

**From:** [Assistant](#)  
**To:** [info](#)  
**Cc:** [Simone Williams](#)  
**Subject:** External Sender: Resource Consent Application - 582 Parallel Road, Cambridge  
**Date:** Thursday, 23 June 2022 4:28:21 pm

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Hi there,

Please find attached resource consent application on behalf of Kiwifruit Investments Limited for a Retrospective land Use consent at 582 Parallel Road, Cambridge.

Included in this application is an assessment of environmental effects, the application form, followed by the following information that can be accessed via the link below:

- Appendix 1: Certificate of Title
- Appendix 2: Site Plans
- Appendix 3: Waipa District Council rule assessment
- Appendix 4: Written Approvals

OneDrive Link: [582 Parallel Road, Cambridge](#)

Should you need any further information please contact Simone Williams in the first instance either by email, [SimoneW@barker.co.nz](mailto:SimoneW@barker.co.nz), or phone, 0272543779.

As per the application form, all invoices should be made out to the applicant.

Ngā mihi | Kind regards

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LEO ARCHER  
Assistant  
[09 375 0900](tel:093750900)  
[assistant@barker.co.nz](mailto:assistant@barker.co.nz)

PO Box 1986,  
Shortland Street, Auckland 1140  
Level 4, Old South British Building,  
3-13 Shortland Street, Auckland

Kerikeri, Whangarei, Auckland,  
Hamilton, Napier, Wellington,  
Christchurch, Queenstown

[barker.co.nz](http://barker.co.nz)



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# Resource Consent Application Form

Section 88 of the Resource Management Act 1991 (RMA). This form provides us with your contact information and details about your proposal. Please print clearly and complete all sections.

## Note to Applicant:

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

**To:** Name of Council that is the consent authority for this application: Waipa District Council

## Type of resource consent being applied for:

- Land use
  Subdivision
  Combined land use and subdivision

## Activity Status

- Controlled
  Restricted Discretionary
  Discretionary
  Non-complying
  I don't know

## Fast Track Resource Consent

The Resource Management Act 1991 provides for land use activities that have a controlled activity status to be fast tracked through the resource consent process and processed within 10 working days of the application being lodged with Council. Your consent may be fast tracked if you tick 'yes' to the first two questions below.

1. Is this application for a controlled activity (land use consent only)?  Yes  No
2. Have you provided an electronic address for this service?  Yes  No

If you wish to opt out of the fast track process, tick here:

## Applicant Name

Please provide the full name of the persons, company, society or trust applying for this resource consent. If the applicant is a trust, please provide the full name/s of all trustees of that trust.

Name:

Kiwifruit Investments Limited c/o Simone Williams (agent)



### Applicant Contact Details

Postal Address:

Post code:

Email:

Phone:

Mobile:

### Agent Contact Details

If you have an agent or other person acting on your behalf, please complete the details below.

Agent:

Contact:

Postal Address:

Post code:

Email:

Phone:

Mobile:

### Location of Proposal

Please complete with as much detail as you can, so the site for your proposal is clearly identifiable. Include details such as unit number, street number, street name and town.

Property address:

Legal description:

V1 | 01/04/20

**Owner/Occupier of Site**

Landowner's full name, phone number and address:

OR

 Same as applicant details

Occupiers full name, phone number and address:

OR

 Same as applicant details**Description of Proposal**

Please provide a brief description of the proposal and the reasons why resource consent is required ie which rules in the district plan are infringed. If the space provided is insufficient, please attach additional pages.

Retrospective land Use consent to construct vertical and horizontal (overhead) artificial kiwifruit shelter breaching road and internal boundary setbacks and site coverage requirements

### Other Consents

Please let us know of any other consents that you have applied for or know that you need to apply for related to this application. This includes any resource consents that may be required from a regional council under a regional plan.

Other resource consents

Resource consent no. (if known)

Building consent

Building consent no. (if known)

Regional plan consent

Type of regional consent:

*e.g. water discharge permit,  
water intake permit*

### National Environmental Standards (NES)\*

Please let us know if you require consent under a National Environmental Standard. National Environmental Standards are regulatory documents that contain standards pertaining to certain matters eg management of contaminated land, telecommunications.

Is consent required under a NES?

Yes

No

I don't know

Tick the following applicable NES:

NES for Air Quality

NES for Drinking Water

NES for Telecommunication Services

NES for Electricity Transmission Services

NES for Assessing and Managing Contaminants in Soil to Protect Human Health

NES for Plantation Forestry

Other

\* For further information about National Environmental Standards, their requirements and forms please refer to any other sheets provided with these application forms.

### Assessment of Proposal

Please attach an assessment of your proposal's effects on the environment, an assessment against the relevant matters of Part 2 of the RMA and any relevant provisions of NES, regulations, national policy statement, regional policy statement, regional plan and district plan.

Please see attached AEE and appendices

### Pre-application Information

We recommend that you have a pre-application discussion about your proposal with a Council planner.

Have you had a pre-application meeting with a Council planner?  Yes  No

Have you had any other conversations with any other Council staff?  Yes  No

Date of meeting:

Please provide the names of Council staff you have spoken with:

If notes of the meeting or other conversations were provided to you, please attach copies.

Have you attached any minutes/notes from the meeting?  Yes  No

### Notification

The Resource Management Act 1991 allows applications to be notified for public submissions on request of the applicant.

Are you requesting that your application be publicly notified?  Yes  No

If you selected 'yes' to the above question, please attach a short summary outlining the details of your application.

Have you attached a summary?  Yes  No

### Site Visit Requirements

As landowner and with the consent of any occupiers or lessee, I am aware that Council staff or authorised consultants may visit the site which is the subject of this application, for the purposes of assessing this application, and agree to a site visit.

OR

If the applicant is not the owner, I understand that Council staff or authorised consultants may visit the site, which is the subject of this application, for the purposes of assessing this application, and agree to a site visit.

Is there a locked gate or security system restricting access by Council staff?  Yes  No

Are there any dogs on the property?  Yes  No

Are there any hazards that may place a visitor at risk?  Yes  No

Provide details of any entry restrictions that Council staff should be aware of e.g. health and safety, organic farm etc.

No hazards - but please contact the agent prior to a site visit.

### Draft Conditions

When a consent is granted, Council can include conditions to manage any adverse effects.

Do you wish to see draft conditions prior to Council making a decision on the application?  Yes  No

By ticking this box, I understand that the opportunity to review the draft conditions is an act of good faith by the Council intended to assist with identifying errors before consent is granted. I further understand that Council has the right to continue processing the application if too much time is taken in the review of draft conditions. By requesting draft conditions I agree to an extension of time under section 37 of the RMA.

### Signature of the applicant(s)

Please read the information below before signing the application form.

### Payment of fees and charges

You must pay the charges payable to Council for this application under the RMA. Please refer to Council's Fees and Charges on its website.

By submitting this application to Council, you agree to pay the charges set out in Council's Fees and Charges relevant to the application.

### Privacy information

Council requires the information you have provided on this form to process your application under the RMA. Council will hold and store the information on a public register. The details may also be made available to the public on the Council's website. If you would like to request access to, or correction of any details, please contact the Council.

### Information checklist

The information checklist provided with this form sets out the full set of information that Council requires for your application to be considered complete. Your application may be returned as incomplete if you do not provide adequate information. Your completed application should be submitted to Council with any supplementary forms and/or guidance as provided by Council.

### Correspondence and Invoices

Please let us know where to send any correspondence and invoices. Where possible any correspondence will be sent by email.

All correspondence excluding invoices sent to:  Applicant or  Agent

All invoices sent to:  Applicant or  Agent

### Confirmation by the applicant

I/we confirm that I/we have read and understood the information and will comply with our obligations as set out above. A signature is not required if you submit this form electronically.

Applicant name:  Signature:  Date:

Applicant name:  Signature:  Date:

Applicant name:  Signature:  Date:

### Confirmation by the agent authorised to sign on behalf of the applicant

As authorised agent for the applicant, I confirm that I have read and understood the above information and confirm that I have fully informed the applicant of their obligations in connection with this application, including for fees and other charges, and that I have the applicant's authority to sign this application on their behalf. (A signature is not required if you submit this form electronically.)

Agent's full name:  Signature:  Date:

### Information Checklist for Resource Consent Application

All applications must include the following information:

- A description of the activity
- A description of the site where the activity will occur
- The full name and address of each owner or occupier of the site



- ✓ A description of any other activities that are part of the proposal to which this application relates
- ✓ A description of any other resource consent required for the proposal to which the application relates
- ✓ An assessment of the proposed activity's effects on the environment
- ✓ An assessment of the activity against Part 2 of the Resource Management Act 1991. This will need to address section 5 'Purpose', section 6 'Matters of national importance', section 7 'Other matters' and section 8 'Treaty of Waitangi'
- ✓ An assessment of the activity against any relevant objectives, policies or rules in the district plan
- ✓ An assessment of the activity against any relevant requirements, condition or permissions in any rules in a document listed in section 104(1)(b) of the RMA
- ✓ Record of title(s) for the subject site  
This must be less than 3 months old. Please attach the title(s) and any consent notices, covenants, easements attached to the title(s)
- ✓ Site plan or scheme plan  
Please provide at an appropriate scale (for example 1:100) showing the location of the building or activity in relation to all site boundaries. The site plan should include the following where relevant:
  - North point
  - Title or Reference No.
  - Scale
  - Date the plans were drawn
  - Topographical information
  - Natural features, including protected trees, indigenous vegetation, water courses
  - Archaeological and/or cultural/heritage sites
  - Record of Title boundaries/location of fence positions relative to boundaries
  - Accessways and road frontages, including proposed crossing places/right of ways
  - Onsite manoeuvring and existing and proposed car parking spaces
  - Legal and physical roads
  - Existing buildings
  - Existing wells and/or effluent disposal systems
  - Buildings on adjacent sites
  - Layout and location of proposed buildings and activities in relation to legal site boundaries
  - Earthworks design and contours/areas of excavation
  - Landscaping
  - Site coverage calculation
  - Details of any signage (sign design, dimensions and location on buildings)
  - Areas subject to hazards e.g. unstable slopes, areas of flooding, peat soils or fill
  - Areas of potential or confirmed contamination
- ✓ Elevation plans  
Please provide at an appropriate scale (for example 1:50, 1:100 or 1:200) and show all structures to be constructed or altered, showing the relationship and appearance of proposed buildings.
- ✓ Floor plans of proposed building or buildings to be used for the activity  
Please clearly show the use of each area/buildings
- ✓ Engineering design plans for any water, wastewater and stormwater works  
(Only concept engineering plans are required at this stage.)
- ✓ An assessment of the activity against any relevant provisions of a:
  - National Environmental Standard
  - National Policy Statement
  - Regional Policy Statement
  - Regional Plan

- A description of any part of the activity that is permitted under the district plan
- If a permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates it complies with the relevant requirements and conditions for that permitted activity (so that resource consent not required for that activity).
- An assessment of effects (AEE) of the activity
 

An AEE is an essential part of your application. If an AEE is not provided Council is unlikely to accept your application. The AEE should discuss all the actual and potential effects of your proposed activity on the environment. Schedule 4 of the RMA outlines all of the matters that must be addressed in your AEE. The amount of detail provided must reflect the scale and significance of the effects that the activity may have on the environment. For example, if there are major effects arising from the proposal, a detailed analysis and discussion of these effects must be included in the AEE. It may require the provision of information from specific experts (eg a traffic engineer). If the effects of the proposal are minor, then a less detailed AEE can be submitted. *(The Council has information available to assist you to prepare the AEE – please contact us if you have any questions.)*

**All applications for subdivision consent must also include the following information:**

- The position of all new boundaries
- A north arrow and the scale (1:2000)
- All proposed and existing easements (including private easements)
- Any amalgamations
- Stages (if proposed)
- Dimensions and sizes of existing and proposed new lots
- Legal and physical roads, accessways and rights of way including grades (if applicable)
- All existing buildings and structures, their distance to existing and proposed boundaries and the position of any eaves in relation to rights of way/accessways
- The areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan
- The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips
- The locations and areas of any existing esplanade reserves, esplanade strips, and access strips
- The locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A
- The locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A)
- The locations and areas of land to be set aside as new roads

**Other useful information**

The following examples of information are not compulsory, but they will be useful in helping Council make an informed decision about your application. Submitting this information *if it is relevant to your proposal* may save time and costs further down the track.

