

**ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY
I MUA I TE KOOTI TAIAO O AOTEAROA
ŌTAUTAHI**

ENV-2026-CHC-043

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

In the matter of an appeal under clause 14 of the First Schedule of the of the
RMA

Between **KIWIRAIL HOLDINGS LIMITED**

 Appellant

And **TIMARU DISTRICT COUNCIL**

 Respondent

**NOTICE OF INTENTION BY PRIMEPORT TIMARU LIMITED TO BE PARTY TO
PROCEEDINGS**

Dated: 27 May 2026

BUDDLE FINDLAY

Barristers and Solicitors
Christchurch

Solicitor Acting: **Jenna Silcock / Cedric Carranceja**
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TO: The Registrar
Environment Court
CHRISTCHURCH

AND: The Appellant

AND: The Respondent

Notice of intention to be party to proceedings

1. PrimePort Timaru Limited (**PrimePort**) wishes to be a party to the appeal ENV-2026-CHC-043 – KiwiRail Holdings Limited v Timaru District Council in relation to the Proposed Timaru District Plan (**the Appeal**) under section 274 of the RMA.
2. PrimePort made submissions and further submissions about the subject matter of the proceedings.
3. PrimePort is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. PrimePort is interested in those parts of the Appeal that relate to the noise provisions of the Proposed Timaru District Plan, including NOISE-R11.

PrimePort's position on relief sought

5. PrimePort does not oppose the thrust of the relief sought in those parts of the Appeal that seek to amend the noise provisions of the Proposed Timaru District Plan to ensure adverse health and amenity effects on noise sensitive activities located nearby to the rail corridor are appropriately managed, and potential reverse sensitivity effects of rail operations are addressed.
6. However, PrimePort wishes to be a party to the proceedings to ensure any amendments made to the noise provisions will not cause problems with, reduce the effectiveness of, or otherwise undermine how they:
 - (a) manage adverse health and amenity effects on noise sensitive activities located nearby to the Port of Timaru and the Port Zone, including within the Port Noise Control Overlays; and
 - (b) address potential reverse sensitivity effects.

7. PrimePort has adopted the above position on the relief sought because managing noise sensitive activities located nearby to the Port of Timaru and the Port Zone, and addressing reverse sensitivity effects:
 - (a) is consistent with the matters contained in PrimePort's submissions and evidence presented as part of the Proposed Timaru District Plan process;
 - (b) is the most appropriate way to achieve the objectives and policies of the Proposed Timaru District Plan;
 - (c) is consistent with relevant planning documents including the Canterbury Regional Policy Statement; and
 - (d) promotes Part 2 of the RMA.

Mediation

8. PrimePort agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 27th day of May 2026



Cedric Carranceja

This document is filed by **Jenna Silcock and Cedric Carranceja**, solicitors for PrimePort Timaru Limited whose address for service is at the offices of Buddle Findlay, 83 Victoria Street, Christchurch 8013. Documents for service on the abovenamed may be left at that address or may be:

1. Posted to the solicitor at PO Box PO Box 322, Christchurch 8140, Christchurch 8013; or
2. Left for the solicitor at a document exchange for direction DX WX11135, Christchurch; or
3. Emailed to the solicitor at jenna.silcock@buddlefindlay.com / cedric.carranceja@buddlefindlay.com / amiria.bates@buddlefindlay.com.