**Appendix 2 – Draft Designation Conditions**

**Amendments to Designation Conditions**

**3900 Auckland Prison Designation**

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| **Designation Number** | 3900 |
| **Requiring Authority** | Minister of Corrections |
| **Location** | 530 Pāremoremo Road and 505 Pāremoremo Road, Pāremoremo |
| **Rollover Designation** | Yes |
| **Legacy Reference** | Designation 120 Auckland Council District Plan (North Shore Section) 2002 |
| **Lapse Date** | Given effect to (i.e. no lapse date) |
| **Purpose** | ~~Auckland Prison~~ Construction, operation and maintenance of Prison and ancillary facilities. |

**For avoidance of doubt, the existing designation purpose of 'Auckland Prison' will be deleted and replaced with the new designation purpose outlined above. The existing conditions on Designation 3900 (1a-d and 2ag) and supporting attachments will be deleted and replaced with the conditions DES01 to DES50 set out below.**

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**Commented [JW1]:** This is the existing location listed in the designation. Suggest this decision provides the opportunity to correct this to include all addresses that relate to the designation which includes 505 Paremoremo Road

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**Commented [JW2]:** Agreed with Requiring Authority on 25/09 as a proportionate way of recognising in this document condition deletions proposed (rather than all strikethroughs) and change to purpose of the designation as a result of NoR.

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**Draft Designation Conditions**

| Definition |
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| **Activity Sensitive to Noise –** means any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classrooms in education facilities and healthcare facilities with an overnight stay facility. |
| **Area A –** The area of the Auckland Prison Site identified as Area A on Figure A Designation Areas Plan, comprising some 44.93 hectares. |
| **Area B –** The area of the Auckland Prison Site identified as Area B on Figure A Designation Areas Plan comprising some 3.30 hectares. |
| **Area C –** The area of the Auckland Prison Site identified as Area C on Figure A Designation Areas Plan comprising some 31.81 hectares. |
| **Area D –** The area of the Auckland Prison identified as Area D on Figure A Designation Areas Plan comprising some 0.64 hectares. |
| **Auckland Prison Site –** the designation area described as Section 1 SO 476557, Section 2 SO 476557, Section 3 SO 476557, LOT 4 DP 24508, Section 1 SO 66967, Sec 1 SO 66966, Lot 3 DP 64525 and Section 1 SO 66966. |
| **Balance land activities –** for the purposes of Condition DES04 of this designation includes the following Non-Secure facilities:<br>*(i)* Landscape revegetation and tree planting<br>*(ii)* Farming<br>*(iii)* Surveillance equipment ~~and~~<br>*(iv)* Lighting associated with lighting the secure perimeter and key access roads;<br>*(v)* Vehicle accessways<br>*(vi)* Infrastructure and services (including water, wastewater and stormwater facilities)<br>*(vii)* Cultural buildings;<br>*(viii)* Offender employment activity; and<br>*(ix)* Energy generation and storage facilities. |
| **Building coverage** – the area (combined) covered by buildings. Included in the term 'buildings' for the purpose of this definition are accessory buildings, and those parts of the site covered by overhanging buildings, but not fences or walls, underground structures, connecting covered walkways, eaves, pergolas, slatted open decks, or similar structures of a substantially open nature. |
| **Construction works** – Includes the laying of foundations, installation of infrastructure and all other activities associated with building the facilities, including earthworks, up to the point of all Code Compliance Certificates being issued under the Building Act by the Auckland Council. For the avoidance of doubt this term excludes internal fitouts, demolition and/or removal works. |
| **Demolition and/or removal works** – means the demolition or removal of buildings but does not include removal of internal walls or structures to a building. |

**Commented [JW3]:** Council suggest this wording agreed as part of the s53 and S55 correspondence should be reinstated, accepting the separation of lighting into a separate bullet point. Refer to paragraph 85f of Council s53 response for reasoning and background.

