



Waiver of Time Limit

Sections 37 and 37A, Resource Management Act 1991 (RMA)

Application Number: U190438
Applicant: The New Zealand King Salmon Co Limited
Location: North of Cape Lambert
Description of Activity: To establish and operate new salmon farms within a 1791 hectare site located between 5 kilometres and 12 kilometres due north of Cape Lambert.
Date Application Lodged: 5 July 2019

1. Waiver of Time Limit **[Section 37(1)(b)]**



This decision relates to the power to waive a failure to comply with a requirement under the RMA for the time of service of documents.

2. Nature of Waiver **[Section 37A(1)]**



The relevant time limit applies in respect of the closing date for the McGuiness Institute to serve a submission on Marlborough District Council in the matter of resource consent application U190438, publicly notified on 18 October 2019.

3. Matters to Take Into Account **[Section 37A(1)]**

Who may be directly affected by the waiver and what are their relevant interests? [section 37A(1)(a)].

Applicant – avoiding an unduly lengthy and expensive application process.

Te Ohu Kaimoana – having adequate time to make an informed assessment of, and a meaningful submission on, the application.

Would the waiver promote the interests of the community in achieving adequate assessment of the effects of the proposal? [section 37A(1)(b)].

Yes – the waiver would provide adequate additional time for iwi to make an informed assessment of the application and to have meaningful input on Te Ohu Kaimoana's submission on the application.

Would granting the time waiver result in an unreasonable delay? [section 37A(1)(c)].

No, Te Ohu Kaimoana has undertaken to lodge its submission by the end of 20 December, which is reasonable given the circumstances described.

4. Time Limit to be Waived



Section 97(2) – 40 working day time limit for submissions (previously extended from 20 days under record number 19231389.

5. Persons to be Notified of Time Extension

[Section 37A(6)]

I consider the following person(s) to be directly affected by the extension of the time period and are therefore to be notified of the extension:

List person(s) to be notified of time extension:

Agent
Te Ohu Kaimoana

Decision

Recommended for approval:



Senior Resource Management Officer

16 December 2019

Date

Approved:



Manager Resource Consents

Acting under delegated authority

16 December 2019

Record No: 19279017