- Locality plan or aerial photo
 

Please provide at an appropriate scale (for example 1:500). Please indicate the location of the site in relation to roads and other landmarks. Show the street number of the subject site and those of adjoining sites.
- Volume of any earthworks
 

This must include area and volume of soil removed/imported and depth of cut/fill

- Details of Hazardous Activities and Industries (HAIL) List activity  
If you are unsure whether your site is on the HAIL list please contact Council for assistance
- Any written approvals including details of those sought but not obtained  
Please include any signed written approval forms and signed plans if acquired.
- Specialist reports to support your application  
This may include traffic impact studies, landscape and planting plans, acoustic design certificates etc.
- Details and outcome of any consultation undertaken with adjacent land owners and occupiers, and relevant bodies. For example, the Regional Council, Heritage New Zealand Pouhere Taonga, Transpower, KiwiRail, NZTA, Department of Conservation etc.
- Details of any consultation undertaken with iwi  
If you are unsure whether your proposal may affect matters of interest to iwi, or who the relevant iwi groups might be, please discuss this with Council prior to lodging your application
- Any other information arising from specific district plan provisions

### Other information to include in an application for subdivision consent if it is relevant to your proposal

#### Proposal details

- Site coverage calculations
- Existing and proposed crossing places and sight distances and separation distances between crossing places
- Building platforms for all allotments including shape factors
- Onsite manoeuvring and existing and proposed vehicle parking spaces (where required)

#### Network utility operations

- Existing high voltage electricity lines and gas lines
- Location of existing and proposed service connections (including connections to reticulated services) and/or systems ie water, wastewater, stormwater and any easements
- Onsite effluent treatment and disposal areas and fields

#### Natural features

- Significant trees, bush stands, protected trees (including their extent of their dripline), covenanted areas or other features
- Water bodies

#### Heritage

- Archaeological and/or cultural heritage sites

#### Hazards

- Areas of likely or confirmed contamination

- Areas subject to land hazards e.g. unstoppable slopes, areas of flooding, peat soils, fill
- Details of proposed stormwater management appropriate to the scale and nature of the subdivision
- Pipework and onsite stormwater systems
- Open drains (including ownership)
- Effect of subdivision and end use on existing overland flow paths
- Contours showing existing and finished ground level (levels to the relevant datum) at 0.5m intervals within the subdivision, and at 2 metre intervals on adjoining properties (to enable effects on those properties to be assessed). A separate plan may be needed to show these details.
- Areas of proposed or existing fill or excavation
- Any proposed retaining walls or embankments (note if retaining wall over 1m is proposed, a typical cross section is required.)
- In urban areas, details of the percentage of proposed and existing impermeable and permeable areas
- Natural hazards, e.g. unstable slopes, areas of flooding, ponding, peat soils
- Elevations (to scale) of buildings which are affected by the location of new boundaries (e.g. where height in relation to boundary rules apply)



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** SA70D/525  
**Land Registration District** South Auckland  
**Date Issued** 06 October 2000

**Prior References**  
SA23C/1396 SA733/110

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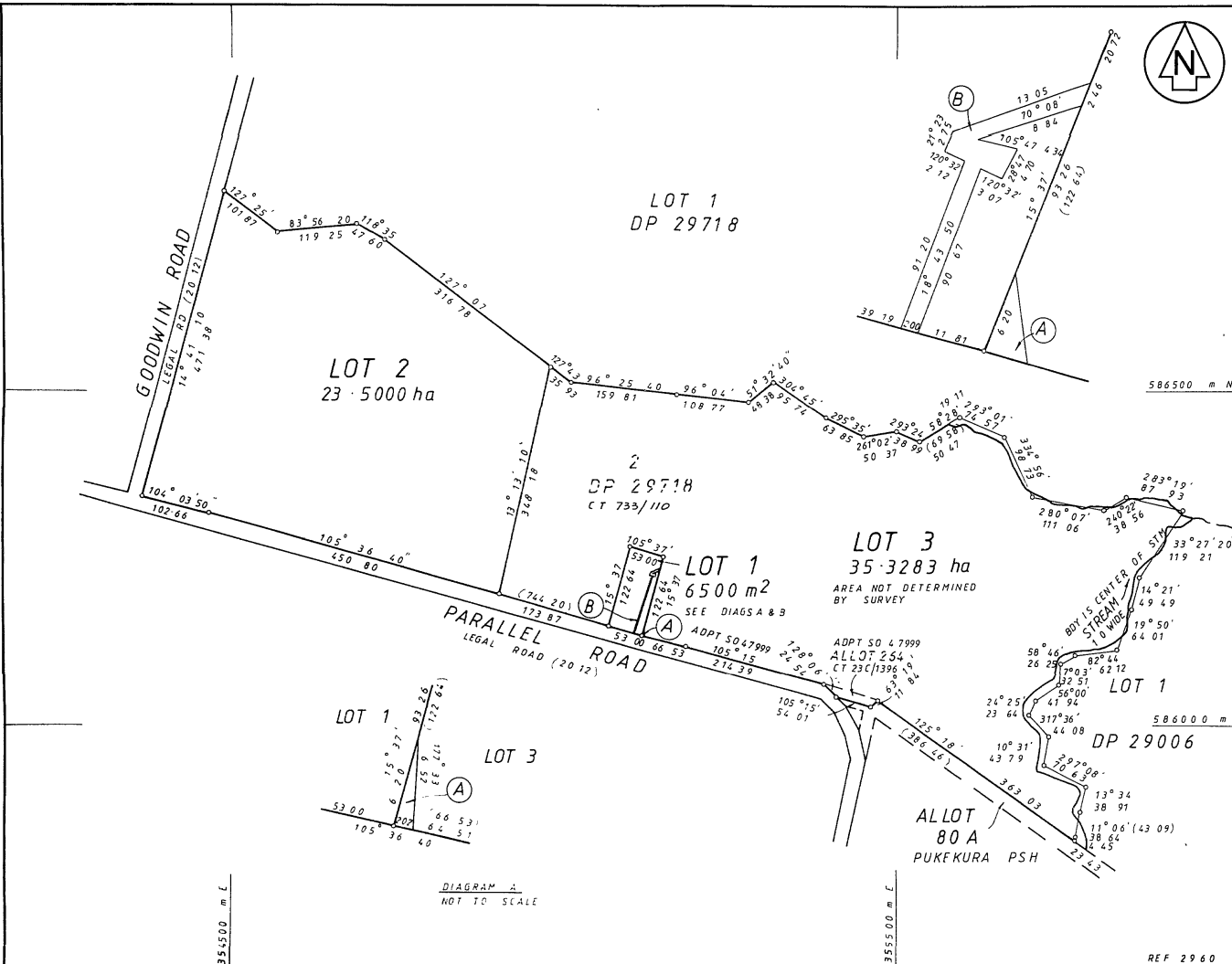
**Estate** Fee Simple  
**Area** 35.3283 hectares more or less  
**Legal Description** Lot 3 Deposited Plan South Auckland  
89413

**Registered Owners**  
Kiwifruit Investments Limited

---

**Interests**

Subject to an electricity supply right over part marked A on DPS 89413 specified in Easement Certificate B639048.1 -  
14.12.2000 at 2.52 pm  
12399865.1 Mortgage to Bank of New Zealand - 11.3.2022 at 3:22 pm



Approvals

Approved pursuant to Section 223 of the Resource Management Act 1991 on this 30<sup>th</sup> day of August 2000

Approved by the Waipa District Council in the presence of *[Signature]* Authorised Officer

Pursuant to Sections 224(c) of the Resource Management Act 1991 I hereby certify that all the conditions of the subdivision consent have been complied with to the satisfaction of the Waipa District Council

Dated this 30<sup>th</sup> day of August 2000

*[Signature]* Authorised Officer

LOT 1	CLASS II
LOT 2	CLASS III
LOT 3	CLASS IV

Boundaries adopted from DP 29718 unless otherwise shown

NEW CERTIFICATES OF TITLE ALLOCATED

LOT 1	CT 700 / 523
LOT 2	CT 700 / 524
LOT 3	CT 700 / 525

SCHEDULE OF PROPOSED EASEMENT

PURPOSE	SERVIENT TENEMENT	SHOWN	DOMINANT TENEMENT
ELECTRICITY	LOT 3	A	LOT 1
WATER	LOT 1	B	LOT 3

Total Area 59.4783 ha

Comprised in ALL CT 23C/1396  
ALL CT 733/110

I PHILLIP BLAIR COGSWELL being a person entitled to practise as a registered surveyor certify that:

(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Survey Act 1986 and the Survey Regulations 1998

(b) This dataset is accurate and has been created in accordance with that Act and those Regulations

Signed *[Signature]* Date 31/8/00

Field Book \_\_\_\_\_ Traverse Book \_\_\_\_\_ p. \_\_\_\_\_

Reference Plans \_\_\_\_\_

Examined \_\_\_\_\_ Correct \_\_\_\_\_

Approved as to Survey *[Signature]* 6.11.2000 Dep Chief Surveyor

Deposited this 6<sup>th</sup> day of October 2000

*[Signature]* Registrar General of Land

File No. 2-10-2000  
Instructors **DPS 89413**

LAND DISTRICT SOUTH AUCKLAND  
Survey Blk. & Dist. XI HAMILTON  
NZMS 261 Sheet \_\_\_\_\_ Record Map No. \_\_\_\_\_

LOTS 1-3 BEING A SUBDIVISION OF  
LOT 2 DP 29718 AND ALLOTMENT 264  
PUKEKURA PARISH

TERRITORIAL AUTHORITY WAIPA DISTRICT  
Surveyed by COGSWELL SURVEYS LTD  
Scale 1: 4000 Date JUNE 2000

A.J. BOVIN SURVEYOR GENERAL, LAND INFORMATION, NEW ZEALAND

# Written Approval of Affected Persons

Form 8a of the Resource Management Regulations 2003.

Affected persons written approval to an activity that is the subject of a resource consent application.

## Note to affected person(s) signing written approval form:

Before asking for your written approval the applicant should fully explain the proposal to you. You should look at the application containing a description of the activity and the accompanying plans. If you decide to give written approval to this application, you must complete the form and sign the applicant's plans. You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or resource consent process explained to you. You may also contact Council for assistance.

Conditional written approval **cannot** be accepted. There is no obligation to sign this form, and no reasons need to be given. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

To be completed by the applicant

To: Name of Council that is the consent authority for this application: Select a Council

Waipa District Council

## Applicant Name

Full name:

Kiwifruit Investments Limited

Contact daytime phone:

0278202011

## Location of Proposed Activity

Please complete with as many details as you can, so the site for your proposal is clearly identifiable. Include details such as unit number, street number, street name and town.

Property address:

582 Parallel Road Cambridge

Legal description:

Lot 3 Deposited Plan South Auckland 89413

## Description of Proposed Activity

Please provide a brief description of your proposal, including which District Plan Rules or standards are infringed.

'Land use consent to construct vertical and overhead artificial kiwifruit shelter breaching road and internal boundary setbacks and site coverage requirements under the Waipa District Plan'



V2 | 20.11.19

To be completed by affected person:

Owner to Complete

I/we are also the occupier(s)

Full name of all property owners:

Linda Harvey

Being the owner/s of Street address:

554 Parallel Rd RD3 Cambridge

Legal description:

[Empty box for legal description]

- I/we have authority to sign on behalf of all of the owners of the property.
- I/we have read the full application for resource consent, the Assessment of Environmental Effects and any associated plans.
- I/we have signed and dated each page.
- Declaration: In signing this written approval, I/we understand that Council must decide that I/we are no longer an affected person, and Council must not have regard to any adverse effect on me/us.
- I/we understand that I/we may withdraw my/our written approval by giving written notice to Council before the hearing, if there is one, or, if there is not, before the application is determined.

Signed (All owners or authorised persons):

L. Harvey

Date:

29.5.2022

Fax/Email:

belmharvey@gmail.com

Contact Phone Number:

0223544085

Postal Address:

As Above.

Occupier to Complete

I/we are also the occupier(s)

Full name of all occupiers:

Brian Harvey

Being the occupiers of Street address:

554 Parallel Rd RD3 Cambridge

Legal description:

[Empty box for legal description]

- I/we have authority to sign on behalf of all of the occupiers of the property.
- I/we have read the full application for resource consent, the Assessment of Environmental Effects and any associated plans.
- I/we have signed and dated each page.
- Declaration: In signing this written approval, I/we understand that Council must decide that I/we are no longer an affected person, and Council must not have regard to any adverse effect on me/us.
- I/we understand that I/we may withdraw my/our written approval by giving written notice to Council before the hearing, if there is one, or, if there is not, before the application is determined.

Signed (All occupiers or authorised persons):

B.E. Harvey

Date:

29.5.2022.

Fax/Email:

belmharvey@gmail.com

Contact Phone Number:

07 8274841

Postal Address:

As Above.



6m high cryptomeria shelter on the boundary edge

582 Parallel Road Cambridge

Cryptomeria 3-7m on this edge

524-674 Parallel Road

PARALLEL RD

6m high overhead shelter 6m off boundary

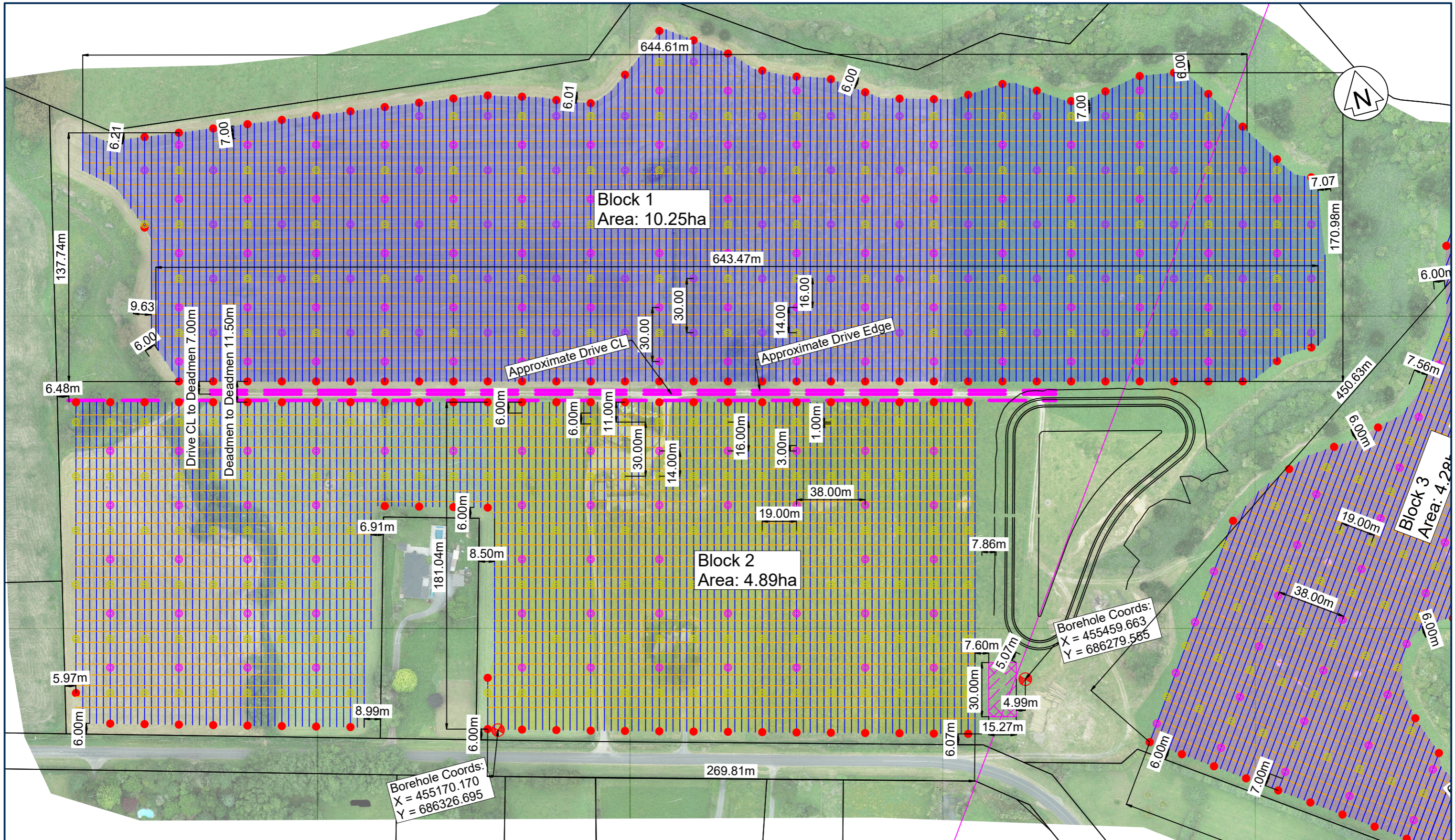
6m high overhead shelter 9m off boundary