| Definition |
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| **Flood hazard area** – Includes floodplains, flood prone areas and overland flow paths. Flood hazard areas are categorised based on the depth and velocity of floodwaters into four classifications:<br>(a) Very high flood hazard areas –<br>(i) for floodplains and overland flow paths, where floodwaters have a depth equal or greater than 1200mm or depth x velocity product greater than or equal to 0.8m2 /s in a 1% AEP event<br>(ii) for flood prone areas, where floodwaters have a depth equal or greater than 1200mm with 50mm of rainfall (approximately a 20% AEP event), assuming the primary stormwater network is 100 per cent blocked.<br>(b) High flood hazard areas –<br>(i) for floodplains and overland flow paths, where floodwaters have a depth between 500mm and 1200mm or depth x velocity product between 0.4m2 /s and 0.8m2 /s in a 1% AEP event<br>(ii) for flood prone areas, where floodwaters have a depth between 500mm and 1200mm with 50mm of rainfall (approximately a 20% AEP event), assuming the primary stormwater network is 100 per cent blocked.<br>(c) Medium flood hazard area –<br>(i) for floodplains and overland flow paths, where floodwaters have a depth between 500mm and 300mm or depth x velocity product between 0.4m2 /s and 0.24m2 /s in a 1% AEP event.<br>(ii) for flood prone areas, where floodwaters have a depth between 500mm and 300mm with 50mm of rainfall (approximately a 20% AEP event), assuming the primary stormwater network is 100 per cent blocked.<br>(d) Low flood hazard area<br>(i) for floodplains and overland flow paths, where floodwaters have depth equal to or less than 300mm or depth x velocity product less than or equal to 0.24m2 /s in a 1% AEP event<br>(ii) for flood prone areas, all other flood prone areas not meeting the definition for very high, high and medium flood hazard areas |
| **Floodplain** - The area of land that is inundated by runoff from a specified rainfall event, with an upstream catchment generating 2m3/s or greater of above ground flow, taking into account:<br>a) any increases in impervious areas that would arise from changes in land use including those enabled by<br>o development on Auckland Prison site that exists (date of designation amended) and any development approved under an outline plan, at the time of development: and<br>o The policies and zonings of the Plan beyond the Auckland Prison site<br>b) the effects of climate change over a 100 year timeframe in respect of the frequency and duration of rain fall events and a 1m sea level rise; and<br>c) assuming that primary drainage is not blocked.<br>Notes:<br>*The Council holds publicly available information showing the modelled extent of floodplains affecting specific properties in its GIS viewer for the one per cent annual exceedance probability (AEP) rainfall event (the floodplain maps). The floodplain map is indicative only although Council accepts its accuracy with regard to land shown on the floodplain map as being outside the floodplain. The Requiring Authority may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish* |

**Commented [JW4]:** Introduced as agreed in meeting with Corrections on 25/09 to address inconsistency with other flooding hazards being defined. Please note the following clause is only agreed on the basis of the proposed amendment below to DES24 set out below to ensure that the baseline position for those assessments and any level of effect is the hazard at the date of the designation being amended.

Development on Auckland Prison site that exists (date of designation amended) and any development approved under an outline plan, at the time of development: an

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| *the extent, depth and flow characteristics of the floodplain specific to the Auckland Prison Site and proposed development.* |
| **Flood prone area -** An area of land within a topographical depression where water will pond in a 1 per cent AEP rainfall event if soakage is restricted or the primary drainage outlet is blocked:<br><br>Notes:<br><br>• The Council holds publicly available information showing the modelled extent of Flood Prone Areas in its GIS viewer (Flood Prone map). The Flood Prone map is indicative only and excludes topographical depressions that are less than 300mm deep, have a water surface area of less than 500m$^2$ or a water volume less than 50m$^3$.<br><br>• The flood prone map depicts either the area that the depression will fill to in the 1% AEP event or if the depression fills to overflowing, then to the level it starts to spill. Flood Prone Areas may be susceptible to hazardous flooding during a range of storm events, including frequent events. The Requiring Authority may provide the Council with a site-specific technical report prepared by a suitably qualified and experienced person to establish the frequency, extent and characteristics of the Flood Prone Area specific to the Auckland Prison Site and proposed development. |
| **New prison facilities –** are Secure facilities and Non-secure facilities constructed after [date the designation alteration is confirmed]. This includes additions or extensions to existing facilities. |
| **Non-secure facilities –** for the purposes of the conditions of this designation, include but are not limited to the following:<br><br>(a) Staff and Visitor Carparking;<br><br>(b) Surveillance equipment and lighting;<br><br>(c) Prison management, security and operations support;<br><br>(d) Prison access control points (including boom gates);<br><br>(e) Visitors' reception centres;<br><br>(f) External deliveries stores;<br><br>(g) Roading;<br><br>(h) Administration and staff amenities;<br><br>(i) Facilities management and trade parking;<br><br>(j) Energy generation and storage facilities;<br><br>(k) Cultural buildings;<br><br>(l) Community facilities; and<br><br>(m) Infrastructure and services (including water, wastewater and stormwater facilities) |
| **Overland flow path –** A low point in terrain (excluding permanent streams) where surface runoff will flow during rainfall events:<br><br>Notes:<br><br>• The Council holds publicly available information showing the modelled Overland Flow Paths in its GIS viewer (the Overland Flow Path map). The Overland Flow Path map is indicative only. and shows only the thalweg, not the full extent of the Overland Flow Path. The thalweg is the line of the lowest |

