

**Before the Environment Court  
At Wellington  
I Mua I te Kōti Taiao  
Te Whanganui-a-Tara Rohe  
ENV-2024-WLG-000025**

**Under** the Resource Management Act 1991 (**RMA**)

**In the matter** of an appeal under clause 14 of Schedule 1 to the  
RMA

**Between** **Kiwirail Holdings Limited**  
**Appellant**

**And** **Wellington City Council**  
**Respondent**

---

**Notice of intention of Wellington Regional Council to become a party  
pursuant to section 274 of the RMA**

**Date: 6 June 2024**

---

**To** The Registrar  
Environment Court  
WELLINGTON

1 Wellington Regional Council (**WRC**) wishes to become a party to ENV-2024-WLG-000025 Kiwirail v WCC, being an appeal by Kiwirail Holdings Limited (**KiwiRail**) against parts of the decisions made by the Wellington City Council (**WCC**) on the Proposed Wellington City District Plan (**Decisions**).

2 WRC is a local authority under the Resource Management Act 1991 (**RMA**).

3 While WRC was a submitter on the Proposed Wellington City District Plan the matters raised in this appeal that WRC has an interest in are not a matter addressed by WRC's submission. WRC is therefore joining this appeal as a local authority in accordance with section 274(1)(b) of the RMA.

4 WRC is interested in the proceedings because they directly relate to matters in the Wellington Regional Policy Statement (**RPS**) and as the public transport authority responsible for public transport services in the Wellington region, the rail network directly impacts the functions of and services provided by WRC.

5 WRC is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

### **Proceedings**

6 WRC is interested in part of the proceedings. The part of the proceedings WRC is interested in are those parts that relate to the

setback distance along the railway corridor in the Mixed Use Zone, General Industrial Zone and Large Lot Residential Zone.

7 In particular, WRC is interested in the following issues:

7.1 The need to provide an adequate setback distance to enable safe management of the interface between operations with the railway corridor and activities that may occur near the boundary of adjoining land.

7.2 That the Decisions give effect to the Regional Policy Statement (**RPS**).

#### **Position on the relief sought**

8 Without limiting the scope of its interest in the proceedings as identified above, WRC supports in part the relief sought in paragraph 17(b) of the notice of appeal for the following reasons:

8.1 RPS Policy 8 seeks that district and regional plans include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure reverse sensitivity and enabling regionally significant infrastructure;

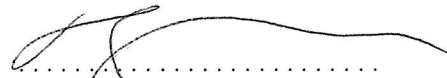
8.2 WRC agrees that reverse sensitivity from new urban development is an important issue to be managed by the district plan, and that the rail corridor must be able to be maintained and upgraded safely and efficiently; and

8.3 WRC is interested in refining the relief sought by Kiwirail with regard to setbacks at and around train stations.

**Mediation**

9 WRC agrees to participate in mediation or other alternative dispute resolution in the proceedings.

**Date:** 6 June 2024



.....  
Nicola Arnesen  
Policy Manager, Wellington  
Regional Council

Telephone: +64 21 583341

Email: nicola.arnesen@gw.govt.nz

This document is filed by Nicola Arnesen of Wellington Regional Council.

The address for service on the Wellington Regional Council is at:

Wellington Regional Council,  
100 Cuba Street, Te Aro,  
Wellington 6011

Documents for service on the Wellington Regional Council may be:

- Left at the above address for service, or
- Emailed to both nicola.arnesen@gw.govt.nz and josephine.knightmaclean@gw.govt.nz.

Please direct enquiries to:

Josephine Knight-Maclean  
Tel +64 21 437312  
Email josephine.knightmaclean@gw.govt.nz