

**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: 9 May 2018



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MAY IT PLEASE THE PANEL:

- 1 The Wellington Regional Council (**Council**) requests a waiver to the date on which it was to file and circulate a section of its right of reply for Hearing Stream 4 (**HS4**).
- 2 The HS4 Reply to be filed on Friday 4 May 2018. All section 42A Reports were completed and filed on that date except the section of the reply regarding water quality which is authored by Ms Pawson.
- 3 The Council requests waiver to enable Ms Pawson to file her section of the reply on Wednesday 9 May 2018.

Basis for request

- 4 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.

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.
- 6 Section 37A of the RMA states that 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 waiver to enable Ms Pawson's sections of the written reply for HS4 to be filed on Wednesday 9 May 2018.

Date: 9 May 2018



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Kerry Anderson / Kate Rogers
Counsel for Wellington Regional Council