

**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 6)

Application for Extension of Time

Date: 19 April 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 section 42A reports and supporting evidence for Hearing Stream 6 (**HS6**). Those reports are as follows:

1.1 Section 42A report – Management of the Coastal Marine Area - author Mr Paul Denton;

1.2 Section 42A report – Activities in the Coastal Marine Area – author Mr Tim Blackman;

1.3 Section 42A report – Significant historic heritage values - author Ms Yvonne Legarth;

1.4 Section 42A report – Natural hazards – author Mr Richard Sheild;

1.5 Section 42A report – Contaminated land and hazardous substances – author Mr Barry Loe; and

1.6 Section 42A report - Community drinking water supplies – author Mr Barry Loe.

Basis for request

2 The basis for this request is that the significance and complexity of the issues, and the volume of evidence provided by submitters have necessitated additional time in the preparation of the reports. This, combined with the involvement of Mr Loe in prior hearing streams, has resulted in the extension now being sought.

3 The Council is currently due to file and circulate its S42A Reports and supporting evidence for Hearing Stream 6 on Monday 30 April 2018. The

Council seeks that an extension until Friday 4 May 2018 is granted (being four working days)

4 The Council seeks that the same 4 working day extension be provided to submitters who intending to file evidence in Hearing Stream 6. This would extend the relevant date from 14 May 2018 to 18 May 2018.

5 It is considered that no extension to the commencement of Hearing Stream 6 is required, it can proceed as currently scheduled, on 29 May 2018.

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 section 42A reports by Monday 30 April 2018 under section 41B of the RMA.

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 submitters preparing to provide evidence at, or otherwise attend Hearing Stream 6 are potentially directly affected by the extension. However, as the Council is also seeking the same length of extension for the production of submitters' evidence, and no change to the hearing date, the effects of the extension are considered to be acceptable.

9 It is in the interests of the community to ensure that the Panel has before it completed section 42A reports and supporting evidence. This will enable

an adequate assessment of the effects of the proposal to be considered by the Panel.

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

Directions sought

- 11 The Council requests that the Panel:
- 11.1 grant the application for a 4 working day extension of the time limit to file its section 42A reports and supporting evidence for Hearing Stream 6, from Monday 30 April 2018 to Friday 4 May 2018; and
 - 11.2 grant the application for a corresponding extension of the time limit for submitters to file their evidence for Hearing Stream 6, from 14 May 2018 to 18 May 2018.

Date: 19 April 2018



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Kerry Anderson / Kate Rogers
Counsel for Wellington Regional Council