

**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 5)

Application for Extension of Time

Date: 23 May 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 5 (**HS5**). That right of reply covers the following topics:

1.1 Beds of lakes and rivers – author Pam Guest.

1.2 Wetlands and biodiversity – author Pam Guest.

1.3 Discharges to land – author Barry Loe.

2 The Council is currently due to file and circulate its right of reply on Tuesday 5 June 2018. The Council seeks that an extension until Wednesday 13 June 2018 is granted for filing of the written reply. The Council is scheduled to present the reply to the Panel on Monday 18 and Tuesday 19 June 2018.

Basis for request

3 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.

4 Mr Loe has also been involved in providing reports for Hearing Stream 4 and Hearing Stream 6, whilst also preparing right of reply for Hearing Stream 5. Ms Guest is preparing two reports for Hearing Stream 5. Most reporting officers have prepared only one report per hearing stream.

Assessment of application for extension

5 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 Tuesday 5 June 2018 under section 41B of the RMA.

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

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

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

6.3 its duty to avoid unreasonable delay.

7 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.

8 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.

9 The delay is not unreasonable and would not, in our submission, delay the Panel's decision on the matter. The delay was required so that the Council could provide the Panel with a careful assessment. That delay does not impact on the currently proposed hearing timetable.

Directions sought

10 The Council requests that the Panel grant the application for an extension for filing the written reply for HS5 from Tuesday 5 June 2018 to Wednesday 13 June 2018.

Date: 23 May 2018

A handwritten signature in black ink, consisting of a large, stylized initial 'K' followed by a horizontal line that ends in a sharp, pointed flourish.

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Kerry Anderson / Kate Rogers
Counsel for Wellington Regional Council