

**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:**

**NAVIGATION and PLANNING**

**25 September 2023**

Expert Conferencing Held on: 25 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 Effects of any increases in shipping numbers on congestion and risk**

Scott Keane and Bruce Goodchild agree that there should be an additional provision in the conditions to address any potential operational navigation safety issues between commercial shipping and recreational vessels. Similar to Condition 95, this would involve the wider range of parties (Channel Infrastructure, North Tugz Limited, the Whangārei Harbour Safety Committee, and the Harbourmaster). There are existing powers and procedures for addressing any safety and navigational issues within the harbour, for example through the Harbour Safety Management Group which is led by the regional council.

This matter is referred to the planning expert conferencing session to be given effect to.

#### **3.2 Congestion constraints during construction**

Scott Keane and Bruce Goodchild agree that the proposed conditions 95-99 (Brett Hood version dated 25 August 2023) appropriately address this topic and provide for a management plan to be certified by the regional council. Similar to comments to 3.1 above, this process will be part of the Whangārei Harbour Safety Management Group activities.

#### **3.3 Responses and safeguards**

- i. sedimentation/erosion in channel/turning basin/Channel Infrastructure berths;*
- ii. hydrodynamics/hydrography to impact on use of Channel Infrastructure jetties;*

These matters primarily relate to Channel Infrastructure’s submission. The expert for Channel Infrastructure confirmed that they would not be attending this expert conferencing session.

Scott Keane and Bruce Goodchild agree that proposed conditions 100-104 (Brett Hood version dated 25 August 2023) appropriately address this topic.

#### **3.4 Simulation, including input data and modelled simulations, and the requirement for Full Mission Bridge Simulation**

Bruce Goodchild and Scott Keane agree that no further simulation is required at this stage. They agree that it is appropriate for further simulation to be carried out prior to detailed design (which is prior to construction). The proposed condition 108 (Brett Hood version dated 25 August 2023) provides for additional simulation studies. The experts agree that the “checklist” text in condition 108 be expanded by Scott Keane to include further details raised in his s42a memo.

In the absence of further simulation, the experts agree that the conditions should be amended to make it clear that this additional simulation studies are completed as an input to conditions 30-41. This is to be referred to the planner’s expert conferencing to give effect to.

#### **3.5 Tug berth location and later design**

Scott Keane and Bruce Goodchild agree that condition 38 be expanded to include a fuller list of matters to be considered at detailed design stage, including:

- Navigation and safety – both Channel Infrastructure operations and recreational uses
- Full Mission Bridge simulations recommendations
- Hazops (operations involving hazardous substances) assessment (if Channel jetty 3 is still operational)

- Mooring forces from tugs or other vessels on adjacent berths

### 3.6 Other matters

Bruce Goodchild and Scott Keane agree that all other navigation-related matters are appropriately addressed in the proposed conditions (Brett Hood version 25 August 2023) including overall risk assessment and marine oil spill risk. For completeness, these experts have no areas of disagreement that have not been identified above.

## 4 PARTICIPANTS TO JOINT WITNESS STATEMENT

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

- They agree that the outcome(s) of the expert conferencing are as recorded in this statement; and
- They have read the Environment Court’s Practice Note 2023 and agree to comply with it; and
- The matters addressed in this statement are within their area of expertise; and
- 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: 25 September 2023

EXPERT’S NAME & EXPERTISE	PARTY	EXPERT’S CONFIRMATION REFER PARA 4.1
Blair Masefield – Reporting Officer (Planner)	Northland Regional Council	Yes
Scott Keane – Navigation Specialist	Northland Regional Council	Yes
Brett Hood – Planner	Northport	Yes
Bruce Goodchild – Navigation Specialist	Northport	Yes
Mark Arbuthnot – Planner	Seafuels Limited	Yes – only attended for 3.1 to 3.4