

<b>IN THE MATTER</b>	of a direct referral application under section 87G of the Resource Management Act 1991 for resource consents for the necessary infrastructure and related activities associated with holding the America's Cup in Auckland	
<b>BETWEEN</b>	<b>PANUKU DEVELOPMENT AUCKLAND</b>	
	Applicant	
	ENV-AKL-2018-000078	
<b>AND</b>	<b>AUCKLAND COUNCIL</b>	
	Regulatory Authority	

**Date:** 1 August 2018

**Venue:** Via Phone and email

**Facilitator:** n/a

**Area of expertise:** Hazardous substances and risk

**Experts in attendance:**

<b>Name</b>	<b>For</b>
Robert Alan Van de Munckhof	Auckland Council
Jennifer Ann (Jenny) Polich	Panuku Development Auckland

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## JOINT WITNESS STATEMENT

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### 1. Introduction

- 1.1. The purpose of expert conferencing is for expert witnesses to identify and reach agreement with other expert witnesses within their field of expertise on the issues/matters on which the expert witnesses agree and the issues/matters on which they do not agree, including reasons for their disagreement.
- 1.2. In preparing this statement, the experts have read and understood the Code of Conduct for Expert Witnesses as included in the Environment Court Practice Note 2014.

## **2. The need to restrict public access on Wynyard Point**

The following were agreed:

- 2.1. The QRA demonstrates that the proposed base developments for AC36 do not substantially change the current individual fatality risk and societal risk levels within Wynyard Point.
- 2.2. That for this conclusion to remain valid, intensification of populations in the northern area of Wynyard Point should not occur.
- 2.3. That steps to restrict public access to the area north of Base C on Wynyard Point during events should be undertaken until the bulk chemical storage Stolthaven North facility is removed.
- 2.4. Restricting public access to the south of the northern edge of Base C is not considered necessary, but no activities should be undertaken in the area north of silo park which would encourage public to congregate (e.g. public events, food trucks or performances).

## **3. Public access to the breakwater on Wynyard Wharf**

The following were agreed:

- 3.1. That while the risk assessment has assessed the risk of up to 100 people on the breakwater is acceptable, the limited egress from the breakwater in the event of toxic release would make safe evacuation difficult.
- 3.2. Unless it can be demonstrated that the public could be safely evacuated from the breakwater, measures to minimise members of the public congregating on the breakwater should be adopted particularly during events.

## **4. Incorporation of requirements in the base design to provide fire resistance**

The following were agreed:

- 4.1. The main risks from the storage of hazardous substances at Stolthaven North are associated with a toxic release and not a hydrocarbon fire or flammable gas cloud. The current conditions include requirements to provide fire resistant walls, floors and roofs which related to the previous proposal where BST and the Stolthaven south site remained in operation, hence are no longer required.
- 4.2. Both parties were in agreement that the requirement to consider fire resistance to an external hydrocarbon fire and to have a sensor for toxic vapour release are not necessary for managing the risks from the Stolthaven North facility to the proposed bases.

## **5. Number of people at bases**

- 5.1. It was agreed that, based on the updated societal risk assessment, that up to 500 people at each base is acceptable.

**6. Potential for activities at bases to impact on the hazardous atmosphere zones**

- 6.1. Both parties agreed that it is unlikely that any activities undertaken on the bases could result in ignition of a flammable gas cloud from the Stolthaven North facility. There are no flammable gas clouds from Stolthaven north or the DG ship import operation identified in the QRA that would extend as far as the bases (even the northernmost Base C). The southern part of the remaining Stolthaven north site closest to the bases handles combustible products with no identified risk of forming flammable vapour clouds. The separation distances between the Stolthaven north facility and the required Hazardous Atmosphere Zones and separation distances under the Health and Safety (Hazardous Substance) Regulations will be maintained and are appropriate to manage any potential risks.

**7. Proposed consent conditions**

- 7.1. Both parties agreed that the following changes to the draft conditions are acceptable from a hazardous substances risk perspective:
- 7.2. Condition 170(a) and (b) can be deleted.
- 7.3. Condition 175(a)(ii) can be deleted.
- 7.4. Condition 171 can be amended to refer to 500 persons per base.
- 7.5. Condition 173 should be amended to include reference to both berthing of dangerous goods tankers and during events unless it can be demonstrated that the breakwater can be safely evacuated in the event of a toxic vapour release from Stolthaven North.
- 7.6. 183I should be amended to include methods to minimise public within Wynyard Point north of Silo Park during events including avoiding any events or activities which could encourage public to congregate while Stolthaven North is occupied.

**Dated** the 1 day of August 2018



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Rob Van de Munckhof



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Jenny Polich