

**IN THE ENVIRONMENT COURT
CHRISTCHURCH**

ENV 2025-CHC-000117

**I MUA TE KOOTI TAIAO O AOTEAROA
I TE ÔTAUTAHI ROHE**

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

AND

IN THE MATTER of an appeal under Clause 14 of Schedule 1 of the
RMA

BETWEEN **THE ROYAL FOREST AND BIRD PROTECTION
SOCIETY OF NEW ZEALAND INCORPORATED**

Appellant

AND

BULLER DISTRICT COUNCIL

GREY DISTRICT COUNCIL

WESTLAND DISTRICT COUNCIL

Respondents

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

2 FEBRUARY 2026

**Russell
McAugh**

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To: The Registrar of the Environment Court at Christchurch

KIWI RAIL HOLDINGS LIMITED ("KiwiRail") wishes to be a party to an appeal by The Royal Forest and Bird Protection Society of New Zealand Incorporated ("**Forest and Bird**") against parts of the decision of Buller District Council, Grey District Council and Westland District Council on the Proposed Te Tai o Poutini Plan ("**Proposed Plan**").

Nature of Interest

1. KiwiRail made a submission on the Proposed Plan and has an interest in the proceedings that is greater than the interest that the general public has as operator of the rail network in the West Coast region.
2. KiwiRail is not a trade competitor for the purpose of sections 308C or 308CA of the RMA.

Extent of Interest

3. KiwiRail is the State-Owned Enterprise for the management and operation of New Zealand's national railway network including within the districts subject to the Proposed Plan and a network utility operator for the purposes of the RMA and the Proposed Plan.
4. Forest and Bird has sought amendments and deletions to various provisions in the Proposed Plan, including policies and rules in Part 2 – District-Wide Matters. KiwiRail is interested in the parts of the proceeding relating to the proposed amendments to the Ecosystems and Indigenous Biodiversity Chapter.
5. KiwiRail opposes the relief sought to the extent that it does not adequately provide for the efficient operation, maintenance, repair, upgrading, and development of regionally significant infrastructure. Infrastructure is critical to the social and economic wellbeing of people and communities, and its continued operation, maintenance, repair, upgrading, and development needs to be provided for in the Proposed Plan.
6. KiwiRail considers the relief sought has the potential to constrain the ongoing efficient operation and future development of the rail network, which is regionally significant infrastructure.

Relief Sought

7. KiwiRail opposes the relief sought because it:

- (a) will not promote the sustainable management of natural and physical resources within the Buller District, Grey District and Westland District, and is therefore inconsistent 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 the Buller District, Grey District and Westland District;
- (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

8. 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



Signature:

L J E Rapley / K L Gunnell

Date:

2 February 2026

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