

**IN THE ENVIRONMENT COURT
WELLINGTON REGISTRY**

ENV-2019-WGN-

IN THE MATTER of Resource Management Act 1991 (“the Act”)

AND

IN THE MATTER of an appeal under clause 14(1) of the First Schedule of the Act

BETWEEN **FIRST GAS LIMITED**

Appellant

AND **GREATER WELLINGTON REGIONAL COUNCIL**

Respondent

**APPLICATION FOR WAIVER OF THE PERIOD WITHIN WHICH NOTICE
OF APPEAL IS TO BE LODGED**

Dated: 19 September 2019

Govett Quilliam
THE LAWYERS

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TO: The Registrar
Environment Court
WELLINGTON

1. First Gas Limited ("First Gas") lodged a notice of appeal relating to part of the decision of the Greater Wellington Regional Council on the Proposed Natural Resources Plan on 18 September 2019 at 5.17pm.
2. The Environment Court's directions in its decision of 26 July 2019 specified that any appeals were to be lodged with the Court by 5pm on 18 September 2019, and accordingly First Gas' notice of appeal was filed 17 minutes out of time.
3. First Gas applies for a waiver under section 281 of the Resource Management Act 1991 in respect of the time limit for lodgement of the notice of appeal.
4. The waiver is sought on the grounds that:
 - 4.1 No party will be unduly prejudiced by granting the waiver; and
 - 4.2 The delay in filing the notice of appeal was minor.
5. Accordingly, it is submitted it is appropriate that the Court exercise its discretion to grant the waiver.

DATED at New Plymouth this 19th day of September 2019



L P Wallace / R E Eaton
Counsel for First Gas Limited