

**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
project at Marsden Point

APPLICATION NO. APP.005055.38.01

LU 2200107

MEMORANDUM OF COUNSEL FOR NORTHPORT LIMITED:

FURTHER UPDATED PROPOSED CONDITIONS

16 May 2024

Solicitors acting:

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MAY IT PLEASE THE PANEL

1. In accordance with the Panel’s Direction 18, Northport Ltd (“Northport”) has engaged with Northland Regional Council (“NRC”) and Whangārei District Council (“WDC”) representatives regarding wording of updates to its proposed conditions. NRC and WDC representatives have provided feedback to Northport.
2. Northport has amended its proposed conditions based on the feedback received from NRC and WDC. In accordance with the Panel’s Direction 18, Northport is today circulating further updated proposed conditions to the Panel.¹ The following documents accompany this memorandum:
 - (a) Further updated proposed **NRC conditions** (both a “clean” version and a track-change version showing amendments since the previously circulated proposed conditions).
 - (b) Further updated proposed **WDC construction-related conditions** (both a “clean” version and a track-change version showing amendments since the previously circulated proposed conditions).
 - (c) Further updated proposed **WDC operational-related conditions** (both a “clean” version and a track-change version showing amendments since the previously circulated proposed conditions).
 - (d) For each of the three condition sets above, to assist the Panel, Northport has also produced a table outlining the material feedback on the updated proposed conditions that Northport received from NRC and WDC, along with Northport’s response to that feedback (as reflected in the further updated proposed condition sets).
3. Counsel will address the Panel on the further updated proposed conditions at the reconvened hearing on 23 May 2024.

Dated: 16 May 2024



Chris Simmons
Counsel for Northport Limited

¹ Earlier sets of proposed conditions were circulated by Northport with its interim closing legal submissions dated 20 November 2023.