

**IN THE MATTER OF**      the Resource Management Act 1991  
**AND**

**IN THE MATTER OF**      A Notice of Requirement by KiwiRail  
for an alteration to Designation 6302 -  
Island Main Trunk line

### **DIRECTION 6 OF THE HEARING PANEL**

1. The Auckland Council (**Council**) has appointed independent hearing commissioners, Peter Reaburn, David Wren and Nigel Mark-Brown to the Hearing Panel (**Panel**) to hear and make recommendations to the requiring authority on the above NoR. The delegation to the Panel to hear and make recommendations is in terms of section 34A of the Resource Management Act 1991 (**RMA**).
2. As detailed in Direction #5 the adjourned hearing is to recommence at 9.30am on December 3 2021 using "remote access facilities" (Teams) pursuant to s39AA(2) of the RMA.
3. Since issuing that Direction we have received a further memorandum dated 25 November 2021 from KiwiRail's counsel. We are informed that agreement has not been reached with all parties on all matters. At the reconvened hearing counsel for KiwiRail intends to call each of the witnesses who appeared at the earlier hearing in July who will talk to the further information provided. It is suggested that submitters and the Council have the opportunity to comment on the further information. It is requested that KiwiRail's counsel file written closing submissions within two weeks from the reconvened hearing.
4. The Panel concurs that the requested process is appropriate. Pursuant to Section 41C of the RMA the Panel directs that the order of proceeding at the hearing will be:
  - the presentation of further information by KiwiRail and its witnesses;
  - any response to the further information by submitters;
  - any response to the further information by Council;
  - any final response by KiwiRail's counsel (with written closing submissions to be provided within two weeks from the reconvened hearing).
5. Any questions relating to this Direction and related matters should be sent through the Hearings Advisor, Mr Donovan at [bevan.donovan@aucklandcouncil.govt.nz](mailto:bevan.donovan@aucklandcouncil.govt.nz)



Peter Reaburn (Chair)  
for the Hearing Panel  
26 November 2021