6m high overhead shelter 8m off boundary

3.5m high cryptomeria shelter on boundary  
6m high cryptomeria shelter 4m off boundary



**Cryptomeria Hedge**



SURVEYED	EN	02.12.21
DRAWN	CE	10.02.22
DESIGNED	CE	10.02.22
CHECKED	CE	10.02.22
APPROVED	DRAFT	DRAFT

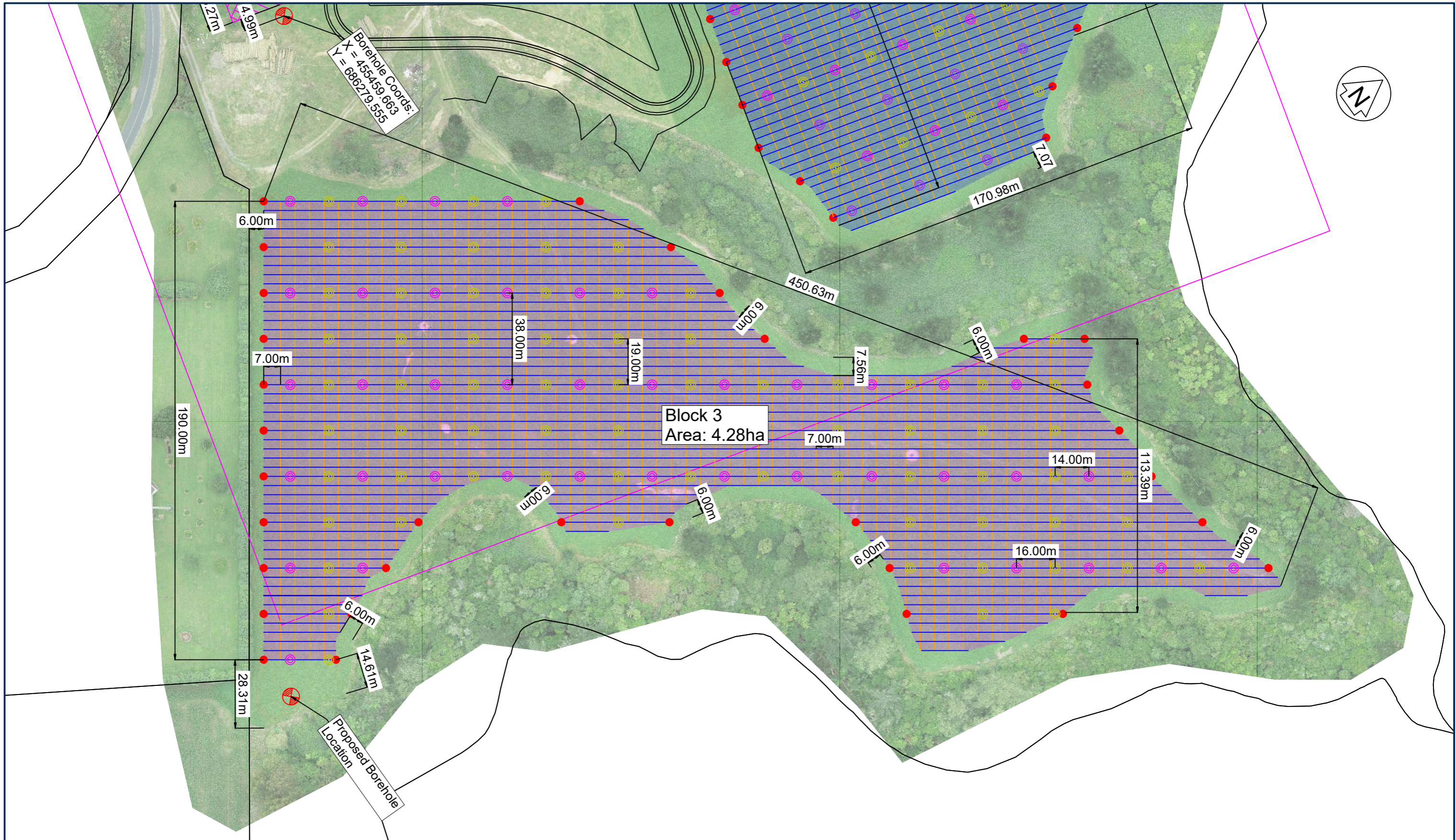
PROJECT	582 Parallel Road, Cambridge
CLIENT	Sabre Construction
TITLE	Block 1-3 Draft Design
BEARING AND COORDINATE DATUM	Mount Eden Circuit 2000
LEVELS ARE IN TERMS OF	Moturiki Vertical Datum 1953

SCALE	1:2000 (A3)
PROJECT NUMBER	0323
DRAWING NUMBER	0323-200-08
SHEET NUMBER	1 of 2
REVISION	0

NOTES:  
1. Refer to Certificate of Title for Easements and Legal interests

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PLOT DATE: Plotted: 11 /02 /22 01:16



SURVEYED	EN	02.12.21
DRAWN	CE	10.02.22
DESIGNED	CE	10.02.22
CHECKED	CE	10.02.22
APPROVED	DRAFT	DRAFT

<b>PROJECT</b>	582 Parallel Road, Cambridge
<b>CLIENT</b>	Sabre Construction
<b>TITLE</b>	Block 1-3 Draft Design
<b>BEARING AND COORDINATE DATUM</b>	Mount Eden Circuit 2000
<b>LEVELS ARE IN TERMS OF</b>	Moturiki Vertical Datum 1953

<b>SCALE</b>	1:1500 (A3)
<b>PROJECT NUMBER</b>	0323
<b>DRAWING NUMBER</b>	0323-200-08
<b>SHEET NUMBER</b>	2 of 2
<b>REVISION</b>	0

**NOTES:**  
1. Refer to Certificate of Title for Easements and Legal interests

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PLOT DATE: Plotted: 11 /02 /22 01:17

# Written Approval of Affected Persons

Form 8a of the Resource Management Regulations 2003.

Affected persons written approval to an activity that is the subject of a resource consent application.

## Note to affected person(s) signing written approval form:

Before asking for your written approval the applicant should fully explain the proposal to you. You should look at the application containing a description of the activity and the accompanying plans. If you decide to give written approval to this application, you must complete the form and sign the applicant's plans. You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or resource consent process explained to you. You may also contact Council for assistance.

Conditional written approval **cannot** be accepted. There is no obligation to sign this form, and no reasons need to be given. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.  
To be completed by the applicant

To: Name of Council that is the consent authority for this application: Select a Council

## Applicant Name

Full name:

Kiwifruit Investments Limited

Contact daytime phone:

0278202011

## Location of Proposed Activity

Please complete with as many details as you can, so the site for your proposal is clearly identifiable. Include details such as unit number, street number, street name and town.

Property address:

582 Parallel Road Cambridge

Legal description:

Lot 3 Deposited Plan South Auckland 89413

## Description of Proposed Activity

Please provide a brief description of your proposal, including which District Plan Rules or standards are infringed.

'Land use consent to construct vertical and overhead artificial kiwifruit shelter breaching road and internal boundary setbacks and site coverage requirements under the Waipa District Plan'



RC Dwyer  
2-6-22

V2 | 20.11.19

To be completed by affected person:

Owner to Complete

I/we are also the occupier(s)

Full name of all property owners:

Raymond - Dorothy Higgins

Being the owner/s of Street address:

613 Parallel Road

Legal description:

LOT 2 DP333400

- I/we have authority to sign on behalf of all of the owners of the property.
- I/we have read the full application for resource consent, the Assessment of Environmental Effects and any associated plans.
- I/we have signed and dated each page.
- Declaration: In signing this written approval, I/we understand that Council must decide that I/we are no longer an affected person, and Council must not have regard to any adverse effect on me/us.
- I/we understand that I/we may withdraw my/our written approval by giving written notice to Council before the hearing, if there is one, or, if there is not, before the application is determined.

Signed (All owners or authorised persons):

R E Higgins

Date:

2-6-2022

Fax/Email:

farnaharpy@nzco.co.nz

Contact Phone Number:

0273110657

Postal Address:

613 Parallel Rd  
RD 3  
Cambridge 31495

Occupier to Complete

I/we are also the occupier(s)

Full name of all occupiers:

Being the occupiers of Street address:

Legal description:

- I/we have authority to sign on behalf of all of the occupiers of the property.
- I/we have read the full application for resource consent, the Assessment of Environmental Effects and any associated plans.
- I/we have signed and dated each page.
- Declaration: In signing this written approval, I/we understand that Council must decide that I/we are no longer an affected person, and Council must not have regard to any adverse effect on me/us.
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Signed (All occupiers or authorised persons):

Date:

Fax/Email:

Contact Phone Number:

Postal Address:

