

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of applications by Tegel Foods Limited for resource consents to develop and operate a free-range broiler farm at 5763 and 5802 State Highway 12, Arapohue, Dargaville

**BEFORE** Hearing Commissioners for the **Northland Regional Council** and the **Kaipara District Council** (joint Consent Authorities)

---

**Minute # 3 of the Hearing Commissioners**

---

**Introduction**

1. The purpose of this Minute is to inform the hearing parties that the Northland Regional Council and the Kaipara District Council (the joint Consent Authorities) have suspended the processing of the applications by Tegel Foods Limited for resource consents for to develop and operate a free-range broiler farm at 5763 and 5802 State Highway 12, Arapohue, Dargaville. This suspension was requested by the Applicant in accordance with section 91A of the Resource Management Act 1991 as outlined in the Memorandum of Counsel dated 18 July 2018, a copy of which is attached to this Minute.
2. The hearing scheduled to commence at 9am on Wednesday 8 August 2018 is therefore postponed until further notice.
3. If any party wishes to seek further clarification around this Minute or the suspended hearing process, please contact Ms Sluys in the first instance by email at [alissas@nrc.govt.nz](mailto:alissas@nrc.govt.nz) or by phone on 0800 002 004.

**DATED** this 25<sup>th</sup> July 2018



Sharon McGarry  
Independent Hearing Commissioner (Chair)

On behalf of Independent Hearing Commissioners  
Dr Rob Lieffering  
Mr Reginald Proffit  
Mr Mark Farnsworth

Before the Commissioners  
Appointed by Northland Regional Council  
And Kaipara District Council

---

Under The Resource Management Act 1991

In the matter of An application by **Tegel Foods Limited** for resource consents to develop and operate a free range broiler farm at 5763 and 5802 State Highway 12, Arapohue, Dargaville.

---

**Memorandum of Counsel**

18 July 2018

---

**Solicitors**

Anderson Lloyd  
M A Baker-Galloway  
Level 2, 13 Camp Street, Queenstown 9300  
PO Box 201, Queenstown 9348  
DX Box ZP95010 Queenstown  
p + 64 3 450 0700 | f + 64 3 450 0799  
maree.baker-galloway@al.nz | [rosie.hill@al.nz](mailto:rosie.hill@al.nz)

**anderson  
lloyd.**

**MAY IT PLEASE THE PANEL**

- 1 This Memorandum of Counsel is prepared on behalf of the Applicant, Tegel Foods Limited.

**Request for processing of application to be suspended**

- 2 The section 42A reports from the Northland Regional Council and Kaipara District Council were received on Tuesday 16 July. The Reports contained a constructive assessment of the Application and in particular raised some issues that require further work. In order to respond to some of the constructive points raised, more time is required to obtain the information required to address those points and ensure the Commissioners have the best available information to hand, in order to assess the merits of the Application.
- 3 Therefore in accordance with section 91A of the Resource Management Act 1991 (**Act**), the Applicant formally requests that the processing of the Application be suspended as at the date of this Memorandum, the corresponding directions in respect of evidence placed on hold, and the hearing date vacated until such time as the Applicant provides notice the suspension can be ceased in accordance with section 91B.
- 4 Section 91A provides that the consent authority must suspend the processing of a notified application when a request is received in accordance with that section, prior to the end of the hearing.<sup>1</sup>
- 5 Counsel notes that none of the further preclusions within section 91A(3) apply in this instance to prevent the Application being suspended at the Applicant's request.

**Dated this 18th day of July 2018**



Maree Baker-Galloway

Counsel for the Applicant

---

<sup>1</sup> Section 91A(1) RMA