

## Form 33 Notice of person's wish to be party to proceedings

[Section 274](#), Resource Management Act 1991

To  
the Registrar  
Environment Court  
Wellington

I, Waa Rata Estate, wish to be a party to the following proceedings:

- *Wellington City Council v Greater Wellington Regional Council and the Proposed Natural Resources Plan*

I am

- *a person who has an interest in the proceedings that is greater than the interest that the general public has in that the subject matter in that the appellants notice of appeal could have an influence on the provisions of the Proposed District Plan that relate to land owned by the Interested Party.*

I am not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.

The part of the proceedings I am interested in is:  
Refer attached table.

I am interested in the following particular issues:  
Refer attached table.

I support (*or oppose or conditionally oppose*) the relief sought because—  
Refer attached table.

I agree to participate in mediation or other alternative dispute resolution of the proceedings.

Signature of person wishing to be a party  
(*or person authorised to sign*  
on behalf of person wishing to be a party)



Date

Address for service of person wishing to be a party:

Telephone: 04-293-63-75

Fax/email: waa.rata@xtra.co.nz

Contact person: Marian Smith and Phil Stroud on behalf of Waa Rata Estate



### **Note to person wishing to be a party**

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or

- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under [section 281](#) of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* [form 38](#)).

Provisions in Notified Proposed Regional Plan	Part or parts of the proceedings you are interested in	Decision sought
<p><b>Definitions of surface water bodies and related matters ie ephemeral flow paths</b></p>	<ul style="list-style-type: none"> <li>• Wellington City Council has appealed definitions for types of water courses seeking clarity of the different types of water courses eg drains, ephemeral etc and clear rules relating to each type; and ‘ephemeral flow path’ to clarify heavy rain events.</li> <li>• Federated Farmers appeal ‘ephemeral flow path’ to to reinstate ‘does not have an active bed’, and clarify that water is ‘temporarily’ retained</li> </ul>	<p><b>Support</b> We are located in a high rainfall area and seek to ensure that definitions relating to surface water bodies, and ephemeral flow paths appropriately consider the context of hill country high rainfall environments on the western side of the Tararua Ranges. And any other consequential relief required.</p>
<p><b>Chapter 2 Interpretation: Natural wetland</b> Is a permanently or intermittently wet area, shallow water and land water margin that supports a natural ecosystem of plants and animals that are adapted to wet conditions, including in the beds of lakes and rivers, the coastal marine area (e.g. saltmarsh), and groundwater-fed wetlands (e.g. springs). <b>Natural wetlands</b> do not include:</p> <p>(a) damp <b>gully</b> heads, or wetted pasture, or pasture with patches of rushes, or</p> <p>(b) areas of wetland habitat in or around bodies of water specifically designed, installed and maintained for any of the following purposes:</p> <p>(i) water storage ponds for</p> <p style="margin-left: 20px;">a) public water supply, or</p> <p style="margin-left: 20px;">b) hydroelectric power generation, or</p> <p style="margin-left: 20px;">c) firefighting or</p> <p style="margin-left: 20px;">d) irrigation, or</p>	<ul style="list-style-type: none"> <li>• Landmatters appeals seeks to delete the note under the definition of ‘natural wetlands’ referring to all natural wetlands being ‘significant natural wetlands’</li> <li>• Federated farmers appeals ‘Significant Wetland and Natural Wetland’ to seek they be mapped, given the new note that states all wetlands are significant.</li> </ul>	<p><b>Support</b> Including all wetlands into the definition of significant wetland has the potential to include areas that are sodden and may have broad and unintended implications for what is captured by the definition. Needs to appropriately consider the context of hill country high rainfall environments on the western side of the Tararua Ranges. And any other consequential relief required.</p>

