

## Appendix 1 Addendum – Officers Recommended Amendments to Designations Chapter

This addendum to Appendix 1 replaces the version of the recommended amendments to the below mentioned *Minister of Corrections* and *Spark NZ Limited* designations issued on 14 April 2025. It corrects several errors identified by submitters in evidence and will be tabled by the S42A Report Writing Officer at Hearing 11, and confirmed in the Officer's Written Reply. Note the below provisions represent the Section 42A Report Writing Officer's recommended amendments to the provisions of the Proposed District Plan, in response to submissions (with underline used for new text and strikethrough for deleted text).

### MINISTER OF CORRECTIONS (MCOR)

#### Overview

A designation is a mechanism used by Ministers of the Crown, network utility operators and local authorities approved as requiring authorities under the RMA to get planning authorisation for public works and protected land for future public works. Requiring authorities can only make a designation where they are financially responsible for the project, work or operation on the designated land. A designation is a form of 'spot zoning' over a site, area or route in a district plan. A designation enables a requiring authority to undertake works in the designated area without the need for resource consent, unless works will be undertaken that are outside the scope of the designation.

#### Designations

<b>Community Corrections, Kaikohe</b>	
Designation unique identifier	MCOR1
Designation purpose	Community Correction Activity
Site identifier	<u>17 Station Road East, Kaikohe</u> Part Marino 2B2 Blk, Blk XV Omapere SD, 2878 sqm
Lapse date	N/A <u>Given effect to</u>
Designation hierarchy under section 177 of the RMA	<del>Be</del> <u>Primary</u>
Conditions	No
Additional information	<u>Formerly MCO41</u> Rollover designation with minor corrections to schedule
<b>Northland Region Corrections Facility, Ngawha</b>	
Designation unique identifier	MCOR2
Designation purpose	Northland Region Corrections Facility
Site identifier	<u>Ohaeawai Road, SH12, Ngawha</u> Lot 1 DP 365989 (formerly Lot 2 DP 89625) 189.6ha

Lapse date	N/A <u>Given effect to</u>
Designation hierarchy under section 177 of the RMA	<u>Be-Primary</u>
Conditions	Yes
Additional information	<u>Formerly MCO230</u> Rollover designation with minor corrections to schedule

### MCOR2 Designation conditions

This designation is for a Regional Corrections Facility for Northland and relates to the following: The construction, operation, maintenance and upgrading of a comprehensive regional prison and associated facilities and the authorisation of all ancillary activities and facilities including, but not limited to:

- Inmate accommodation ranging from low, through medium, to maximum security;
- Staff facilities;
- Administration;
- Rehabilitative programmes;
- Inmate employment;
- Vocational training;
- Recreational and exercise facilities;
- Horticultural areas;
- Visitors centre;
- Staff and visitor car parking;
- Internal roading;
- Security fences, light and towers;
- All other associated or ancillary land-use activities and all structures and facilities normally associated with a comprehensive regional prison.

The designation shall extend to all land included in Certificate of Title 46D/1389, being Lot 2 DP 89625 owned by the Minister (as shown on plan ASK-100E) but shall exclude the Waitotara and Waiapawa Ponds and land in the vicinity of those ponds as more particularly shown on plan ASK-100G (to be prepared).

#### Site Development

1. All custodial, industry and office buildings shall be generally located in the building area shown on plan ASK100E. Screening trees shall be planted so as to soften the visual impact of any buildings located on the southern ridge of the area shown as the building area, when viewed from Ngawha Springs Village or the adjoining Beadle property.
2. No buildings are to be erected within 450 metres of State Highway 12, being the area which has a common boundary with the property owned by J M and M A Anderson. In the event that the property comes under the Minister's ownership or control, this condition shall cease to have effect.
3. No building (excluding farm, storage or accessory buildings) shall be constructed or excavation works exceeding five metres in net depth (after cut and fill) shall be undertaken, within the geothermal buffer areas shown on plan ASK100E, and shall be in accordance with the conditions of the resource consents granted by the Northland Regional Council.
4. The entrance to Site D2 from State Highway 12 is to be formed by Transit New Zealand guidelines and standards. Transit New Zealand should be invited to review the access engineering proposals in the light of current traffic densities and average speeds past the proposed access point. As a minimum, there shall be a right turn bay constructed prior to any building-related earthworks being undertaken on the site.

### Landscaping

5. A landscaping and planting plan for the designated site shall be submitted to the Far North District Council. The plan is to be prepared following consultation with those landowners with a boundary in common with the designated site. The plan shall be developed with the objectives of:

- Enhancing existing landscape features such as significant vegetation and remaining lengths of unculverted watercourses;
- Utilising native species in key area such as riparian margins;
- Mitigating visual impact, particularly from the Ngawha Village and adjoining properties.