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**Commented [JW5]:** To be added

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| elevation on a cross-section of the overland flow path) and further technical assessment by a suitably qualified and experienced person is required to establish the extent, depth and flow characteristics. The actual extent of any particular Overland Flow Path may extend beyond the site on which the thalweg is depicted. The Requiring Authority may provide the Council with a site specific technical report prepared by a suitably qualified and experienced person to establish the location, depth or flow characteristics of the Overland Flow Path. |
| **Secure facilities –** for the purposes of the conditions of this designation includes prisoner accommodation and associated facilities, including but not limited to the following:<br>(a) Secure perimeter;<br>(b) Gatehouses;<br>(c) Prisoner receiving centres;<br>(d) Specialist units including special treatment, at-risk and drug treatment unit;<br>(e) Prisoner visits areas;<br>(f) Health centres;<br>(g) Workshops/industries facilities;<br>(h) Kitchens/laundries;<br>(i) Sports halls/gymnasiums and sports fields, exercise yards;<br>(j) Programme facilities such as classrooms, meeting rooms and staff offices. |
| **Secure perimeter –** a physical barrier or barriers with the purpose of containing prisoners within secure facilities. |
| **Sensitive Material –** for the purposes of the conditions of this designation means:<br>(a) Human remains and kōiwi.<br>(b) An archaeological site.<br>(c) A Māori cultural artefact/taonga tuturu.<br>(d) A protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil). |
| **RL -** Reduced Level; a vertical height referenced to a mean sea level datum**.** |

Advice note: Conditions DES14A, DES19, DES23, DES46, DES47, DES49A, DES50, DES51, and those parts of DES44 and DES45 that relate to 12.27 hectares of landscape framework planting (referred to in the LMEEP and LEIMP) are *Augier* conditions.

| Condition No. | Condition |
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| | **Prison Operations** |
| **DES01** | The total number of prisoners on the Auckland Prison Site at any one time must not exceed 1,220. |
| **DES02** | Of the 1,220 prisoners provided for in Condition DES01, the total number of maximum security prisoners on the Auckland Prison Site at any one time must not exceed 260. |

<table>
<tr><td>DES03</td><td>All buildings on the Auckland Prison Site which are designed to hold prisoners overnight must be contained within a secure perimeter.</td></tr>
<tr><td></td><td>Activity and Development Controls</td></tr>
<tr><td>DES04</td><td>All activities listed in Table 1 must be located in the identified areas shown in Figure A: Designation Areas Plan<br><br>Table 1: Designation Areas and Activities<br><table><tr><th>Area</th><th>Authorised activities</th></tr><tr><td>Area A</td><td>Secure facilities<br>Non-secure facilities</td></tr><tr><td>Area B</td><td>Non-secure facilities only</td></tr><tr><td>Area C</td><td>Balance land activities only</td></tr><tr><td>Area D</td><td>Staff training facilities<br>Community facilities<br>Infrastructure and Services<br>Carparking<br>Lighting</td></tr></table></td></tr>
<tr><td>DES05</td><td>Maximum height limits<br><br>The maximum height of buildings and structures for New Prison Facilities (excluding lift shafts, building cleaning gantries, fall arrest systems, safety barriers, solar panels, and temporary buildings or structures associated with construction works and/or demolition and/or removal works) must not exceed the limits set out in Table 2 below.<br><br>Table 2: Maximum Height Limits<br><table><tr><th>Area</th><th colspan="2">Maximum building height</th><th>Maximum Reduced Level (RL) building height</th></tr><tr><td>Area A (Sub-area A1)</td><td>12 metres</td><td rowspan="5">Above finished ground level</td><td>RL 32 metres</td></tr><tr><td>Area A (Sub-area A2)</td><td>12 metres</td><td>RL 37 metres</td></tr><tr><td>Area A (Sub-area A3)</td><td>12 metres</td><td>RL 47 metres</td></tr><tr><td>Area B</td><td>7 metres</td><td>RL 27 metres</td></tr><tr><td>Area C</td><td>7 metres</td><td>Not applicable</td></tr></table></td></tr>
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**Commented [JW6]:** Note for Panel consideration: As noted in the Auckland Council S55 comments the absence of a secondary control or linking this to existing ground level (as per the amendment to Area D to link to existing ground level) means that there is no theoretical cap on height other than the level of fill earthworks. If this has been considered by the Panel and considered unnecessary on account of the limited building coverage, confirmation would be welcomed.

