

WAIPA DISTRICT COUNCIL

Land use consent applications for 582 Parallel Road, Cambridge

MINUTE OF COMMISSIONER ALAN WITHY

Dated 25 January 2023

1. The purpose of this MINUTE is to clarify and progress matters raised in my previous Minute of 19 January 2023.
2. There are two Applications before Council to be determined by me:
 - a. LU/0147/22 to construct artificial shelters for a kiwifruit orchard at 582 Parallel Road, Cambridge (FIRST APPLICATION); and
 - b. LU/0252/22 for retrospective consent to plant shelterbelts for a kiwifruit orchard at the same address (SECOND APPLICATION).
3. The First Application has been limited notified, a submission has been made and a s42A Report issued. A hearing on this First Application is required to determine whether it should be granted or declined, and this is set down for Wednesday, 22 February 2023.
4. The Second Application is the subject of a notification recommendation by the s42 Reporting Officer. I now need to make a notification decision on the Second Application before it can proceed any further in its statutory process. In my Minute of 19 January 2023, I invited counsel for the Applicant and the neighbour of the application site (who is the submitter on the First Application) to file legal submissions, if they wish, on the notification recommendation before I make a notification decision on the Second Application.
5. I direct that:
 - a. Any legal submissions on the notification recommendation on the Second Application are to be filed with Council by Friday 10 February;
 - b. If no legal submissions are filed, I will proceed to make a notification decision on the Second Application on the papers;
 - c. If legal submissions are filed, I will hear those submissions on Wednesday, 22 February 2023, and then make a notification decision on the Second Application.
6. All communications in relation to this Minute must be addressed to Tracee.Berry@waipadc.govt.nz.



Alan Withy, Independent RMA Commissioner