

**BEFORE INDEPENDENT COMMISSIONERS  
AT PALMERSTON NORTH**

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

**AND**

**IN THE MATTER** of an application by KiwiRail Holdings Limited ("**KiwiRail**") under section 168 of the RMA for a Notice of Requirement for the Palmerston North Regional Freight Hub ("**Freight Hub**")

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**MEMORANDUM OF COUNSEL ON BEHALF OF KIWIRAIL HOLDINGS LIMITED  
REGARDING ADMINISTRATIVE MATTERS AND E-BUNDLES FOR HEARING**

**6 AUGUST 2021**

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**MAY IT PLEASE THE PANEL:****Introduction**

1. In advance of the hearing commencing next week, this memorandum provides an update on administrative matters.

**Documents and plans**

2. Counsel has compiled an electronic hyper-linked bundle of KiwiRail's primary and rebuttal evidence, enclosed for filing with this memorandum.
3. Counsel is also preparing a single plan bundle in consultation with the Council and KiwiRail experts, which contains the key plans that we anticipate will most often be referred to at the hearing. We will also provide hard copies of this bundle (A3, spiral bound) at the hearing for Panel members, submitters, and witnesses to use, as well as a USB Flash Drive containing an electronic copy of this plan set for the Panel.

**Visual simulations**

4. In response to the Panel's Second Minute, KiwiRail's landscape and visual expert Ms Rimmer has prepared visual simulations along Sangsters Road frontage, to provide the Panel with a visual representation of the potential earth bunding, noise barrier, and landscape planting. The visual simulations have been prepared to illustrate representative views of the Site from the eastern end of Sangsters Road, both 2-3 years and 5 plus years after planting. For comparative purposes, the existing view from 11 Sangsters Road, looking west towards the Site, has also been included.
5. We have enclosed an electronic copy of the simulations. These visuals will also form part of the plan bundle referred to in paragraph 3 to be provided at the hearing.

**Videoconferencing**

6. One of KiwiRail's economic experts, Mr Richard Paling, is presently located in the UK and will accordingly be providing his presentation via videoconference. Counsel respectfully requests that Mr Paling is able to present his evidence on Tuesday 10 August at 9am (as currently scheduled) due to the time differences. Counsel has been liaising with the Hearings Administrator to make the necessary technical arrangements for this occur.

**Legal submissions**

7. In accordance with the Panel's directions, counsel will be filing legal submissions by close of business today, along with an electronic bundle of legal authorities and documents referred to in the legal submissions.

**DATE:** 6 August 2021



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A A Arthur Young / L J Rapley  
**Counsel for KiwiRail Holdings Limited**