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| | Area D | 7 metres | Above existing ground level | Not applicable |

*Advice note:*

- Sub-*areas for Area A are shown in Figure B: Maximum Building Heights Plan.*
- *Both the maximum building height and maximum reduced level heights apply to all new buildings, and of these limits, the building must comply with the lesser of the maximum height limits.*

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| **DES06** | The maximum height of the secure perimeter for New Prison Facilities must not exceed 6 metres above the finished ground level. |
| **DES07** | The maximum height for support structures for lighting or lighting poles for New Prison Facilities at the Auckland Prison Site must not exceed:<br>(a) 7 metres above finished ground level in Area B; ~~or~~<br>(b) 10.5 metres above finished ground level in all other areas. |
| **DES08** | **Maximum Building Coverage**<br>Building Coverage for all buildings must be no more than:<br>*Table 3: Maximum Building Coverage* |

| **Area** | **Maximum Building Coverage** |
|---|---|
| Area A | 30% of Area A |
| Area B | 10% of Area B |
| Area C | 5% of Area C |
| Area D | 20% of Area D |

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| **DES09** | **Boundary setbacks**<br>The following activities for New Prison Facilities must be set back a minimum of 20 metres from the boundary of the Auckland Prison Site:<br>(a) Buildings;<br>(b) Support structures for lighting; and<br>(c) Lighting poles.<br>Except that this condition does not apply to:<br>(d) Lighting poles within Area B along the Iona Avenue boundary, where a setback of 5 metres from the road boundary must be provided.<br>(e) Infrastructure and services; and<br>(f) Temporary buildings or structures associated with construction works and/or demolition and/or removal works. |
| **DES10** | **Colours and Materials** |

**Commented [JW7]:** Note for Panel Consideration: As drafted the limit on height of the secure perimeter is the level of fill earthworks, matter explained in Council S55 response. Matter raised again to the Panel for completeness given the specific consideration that has been Area D.

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| | Buildings and structures for New Prison Facilities must be finished with a recessive colour scheme, in accordance with the following standards:<br>(a) the exterior walls of buildings (excluding architraves and trims) must be restricted to the following hue and greyness values contained in Groups A and B of the BS 5252: 1977 colour chart – 00 neutral, 06 yellow-red, 08 yellow-red, 10 yellow, and 12 yellow green with a maximum (colour) weight value of 29, and the following hue and greyness values contained in Group C of the BS 5252: 1977 colour chart – 08 yellow-red, 10 yellow, and 12 green-yellow with a maximum (colour) weight value of 39. The maximum light reflectivity value (LRV) for greyness groups A or B must be 60%. The maximum LRV for greyness group C must be 40%;<br>(b) the roofs of buildings must be constructed with non-reflective materials and have a colour with a reflectivity value of no more than 40% for groups A, B or C; and<br>(c) non-reflective glass must be used in glazing. |
| | **Noise and Vibration Standards** |
| **DES11** | **Construction Noise**<br>Unless provided for under Condition DES37~~40~~ (CNVMP Schedule), the following noise limits during construction works, demolition and/or removal works must not be exceeded when measured 1m from the façade of any building beyond the Auckland Prison Site that contains an Activity Sensitive to Noise that is occupied during the works: |

