

**HAWKES BAY REGIONAL COUNCIL**

**HEARING OF RESOURCE CONSENT APPLICATIONS BY PORT OF NAPIER LIMITED**

**DIRECTIONS OF COMMISSIONER HEARING PANEL: No.3**

*Hearing applications by Port of Napier Limited to construct a new wharf and undertake capital dredging beneath the proposed new wharf; to undertake maintenance dredging; to dispose of dredged material from capital and maintenance dredging within an offshore area; and to occupy the common marine and coastal areas for existing Port activities at Port of Napier, Breakwater Road, Napier and various locations within the Coastal Marine Area (CMA). The location is fully described by the application for resource consent.*

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Further to our hearing related to the abovementioned applications, Mr Majurey and Mr Conway addressed us upon commencement of the hearing on Friday, 24 August regarding various matters related to the hearing.

These included

- a request by the applicant for an adjournment to allow consideration of the Trident report (provided subject to an earlier section 42 order) by both the applicant's and Regional Council experts and the provision of any further evidence on this matter;
- opportunity for Fisheries Inshore NZ to provide a statement regarding the interpretation of the Trident report;
- the preparation of a comprehensive suite of updated draft conditions relating to the applications for our consideration (both agreed and non-agreed matters); and
- the provision of a written reply at a reconvened hearing.

We have considered these requests and have determined that it is appropriate to adjourn the hearing and that the following timetable be confirmed as outlined by Mr Majurey and Mr Conway.

Accordingly, we make the following directions:

1. By 5pm Tuesday, 28 August, Mr Wilson (FINZ) provides any comments he wishes to make to the Commissioners on the Trident report, advising whether he wishes those comments to be subject to protection on the same basis as the report itself and, if so, the reasons why he considers the protection is required in relation to the comments.
2. By 31 August – Dr Kelly provides his comments on the Trident report to the confidential group, as outlined in our order dated 24 August 2018.
3. By 7 September – Mr Sneddon provides his comments on the Trident report to the confidential group.
4. By 12 September – Dr Kelly and Mr Sneddon provide:
  - a) agreed proposed conditions.
  - b) a table of non-agreed matters.
5. By 14 September – Mr O'Leary and Ms Allan provide:
  - a) agreed proposed conditions.

b) a table of non-agreed matters.

6. The hearing will reconvene on 28 September to report back on those matters identified by this Direction and for Port of Napier to provide its full written reply.

Dated this 27<sup>th</sup> day of August 2018

A handwritten signature in black ink, appearing to read 'Bill Wasley', with a stylized initial 'W'.

Bill Wasley  
Chair, on behalf of the Commissioner Hearing Panel