

Appendix 1: Recommended Amendments to Designation FN253

Conditions

Pursuant to section 181(3) of the Act, the Council (territorial authority) agrees to make the following additions and alterations to the conditions of the Designation FN253. For clarity, a full suite of conditions is provided in the Appendix A attached to this decision.

(Key: additional text underlined; existing text in *italics*; removed text ~~strikethrough~~)

1.

- a. *Subject to the conditions below, the initial works to give effect to the designation shall be in general accordance with the “Request Alteration to Designation FN 253- Kerikeri Wastewater Treatment Plant” letter dated 5 October 2017 and supporting documentation including the Addendum to the Assessment of Environmental Effects prepared by AECOM dated 5 October 2017, and the letter and attachments from the FNDC Consents Planner dated 30 November 2017.*

Except where altered by the subsequent Notice of Requirement to Alter Designation FN253 – Kerikeri Wastewater Treat Plant Letter dated 27 November 2018 and supporting documentation including the Treatment Plant Landscape Plan prepared by hawthorn Landscape Architects dates, November 2018, and the plans titled Alteration to Designation FN 253 – Kerikeri WWTP and KWWTP Designation, prepared by the Far North District Council Dated 27 November 2018 and the subsequent Notice of Requirement dated 17 May 2023 including the Addendum dated 4 August 2024 and updated title plan titled “Proposed Designation Area – Kerikeri Wastewater Treatment Plant” dated 18 November 2024.

- b. Within 8 months of the Notice of Requirement to Alter Designation FN253 – Kerikeri Wastewater Treatment Plant dated 17 May 2023, including the Addendum dated 4 August 2024 and updated plan titled “Proposed Designated Area - Kerikeri Wastewater Treatment Plant” dated 18 November 2024, being confirmed by the territorial authority, the Requiring Authority must update its Operations and Maintenance Plan for the designated area of the Kerikeri Wastewater Treatment Plant to include a Pest Plant Management Plan (PPMP) to achieve the objectives of:

- ▮ Preventing the introduction and establishment of new pest plant species on the site and immediately adjoining properties;
- ▮ Controlling the spread and abundance of existing pest plant populations on the site;
- ▮ Minimizing the impact of pest plants on the local environment, infrastructure, and operations; and
- ▮ Complying with relevant local and national regulations regarding pest plant control, in particular the operative Regional Pest Pathway Management Plan.

The PPMP must include:

- i. A description of the purpose of a PPMP and its objectives;
- ii. A register of personnel responsible for implementation of the PPMP, including any necessary qualifications or certifications to carry out the actions described in the PPMP;
- iii. A description of how pest plant populations will be controlled, including the frequency of control actions;
- iv. (A description of how monitoring and reporting of the effectiveness of control methods will be recorded; and

- v. Copies of all current authorisations necessary to implement the PMPP, including relevant performance standards and conditions of a permitted activity rule in an operative district and regional plan.
- c. The PPMP for the designated area is to be made available to the Okura Residents Association for feedback prior to finalising. If no feedback has been received within 20 working days, the PPMP will be taken as final.
- d. Within 9 months of the Notice of Requirement to Alter Designation FN253 – Kerikeri Wastewater Treatment Plant dated 17 May 2023, including the Addendum dated 4 August 2024 and updated plan titled “Proposed Designated Area - Kerikeri Wastewater Treatment Plant” dated 18 November 2024, being confirmed by the territorial authority. The Requiring Authority must submit the updated Operations and Maintenance Plan for the designated area which will include the PPMP and any feedback received per (d) to the territorial authority for certification.
- e. The PPMP must be implemented by the Requiring Authority at all times once certified.

