual effects. There is an opportunity as part of the off-site proposals to relocate and enhance the Te Araroa connectivity. Craig Jones' evidence (s42a Report Appendix C8, section 8.0) contains a list of possible off-site mitigation opportunities.

Alternative off-site mitigation options could include:

- *Developing walking and cycling connections from Marsden Marina to the ocean side of Marsden Point Beach (bypassing Northport and Channel Infrastructure). This should include access onto the beach.*
- *Establishing a permeant Te Araroa walkway water taxi connection via the Marsden Marina (which links to a new walkway).*
- *Exploring opportunities for enhancing safe swimming west of Northport potentially involving new structures.*
- *Optimising passive recreation and picnicking opportunities.*

Rob Greenaway supports this list. Rob Greenaway and Craig Jones agree to review the list and identify any examples of potential projects and whole of life costs, and provide their suggestions to the planners.

All experts acknowledge that discussions to date and the above examples are indicative and have not been informed by feedback from iwi, hapū and stakeholders.

3.4 **Public access restrictions to Marsden Bay Beach (construction and operation WDC 76-80)**

Condition 79 currently imposes a maximum time limit of access restriction from Ralph Trimmer Drive to Marsden Bay Beach for no longer than eighteen months.

All experts agree that public walking access from Ralph Trimmer Drive should be maintained except for short durations where health and safety requires restriction during construction. The CEMP should define this restriction (Conditions 38-39).

Outcome: condition 79 is to be amended to give effect to the agreement above and the CEMP will be required to give effect to it.

4 **PARTICIPANTS TO JOINT WITNESS STATEMENT**

4.1 The participants to this Joint Witness Statement, as listed below, confirm that:

- (a) They agree that the outcome(s) of the expert conferencing are as recorded in this statement; and
- (b) They have read the Environment Court’s Practice Note 2023 and agree to comply with it; and
- (c) The matters addressed in this statement are within their area of expertise; and
- (d) As this session was held online, in the interests of efficiency, it was agreed that each expert would verbally confirm their position in relation to this para 4.1 to the Independent Facilitator and the other experts and this is recorded in the schedule below.

Confirmed online: 21 September 2023

EXPERT’S NAME & EXPERTISE	PARTY	EXPERT’S CONFIRMATION REFER PARA 4.1
Stacey Sharp – Reporting Officer (Planner)	Whangārei District Council	Yes
Craig Jones – Recreation Specialist	Whangārei District Council	Yes
Blair Masefield – Reporting Officer (Planner)	Northland Regional Council	Yes – attended items 3.1 to 3.4
Brett Hood – Planner	Northport	Yes
Rob Greenaway – Recreation Specialist	Northport	Yes
Christine Niblock – Planner and Landscape Architect	Whangārei District Council Infrastructure Planning Departments	Yes