126 May '92  
9-6-92

Search Maps

PS

2D

N



6m high cryptomeria shelter on the boundary edge

582 Parallel Road Cambridge

cryptomeria 3.7m on top edge

524-674 Parallel Road

PARALLEL RD

6m high  
— overhead shelter 6m off boundary

6m high  
— overhead shelter 9m off boundary

6m high  
— overhead shelter 8m off boundary

3.5m high  
— cryptomeria shelter on boundary

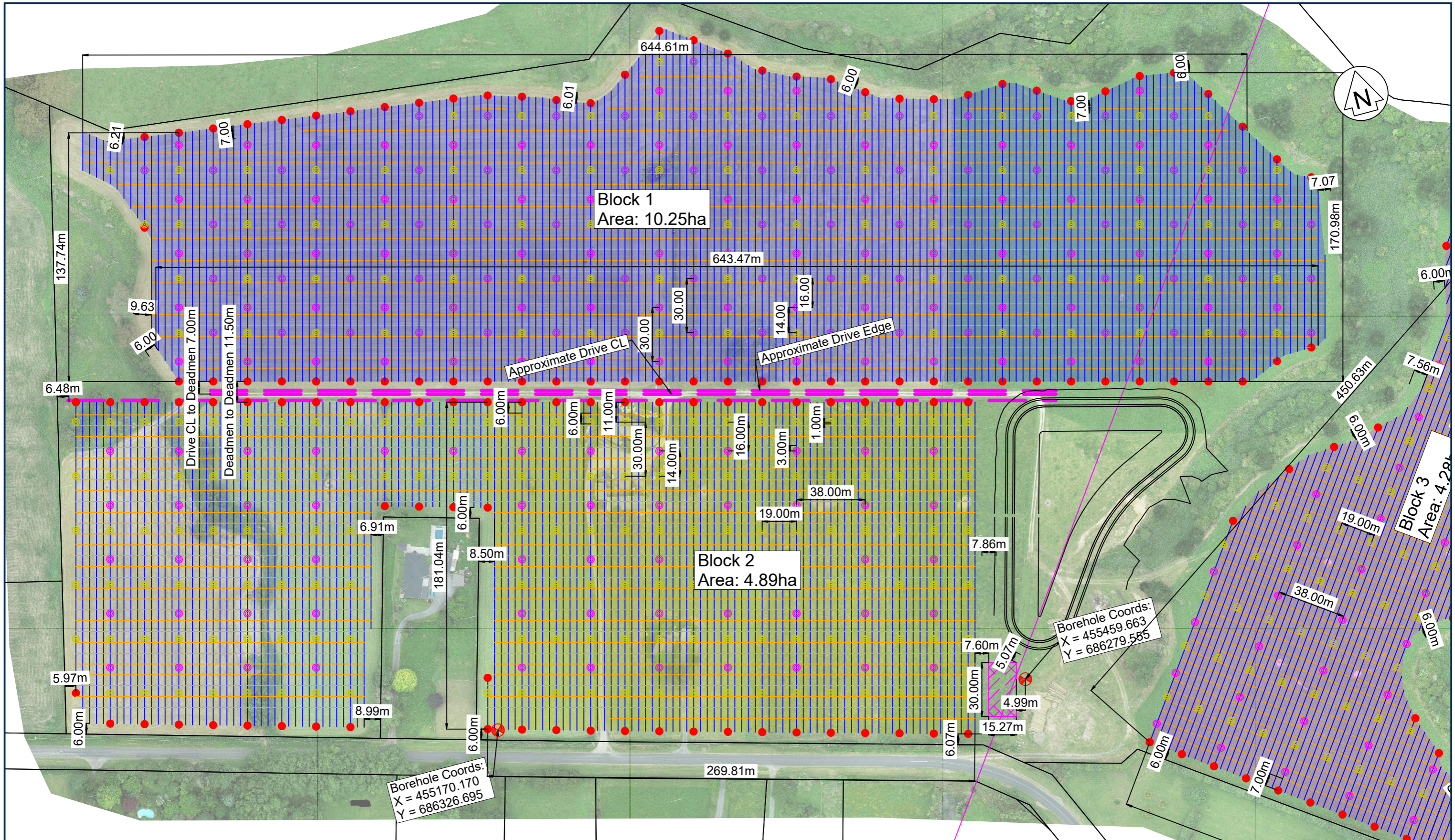
— cryptomeria shelter 4m off boundary

PC  
6  
2  
2



**Cryptomeria Hedge**





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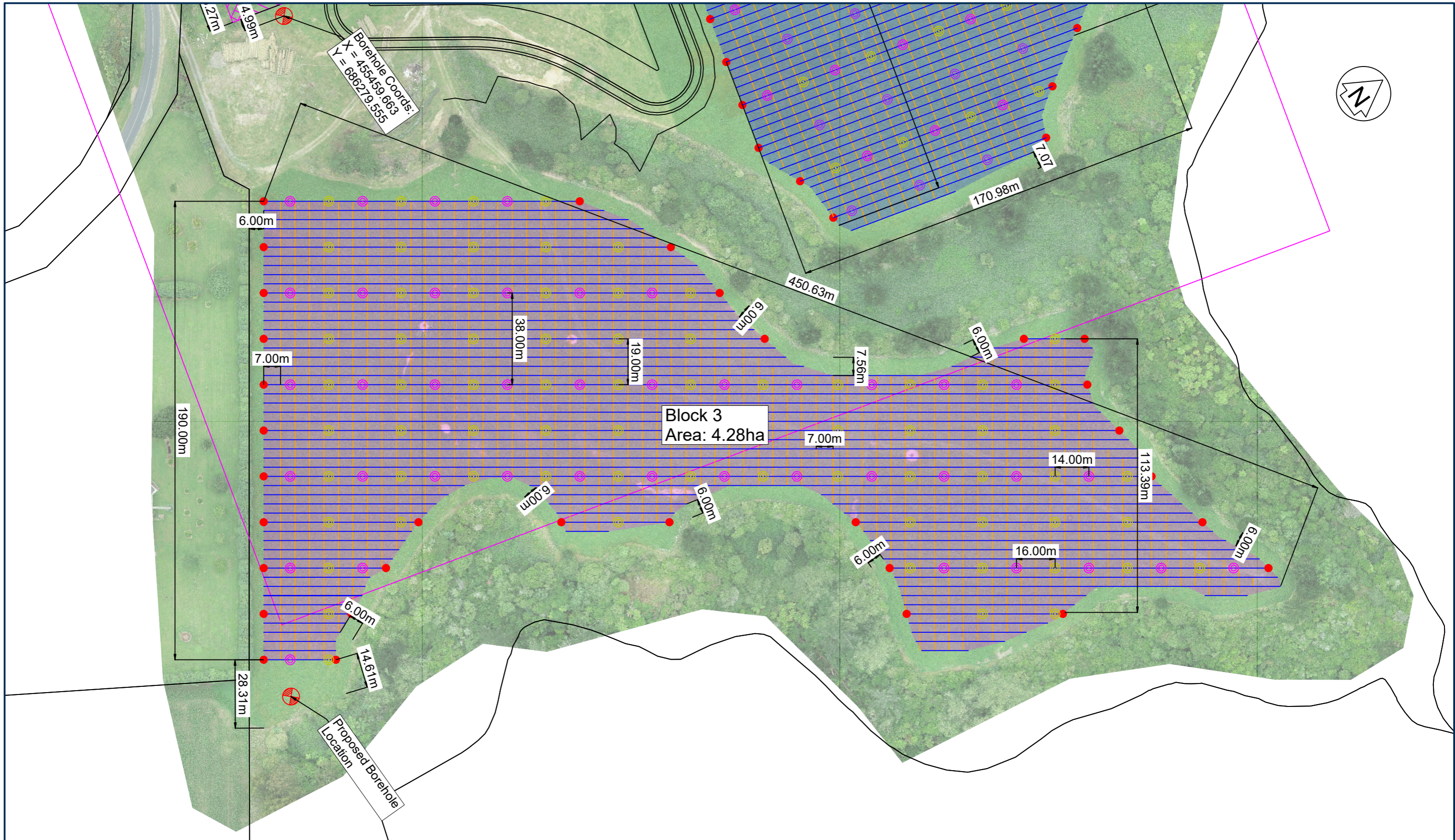
SURVEYED	EN	02.12.21
DRAWN	CE	10.02.22
DESIGNED	CE	10.02.22
CHECKED	CE	10.02.22
APPROVED	DRAFT	DRAFT

PROJECT	582 Parallel Road, Cambridge
CLIENT	Sabre Construction
TITLE	Block 1-3 Draft Design
BEARING AND COORDINATE DATUM	Mount Eden Circuit 2000
LEVELS ARE IN TERMS OF	Moturiki Vertical Datum 1953

SCALE	1:2000 (A3)
PROJECT NUMBER	0323
DRAWING NUMBER	0323-200-08
SHEET NUMBER	1 of 2
REVISION	0

NOTES:  
1. Refer to Certificate of Title for Easements and Legal interests

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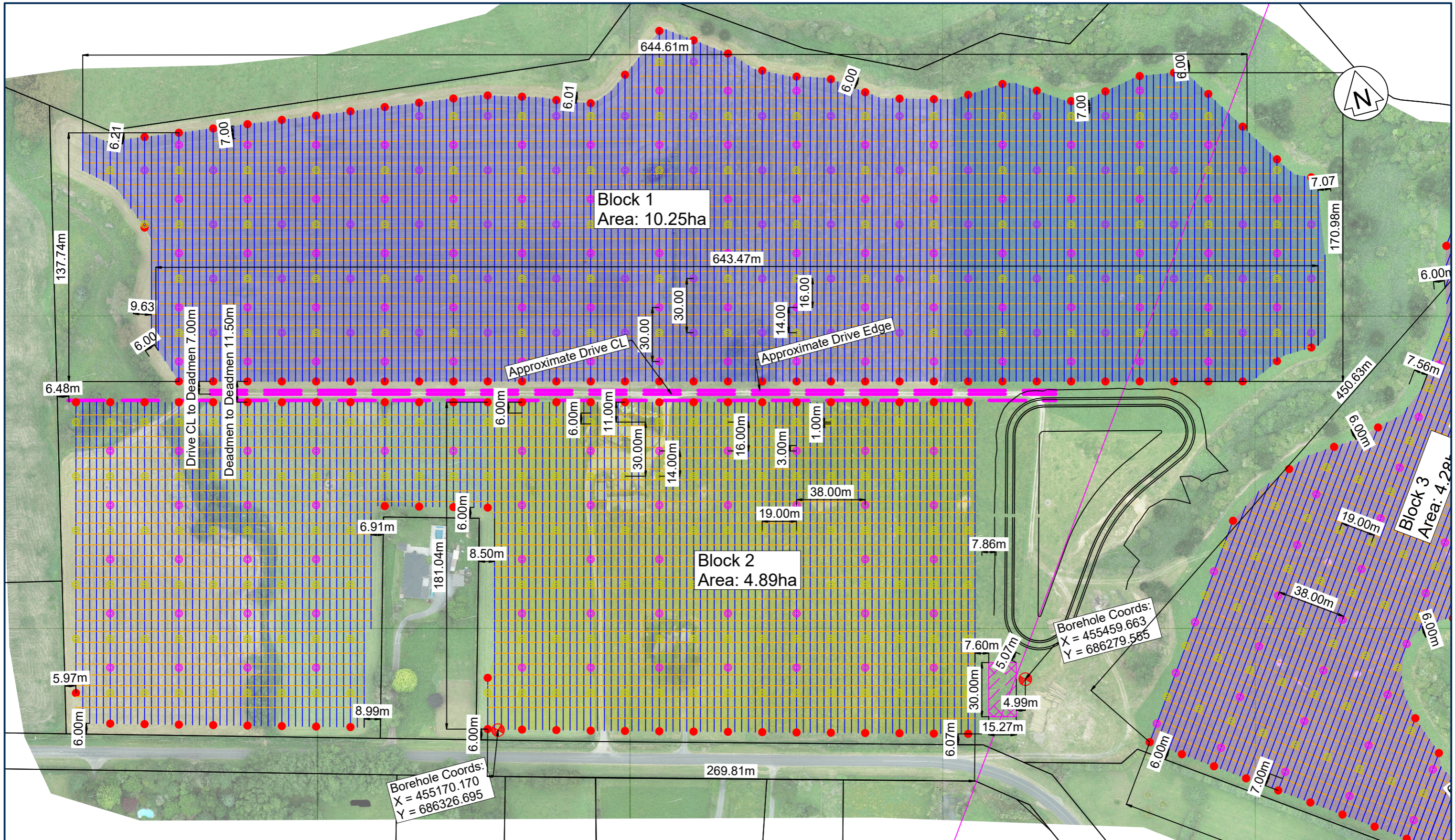
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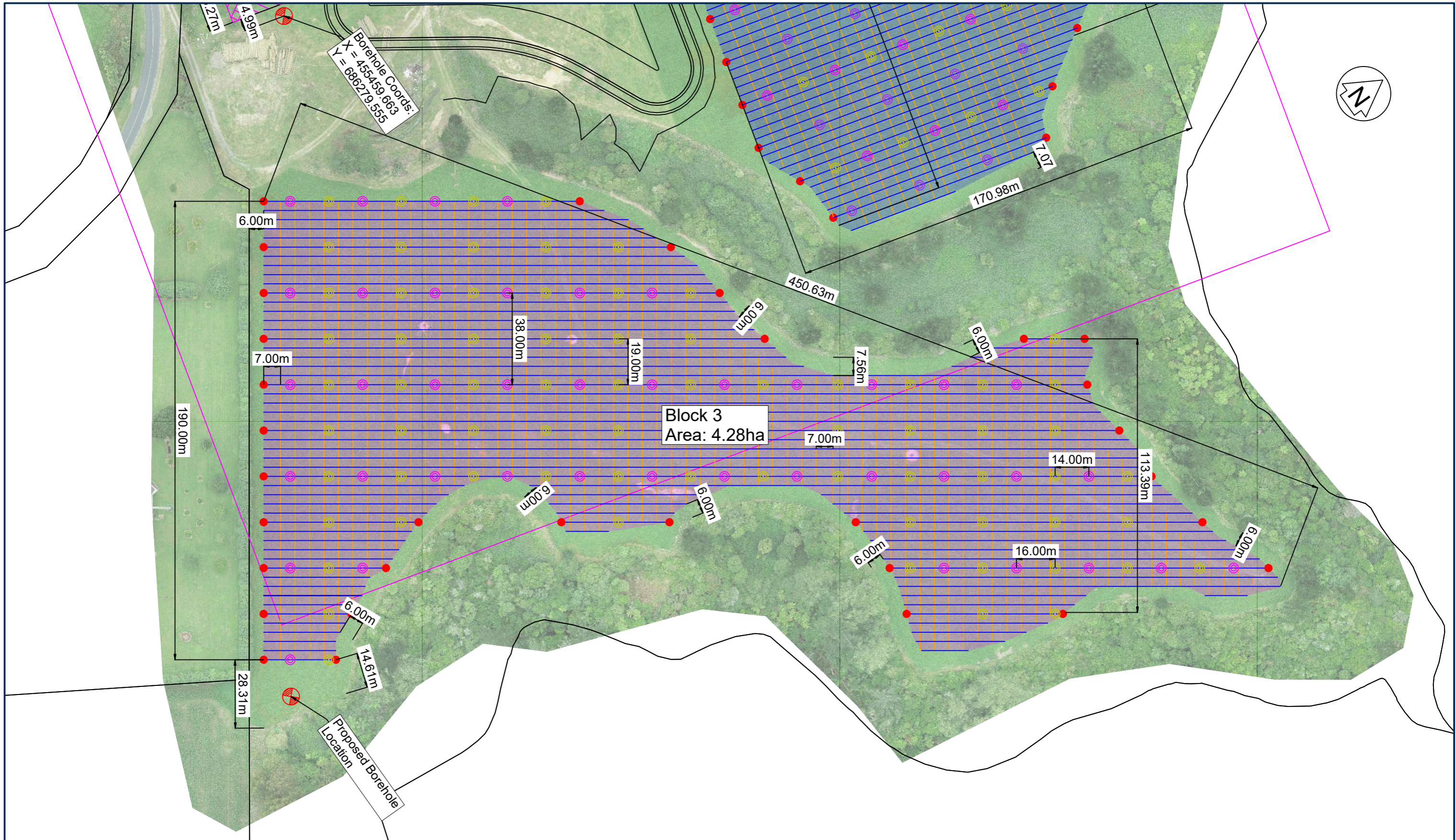
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# Rules Assessment

**Proposal:** Retrospective Land Use consent to construct vertical and horizontal (overhead) artificial kiwifruit shelter breaching road and internal boundary setbacks and site coverage requirements  
**Address:** 582 Parallel Road, Cambridge  
**District Plan:** Waipa District Plan

Site Zoning	
Zone	Rural
Overlays/Controls	Hamilton Airport – Conical Surface Overlay Significant Natural Area – WP344
Designations	None

The following Waipa District Plan (District Plan) definitions are relevant to the assessment of proposal (my emphasis added).

***Farming Activity*** means an agricultural and/or horticultural ACTIVITY having as its primary purpose, the production of goods for human or animal consumption and includes any livestock or crop, using the in-situ soil, vegetation, water and air as the medium for production, and must include maintaining the ground cover.

For the avoidance of doubt, FARMING ACTIVITIES includes:

- ANCILLARY ACTIVITIES including the storage and initial processing of horticultural and agricultural products produced on SITE; and
- The storage and spreading of any solid or liquid animal waste generated on SITE by FARMING ACTIVITIES; and
- Farm implement sheds, stables, hay barns and BUILDINGS for the storage of feed which is to be used on the HOLDING; and
- BEE KEEPING (and associated activities including extraction processing, production of honey and bee products, packaging, storage and distribution); and
- PACKING SHEDS; and
- Stud farming, and horse training; and
- The feeding of young stock in a BUILDING or similar enclosure or wintering of stock on a feed pad as part of normal pastoral FARMING ACTIVITIES for a limited season only; and
- Greenhouses/glasshouses with a PERMEABLE floor and where the soil profile is maintained if located on high quality soil; and
- OUTDOOR (EXTENSIVE) PIG FARMING; and
- CONSERVATION PLANTING; and
- The use of FARM AIRSTRIPS AND FARM HELIPADS.

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**Comment**

Artificial screens are ancillary to horticulture and therefore appropriately defined as farming activities.

*Artificial Screen means a man-made structure for the purpose of providing wind shelter that is greater than 2m high.*

**Building** means BUILDING or structure, or part of a BUILDING or structure, whether temporary or permanent, moveable or immovable, but does not include:

- Any BUILDING or structure less than 5m<sup>2</sup> in area, and less than 1m in HEIGHT; or
- Any retaining wall less than 1.5m in HEIGHT, provided that any retaining wall (regardless of HEIGHT) which supports any LOAD or surcharge additional to the LOAD of the ground is considered to be a BUILDING; or
- Any fence or wall less than 1.8m in HEIGHT; or
- Any retaining wall or fence on top of a retaining wall that does not jointly exceed 1.8m in HEIGHT; or
- Any swimming pool or spa pool less than 1m in HEIGHT above GROUND LEVEL; or
- Any vehicle or caravan whether movable or immovable which is not used as a place of permanent residence or business, or for assembly or storage purposes; or
- Any mast, pole or radio or television aerial which is less than 2m in HEIGHT above the point of attachment or its base support; or
- Any uncovered part of a deck (excluding balustrades and hand rails) or terrace, platform or bridge which is less than 1m above GROUND LEVEL; or
- Any ELECTRIC LINES or TELECOMMUNICATION LINES; or
- Any SUBSTATION fence not exceeding 2.5m in HEIGHT.

