

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

IN THE MATTER of the Resource Management Act 1991

AND an appeal under clause 14 of the First
Schedule of the Act

BETWEEN WILKINS FARMING CO LIMITED

(ENV-2018-CHC-30)

Appellant

AND SOUTHLAND REGIONAL
COUNCIL

Respondent

**MINUTE OF THE ENVIRONMENT COURT
Adjournment of preliminary issue for determination
(24 August 2022)**

[1] By consent, the appeal on Topic B1 (concerning Policy 42 and Appendix L.5), together with the hearing into a preliminary legal issue was adjourned. The adjournment was granted without the court hearing the evidence or submissions filed in relation to the preliminary issue.

[2] The adjournment is to allow time for the Regional Council to progress a review, currently underway, of resource consents authorising the abstraction of water from a waterbody that is overallocated under the pSWLP and in *possible*



contravention of a Water Conservation Order.¹

[3] We agree with the parties' view that there is little or no utility in pursuing a ruling on whether the court has jurisdiction (scope) to consider amended relief proposed by Wilkins in October 2021 at this point in time.

[4] The hearing is adjourned until **Friday 24 February 2023** and the parties are directed to file a memorandum on or before that date reporting on the progress of the consent review and secondly, proposing further directions as may be required to resolve the B1 topic.

[5] Leave is reserved for the parties to seek further (or other) directions.

Jave 3.



J E Borthwick
Environment Judge

Issued: 24 August 2022

¹ Wilkins does not accept that its consents are in contravention of the Water Conservation Order.