

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource Management Act 1991 ('the Act')  
**AND**

**IN THE MATTER** of the Queenstown Lakes Proposed District Plan: Hearing Stream  
07-Chapter 37 designations

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**COMMISSIONERS MINUTE RELATING TO THE NEW ZEALAND TRANSPORT AGENCY (719)  
SUBMISSION**

Date: 11 October 2016

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## Introduction

- 1 I have read those parts of the section 42A report prepared by Rebecca Dawn Holden dated 23 September 2016 relating to the New Zealand Transport Agency (NZTA) designations, the outline of legal submissions of Nicky McIndoe on behalf of NZTA, and the synopsis of legal submissions for the District Council from Mr Winchester. Following this review, I am interested in understanding whether or not the filing of a late submission by NZTA might be an alternative means of addressing the errors or omissions detailed within the section 42A report and the legal submissions.
- 2 I have in a preliminary way considered whether or not sections 37 and 37A are available to utilise in the circumstances detailed in the report and submissions I have referred to above.
- 3 While I have yet to hear from any party on this issue, in a preliminary way I consider that an extension of time exceeding twice the maximum time period specified in the RMA may be granted if requested by a requiring authority, provided that the interests of any person who may be directly affected by the extension; the interests of the community; achieving adequate assessment of the effects of a Plan; and the duty to avoid unreasonable delay are properly taken into account.
- 4 However there may very well be an argument on the availability of an extension under section 37 or there may be reasons that I am currently unaware of as to why s37 has not been utilised to date.
- 5 So to assist I invite the parties described above to consider whether or not section 37 is available and if it is do the parties wish to make use of it and if so what are their views relating to the relevant matters to be taken into account before such an extension is granted.

For the Hearing Panel



Paul Rogers  
Commissioner  
11 October 2016