The landscaping plan is to contain a programme for monitoring new plantings in order to ensure their initial establishment and long term success.

### Lighting

6. A lighting plan shall be submitted to the Far North District Council. The plan shall show and describe the location, type, and intensity of lighting for all facilities planned on the site. Light spill shall be directed into the perimeter “sterile” areas or in similar manner to mitigate any impact on Ngawha Village.

### Noise Emissions

7. Activities on the site shall not exceed the following noise levels as measured within the boundary of any site zoned residential or within the notional boundary of any dwelling on any other site zoned rural:

0700 to 2200 hours — 50 dBA L10

2200 to 0700 hours — 45 dBA L10 and

(the following day) — 75 dBA Lmax

Sound levels shall be measured in accordance with New Zealand Standard NZ6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

Construction noise shall meet the limited recommended in, and shall be measured and assessed, in accordance with NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition work.

The monitoring of these levels shall be an agenda item for regular discussion with the Community Liaison Group.

### Discovery of Archaeological or Cultural Artefacts

8. Prior to commencement of site works and building construction, tangata whenua shall be consulted and a management plan developed setting out the protocols to be observed in the event of the discovery of koiwi (human remains).

9. An appointed archaeologist shall be on call during excavation works. If archaeological evidence is uncovered during the development of the site, the archaeologist will advise on appropriate mitigation measures.

10. In the event that any archaeological materials are discovered during site works or building construction, Schedule 1 of the Memorandum of Partnership between Ngati Rangi Development Committee and the Department of Corrections (dated 2 March 2001) and conditions 18 and 19 of the Northland Regional Council land use consent shall apply.

### Ecological Protection and Enhancement

11. A Conservation Management Plan for the designated site, identifying areas recommended for protection and actions and procedures to maintain or enhance these areas, shall be submitted to the Far North District Council. This plan is to include indigenous flora areas around the Waitotara Pond, Waiapawa Pond, the shrub land area to the east of this pond and riparian areas adjacent to streams. The plan is to be prepared in consultation with Ngati Rangi representatives and the Department of Conservation. The plan shall include:

- Details of proposed fencing to exclude stock from areas recommended for protection, areas of existing shrub land, remnant indigenous habitat and linkage areas, with the proposed stock fencing

being suitable for the free movement of indigenous wildlife.

- Details of the need for any culverts or stream works to provide for fish passage and where necessary any culverting or diversion of any stream shall be of sufficient size and design so that water velocities do not preclude fish passage at normal flows, and no physical barriers preclude fish passage.
- Details of the presence of indigenous orchids on the designated site, including the sun orchid *Thelymitra malvinie* and the need for associated protective measures.
- Details of fencing of areas recommended for protection and an associated programme for achieving this fencing.

The Conservation Management Plan shall contain an implementation programme relating to all of the above and a mechanism for ensuring ongoing consultation with interested parties and review provisions. The Plan shall also provide for the removal or ongoing control of environmental pest plants from the property and for effective pest control with riparian strips and shrub lands.

#### Community Liaison

12. The requiring authority shall establish a Community Liaison Group as a forum for informing the local community of, and receiving feedback on, the activities undertaken in accordance with the designation. It will be an ongoing point of contact between the requiring authority and the community. The community Liaison Group shall be formed within two months of a designation being included in the district plan pursuant to section 175 of the Act and shall have its first meeting at that time.

The Community Liaison Group shall comprise, as a minimum, one representative from each of the following:

- Far North District Council;
- Ngati Rangī;
- Ngapuhi;
- Other Ngawha hapu;
- Ngawha Springs township land owners;
- Adjacent rural landowners;
- Kaikohe business community;
- Prison management;
- New Zealand Police.

It shall be the responsibility of the requiring authority to convene the meeting and to cover the direct costs of running the meetings. The requiring authority shall provide an opportunity for the Community Liaison Group to meet at least twice during the course of each year, and subject to agreement by prison management, which will not be unreasonably withheld, when otherwise sought by any of its members. The requiring authority shall not be in breach of this condition if any one or more of the named groups do not wish to be members of the Community Liaison Group or to attend any meetings. It is anticipated that the Community Liaison Group will formulate its own protocols in respect of its role. Its functions may include, but not be limited to:

- i. Appointment of new committee members;
- ii. Giving advice on appropriate protocols that may be carried out during the construction or operation of the prison to address cultural and spiritual issues;
- iii. Having input into the landscaping plan for the prison development;
- iv. Providing feedback to the requiring authority on any issues that may arise from the community as being of concern during the construction and operation of the prison;
- v. Providing input to the implementation and/or effectiveness of any of the conditions on the requirement.

