

**UNDER** the Resource Management Act 1991 ("**RMA**")

**AND**

**IN THE MATTER** of a notice of requirement ("**NoR**") for a designation by KiwiRail Holdings Limited ("**KiwiRail**") for the Palmerston North Regional Freight Hub under section 168 of the RMA

## **JOINT WITNESS STATEMENT**

### **1. SUMMARY OF OUTCOMES**

- 1.1 The Council's and KiwiRail's planning, landscape and social impact experts met on 27 August 2021 to discuss KiwiRail's proposed Landscape and Design Plan.
- 1.2 There was general agreement between Council and KiwiRail's experts that there were a number of approaches or mechanisms that may achieve the outcomes being sought from the 'design framework' approach that had been proposed by Council's experts. KiwiRail's experts raised concerns regarding the term 'design framework'. Council's experts advised that such a framework was intended to address more than design and a different name for this document may be more appropriate.
- 1.3 KiwiRail's and the Council's experts did agree that the matters the Council witnesses suggested for the "design framework" could be covered in KiwiRail's proposed Landscape and Design Plan (LDP). It was recognised by all that changes would need to be made to the condition to achieve these outcomes.
- 1.4 The focus of the remainder of the discussion was on the content, development, and outcomes of the relevant plan.

#### **Integration**

- 1.5 Council's experts consider that if a standalone framework was not prepared, an initial 'intent and principles' process would need to be included in the LDP, which would set out the intent and importantly the role of the community, mana whenua and other stakeholders in developing that phase. KiwiRail's experts consider that this is already provided for in the proposed LDP which requires

the development of design principles and outcomes and requires KiwiRail to invite the CLF and mana whenua to provide feedback on the LDP, including in the development of the principles and outcomes.

- 1.6 The relationship of the LDP with other management plans (an integrated looking 'sideways' approach was discussed). KiwiRail experts consider that horizontal integration generates better outcomes than having an overarching document that all management plans should talk to because it may be necessary for other management plans to be progressed in parallel. The Council's experts consider 'sideways' or horizontal integration is possible, but risks potentially confusing the role of the design phases with the initial 'principles and intent' step, as well as being more complex. The Council experts prefer a hierarchical relationship between the initial principles and intent and the design phases.
- 1.7 Council's experts consider that if a 'sideways' integration approach was taken, links between management plans through cross-referencing would need to be strengthened and made more explicit.
- 1.8 Council's experts consider that the initial intent and principles process may be led or at least involve other relevant experts, not just the suitably qualified landscape expert (noting that who these experts are could be referred to in any condition but that further clarity would also be required where this initial 'principles and intent' phase is separated from those design aspects that would be led by a 'suitably qualified landscape expert'). KiwiRail experts acknowledge that there may need to be other experts involved in the development of aspects of the LDP that are relevant to other disciplines but that the suitably qualified and experienced person that is preparing the LDP would need to be the landscape expert as that is the focus of the LDP and mitigation.

#### **Scope of community inputs throughout the process**

- 1.9 Council and KiwiRail's experts agreed that their involvement / participation through the CLF would change from input on development of principles and intent of the design process as it integrates with community interfaces, through to review and feedback on how design matters are responding to these matters, once the principles and outcomes are established.
- 1.10 Council and KiwiRail's experts agreed that there should be clarity about what matters they get a say on (i.e. not KiwiRail's operational requirements) and when, and the matters that they may be restricted to providing comments on the details of the management plan.

### **Timing and delivery**

- 1.11 Council and KiwiRail's experts agreed that design principles and outcomes need to be set early in the process, preferably in the first version, but at least in advance of the detailed landscape design plans for any specific stage of the Project (e.g. to show how that these principles and intent will inform subsequent design stages).
- 1.12 The Council experts maintain the importance of this step being in advance of the development of other management plans, again to demonstrate how the established principles and intent are responded to in subsequent design / management plan development (e.g. noise mitigation and potentially transport mitigation plans). KiwiRail's experts consider that it may be necessary, and would be appropriate, for other management plans to be progressed in parallel.
- 1.13 Council and KiwiRail's experts agree that the conditions need to recognise the need for updates to the document over the life of the Project and provide a process for showing changes and why.

### **Certification**

- 1.14 Council and KiwiRail experts agree that the Council will not certify the content (as it relates to principles and outcomes), rather it will certify the process.

### **Conclusion**

- 1.15 Council's experts prefer that the above matters are addressed in conditions recognising the duration of a designation, the potential for stages of development to be led by different contractors / providers (which risks potential differences of approach between these different entities), and changes within the community. Council's experts maintain a preference for a standalone 'framework' which sets out the principles and outcomes, and which sits above the management plans, providing certainty and a common reference point as to what all management plans are working towards over time.
- 1.16 KiwiRail's experts do not consider that the 'framework' needs to sit above all management plans. KiwiRail's experts consider that a number of these matters are already covered by the LDP (as set out in KiwiRail's interim set of conditions dated 13 August 2021), but that there could be some further refinement to the LDP condition to provide greater clarity. KiwiRail's experts also consider that the requirement for an additional (standalone) document has greater potential to miss the consideration of important constraints and opportunities (that will derive from the development of other management


plans) and add to the complexity of the project for the community, when its purpose could be more simply achieved through the LDP.

**DATED: 27 September 2021**



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