

**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 4)

Application for Extension of Time

Date: 15 March 2018



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MAY IT PLEASE THE PANEL:

1 The Wellington Regional Council (**Council**) requests an extension of time to file and circulate its right of reply for Hearing Stream 4 (**HS4**). That right of reply covers the following topics:

1.1 Water Quality - author Rachel Pawson, Michelle Conland, Barry Loe and Tim Blackman;

1.2 Stormwater - author Ms Amber Carter; and

1.3 Wastewater to Water - author Ms Yvonne Legarth.

Basis for request

2 The basis for this request is that the significance and complexity of the issues, the volume of evidence provided by submitters and the questions that arose throughout the hearing have necessitated additional time being required for the preparation of the right of reply.

3 The Council is currently due to file and circulate its right of reply on Wednesday, 4 April 2018. The Council seeks that an extension until Friday, 27 April 2018 is granted for filing of the written reply. The Council is tentatively scheduled to present the reply to the Panel at the end of April. The Council seeks that this date be moved to Wednesday, 16 – Friday, 18 May 2018 (in Wellington).

Assessment of application for extension

4 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 right of reply on Wednesday, 4 April 2018 under section 41B of the RMA.

5 Section 37A of the RMA states that that a time limit cannot be extended unless the decision maker has taken into account:

5.1 the interests of any person who may be directly affected by the extension or waiver;

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

5.3 its duty to avoid unreasonable delay.

6 It is submitted that no submitters are potentially directly affected by the extension. This extension deals with the Council's right of reply, which is filed after all evidence from submitters has been presented. No submitter has any additional right to provide further evidence or response to the Council's reply.

7 It is in the interests of the community to ensure that the Panel has before it a comprehensive right of reply. This will enable an adequate assessment of the effects of the proposal to be considered by the Panel.

8 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 careful assessment. That delay does not impact on the currently proposed hearing timetable.

Directions sought

9 The Council requests that the Panel:

9.1 grant the application for an extension for filing the written reply for HS4 to Friday, 27 April 2018; and

9.2 grant the application to reschedule presentation of the right of reply on HS4 to Wednesday, 16 – Friday, 18 May 2018 (in Wellington).

Date: 15 March 2018

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Kerry Anderson / Kate Rogers
Counsel for Wellington Regional Council