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<p>e) stock watering or (ii) water treatment ponds for a) <b>wastewater</b>, or b) <b>stormwater</b>, or c) nutrient attenuation, or d) sediment control, or e) <b>animal effluent</b>, or (iii) beautification, landscaping, amenity, or (iv) drainage.</p> <p>See also <b>significant natural wetland</b> and <b>outstanding natural wetland</b> 'Wetland' has the same meaning as in the RMA.</p>		
<p><b>Objective O28</b> </p> <p>The extent of <b>natural wetlands</b> is maintained or increased and their condition is restored.</p>	<ul style="list-style-type: none"> <li>Landmatters appeal seeking to amend O28 so that reference to <i>natural wetlands</i> is prefixed by the word <i>significant</i> or include the words following <i>natural wetlands having significant indigenous vegetation; or having significant habitats of indigenous fauna;</i></li> </ul>	<p><b>Support</b> Including all wetlands into the definition of significant wetland has the potential to include areas that are sodden and may have broad and unintended implications for what is captured by the definition. And any other consequential relief required.</p>
<p><b>Policy P40: Ecosystems and habitats with significant indigenous biodiversity values</b> </p> <p>Protect and restore the following ecosystems and habitats with significant indigenous biodiversity values:</p> <p>(c) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</p>	<ul style="list-style-type: none"> <li>Landmatters appeal seeking to delete the Note at the bottom of P40 that all natural wetlands in the Wellington Region are considered to be significant natural wetlands.</li> </ul>	<p><b>Support</b> Including all wetlands into the definition of significant wetland has the potential to include areas that are sodden and may have broad and unintended implications for</p>

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<p>(d) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</p> <p>(e) <b>significant natural wetlands</b>, including the <b>significant natural wetlands</b> identified in Schedule F3 (significant wetlands), and</p> <p>(f) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</p>		<p>what is captured by the definition. And any other consequential relief required.</p>

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<p><b>Policy P101: Management of riparian margins</b> </p> <p>In order to maintain or restore <b>aquatic ecosystem health</b> and natural character, and reduce the amount of sediments and nutrients entering <b>surface water bodies</b>, good management of riparian margins shall be encouraged including:</p> <p>(g) the exclusion of <b>livestock</b>, and</p> <p>(h) the planting of appropriate riparian vegetation, and</p> <p>(i) the management of pest plants and animals.</p>	<ul style="list-style-type: none"> <li>Landmatters appeals seeking to amend P102 so that reference to natural wetlands is prefixed by the word significant or include the words following natural wetlands having significant indigenous vegetation; or having significant habitats of indigenous fauna.</li> </ul>	<p><b>Support</b></p> <p>Including all wetlands into the definition of significant wetland has the potential to include areas that are sodden and may have broad and unintended implications for what is captured by the definition. And any other consequential relief required.</p>

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<p><b>Activities in beds of lakes and rivers</b></p> <p><b>Policy P102: Reclamation or drainage of the beds of lakes and rivers</b></p> <p>The reclamation or drainage of the beds of lakes and rivers and <b>natural wetlands</b> shall be avoided except where the reclamation or drainage is:</p> <p>(a) partial reclamation of a river bank for the purposes of flood prevention or erosion control, or</p> <p>(b) associated with a <b>qualifying development</b> within a <b>special housing area</b>, or</p> <p>(c) associated with a growth and/or development framework or strategy approved by a local authority under the Local Government Act 2002, or</p> <p>(d) necessary to enable the development, operation, maintenance and upgrade of <b>regionally significant infrastructure</b>, or</p> <p>(e) associated with the creation of a new river bed and does not involve piping of the river, and</p> <p>(f) in respect of (a) to (e) there are no other practicable alternative methods of providing for the activity, or</p> <p>(g) the reclamation or drainage is of an <b>ephemeral flow path</b>.</p> <p>For the purpose of this policy the piping or covering of a stream for a distance greater than that required to form a reasonable crossing point is considered to be reclamation of the river bed.</p>	<ul style="list-style-type: none"> <li>Wellington City Council appeal seeking better recognition of different nature of catchments</li> </ul>	<p><b>Support</b></p> <p>Including all wetlands into the definition of significant wetland has the potential to include areas that are sodden and may have broad and unintended implications for what is captured by the definition. And any other consequential relief required.</p>