*Table 4: Construction Noise Limits*

| **Time of week** | **Time period** | **Maximum noise level (dBA)** | |
|---|---|---|---|
| | | $L_{eq}$ | $L_{max}$ |
| Weekdays | 6:30am – 7:30am | 55 | 75 |
| | 7:30am – 6:00pm | 70 | 85 |
| | 6:00pm - 8:00pm | 65 | 80 |
| | 8:00pm - 6:30am | 45 | 75 |
| Saturdays | 6:30am – 7:30am | 45 | 75 |
| | 7:30am – 6:00pm | 70 | 85 |
| | 6:00pm - 8:00pm | 45 | 75 |
| | 8:00pm - 6:30am | 45 | 75 |
| Sundays and public holidays | 6:30am – 7:30am | 45 | 75 |
| | 7:30am – 6:00pm | 55 | 85 |
| | 6:00pm - 8:00pm | 45 | 75 |
| | 8:00pm - 6:30am | 45 | 75 |

***Advice Notes:***

- *Construction noise must be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise.*
- *these limits have been taken from NZS6803:1999 Acoustics - Construction Noise Table 2: Recommended upper limits for construction noise received in residential zones and dwellings in rural areas, with the long-term duration limits applying due to the proposed length of Construction works, demolition and/or removal works.*
- *For the purpose of this condition, 'occupied' means that there is a person in the building when the noise generating activity is occurring.*

**DES12**

**Construction Vibration**

(a) Construction works and demolition and/or removal works must be controlled to ensure any resulting vibration beyond the Auckland Prison Site does not exceed:

(i) the limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure; and

(ii) the limits in Table 5~~Table 5~~ Construction Vibration Limits in Buildings in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings or within 500mm of ground level at the foundation of a single storey building.

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*Table 5: Construction Vibration Limits in Buildings*

| Receiver | Period | Peak Particle Velocity Limit (mm/s) |
|---|---|---|
| Occupied activity sensitive to noise | Night time 10pm to 7am | 0.3 mm/s |
| | Daytime 7am to 10pm | 2 mm/s |
| Other occupied buildings | At all times | 2 mm/s |

(b) Works generating vibration for three days or less between the hours of 7am to 6pm may exceed the limits in Table 5 Construction Vibration limits in buildings above, but must comply with a limit of 5mm/s peak particle velocity in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building, where:

(i) all occupied buildings beyond the Auckland Prison site within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and

(ii) the written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.

***Advice Note:***

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- *For the purpose of this condition, 'occupied' means that there is a person in the* building *when the vibration generating activity is occurring.*

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<tr><td>DES13</td><td>

**Operational Noise**

The noise rating level from the operation of the Auckland Prison (except for emergency sirens) must comply with the following noise limits when measured and assessed at the notional boundary of any Activity Sensitive to Noise on any other site:

<table>
<tr><th>Time</th><th>Noise limit</th></tr>
<tr><td>Monday to Saturday 7am-10pm</td><td rowspan="2">52 dB $L_{Aeq}$</td></tr>
<tr><td>Sunday 9am-6pm</td></tr>
<tr><td>All other times</td><td>40 dB $L_{Aeq}$<br>75 dB $L_{AFmax}$</td></tr>
</table>

***Advice Note:***

- *Sound levels must be measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.*

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<tr><td></td><td>Lighting Standards</td></tr>
<tr><td>DES14</td><td>

**Exterior lighting**

All new lighting (including operational exterior and construction lighting, excluding replacement of existing lamps) must comply with the following standards:

<table>
<tr><th>Sky Glow</th><th>Light Spillage</th><th>Glare Source Intensity</th><th>Building Luminance</th></tr>
<tr><td>UWLR (Max %)</td><td>Ev (Lux)</td><td>I(cd)</td><td>L(cd/m2)</td></tr>
<tr><td>5</td><td>10</td><td>500</td><td>5</td></tr>
</table>

***Advice Notes:***

- *UWLR (Upward Waste Light Ratio) = Maximum permitted percentage of luminaire flux that goes directly into the sky.*
- *Ev = Maximum vertical illuminance measured at the boundary of the Auckland Prison Site in Lux, measured up to 10 metres (vertically) from the finished ground level.*
- *I = Light intensity in Candelas when measured or calculated at the windows of habitable rooms of a lawfully established dwelling on an adjacent site.*
- *L= Luminance in Candelas per square metre.*
- *Glare Source Intensity, when measured or calculated at the windows of habitable rooms of a lawfully established dwelling on an adjacent site. This applies to each source in the potentially obtrusive direction, outside of the area lit.*
- *Building Luminance – This should be limited to avoid overlighting, in relation to the general district brightness.*