#### Cultural

13. The requiring authority shall formalise a Memorandum of Understanding with appropriate representatives of the local Maori community. The Memorandum shall set out the parameters for the establishment of an ongoing relationship between the authority and the Maori community. One objective of the Memorandum shall be to provide a forum for discussion and, if needed resolution, of existing and future cultural issues. (The Minister shall not be in breach of this condition if any of the relevant hapu or other representatives of the local community choose not to enter into or adhere to such an agreement/understanding).



## SPARK NZ TRADING LIMITED (SPK)

### Overview

A designation is a mechanism used by Ministers of the Crown, network utility operators and local authorities approved as requiring authorities under the RMA to get planning authorisation for public works and protected land for future public works. Requiring authorities can only make a designation where they are financially responsible for the project, work or operation on the designated land. A designation is a form of 'spot zoning' over a site, area or route in a district plan. A designation enables a requiring authority to undertake works in the designated area without the need for resource consent, unless works will be undertaken that are outside the scope of the designation.

### Designations

<b>Paihia Exchange</b>	
Designation unique identifier	CNZ25
Designation purpose	<u>Telecommunications and Radio Communications and Ancillary Purposes</u>
Site identifier	Lot 57 DP11040 Blk IV Kawakawa SD, 1012 sqm
Lapse date	Given effect
Designation hierarchy under section 177 of the RMA	<u>Chorus NZ Limited - Primary</u> <u>Spark NZ Trading Limited - Secondary</u>
Conditions	Yes
Additional information	Rollover designation with minor updates to the schedule
<b>Kaikohe Exchange</b>	
Designation unique identifier	<u>CNZ28</u>
Designation purpose	<u>Telecommunications and Radio Communications and Ancillary Purposes</u>
Site identifier	Lot 1 DP 202268, 1886 sqm
Lapse date	Given effect
Designation hierarchy under section 177 of the RMA	Chorus NZ Limited - Primary Spark NZ <u>Trading</u> Limited - Secondary
Conditions	Yes
Additional information	Rollover designation with minor updates to the schedule
<b>Russell Heights Radio Station</b>	

Designation unique identifier	CNZ34
Designation purpose	<u>Telecommunications and Radio Communications and Ancillary Purposes</u>
Site identifier	Lot 1 DP335250 1518m2
Lapse date	N/A
Designation hierarchy under section 177 of the RMA	<u>Chorus NZ limited - Primary</u> <u>Spark NZ Trading Limited - Secondary</u>
Conditions	Yes
Additional information	Rollover designation with minor updates to the schedule

**Kerikeri Town Telecommunications**

Designation unique identifier	SPK128
Designation purpose	<u>Telecommunications and Radio Communications and Ancillary Purposes</u>
Site identifier	Sec 1 SO64119, Pt OLC No.3 Blk XI Kerikeri SD, 865 sqm
Lapse date	N/A
Designation hierarchy under section 177 of the RMA	Primary
Conditions	yes
Additional information	Rollover designation with minor updates to the schedule

**4. FURTHER CONDITION APPLYING TO SITE SPK128**

<b>Tree or Trees</b>	<b>Plan references (<i>Planning Maps and APP2 - Schedule of notable trees</i>)</b>
<i>Stenocarpus</i> (Illawara Flame)	#69; Map 87

- a. The following works may be carried out on the scheduled tree without an outline plan of works:
  - i. trimming and maintenance, and the felling of the scheduled tree if it has died, provided that such work is undertaken by or under the supervision of a member of the New Zealand Arboricultural Association who has advised the Council in advance of the work to be carried out.
  - ii. felling or limbing of the scheduled tree where such work is required as emergency work to safeguard life or habitable buildings from immediate danger or maintain or restore networks for energy, telecommunications and transport, provided that such work shall be carried out to the minimum required to protect human life, habitable buildings or the networks.
  - iii. planting and weeding of garden plants within the area covered by the crown periphery (dripline) of the tree.
- b. The following works may be carried out in accordance with an approved outline of works, where that outline plan of works has included an appropriate assessment of the works, including the need for the works and the likely long-term effects on the tree or trees involved:

- i. the limbing of any tree, other than for the emergency purposes described in (a) above;
- ii. the excavation, filling and provision of impermeable surfaces (including buildings) within the area covered by the crown periphery (dripline) of the tree, and
- iii. any other works which have the potential to adversely affect the specified tree shall not be carried out unless and until the terms of the designation are altered to specifically provide for such works.