**Comment**

Artificial screens, as proposed, meet the definition of a 'building' as outlined above due to the height and size.

*Accessory Building means a BUILDING, the use of which is clearly incidental to the use of the principal LAND USE or BUILDING on that SITE, or to any permitted use of the land if not built upon and includes, but is not limited to; a carport, garage (excluding a garage which is integrated into and forms part of a DWELLING), workshop, and shed. For the avoidance of doubt, an ACCESSORY BUILDING shall not include BUILDINGS which are capable of being lived in independently.*

**Comment**

The artificial screens are considered to be accessory to the principal horticultural activity on site. An assessment of the proposal's compliance with the relevant rules of the District Plan has been completed. In summary, the table below outlines the relevant rules relating to the proposed activity.

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‘Shelter *belt*’ means a row of trees not more than four deep, planted for the purpose of providing wind shelter and screening.

**Comment**

The proposal involves Cryptomeria shelter belts to be planted on the peripheries of the site.

Table 1 - District Plan Assessment

Rule	Compliance	Comment
Section 4: Rural Zone		
<b>4.4.2 Performance Standards</b>		
<b>4.4.1.1(i) – Accessory buildings to any permitted activity</b>	<b>Permitted</b>	The artificial screens are considered to be an accessory to horticulture (being a permitted activity)
<b>4.4.2.1 Minimum Setback from internal site boundaries</b> The minimum building setback from road boundaries shall be: (a) For dwellings, and for buildings less than 100m <sup>2</sup> - 15m (b) For buildings over 100m <sup>2</sup> (other than dwellings) - 30m  Provided that:  (c) For dwellings and buildings adjacent to a designated State Highway - 30m (d) For dwellings and buildings adjacent to the Waikato Expressway (Designation D20) - 35m	<b>Does not comply</b>	The proposed artificial screens will be positioned 6 metres (at its closest point) to Parallel Road where a setback of 30m is required. The proposal triggers a <b>Discretionary Activity</b> status under this rule.
<b>4.4.2.2 Minimum Setback from internal site boundaries</b> The minimum building setback from internal site boundaries shall meet the following: a) Dwellings - 15m b) Dwellings on sites 1ha or less - 10m c) Accessory buildings to dwellings less than or equal to 100m <sup>2</sup> - 10m d) All other buildings less than or equal to 250m <sup>2</sup> - 15m e) All other buildings greater than 250m <sup>2</sup> - 25m	<b>Does not comply</b>	The proposed artificial screens will be positioned 5.9m to 8.9m on internal boundaries where a setback of 25m is required. The proposal triggers a <b>Restricted Discretionary Activity</b> under this rule.

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Rule	Compliance	Comment
Provided that buildings may be erected up to any common boundary with an adjoining site which is in the same holding.		
4.4.2.3 Dwellings adjoining marae	N/A	N/A
4.4.2.4 Minimum setback for confinement of animals	N/A	N/A
4.4.2.5 Poultry Farming	N/A	N/A
4.4.2.7 Minimum building setback from the boundary of a significant natural area	Does not Comply	The proposed artificial screens will be setback by 6 metres to the adjoining SNA in some locations where a minimum setback of 10 metres is required. The proposal triggers a <b>Restricted Discretionary Activity</b> .
4.4.2.8 Building Setback from commercial forestry	N/A	N/A
4.4.2.9 Height of Buildings	Complies	The artificial screens will not exceed a height of 12m.
4.4.2.10 Maximum Building Coverage	Does not Comply	The proposed artificial screens have a coverage area of 23 ha will result in a site coverage of approximately 65.11% where a maximum building coverage of 10% permitted (for buildings other than dwellings). This triggers a <b>Restricted Discretionary Activity</b> .
4.4.2.11 Special height requirements for Hamilton international airport.	N/A	N/A
4.4.2.12 Daylight control No building shall penetrate a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45° from 2.7m above the ground level of the front, side or rear boundaries of a site.	Complies	The artificial screens will comply with the required height recession planes.
4.4.2.13 Processing and storage of produce grown on site	N/A	N/A
4.4.2.14 Housing and keeping of pigs	N/A	N/A
4.4.2.15 Noise	Complies	Any noise emanating from the site as a result of this proposal will not exceed requirements.


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Rule	Compliance	Comment
4.4.2.16 Mineral extraction air blast over pressure	N/A	N/A
4.4.2.17 Helicopter Noise	N/A	N/A
4.4.2.18 Vibration	<b>Complies</b>	Any vibration emanating from the site will comply with the requirements.
4.4.2.20- 24 Noise: audible bird scaring devices	N/A	N/A
<p>4.4.2.25 Noise insulation: noise sensitive activities</p> <p>Where a noise sensitive activity is proposed to be located within 40m of a railway track, the building shall be insulated so that it achieves the following noise levels:</p> <p>a) Inside bedrooms 35dB LAeq (1hr)</p> <p>b) Inside other habitable rooms 40dB LAeq (1hr)</p>	N/A	N/A
4.4.2.28 - 4.4.2.7.57	N/A	N/A
<p>4.4.2.58 Tree Planting</p> <p>No trees within a woodlot forest, commercial forest or shelterbelt which are or are likely to grow to more than 6m in height shall be planted closer than any of the distances specified below:</p> <p>(a) 30m from any dwelling on an adjoining site; or</p> <p>(b) 30m from any site boundary of the Residential Zone or Large Lot Residential Zone or Marae Development Zone; or</p> <p>(c) 20m from any strategic arterial road and 10m from any other road or railway; or</p> <p>(d) 10m to a vertical line directly below an overhead power or telephone line; or</p> <p>(e) 5m from the edge of any lake or from the banks of any water bodies except trees which are planted for river protection works, soil conservation or for conservation planting.</p>	<b>Complies</b>	The proposed Cryptomeria shelterbelts that will be planted around the peripheries of the site (as demonstrated in Figure 10) which will vary in mature height from 3.5m to 6m. The shelterbelts will be not exceed 6 metres and will be maintained accordingly.
4.4.2.59 – 4.4.2.87	N/A	N/A

An aerial photograph of a lush green hillside. The terrain is covered in dense grass, and numerous white sheep are scattered across the slope, grazing. The lighting is bright, creating strong shadows and highlighting the texture of the vegetation. A semi-transparent teal box is overlaid on the lower-left portion of the image, containing white text.

# Retrospective land Use consent to construct vertical and horizontal (overhead) artificial Kiwifruit shelter

582 Parallel Road, Cambridge

**B&A**  
Urban & Environmental

Prepared for:  
Kiwifruit Investments Limited

B&A Reference:

19351

Status:

Draft Revision 1

Date:

20 June 2022

Prepared by:



**Simone Williams**

Senior Planner, Barker & Associates Limited

Reviewed by:



**Gareth Moran**

Associate, Barker & Associates Limited

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## Appendices

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- Appendix 1: Record of Title
- Appendix 2: Site Plans
- Appendix 3: Waipa District Council rule assessment
- Appendix 4: Written Approvals

## 1.0 Applicant and Property Details

---

To:	Waipa District Council
Site Address:	582 Parallel Road, Cambridge
Applicant Name:	Kiwifruit Investments Limited
Address for Service:	Barker & Associates Ltd Suite 5 47 Alpha Street Cambridge 3434 Attention: Simone Williams
Legal Description:	Lot 3 DPS 89413 [RT SA70D/525] (refer to Record of Title as <b>Appendix 1</b> )
Site Area:	35.3283ha
Site Owner:	Kiwifruit Investments Limited
District Plan:	Waipa District Plan 'WDP'
WDP Zoning:	Rural
WDP Overlays & Controls:	Hamilton Airport – Conical Surface Overlay Significant Natural Area – WP344
WDP Special Features:	Areas of 'unstable land'
Designations:	None
Additional Limitations:	None
Locality Diagram:	Refer to <b>Figure 1</b>
Brief Description of Proposal:	Retrospective land Use consent to construct vertical and horizontal (overhead) artificial kiwifruit shelter breaching road and internal boundary setbacks and site coverage requirements
Summary of Reasons for Consent:	Resource consent required as a Discretionary Activity

## 2.0 Summary

---

This report has been prepared in support of a retrospective resource consent application on behalf of Kiwifruit Investments Limited to construct green vertical and white horizontal artificial kiwifruit shelter at 582 Parallel Road, Cambridge.

- The artificial screens (vertical and horizontal shelter) meet the relevant Waipa District Plan's definitions as 'Farming Activity' and 'Accessory Building' and involves the planting of 'Shelter belts' to be planted on the peripheries of the site. The artificial screens however are also defined as a 'Building' under these definitions, triggering the below rules.
- Accordingly, the proposal involves an application under the following rules:
  - o Rule 4.4.2.1 – minimum building setback from road boundaries;
  - o Rule 4.4.2.2 – minimum setback from internal site boundaries; and
  - o Rule 4.4.2.10 – maximum building coverage.
- The purpose of this application will authorise the existing white horizontal shelter that has been recently constructed on the site as well as the proposed green vertical shelter that will be constructed along the peripheries of the new kiwifruit orchard as depicted in the site plan in Figures 7 and 8 below.
- Cryptomeria shelterbelt will be planted along some of the site boundaries or just inside the site boundaries which will be grown to a mature height of 3.5 metres to 6 metres, dependant on overhead power lines. It is intended that the proposed shelterbelt will alleviate the visual appearance of the artificial shelter from both public spaces and nearby private properties;
- Overall, the proposal has been assessed as a **Discretionary Activity** by virtue of the provisions of the Waipa District Plan (District Plan);
- The proposal brings with it a permitted baseline of effects, including (but not limited to) farming activities, accessory buildings and structures associated within the rows of Kiwifruit and Cryptomeria shelterbelts on external boundaries (as long as they do not exceed 6 metres in height).
- Overall, the proposal involves the construction of a structure being a necessity to a permitted farming activity within the Rural Zone. The vertical and horizontal structures themselves are not uncommon within the rural environment, and are becoming more prevalent in the Waikato due to horticultural land shortages in the Bay of Plenty. The Cryptomeria shelterbelt allows for the artificial shelter to better integrate into a predominantly characterised dairy farming environment. While there will be a visual change to the site as a result of the proposed kiwifruit development (changing from a dairy farm to kiwifruit orchard), this change is appropriate and not out of context to what can be expected within the Rural Zone.

This Assessment of Environmental Effects (AEE) has been prepared in accordance with the requirements of Section 88 of and Schedule 4 to the Resource Management Act 1991 (the Act) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought and any actual or potential effects the proposal may have on the environment.

## 3.0 Site Context

---

### 3.1 Site Description

---

The subject site (site) comprises of 35.3283 hectares of rural pastoral land located 550m east of the intersection of Parallel Road and Goodwin Road. The site is currently vacant and does not contain an existing dwelling or farm buildings. The site however has overhead shelter covering the majority of the site which has been recently constructed. The site contains existing mature barberry hedging where fronting Parallel Road.

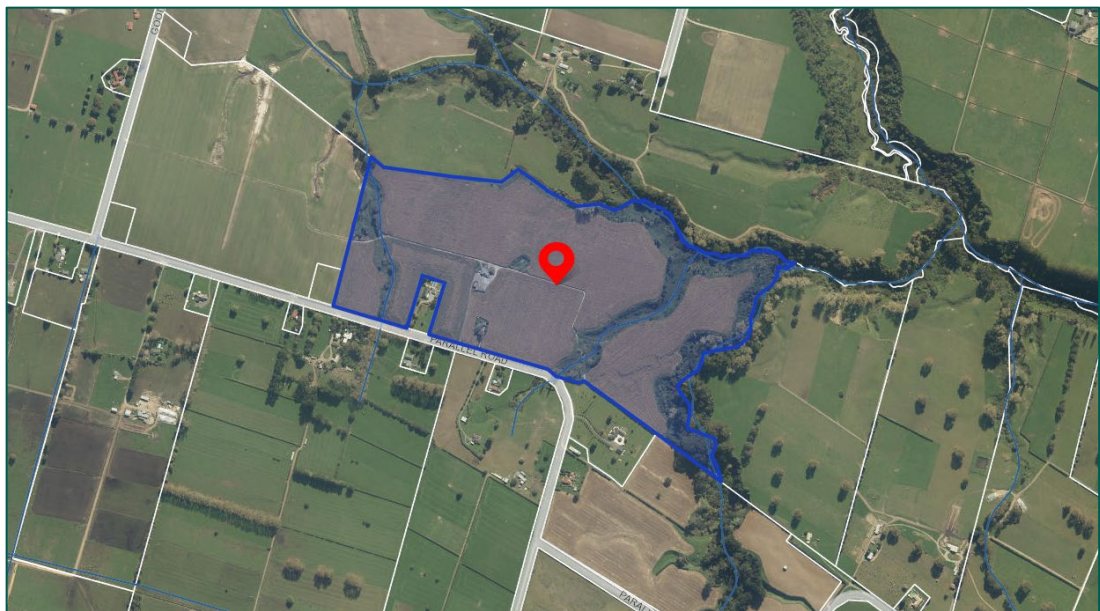
It is proposed that this land will be converted into a Kiwifruit Orchard following the completion of the artificial shelter. The majority of the site is generally flat with a gully area within the eastern side of the site and following the north-eastern and eastern boundaries.

The surrounding properties include a mixture of rural residential uses in smaller lots fronting Parallel Road with larger lots utilised for dairy farming set behind the smaller lots.

The property is sited within the Rural Zone of the Waipa District Plan (District Plan) is partially located within Hamilton Airport Conical surface overlay, and contains some areas of Significant Natural Area ('SNA') identified as WP344 on the northern and eastern boundary of the site in the Policy overlay areas of the Waipa District Plan. A copy of the District Plan map is included on Figure 2 below.

