

**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

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**Application for Extension of Time**

Date: 30 August 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 the outcome of conferencing directed in Minute #54.
- 2 On 2 August 2018 the Panel issued Minute #54. In Minute #54 the Panel directed conferencing between Mr le Marquand, Ms Legarth and Mr Denton on the rule cascade for structures in the Coastal Marine Area.
- 3 The panel directed that the outcome of conferencing be reported back to the Panel by 5pm, Friday 31 August 2018.
- 4 Conferencing has occurred, and Mr le Marquand, Ms Legarth and Mr Denton are working on their reporting to the Panel.
- 5 However, Ms Legarth has suffered a bereavement. Accordingly, the Council seeks an extension for the reporting to the Panel, to **Tuesday 4 September 2018**.

**Assessment of application for extension**

- 6 Under section 37(1)(a) of the Resource Management Act 1991 (**RMA**), a time period specified in the RMA can be extended, whether or not the time period has expired. Under section 37(1)(b) the failure to comply with a time or method of service of documents can be waived.
- 7 Section 37A of the RMA states that that a time limit cannot be extended or compliance waived 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 submitters are potentially directly affected by the waiver or extension. This application reporting arising from conferencing. The conferencing occurred 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.

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

10 The delay is not unreasonable and would not, in our submission, delay the Panel's decision on the matter. The delay is required so that the Council could provide the Panel with a careful report. That delay does not impact on any hearing, as there is no further hearing on this matter scheduled before the Panel.

**Directions sought**

11 The Council requests that the Panel grant the application for an extension for filing the reporting arising from conferencing from Friday 31 August to Tuesday 4 September 2018.

**Date:** 30 August 2018



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Kerry Anderson / Kate Rogers  
Counsel for Wellington Regional Council