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| | • *Lighting design to be consistent with AS / NZS 4282: 2023 Control of the obtrusive effects of outdoor lighting.* |
| **DES154A** | Within five years of the designation alteration being confirmed, the Requiring Authority must deactivate or replace streetlights and floodlight fittings existing at [date the designation alteration is confirmed' identified as 'lighting to be deactivated or replaced' on Lighting Replacement / Deactivation Plan prepared by Boffa Miskell, dated 4 August 2026. To reduce glare effects, replacement light fittings must be downward facing LED light fittings with forward throw area light optics or streetlight optics that are applicable to the light fitting location.<br>***Advice note:***<br>• *For the avoidance of doubt, the progressive replacement or deactivation of existing lights required by Condition DES154A is not subject to the Lighting Design Report (DES30) and Lighting Design Completion Report (DES31) conditions, which apply to new lighting at the Auckland Prison site.* |
| | **Traffic and Parking** |
| **DES165** | **On-site carparking**<br>The Requiring Authority must ensure that there is full provision for parking of all vehicles (including during operation and construction (including construction worker parking) within the Auckland Prison Site. No parking associated with the operation of the prison shall occur outside of the Auckland Prison Site. |
| **DES176** | **Vehicle Accessways and Manoeuvring**<br>Vehicle access for operational traffic into the Auckland Prison Site must be located at one or a combination of the access locations marked as "Primary Access Points" as shown on Figure A: Designation Areas Plan.<br>This condition does not apply to access for:<br>(a) Emergency service vehicles.<br>(b) Farming.<br>(c) Site maintenance.<br>(d) Landscape revegetation and tree planting.<br>(e) Security purposes.<br>(f) Utility service vehicle access.<br>The site layout must be designed to avoid the requirement for any reverse manoeuvring to or from public roads. |
| **DES187** | **Operational access 1 (western access)**<br>Any new operational access at the location marked as operational access 1 (western access) in Figure A: Designation Areas Plan must be designed, constructed and formed to include:<br>(a) A continuous 3.5m wide traffic lane in each direction, and minimum of 0.75m sealed shoulders, extending into the site up to any gatehouse/security point and parking access features.<br>(b) Marked edgelines, central median strip and centreline in accordance with standard Manual of Traffic Signs and Markings Manual guidance.<br>(c) A sealed Give Way intersection at the primary access point. |

**Commented [JW8]:** Highlighting this is redundant if DES30 deleted and will need to be reconciled.

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| | (d) A central median strip, flush median and central right turn vehicle bay for vehicles travelling from west and turning into the Auckland Prison Site.<br>(e) 2.5 m wide shoulder widening for a length of 62.5 metres either side of the access intersection to accommodate turning movements. |
| **DES1~~8~~** | **Operational Access 3 (eastern access)**<br>Prior to being used for operational traffic for New Prison Facilities, operational access 3 (as shown in Figure A: Designation Areas Plan) must be improved with sealed carriageway and line markings consistent with operational access 2 (central access) and in accordance with Auckland' Transport's Transport Design Manual and Auckland Code of Practice for Land Development and Subdivision (or equivalent subsequent code or specification). |
| **DES20~~19~~** | **Closure of Iona Avenue / Sanders Road access**<br>The Iona Avenue / Sanders Road access:<br>(a) Must be closed within two years of [date the designation alteration is confirmed]. The road carriageway at the access point (including the portion within legal road reserve) Must be removed, reinstated with soil and planted.<br>(b) The land within Auckland Prison site along the Iona Avenue boundary must be planted with visual screen planting in accordance with Figure C: LMEEP.<br>(c) Must not be used for operational prison traffic for New Prison facilities;<br>(d) Must only be used temporarily for construction traffic, if necessary, in accordance with any certified CTMP.<br>(e) Upon completion of construction activities for New Prison facilities, must be closed permanently and replanted. |
| **DES2~~1~~0** | **Dairy Flat Highway / The Avenue Intersection upgrade**<br>There must be a maximum capacity of 921 prisoners accommodated within the Auckland Prison Site until such time as the Dairy Flat Highway / The Avenue Intersection is upgraded to either traffic signal control or other such form of control determined by the Road Controlling Authority~~.~~ |
| | **Archaeology** |
| **DES2~~1~~1** | No land disturbance (other than planting by hand) must occur within 20 metres of archaeological feature R10/831 identified on Figure C: Landscape Mitigation and Ecology Enhancement Plan. |
| **DES2~~3~~2** | In the event of sensitive material being uncovered during the course of any land disturbance or other works within the Auckland Prison Site, the Requiring Authority must take the following steps:<br>**(a) Cease works and secure the area**<br>(i) Immediately cease all works within 20m of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earthmoving activities.<br>(ii) Secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed.<br>**(b) Inform tangata whenua and the following relevant authorities immediately of the discovery**<br>(i) The New Zealand Police, if the discovery is of human remains or kōiwi.<br>(ii) Auckland Council, in all cases. |