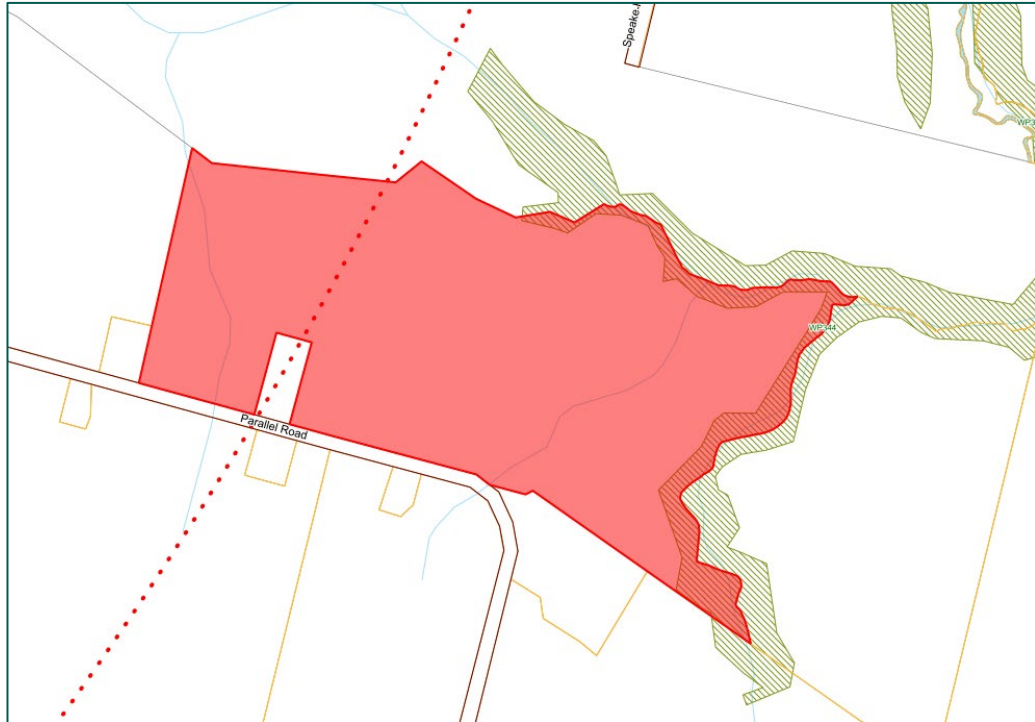
Council's special features map indicates the site contains unstable soils on the eastern side of the property. A copy of the Special Features Map is included in Figure 3 below.

Site photographs are contained in Figures 4 to 6 below.

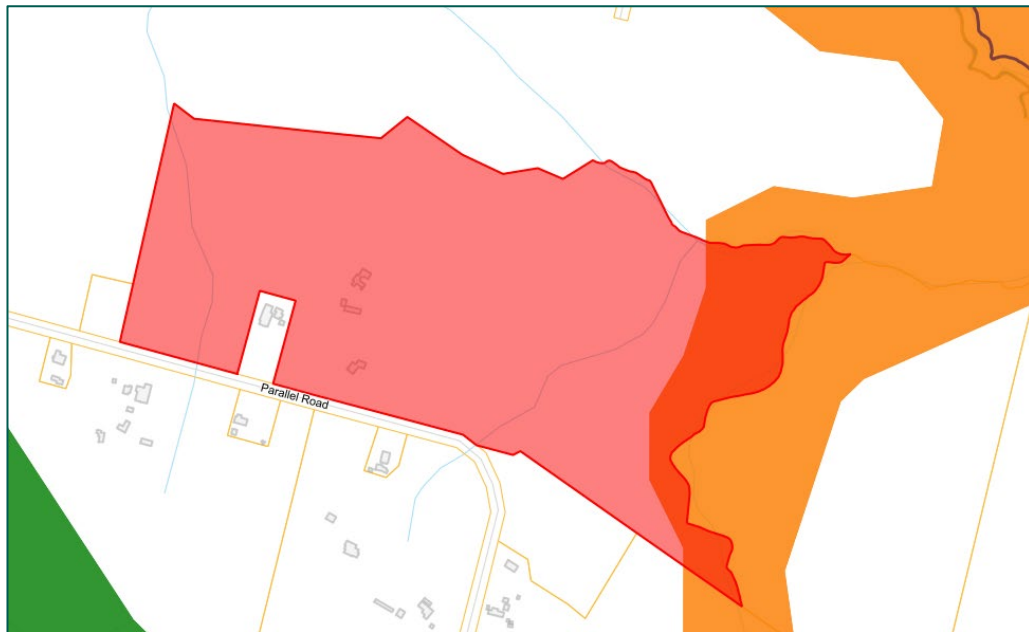


**Figure 1:** Locality plan.





**Figure 2:** District Plan Map



**Figure 3:** Councils Special Features map



**Figure 4:** Sites frontage with Parallel Road illustrating existing barberry hedging (to be replaced with Cryptomeria shelterbelt)



**Figures 5 and 6:** Site visit photos illustrating existing horizontal shelter covering site

### 3.2 Record of Title

---

The site is legally described as Lot 3 DPS 89413 held in Record of Title SA70D/525. The title includes an electricity easement marked 'A' on DPS 89413. There are no other interests registered on the title that could potentially prevent the proposal from proceeding. Refer to **Appendix 1** for a copy of the Record of Title.

## 4.0 Proposal

---

The proposal is to construct artificial vertical shelter to connect with the recently established horizontal (overhead) shelter. The majority of the horizontal (overhead) shelter has been established, covering an area of approximately 23 hectares located at 582 Parallel Road, Cambridge. The vertical and horizontal shelter will be used to protect future kiwifruit planting within the canopy area and will breach road and internal boundary setbacks as well as site coverage rules. The vertical shelter cloth will be green in colour and the horizontal shelter will be white.

The vertical cloth will be 2.1m high and will link to the horizontal (overhead) cloth that will have a height of 6 metres on a 45-degree angle. The vertical cloth will be located 6 metres from the road boundary of Parallel Road and will vary between 5.9 to 8.9 on internal boundaries. A coverage area of 23 hectares will result in a site coverage of approximately 65.11%. The specific measurements are depicted in Figures 7 and 8 below, and held in Appendix 2.

Cryptomeria shelterbelt will be planted around the periphery of the vertical cloth, which in some locations will follow the external boundaries and in other locations where adjoining rural residential properties. Where there are overhead electricity lines, the shelterbelt will be set inside the boundary. The shelterbelt will be grown to a mature height of 3.5m to 6m in some locations. The purpose of the shelterbelt will alleviate the visual appearance of the artificial shelter from adjoining properties and public places. Should consent be approved, the applicant has offered a condition requiring the Cryptomeria shelterbelt be maintained to be no more than 6 metres in height. The location of the shelterbelt is depicted in Figures 9 and 10 below.

The purpose for the artificial shelter is established through the need to protect more sensitive fruit varieties such as red and gold Kiwifruit varieties and to maximise productive land. More traditional approaches to shelter include planting willow and poplar shelter every 20-30 metres in a block, or larger blocks with Cryptomeria shelterbelts between every 75 to 100 metres. Shelterbelts are widely used in the horticulture sector to protect fruit from wind and frost damage, however through technological advancements, artificial shelter is now chosen as the preferred choice. Artificial shelter increases the productive capability of the orchard area as they can cover larger areas with less annual maintenance and helps to minimise effects associated with spay drift.

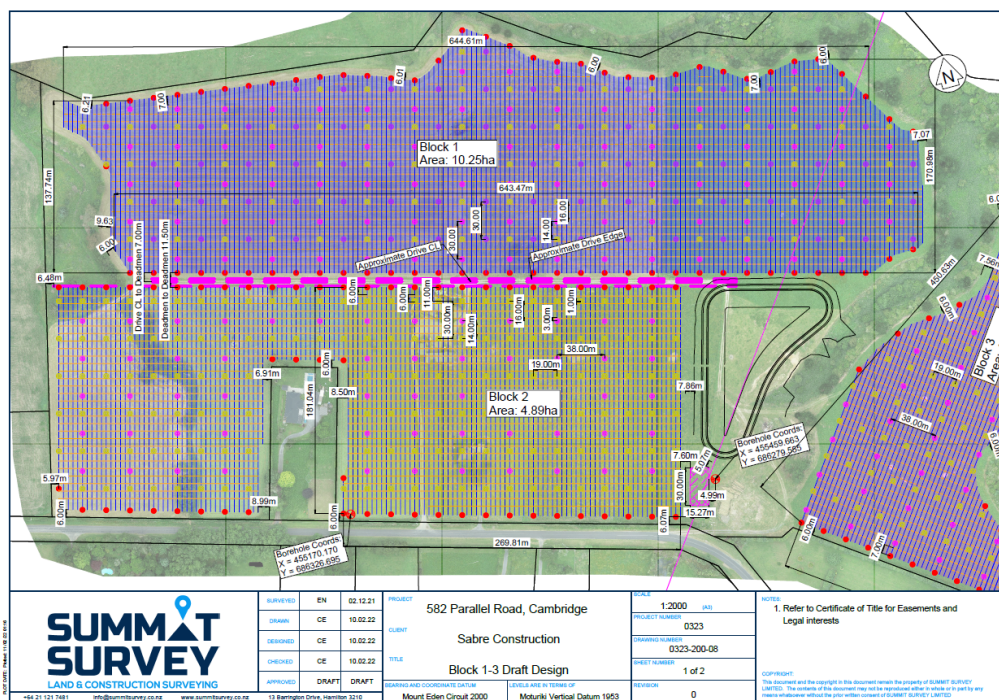


Figure 7: Site Plan – illustrating the western side of the site

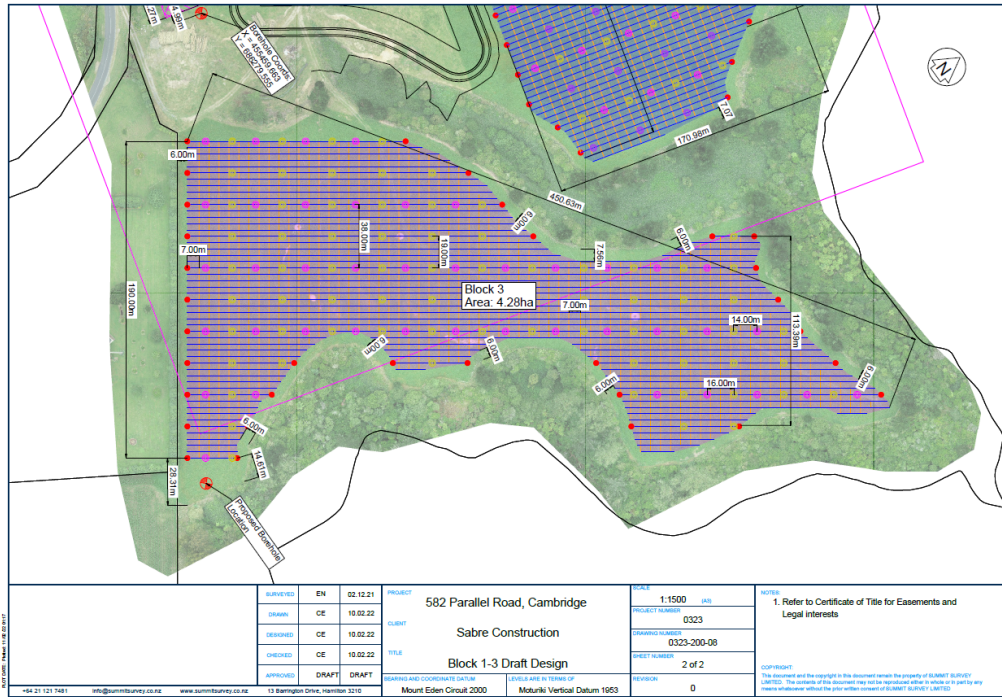


Figure 8: Site Plan – illustrating the eastern side of the site



Figure 9: Proposed shelterbelt species – Cryptomeria



Figure 10: Proposed location of Cryptomeria shelterbelt

## 5.0 Reasons for Consent

A rules assessment against the provisions of the Waipa District Plan ('WDC') is attached as **Appendix 3**. The site is within the Rural Zone. The proposal requires consent for the matters outlined below.

### 5.1 Waipa District Plan

#### Chapter 4

- **Rule 4.4.2.1(b)** – Minimum building setback from road boundaries. The proposed vertical shelter will be positioned 6 metres (at its closest point) to Parallel Road where a setback of 30m is required. The proposal triggers a **Discretionary Activity** status under this rule.
- **Rule 4.4.2.2(e)** – Minimum building setback from internal site boundaries. The proposed vertical shelter will be positioned 5.9m to 8.9m on internal boundaries where a setback of 25m is required. The proposal triggers a **Restricted Discretionary Activity** under this rule.
- **Rule 4.4.2.7** – Minimum building setback from the boundary of a Significant Natural Area ('SNA'). The proposed vertical shelter will be setback by 6 metres to the adjoining SNA in some locations where a minimum setback of 10 metres is required. The proposal triggers a **Restricted Discretionary Activity**.
- **Rule 4.4.2.10** – Maximum building coverage. The proposed shelter has a coverage area of 23 ha will result in a site coverage of approximately 65.11% where a maximum building coverage of 10% permitted (for buildings other than dwellings). This triggers a **Restricted Discretionary Activity**.
- **Rule 4.4.2.58** – Tree Planting. The proposal involves planting Cryptomeria shelterbelts that will be planted around the peripheries of the site (as demonstrated in Figure 10) which will

vary in mature height from 3.5m to 6m. The shelterbelts will be maintained so they do not exceed 6 metres. The proposal **complies** with this rule and the planting is permitted.

## 5.2 NES Contaminated Soils

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These regulations came into force on 1 January 2012 and apply when a person wants to do an activity described in regulation 5(2) to 5(6) on a piece of land described in regulation 5(7) or 5(8). Following a review of the historical aerial photographs contained within Council's records, a HAIL activity does not appear to have been undertaken on the site. In accordance with Regulation 5(7), the site is not a 'piece of land' and consent is not required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

## 5.3 Activity Status

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Overall, this application is for a Discretionary activity.

# 6.0 Public Notification Assessment (Sections 95A, 95C and 95D)

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## 6.1 Assessment of Steps 1 to 4 (Sections 95A)

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Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

### 6.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

The above does not apply to the proposal.

### 6.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances.

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

In this case, the applicable rules do not preclude public notification, and the proposal is not a controlled activity or boundary activity. Therefore, public notification is not precluded.

### 6.1.3 Step 3: If not required by step 2, public notification required in certain circumstances.

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

As noted under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As described below, it is considered that any adverse effects will be less than minor.

#### 6.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or
- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

There are no rules or a National Environmental Standard or the District Plan relevant to this proposal that preclude public notification. The land use consent is a Discretionary Activity under the Waipa District Plan.

