

HEARING MINUTE 1

POPUANUI CHICKENS LIMITED APPLICATION FOR SUBDIVISION AND LAND USE CONSENT SUB21/47978 & LUC26/48992

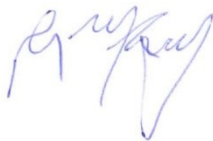
Response to Memorandum from Counsel for the Applicant

1. I have reviewed a memorandum from Counsel for the Applicant dated 4 June 2026 (the Memorandum'), seeking adjournment of the hearing.
2. The Memorandum is seeking an adjournment of the hearing currently scheduled for 10 June 2026 to a new hearing date on or about 1 July 2026.
3. I find that in the circumstances, and for the reasons set out in the Memorandum, that an adjournment is appropriate. I also note that the Applicant proposes to file additional evidence and legal submissions at least 5 days prior to the revised hearing date.
4. I have asked the New Plymouth District Council ('NPDC') Acting Manager Governance, Ms Kelly, to canvas the availability of the parties involved in the hearing for a new hearing date. I am advised that the section 42A report author, Ms Laurenson, has prearranged leave that would not enable a new hearing date at the start of July 2026.
5. Having conferred with Ms Kelly, regarding logistical arrangements, a new hearing date is set for 21 July 2026. Pursuant to section 41B of the Resource Management Act 1991 ('RMA') I direct that additional briefs of evidence from the Applicant be provided no later than midday 3 July 2026 (10 working days prior to the hearing) and that as offered in the Memorandum, the Applicant's legal submissions be provided by midday 13 July 2026 (5 working days prior to the hearing).

Additional Direction Pursuant to Section 42A of the RMA

6. Following my review of the information provided for the hearing to this point, I make the following direction pursuant to section 42A of the RMA. Ms Laurenson is to provide an addendum to her section 42A Report, to provide further clarification to paragraphs 9.29, 9.30 and 9.44 of her opinion on the potential direct effects from the operation of the poultry farm on the future residents of Lots 1, 2, and 4.
7. Specifically, I direct that Ms Laurenson provide:
 - a. An overview of any information held by NPDC and relevant to this application, on:
 - i. The rationale for the 400m setback between dwellings and intensive indoor primary production structures in rule SUB-S2 of the Partly Operative District Plan. For example, any information documented during the proposed district plan process identifying the likely nature of adverse effects anticipated on residents within 400m, or lesser distances, from a poultry farm.

- ii. Specific instances of odour or noise complaints from nearby residents relating to a poultry farm of similar scale, and where the proximity of the residents to the poultry farm is similar to that which may result from this application.
 - iii. If there is no specific information on the potential effects of poultry farms provided as part of the proposed district plan process, or no record of complaints from similar situations, simply record that is the case.
 - b. Further comment relevant to the specific circumstances of the site as to the likely nature of adverse effects from the proximity of the poultry farm structures on future residents.
- 8. My expectation is that this addendum would be no more than 2 pages in length (excluding appendices if there is relevant information from the proposed district plan review process). Ordinarily the section 42A Report, or in this case Addendum to it would be required 15 working days prior to the hearing, however as I understand that Ms Laurenson is on leave at that time, I direct that the section 42A Report Addendum be provided by midday on 19 June 2026.



Philip McKay
Independent Commissioner
On behalf of New Plymouth District Council

Dated: 8 June 2026