Vegetation Protection

- 2. Provide, for the Council’s Manager, Resource Consents, a covenant document for the continued protection of the existing gum trees in the gully to the west of the designation site as shown on the plan submitted with the application and titled “Proposed existing gums to be protected via covenant” dated 30 November 2017. The approved covenant is to be registered on the title of the affected land prior to the operation of the new WWTP.
 - a. The living vegetation within the area marked “Protected Vegetation” in the plan titled “Proposed Designated Area – Kerikeri Wastewater Treatment Plant” dated 18 November 2024 is to be protected for buffer integrity and shall not be cut down, damaged or destroyed by the Requiring Authority at any time except when that vegetation is deemed to be a direct threat to the ongoing safe and effective operation of the Kerikeri Wastewater Treatment Plant and the health and safety of people while onsite as determined by an experienced arborist.
 - b. Any pruning or felling of trees within the area marked “Protected Vegetation” which pose a direct threat to the ongoing safe and effective operation of the Kerikeri Wastewater Treatment Plant and for the health and safety of people while onsite must be:
 - Undertaken by a suitably qualified and experienced arborist and carried out in accordance with best arboricultural practices; and
 - Carried out in manner that does not cause the death of any other tree(s) when felling or which does not cause the death of the tree(s) when pruning. The extent of pruning and/or felling tree(s) shall be at the discretion of the arborist undertaking the work.
- 3. Any living vegetation removed must be replaced with non-deciduous vegetation which will provide the same level of buffer integrity of the vegetation removed once it is established.
- 4. To ensure that buffer integrity is maintained when replacing living vegetation, the Requiring Authority must prepare a post-establishment protection and maintenance plan (PePMP) for replacement planting which, at minimum, details the following:
 - (a) Method(s) and timing of replacement planting;
 - (b) Fertilising;
 - (c) Weed removal/spraying;
 - (d) Replacement of dead or poorly performing plantings;
 - (e) Irrigation;
 - (f) Duration of maintenance.

The PePMP must be submitted to the territorial authority for certification within 60 working days of the Notice of Requirement to Alter Designation FN253 – Kerikeri Wastewater Treatment Plant dated 17 May 2023, including the Addendum dated 2 August 2024 and updated plan titled “Proposed Designated Area - Kerikeri Wastewater Treatment Plant” dated 18 November 2024, being confirmed by the territorial authority.

The certified PePMP must be implemented at all times when replacing vegetation within the area marked “Protected Vegetation” in the plan titled “Proposed Designated Area - Kerikeri Wastewater Treatment Plant” dated 18 November 2024.

Advice Note: As the area marked “Protection Vegetation” in the plan titled “Proposed Designation Area – Kerikeri Wastewater Treatment Plant” dated 18 November 2024 provides amenity buffer protection between the Kerikeri Wastewater Treatment Plant and properties to the west, the method(s) and timing of replacement planting in the PePMP must address situations where living vegetation has been removed in accordance with Condition 2A, and where living vegetation has been removed or diminished as a result of third-party or natural causes. Where living vegetation has been removed or diminished as a result of third-party or natural causes, the timing to implement replacement planting shall be reasonable having regard to the extent of any damage and availability of resource to the Requiring Authority.

5. Except for the work described in Conditions 2-4, no other development, infrastructure, or earthworks within the area marked “Protected Vegetation” in the plan titled “Proposed Designated Area - Kerikeri Wastewater Treatment Plant” dated 18 November 2024 is authorised by this designation.
6. Notwithstanding any other requirement to submit an Outline Plan of Works or Notice of Requirement in accordance with Sections 176A and 168A of the Resource Management Act 1991, the Requiring Authority responsible for the designation shall submit Outline Plans or Notices of Requirements as required by Sections 176A and 168A of the Resource Management Act 1991 to the Territorial Authority for consideration specifically for the following work;
 - a. Felling trees within the area marked “Protected Vegetation” which have been deemed to be a direct threat to the safe and effective operation of the Kerikeri Wastewater Treatment Plant; and
 - b. Construction of any further facilities, infrastructure, or earthworks on the site which are not subject to the development restriction given in Condition 5.

Advice Note: For the purpose of Condition 2 and 6, a “direct threat” means individual trees or limbs of trees which pose a reasonably high-risk of falling on or within the Kerikeri Wastewater Treatment Plant site and which will disrupt the safe and effective operation of the asset. All measures to reasonably avoid felling of smaller trees that do not pose a direct threat shall be taken when carrying out work authorised by Condition 2(a) and (b).

7. When submitting plans or requirements pursuant to Conditions 4 and 6, the Requiring Authority must include evidence of consultation with the Okura Residents Association.

Advice Note: If the Okura Residents Association is dissolved for any reason, the landowners who have reverse sensitivity covenants on their titles (see RC2220225-RMASUB) shall be the consulted party.