It is considered that there is nothing noteworthy about the proposal. It is therefore considered that the application cannot be described as being out of the ordinary or giving rise to special circumstances.

## 6.2 Section 95D Statutory Matters

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In determining whether to publicly notify an application, section 95D specifies a council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

The land to be excluded from the assessment is listed in section 6.3 below.

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.

Horticulture activities are expected within the Rural Zone, and are grouped under the definition of 'Farming Activities' as a permitted activity within the zone. Accessory buildings and structures to aid production are also permitted, subject to compliance with the relevant bulk and location requirements in the District Plan. Cryptomeria shelter belts less than 6 metres high planted along the boundaries are also permitted.

The proposal involves the construction of artificial vertical and horizontal (overhead) kiwifruit shelter, which is defined as a 'building' and subsequently breaches the relevant setbacks and site coverage rules within the Rural Zone. Therefore, there is no permitted

baseline relevant to the location and scale of these features, albeit the activities themselves are permitted.

- Trade competition must be disregarded.

This is not considered to be a relevant matter in this case.

- The adverse effects on those persons who have provided their written approval must be disregarded.

The owners and occupiers of the below listed properties have provided their written approval to the proposal and therefore adverse effects on them have been disregarded:

- 554 Parallel Road, Cambridge; and
- 613 Parallel Road, Cambridge

The sections below set out an assessment in accordance with section 95D, including identification of adjacent properties, and an assessment of adverse effects.

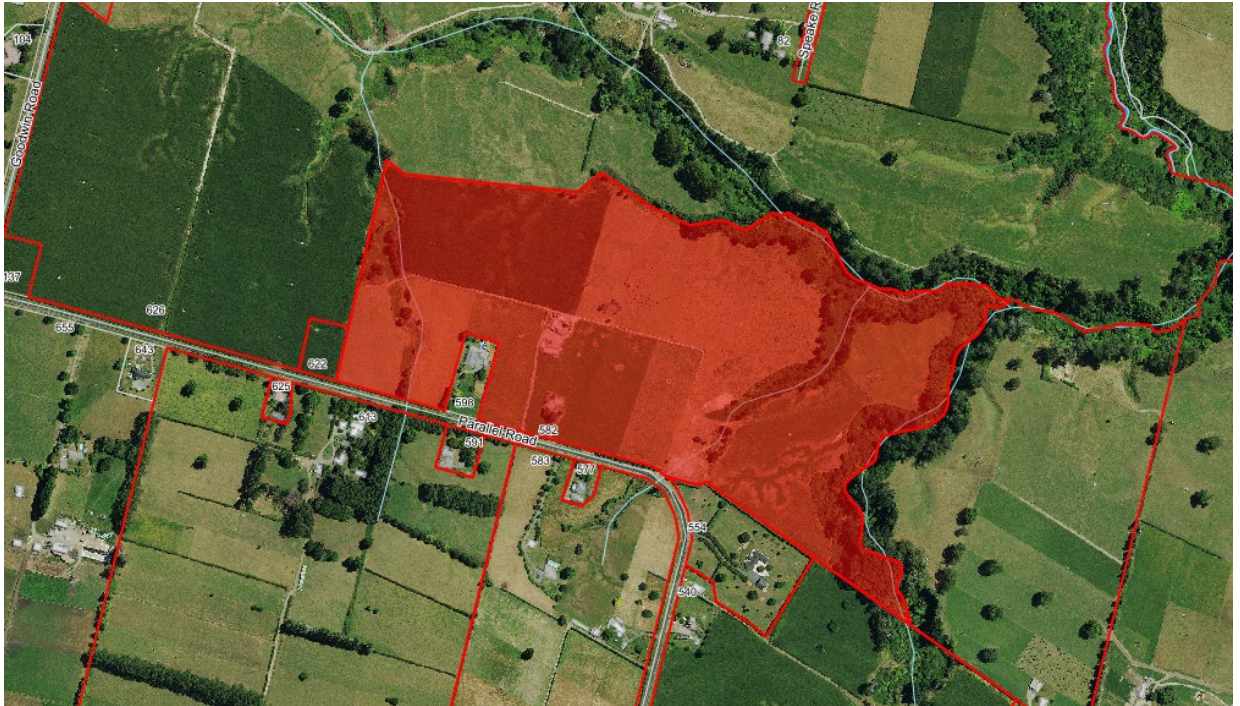
### 6.3 Land Excluded from the Assessment

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In terms of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown in **11** below, and include:

- 434 Parallel Road, Cambridge;
- 554 Parallel Road, Cambridge;
- 577 Parallel Road, Cambridge;
- 583 Parallel Road, Cambridge;
- 591 Parallel Road, Cambridge;
- 613 Parallel Road, Cambridge;
- 625 Parallel Road, Cambridge;
- 622 Parallel Road, Cambridge;
- 598 Parallel Road, Cambridge; and
- 626 Parallel Road, Cambridge.





**Figure 11: Adjacent properties in relation to subject site. Source: Waipa District Council Intramaps.**

## 6.4 Assessment of Effects on the Wider Environment

The following sections set out an assessment of wider effects of the proposal, and it is considered that effects in relation to the following matters are relevant:

- Rural character and amenity;
- Effects on Significant Natural Area; and
- Temporary construction effects

These matters are set out and discussed below.

### 6.4.1 Effects on rural character and amenity

Amenity values is defined in Section 2 of the Resource Management Act 1991 as “...those natural and physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence and recreational attributes.” As such the amenity values of an area can be described as those special attributes, relating particularly to natural and physical characteristics that make an area or neighbourhood unique. Therefore, it is important to consider the effects that development may have on the various characteristics that contribute to the amenity and character of the receiving environment.

The site is located within the Rural Zone, which is characterised by a pastoral rural working environment that is reliant on the rural land and soil resource of the District, and is largely typified by an open rural landscape. Dairy farming is the main rural land use in the District, followed by beef, and sheep farming. Horticulture is also a prominent contributor to the District. When considering rural character, it is acknowledged that it is a broad concept, and defined by the various elements that make up the rural environment. These elements that help define the District’s rural character that are relevant to the specific site include (but not limited to) open landscapes containing natural features, low density widely spaced built form, areas of vegetation,

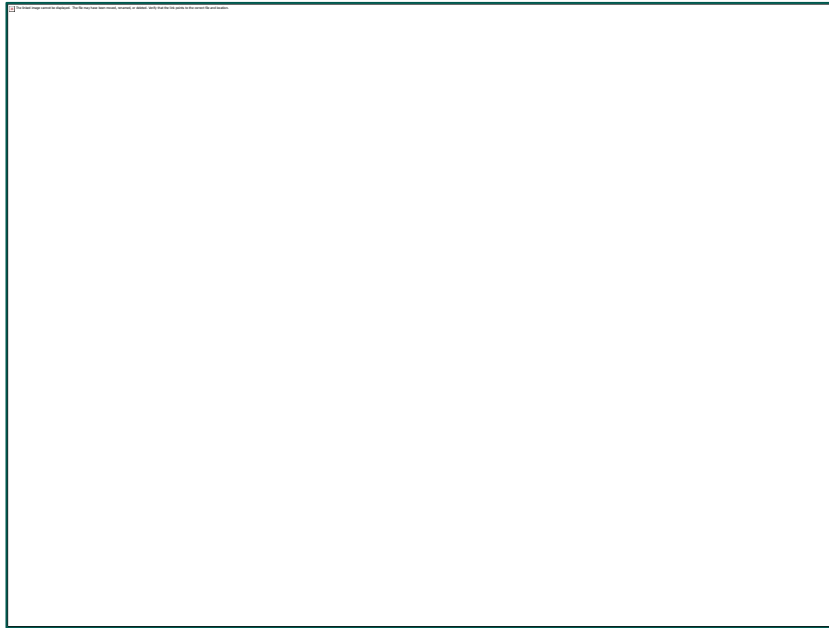
land uses of a predominantly production or rural working nature such as farming (including characteristic noises and odours that form part of the rural working nature of the Rural Zone).

The proposed Kiwifruit orchard that will be planted following the completion of the new shelter will ensure that the Kiwifruit have immediate protection when they are transplanted to the subject site. Horticulture activities and accessory buildings and structures to aid production are expected within the Rural Zone, and are grouped under the definition of 'Farming Activities' as a permitted activity within the zone. The location and scale of the proposed artificial shelter do not meet permitted expectations under the Waipa District Plan due to their setback from Parallel Road, internal boundaries, adjoining Significant Natural Area (refer assessment 6.4.2 below) as well as the overall size of the horizontal shelter.

Although the proposal involves a departure to the built form expectations within the Rural Zone of the Waipa District, the proposal introduces mitigating features to better integrate the artificial shelter within the surrounding rural landscape. The artificial shelter will be a permeable green mesh cloth for the vertical screens, which together with the proposed cryptomeria shelterbelt planted along the peripheries of the site will see that external sides of the structure will, in time, blend into the natural vegetation that will eventually grow to a mature height of 3.5m to 6.0m. The horizontal (overhead) shelter is white permeable mesh cloth. Both vertical and horizontal cloth material is semi-transparent. Therefore, the artificial shelter cloth (both vertical and horizontal) will be largely obscured/ blurred from both the wider environment and adjoining properties despite infringing on the road and internal boundary setbacks.

It is considered that the location, height and design of the artificial shelter (both vertical and horizontal) are appropriate given their location and are accessory to a permitted activity within the Rural Zone. The reduced road boundary setbacks are not considered to be likely to result in any visibility across farmland or to any distant views due to the generally flat topography of the site and surrounding rural environment, which includes the permitted nature of the proposed cryptomeria shelterbelts. Accordingly, any impact on the open and spaciousness of the rural environment is considered to be no more than minor. With regards to the reduced internal setbacks, the reduction to the setbacks will not be noticeable to the wider environment over time, when the shelterbelt has reached maturity. As such, any adverse effects arising from the reduced setbacks are considered to be less than minor.

Overall, the proposal involves the construction of a structure being a necessity to a permitted farming activity within the Rural Zone. The vertical and horizontal structures themselves are not uncommon within the rural environment, and are becoming more prevalent in the Waikato due to horticultural land shortages in the Bay of Plenty. Figure 12 below depicts an example of an existing Kiwifruit orchard located within the Waipa District, which is also surrounded by agricultural activities. Therefore, the adverse effects on the wider environment with regard to the rural character and amenity will be less than minor.



**Figure 12:** Image showing an example of newly established vertical and horizontal shelter for a Kiwifruit orchard surrounded by a rural pastoral working environment within the Waipa District.

#### 6.4.2 Effects on the significant natural area vegetation and biodiversity.

Section 5(2)(b) of the Act sets out the purpose of the Act which includes the safeguarding of the life supporting capacity of ecosystems. In the Waipa District, this includes the connections and corridors between ecosystems that are needed to maintain indigenous biodiversity values. Indigenous biodiversity values are the attributes of an ecosystem that determine an area’s importance in maintaining biodiversity, such as species composition, habitat structure and ecosystem function.

The site partially encompasses Significant Natural Area (“SNA”) - WP344, identified as “Mangawhero Stream riparian margin” and is unprotected. These areas are located along the sites northern and eastern boundaries, bordering the adjoining gullies and include dense vegetation. The sites boundaries are fenced from these areas. The proposed vertical and horizontal artificial shelter will be setback similar to other external extents within the site, however where adjoining the SNA this triggers an additional setback infringement. The proposal does not involve the removal or pruning of the existing vegetation associated with this SNA, and does not involve additional Cryptomeria shelterbelt where adjoining the SNA, allowing for additional light to filter through to the SNA. The proposal simply seeks to establish artificial shelter around and over the proposed permitted farming activity, therefore, the proposal will not disrupt the biodiversity, species composition, habitat structure and ecosystem function within the adjoining SNA and access to the SNA can still be achieved.

Overall, the adverse effects on the significant natural area vegetation and biodiversity will be less than minor.

#### 6.4.3 Temporary construction effects

The construction of artificial screens will incur some temporary effects associated with establishing the poles and kiwifruit orchard itself, for which will use a post borer for the poles and tree transplanter for the kiwifruit. These activities will comply with construction noise requirements,

vibration and earthworks limits set out in the District Plan and will only occur within 7.00am to 10.00pm.

As such, any effects associated with construction are considered to fall within the permitted baseline and are negligible.

## 6.5 Summary of Effects

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Overall, it is considered that any adverse effects on the environment relating to this proposal will be less than minor.

## 6.6 Public Notification Conclusion

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Having undertaken the section 95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as it is considered that the activity will result in less than minor adverse effects; and
- Under step 4, there are no special circumstances.

Therefore, based on the conclusions reached under steps 3 and 4, it is recommended that this application be processed without public notification.

## 7.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

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### 7.1 Assessment of Steps 1 to 4 (Sections 95B)

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If the application is not publicly notified under section 95A, the council must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

#### 7.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land.

The above does not apply to this proposal.

#### 7.1.2 Step 2: Certain affected protected customary rights groups must be notified

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

In this case, the applicable rules do not preclude limited notification and the proposal is not a controlled activity. Therefore, limited notification is not precluded.

### 7.1.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

The application is not solely a boundary activity, and therefore an assessment in accordance with section 95E is required and is set out below.

Overall, it is considered that any adverse effects on persons will be less than minor, and accordingly, that no persons are adversely affected.

### 7.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

## 7.2 Section 95E Statutory Matters

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If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded;
- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

These matters were addressed in section 6.2 above, and written approval has been provided by the following properties, accordingly any actual or potential effects with regards to these properties can be disregarded.

Having regard to the above provisions, an assessment is provided below.

## 7.3 Assessment of Effects on Persons

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Adverse effects in relation to the location and scale of the vertical and horizontal (overhead) artificial kiwifruit shelter on persons are considered below.

Wider effects, such as Rural character and amenity, effects on Significant Natural Area and temporary construction effects were considered in section 6.4 above, and considered to be no more than minor.

In terms of our Limited Notification assessment, the potential adverse effects are limited to the owners and occupiers of the following properties.

