

**Before the Hearing Panel
At Wellington**

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

In the matter of Proposed Natural Resources Plan for the Wellington Region
(Hearing stream 1 and 2)

Application for Extension of Time

Date: 14 September 2017



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MAY IT PLEASE THE PANEL:

- 1 The Wellington Regional Council (**Council**) requests an extension of time to respond to questions asked of Mr Paul Denton regarding regionally significant infrastructure and various matters in respect of the air quality hearing topic.

- 2 The basis for this request is that Mr Denton has been unwell. As a result, Mr Denton is no longer presenting his right of reply on the soil conservation topic this afternoon orally to the Panel. Instead it has been tabled with questions to follow at a later date.

- 3 At the same time as Mr Denton was to present on soil conservation, Mr Denton was to respond to several questions asked by the Panel during his right of reply presentation on the beneficial use topic (Hearing Stream 1) and the air quality topic (Hearing Stream 2).

- 4 As Mr Denton is no longer making an oral presentation today, he will respond to the Panel's questions in writing. He intends to do so by 5pm Friday 15 September 2017.

- 5 An extension from today until tomorrow at 5pm is therefore sought.

Assessment of application for extension

- 6 Under section 37 of the Resource Management Act 1991 (**RMA**), a time period specified in the RMA can be extended. The Panel has directed the provision of the response during his oral presentation on 14 September 2017.

- 7 Section 37A of the RMA states that that a time limit cannot be extended unless the decision maker has taken into account:
 - 7.1 the interests of any person who may be directly affected by the extension or waiver;

7.2 the interests of the community in achieving adequate assessment of the effects of a proposal; and

7.3 its duty to avoid unreasonable delay.

8 It is submitted that no person is directly affected by the extension. The extension is being sought for the provision of a Council Officer's response to oral questions asked during presentation of reply statements. There is no opportunity for any party to provide further response to the Council Officer's response whether it be on 14 September or 15 September.

9 It is in the interests of the community to ensure that the Panel has the best available information before it when it makes its decision on the proposed Plan. Allowing an additional delay will ensure the Panel's questions are comprehensively responded to.

10 The delay proposed is not unreasonable and would not, in our submission, delay the Panel's decision on the matter. It is entirely reasonable that a delay take place so that the Council can provide the Panel with a considered response.

Directions sought

11 The Council requests that the Panel grant the application for an extension of the time limit to file Mr Paul Denton's response to oral questions by 5pm 15 September 2017.

Date: 14 September 2017



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Kerry Anderson / Emma Manohar
Counsel for Wellington Regional Council