

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KOOTI TAIAO O AOTEAROA
KI OTAUTAHI**

IN THE MATTER

of the Resource Management Act 1991

AND

appeals under clause 14 of the First Schedule of the Act

BETWEEN

WILKINS FARMING CO LIMITED

Appellant:

ENV-2018-CHC-000030

Section 274 Party:

ENV-2018-CHC-000044

ENV-2018-CHC-000045

AND


SOUTHLAND REGIONAL COUNCIL

Respondent

AFFIDAVIT OF SEAN PATRICK WILKINS

5 NOVEMBER 2021

Counsel instructed:
B S Carruthers
Shortland Chambers
P +64 21 685 809
PO Box 4338
Auckland 1140


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I, SEAN PATRICK WILKINS, farmer of Southland swear:

1. I am authorised to give this affidavit on behalf of Wilkins Farming Co Limited (**Wilkins**).
2. In 2015 Wilkins provided feedback on the draft Water and Land Plan prior to its notification. I prepared this feedback on behalf of Wilkins. This feedback related, in part, to the dramatic restriction on Intensive Winter Grazing (**IWG**) proposed in the draft.
3. In August 2016 Wilkins filed a submission on the proposed Southland Water and Land Plan (**pSWLP**). I prepared this submission on behalf of Wilkins. Among other things, the submission:
 - (a) Noted that our earlier feedback on the draft had not been responded to;
 - (b) Opposed the restrictions on IWG, which at that time were proposed to be 20ha or 50ha per landholding depending on physiographic zone;
 - (c) Requested any restrictions only occur once it was established that the intended regulation would achieve a better outcome, with a focus on water quality and nutrient leaching rather than ha per landholding; and
 - (d) Requested that if a percentage of landholding was to be adopted, the percentage should be in the realm of 30-40%.
4. The Council's decision on submissions imposed a restriction of 15% or 100ha whichever is the lesser, regardless of physiographic zone
5. This part of the decision was initially appealed by
 - (a) Campbell's Block Limited (ENV-2018-CHC-000044)
 - (b) Robert Grant (ENV-2018-CHC-000045)
 - (c) Stoney Creek Station; and
 - (d) Te Anau Downs Station.
6. Wilkins filed s274 notices in support of these four appeals. I prepared the s274 notices. For each of the four appeals, Wilkins supported the requests to amend Rule 20(a)(iii)(1) as follows:



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from 1 May 2019, intensive winter grazing does not occur on more than 15% of the area of the landholding or 100 hectares, whichever is the lesser area;

- 7. I received notice when Stoney Creek Station and Te Anau Downs Station advised the Court they wished to withdraw their respective appeals. Wilkins did not oppose the withdrawal as the other two appeals remained.
- 8. In October 2021 I received notice that Robert Grant and Campbell's Block wished to withdraw the last remaining appeals seeking to delete "or 100 hectares, whichever is the lesser area" from Rule 20(a)(iii)(1).
- 9. Wilkins wishes to step into the shoes of these appellants and continue to pursue this request. For this reason, Wilkins opposes the withdrawal of the parts of the appeals seeking to amend Rule 20(a)(iii)(1). Wilkins does not oppose the withdrawal of the remainder of the appeals.

Sworn at **BALFOUR**

this **05** day of November 2021

before me: **ALEXANDER WILLIAM ROBB J.P. 2148**
aw Robb



Sean Patrick Wilkins

On behalf of Wilkins Farming Co Limited

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