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| | (iii) Heritage New Zealand Pouhere Taonga, if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi.<br><br>**(c) Wait for and enable an inspection of the site**<br><br>(i) Wait for and enable an inspection of the site by tangata whenua and the relevant authorities.<br><br>(ii) The Requiring Authority must arrange an inspection of the area by a suitably qualified and experienced archaeologist ("the archaeologist").<br><br>(iii) Following the inspection by the archaeologist and consultation with all relevant parties (including the Requiring Authority), and based on the expert cultural advice of tangata whenua, the archaeologist must will determine the area within which work must cease.<br><br>**(d) Recommencement of work**<br><br>(a) Work within the area determined by the archaeologist in (c)(iii) above and in consultation with tangata whenua must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:<br><br>(b) Heritage New Zealand Pouhere Taonga has confirmed that an archaeological authority has been granted for the work or that none is required.<br><br>(c) Any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage.<br><br>(d) Any material of scientific or educational importance must be recorded and if appropriate, recovered and preserved. The recovery or preservation of any archaeological material will require an authority under the Heritage New Zealand Pouhere Taonga Act 2014.<br><br>(e) Any kōiwi have either been retained where discovered as appropriate or removed (where appropriate) in accordance with the appropriate tikanga of tangata whenua. |
| | **Stormwater and Flood Hazard Management** |
| **DES2~~43~~** | (i) Unless otherwise approved by resource consent, s~~S~~tormwater must be managed for New Prison Facilities so that:<br><br>(ii) Stormwater is retained to the extent practicable in its tributary catchments existing as at [date the designation alteration is confirmed] to provide sustenance flows to remaining watercourses and existing wetlands;<br><br>(iii) Stormwater management devices, including for contaminant generating areas of the site, are designed in accordance with best practice (for example Auckland Council GD01) using water sensitive design principles;<br><br>(iv) The function of Overland Flow Paths to convey stormwater runoff safely from the site to the receiving environment is maintained.<br><br>(v) Development does not increase risks from flood hazards, including risks to human life or to other properties or public roads upstream or downstream of the Auckland Prison Site.<br><br>*The increase in flood levels in DEES24(a)(v) shall be measured form the flood levels that existed as (date the designation alteration is confirmed).*<br><br>~~(v)~~<br><br>(vi) For buildings or landform modifications located within an Overland Flow Path or Flood Hazard Area, a Flood Hazard Assessment is undertaken with an assessment of |

**Commented [JW9]:** We met with the RA/Applicant on 28.09.26 to present a level of effect that they would seek this wording to be amended to and to form part of the designation. This is drafted as follows and we anticipate will be supported by further information.

(iv) Beyond the Auckland Prison site (up
must not result in increased:

(A) Flood levels of more than 20
300mm in Watercourse 1 nor
including the 10 per cent ann
percent annual exceedance pr

(B) Inundation of buildings on ot
including the 1 per cent annu

~~increase risks from flood hazards, including~~
~~public roads upstream or downstream of th~~

(b) For buildings or landform modifications located with
Hazard Area on the Auckland Prison Site, a Flood H
an assessment of the potential flood hazard risks and
mitigation measures, to demonstrate:

(i) that development of New Prison Facilities, w
expose people or property to unacceptable le

(ii) how ~~to achieve~~ compliance with DES23(a)(iv
risk and downstream flood flows are otherwi
~~abov~~

This further information would outline the theoretical max scale of this downstream effect (increase from the existing flood level) and notably the requirement that the increase cannot result in an inundation of buildings. If the Panel accepts and seeks Auckland Council view on this matter and updated information we would respectfully ask for request of this and review the relevant information provided in full from the applicant.