### 7.3.1 Persons at 554 and 613 Parallel Road, Cambridge

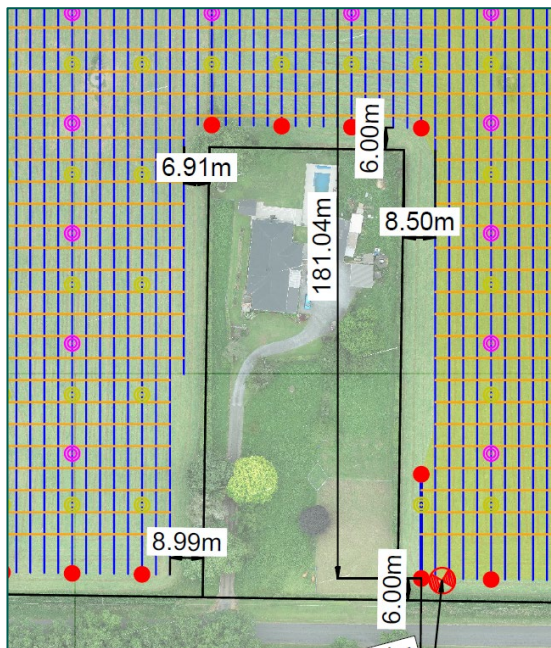
Property 554 Parallel Road adjoins the site on its southern boundary and contains an existing dwelling. Property 613 Parallel Road is located on the opposite side of Parallel Road and also includes an existing dwelling.

Written approval has been provided by the owners and occupiers of these properties, accordingly any actual or potential effects with regards to these properties can be disregarded. Copies of these written approvals can be found in **Appendix 4**.

### 7.3.2 Persons at 598 Parallel Road, Cambridge

This property is located on the northern side of Parallel Road, and the subject site surrounds this property on its northern, eastern and western boundaries.

The proposed vertical shelter will be located 8.5m from its eastern boundary, 6.0m from its northern boundary, and 6.9m to 8.99 from its western boundary, as depicted in Figure 13 below.



**Figure 13:** Location of 598 Parallel Road, Cambridge respective to location of adjoining artificial shelter

Between the vertical shelter and 598 Parallel Road, the applicant is planting *Cryptomeria* shelterbelt 4 metres from the eastern, northern and western boundaries which will be grown to be no more than 6 metres high. The applicants have chosen to plant the *Cryptomeria* shelterbelt 4 metres from the boundary around 598 Parallel Road rather than on the boundary (although permitted) to help minimise the visual bulk form of the entire development from this property. Should consent be approved, the applicant offers a consent condition that will require the *Cryptomeria* to be maintained at a height no greater than 6m.

Due to the location of 598 Parallel Road, it is inevitable that this property will see a change from open pasture land formally used for dairy farming activities to horticulture activities, both permitted farming activities within the Rural Zone. This change brings with it a permitted baseline of effects, including (but not limited to) accessory buildings and structures associated with the rows of Kiwifruit and farming activities carried out associated with pruning, thinning, picking and other general maintenance within the orchard. Orchards are usually protected with wind and weather shelter which is more traditionally seen as Cryptomeria shelterbelts along the external boundaries and within every 20-30 metres of orchard. What the baseline does not include relates to the artificial structure proposed to be constructed here and its coverage over the site.

In terms of this property, it is noted that the living areas for the dwelling are located on the northern side of the dwelling, and the property is heavily screened with existing mature trees, shelterbelt and vegetation along all boundaries and within the property.

In time, with the mitigation measures proposed the visual effect is negligible if you were to compare this proposal with the permitted baseline, which includes Cryptomeria shelter belts planted along the boundaries. This shelterbelt should allow the green vertical permeable artificial shelter to blend into the established shelterbelt, and blur the top of the horizontal shelter. But instead, the buffer from both the Cryptomeria and artificial shelter allows for this property to have a rural outlook beyond what could be established under the permitted baseline.

With regard to construction effects, including noise, vibration and earthworks, these will comply with the permitted thresholds in the District Plan and are temporary in nature while the orchard is being established and planted. Therefore, no unreasonable noise, vibration or earthwork effects will occur.

Overall, this property will notice a change in land use, and the new structures constructed on site that are ancillary to the proposed orchard. However, in time, this visual effect from the artificial shelter will be minimised and obscured through the Cryptomeria shelterbelt, that will provide further privacy to the existing mature vegetation surrounding this property. It is noted that the Cryptomeria shelterbelt will be retained at a height no greater than 6m to ensure it complies with Rule 4.4.2.58. Therefore, the proposed artificial horizontal and vertical shelter will not impede the rural amenity and character values observed from this property despite there being boundary infringements surrounding this property.

Overall, I conclude the adverse effects on this adjoining property to be less than minor.

### 7.3.3 Persons at 577 and 591 Parallel Road, Cambridge

These properties are located on the southern side of Parallel Road, and are directly adjacent to the subject site located either on the opposite side of Parallel Road. These properties are smaller sized sections and utilised for rural-residential use, each containing an existing dwelling.

Both properties include a substantial amount of mature vegetation and hedging along their boundaries where fronting Parallel Road, to the point that their dwellings are not visible from Parallel Road.

Due to the location of these properties, it is inevitable that these properties will see a change from open pasture land formally used for dairy farming activities to horticulture activities, both permitted farming activities within the Rural Zone. This change brings with it a permitted baseline of effects, including (but not limited to) accessory buildings and structures associated with the

rows of Kiwifruit and activities carried out associated with pruning, thinning, picking and other general maintenance within the orchard.



In time, with the mitigation measures proposed the visual effect is negligible, which includes Cryptomeria shelter belts planted along the boundaries. This shelterbelt should allow the green vertical permeable artificial shelter to blend into the established hedging, and blur the top of the horizontal shelter from these properties. Due to the location of the overhead powerlines fronting the subject property with Parallel Road, the proposed Cryptomeria shelterbelt will be limited to a height of 3.5 metres high (which is higher than the existing barberry hedging currently fronting the site). Therefore, it is likely that the top of the vertical and horizontal shelter could be visible from these properties.

With regard to construction effects, including noise, vibration and earthworks, these will comply with the permitted thresholds in the District Plan and are temporary in nature while the orchard is being established and planted. Therefore, no unreasonable noise, vibration or earthwork effects will occur.

Overall, these properties will notice a change in land use, and the new structures constructed on site that are ancillary to the proposed orchard. However, in time, this visual effect from the artificial shelter will be minimised and obscured through the Cryptomeria shelterbelt, that will provide further privacy to the existing mature vegetation surrounding the boundaries of these properties. Therefore, the proposed artificial horizontal and vertical shelter will not impede the rural amenity and character values observed from these properties despite there being road boundary infringements.

Overall, I conclude the adverse effects on these adjoining and adjacent properties to be less than minor.

#### 7.3.4 Persons at 540, 583, 622, 625 and 626 Parallel Road, Cambridge

These properties are located on both sides of Parallel Road, and are either adjacent to, or separated by another allotment fronting the subject site. Some of these properties are smaller rural-residential sized sections, and others are larger rural holdings. All of which include existing dwellings, apart from 626 and 622 Parallel Road, Cambridge.

These properties will see a change from open pasture land formally used for dairy farming activities to horticulture activities, both permitted farming activities within the Rural Zone. In time, with the mitigation measures proposed the visual effect is negligible, which includes Cryptomeria shelter belts planted along the boundaries fronting these properties. This shelterbelt should allow the green vertical permeable artificial shelter to blend into the established hedging, and blur the top of the horizontal shelter from these properties.

With regard to construction effects, including noise, vibration and earthworks, these will comply with the permitted thresholds in the District Plan and are temporary in nature while the orchard is being established and planted. Therefore, no unreasonable noise, vibration or earthwork effects will occur.

Overall, these properties will notice a change in land use, and the new structures constructed on site that are ancillary to the permitted proposed orchard. However, in time, this visual effect from the artificial shelter will be minimised and obscured through the Cryptomeria shelterbelt planted along the boundaries of the subject site. Therefore, the proposed artificial horizontal and vertical shelter will not impede the rural amenity and character values observed from these properties despite there being road boundary infringements.

Overall, I conclude the adverse effects on these adjoining and adjacent properties to be less than minor.

### 7.3.5 Summary of Effects

Taking the above into account, it is considered that any adverse effects on persons at the aforementioned properties will be less than minor.

It is considered, therefore, that there are no adversely affected persons in relation to this proposal.

## 7.4 Limited Notification Conclusion

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Having undertaken the section 95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

## 8.0 Consideration of Applications (Section 104)

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### 8.1 Statutory Matters

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Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a discretionary activity, section 104B of the Act states that a council:

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

## 9.0 Effects on the Environment (Section 104(1)(A))

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Having regard to the actual and potential effects on the environment of the activity resulting from the proposal, it was concluded in the assessment above that any wider adverse effects relating to the proposal will be less than minor and that no persons would be adversely affected by the proposal.

Further, the proposal to utilise artificial screens on the existing rural zoned property as part of the permitted farming (horticulture) activities will have positive effects for both the Applicant and the wider community:

- The Applicant;

The artificial shelter is established through the need to protect more sensitive fruit varieties (such as Red and Gold Kiwifruit varieties) and to maximise productive land. More traditional approaches to shelter include planting willow and poplar shelter every 20-30 metres in a block, or larger blocks with Cryptomeria shelterbelts between every 75 to 100 metres. Shelterbelts are widely used in the horticulture sector to protect fruit from wind and frost damage, however through technological advancements, artificial shelter is now chosen as the preferred choice. Artificial shelter increases the productive capability of the orchard area as they can cover larger areas with less annual maintenance.

- The wider community

The proposal will have positive effects on the local community insofar as it supports local employment opportunities and growth within the horticultural sector (associated with the installation and maintenance of the artificial screens and picking and packing the increased harvest). The proposal will also result in an increased supply of kiwifruit (due to the higher harvest rates) at a higher quality. This is likely to improve the overall grade of fruit, in turn, producing a higher commercial yield for the applicant and resulting in a positive effect on the local community, as consumers of the locally grown kiwifruit. For the reasons outlined above it is our assessment that the proposal will have positive effects on both the applicant and the wider community.

Overall, it is considered that when taking into account the positive effects, any actual and potential adverse effects on the environment of allowing the activity are appropriate.

## 10.0 District Plan and Statutory Documents (Section 104(1)(B))

### 10.1 Objectives and Policies of the Waipa District Plan

#### 10.1.1 Chapter 4 – Rural Zone

<b>4.3 Rural Resource</b>	
<b>Objective</b>	<b>Policies</b>
<p><b>4.3.1</b> To maintain or enhance the inherent life supporting capacity, health and well-being of rural land, ecosystems, soil and water resources.</p>	<p><b>4.3.1.4- Protect the rural soil resource</b> The versatility and life supporting capacity of the District’s rural land and soil resource, particularly high class soils and peat soils, are protected from development, subdivision or activities that would prevent its future use for primary production, or its ability to maintain the District’s ecological/biodiversity values.</p>

#### Comment

As alluded to Section 6.0 and 7.0 of this report, the proposal will not generate any adverse character and amenity effects on the rural environment. Furthermore, given the proposal involves the construction of structure that is necessary for a permitted horticultural activity, the proposal directly supports the productive

capacity of the site. As such we conclude that the proposal is consistent with the intent of the above referenced objective and policy.

<b>4.3 Rural Character</b>	
<b>Objective</b>	<b>Policies</b>
<b>4.3.7</b> <i>Rural character and amenity is maintained.</i>	<b>4.3.7.1- Rural Character</b> <i>Land use activities should be at a density, scale, intensity and location to maintain rural character.</i>
	<b>4.3.7.2- Rural Character</b> <i>Rural character and associated amenity values shall be maintained by ensuring rural land uses predominate in the Rural Zone, and buildings are of an appropriate scale and location.</i>
	<b>4.3.7.3- Rural Character</b> <i>Ribbon development or residential cluster development shall be avoided.</i>
<b>Objective - Rural amenity: setbacks</b> <b>4.3.8</b> <i>To maintain rural character and amenity and avoid reverse sensitivity effects.</i>	<b>4.3.8.1</b> Buildings and activities are set back from road boundaries and railway tracks to maintain safety, rural character and amenity, and to avoid reverse sensitivity effects.
	<b>4.3.8.2</b> Buildings and activities are set back from rear and side boundaries to maintain rural character and amenity and avoid reverse sensitivity effects.

Comment

Rural character is maintained on the site and as the structure is of an appropriate colour, is permeable and will be visually mitigated overtime through proposed planting of Cryptomeria shelterbelts, thus the rural character, and amenity will be retained. The proposed artificial vertical and horizontal shelter is of an appropriate size and scale for the permitted activities to occur within site, and have been designed based on the site restraints and is sympathetic to adjoining residential activities.

10.2 Objectives and Policies of the Waikato Regional Policy Statement & Plan

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No Regional consents are required for this proposal.

10.3 Summary

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It is considered that the proposed development is in accordance with the objectives and policies of the Waipa District Plan.

11.0 Other Matters (Section 104(1)(C))

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11.1 Record of Title Interests

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The Record of Title for the site are subject to a number of interests (refer **Appendix 1**). None of these are anticipated to affect the resource consent application as discussed in **Table 1** below:

**Table 1: Record of Title interests**

Interest	Comment
SA70D/525	The site is subject to an electricity supply right over part marked A on DPS 89413 specified in Easement Certificate B639048.1

## 12.0 Part 2 Matters

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Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant Waipa District Plan objectives and policies, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the Act.

## 13.0 Recommended Conditions

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Part of our application forms the imposition of the following recommended consent conditions should consent be granted:

- The artificial screens and supporting structures must be no taller than 6m in height.
- The artificial screens shall be located a minimum of 6m from the road boundary.
- The consent holder must maintain the shelterbelt plantings, located along the external boundaries of the site adjacent to the artificial screens, in perpetuity, with any dead or dying plants replaced as soon as practical.
- The shelterbelt plantings, located along the external boundaries of the site adjacent to the artificial screens, shall be maintained at a maximum height of 6m.

## 14.0 Conclusion

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The proposal involves the construction of vertical and horizontal artificial kiwifruit shelter at 582 Parallel Road, Cambridge.

Based on the above report it is concluded that:

- Public notification is not required as adverse effects in relation to rural character and amenity, effects in relation to the Significant Natural Area and temporary construction effects are considered to be less than minor. There are also positive effects including supporting the local community for local kiwifruit production, and increasing the productive capacity of the site itself;
- Limited notification is not required as no persons are adversely affected;
- The proposal is concluded to be an acceptable outcome within the environment;
- The proposal accords with the relevant Waipa District Plan objectives, policies and assessment criteria; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a non-notified basis.