

**IN THE ENVIRONMENT COURT  
WELLINGTON**

**ENV-2024-WLG-27**

**I MUA TE KOOTI TAIAO O AOTEAROA  
I TE WHANGANUI-Ā-TARA ROHE**

**IN THE MATTER** of the Resource Management Act 1991 ("**RMA**")

**AND**

**IN THE MATTER** of an appeal under clause 14 of Schedule 1 and  
section 274 of the RMA

**BETWEEN** **KĀINGA ORA – HOMES AND COMMUNITIES**

**Appellant**

**AND**

**WELLINGTON CITY COUNCIL**

**Respondent**

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**NOTICE OF KIWIRAIL HOLDINGS LIMITED'S INTENTION TO BE A PARTY TO  
PROCEEDINGS**

**11 JUNE 2024**

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**Russell  
McAugh**

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**TO:** The Registrar of the Environment Court at Wellington

KiwiRail Holdings Limited ("**KiwiRail**") wishes to be a party to an appeal by Kāinga Ora – Homes and Communities ("**Kāinga Ora**") against the decision of the Wellington City Council ("**Council**") on the proposed Wellington District Plan ("**Proposed Plan**").

**Nature of interest**

1. KiwiRail made a submission on the Proposed Plan.
2. KiwiRail is not a trade competitor for the purposes of section 308C, 308CA or 308D of the RMA.

**Extent of interest**

3. Kāinga Ora has appealed the decision of the Council to include a definition of "reverse sensitivity" within the Definitions Chapter of the Proposed Plan.
4. KiwiRail is interested in all of the proceedings.

**Relief sought**

5. KiwiRail opposes the relief sought by Kāinga Ora because it:
  - (a) will not promote the sustainable management of natural and physical resources within Wellington City, and is therefore consistent with Part 2 and other provisions of the RMA;
  - (b) will not meet the reasonably foreseeable needs of future generations;
  - (c) will not enable the social, economic and cultural wellbeing of the people of Wellington;
  - (d) will not facilitate the efficient use and development of natural and physical resources;
  - (e) will not avoid, remedy or mitigate actual or potential adverse effects on the environment; and
  - (f) is not the most appropriate way to achieve the objectives of the Proposed Plan in terms of section 32 of the RMA.

**Alternative dispute resolution**

6. KiwiRail agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**KIWIRAIL HOLDINGS LIMITED** by its solicitors  
and authorised agents Russell McVeagh:



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**Signature:** A A Arthur-Young / K L Gunnell

**Date:** 11 June 2024

**Address for Service:** C/- Sophie Browning  
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**TO:** The Registrar of the Environment Court at Wellington.

**AND TO:** The Appellant.

**AND TO:** The Respondent.