

RESOURCE CONSENT HEARING

WORLDWIDE ONE LIMITED

Minute 2: Suspension of Processing of Application and Hearing pursuant to
Section 91A Resource Management Act 1991 ("the Act")

Background

1. Independent Hearings Commissioners Hamish Lowe (Chair), Jayne Macdonald and Grant Hubber are appointed by Environment Southland to hear and make the decision on the resource consent by Woldwide One Limited seeking:
 - (a) Land Use Consent to increase cow numbers;
 - (b) Discharge Permit to discharge dairy shed and wintering barn effluent to land from up to 800 cows by travelling irrigator; and
 - (c) Water Permit to take up to 91,000 litres per day of groundwater from a bore in the Waimatuku Groundwater Zone (APP-20171445).
2. The hearing is set to commence at 10.00 am on 5 April 2018 at Environment Southland and evidence has been exchanged in accordance with the timetable directions given in our first minute.


Request to have processing of application suspended

3. On the morning of Friday 23 March 2018 the Applicant lodged with the Council an application pursuant s91A of the Act to suspend the processing of the application. A copy of the application to suspend processing is attached to this minute.
4. s91A(2) provides for an applicant to apply to suspend the processing of a consent application at any time starting when an application is notified and ending when the when the hearing is completed. While no reasons are required in support of an application under s91A, the reasons given in this instance are that a significant error has occurred in the assessment of the lawfully existing environment.
5. s91A(1) is to the effect that the consent authority **must** suspend the processing of a notified application when a request is received in accordance with s91A.
6. In accordance with to s91A(5) and acting pursuant to the delegated authority given to us by the Council, the consent authority hereby gives written notice to that applicant that the date on which the suspension of **APP-20171445** starts is 23 March 2018.

7. **As a consequence the hearing scheduled to commence at 10.00 am on Thursday 5 April 2018 will no longer take place.**

When suspension of processing recommences

8. At this time the applicant is unable to advise an estimate of the time that may be required before requesting recommencement of processing pursuant to s91B(2) of the Act. The Panel does note however that a suspension cannot last indefinitely¹.

pp 
Hamish Lowe
Chair

23 March 2018

¹ Section 91C requires a consent authority to either return the application to the applicant or continue to process the application if 130 working days or more have lapsed from commencement of the suspension
JEM-398494-16-21-V2:JEM

**A HEARING BEFORE
ENVIRONMENT SOUTHLAND**

Under An application under the Resource Management Act
APP-20171445

Applicant **WORLDWIDE ONE LIMITED
ABE AND ANITA DE WOLDE**

APPLICATION TO SUSPEND PROCESSING UNDER S91A

23 March 2018

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- 1 In accordance with s91A the Applicant, Woldwide One Ltd, seeks that the processing of resource consent application **APP-20171445**, seeking land use consent, a water permit and a discharge permit, currently set down for a hearing on 5 April 2018 ("the Application"), be suspended.

- 2 The request is made on the basis of the following:
 - 2.1 In accordance with s91A(2), in that the application has been notified, but the hearing is yet to be held;
 - 2.2 In accordance with s91A(3)(c), no working days have been excluded from the time limits in s88B;
 - 2.3 Under s91A(1) suspension is obligatory given the lodgement of this request in accordance with s91A.

- 3 The reasons for the request are:
 - 3.1 In preparing expert evidence for the hearing, it has become evident that a significant error has occurred with the assessment of the lawfully existing environment. Matters beyond the jurisdiction of the hearing panel have arisen in this context.
 - 3.2 It is considered more appropriate and transparent if those matters are addressed before any decision is made on the current application.

- 4 For completeness it is recorded that the Applicant retains the right under s91B(2) to end the suspension.

Dated 23 March 2018



J M van der Wal

Solicitor for the Applicant