Our meeting on the 28.09 provided an understanding of the relevant catchments and the dual commitment to not increase depths from 200mm (300m for Watercourse 1) alongside the requirement for not inundating buildings is significant.

If the Panel accept the level of effect for assistance Council is agreeable to the amendments proposed by the applicant.

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**Commented [JW10]:** Agreed with Requiring Authority 28/09 who have proposed this as an advice note however and not part of the condition. This clause is of very significant importance in ensuring that the level of effect of the designation in totality is from the position as of the date of the amendment and not a moving baseline as OPWs are delivered in stages. Auckland Council consider that this should be included in the wording of the condition for the avoidance of doubt and given its importance to the application of the condition.

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| | the potential flood hazard risks and the implementation of appropriate mitigation measures to achieve compliance with DES2~~4~~3(a)(iv) above.<br><br>(vii) A Flood Hazard Assessment under DES2~~4~~3(b) is not required for the following activities:<br><br>(viii) Activities that are not within a Flood Hazard Area (including where a site specific technical report determines that the area where activities proposed is not considered a Flood Hazard Area).<br><br>(ix) The following activities within a Flood Hazard Area or Overland Flow Path:<br><br>(x) Landform modifications that raise or reduce ground levels by no more than 300mm;<br><br>(xi) Earthworks that do not exceed 10m$^3$ in volume;<br><br>(xii) Temporary land disturbance and stockpiling of soil and other materials for up to a maximum of 28 days in any calendar year as part of construction or maintenance activities;<br><br>(xiii) Infrastructure and services (including maintaining or upgrading existing infrastructure and services);<br><br>(xiv) Fences or walls that do not obstruct an overland flow path or are designed to allow for the passage of flood waters where those flood waters exceed 300mm in depth;<br><br>(xv) Surface parking areas and vehicle entry and exit points where the depth of flood waters in a 1 per cent annual exceedance probability (AEP) event does not exceed 200mm above ground level; and<br><br>(xvi) New structures or buildings (and external alterations to existing buildings) with a gross floor area of up to 10m$^2$ where the structure or building is located where the depth of flood waters in a 1 per cent AEP event does not exceed 300mm above ground level.<br><br>*Advice Note:*<br><br>*(xvii) Where development of the Auckland Prison Site increases downstream flood flows to the culvert at Iona Avenue, consultation shall be carried out with Auckland Council, Healthy Waters and the Road Controlling Authority to ensure any upgrades provide sufficient capacity for conveyance of stormwater up to and including the 100 year ARI event.*<br><br>~~A.~~ |
| | **Wastewater Infrastructure** | |
| **DES2~~5~~4** | There must be a maximum capacity of 681 prisoners accommodated within Auckland Prison Site until such time as the following wastewater infrastructure is implemented and operational:<br><br>(a) A new or upgraded pumping station including:<br><br>(i) Positive displacement pumps with 38 L/s pumping capacity or of sufficient size confirmed as part of detailed design;<br><br>(ii) Wet well sized to Watercare Standards;<br><br>(b) Additional screw screen at the wastewater screening facility;<br><br>(c) A new wastewater pipeline (rising and gravity main) along Pāremoremo Road, from Pāremoremo Wastewater Pumping Station to Albany catchment. The new pipeline must: | |

**Commented [JW11]:** Note for Panel Consideration: As per s53 comments Council view remains that an increase of ground levels of 300mm over an undefined and potentially large area within a hazard is not an appropriate exclusion from assessment. Council have set out reasoning for this in their s53 response and suggestion that part A and B must be read and applied together utilising the AUP permitted standard as a benchmark for this approach.

**Commented [JW12]:** Agreed with Requiring Authority on 25/09 that this advice note helpful to all in context of engagement undertaken on this matter and clear understanding of the likely need for this culvert upgrade to occur. Has been streamlined from previous agreed version in its content.

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| | *(i)* Be designed and constructed to the Wastewater Code of Practice and standards in dimension and material to support the increase in wastewater flows associated with prison capacity increase;<br><br>*(ii)* Connect to the existing transmission main pipeline at Kell Park, Albany via a new gravity main.<br><br>(d) Associated realignment of pipework from the screening facility to the pumping station so that it runs along Iona Avenue before entering the new pump station inlet. |
| | **Coastal Protection Yard** |
| **DES2~~6~~5** | No new buildings or lighting poles (except for minor structures such as fences and stormwater facilities) shall be located within 40 metres of Mean High Water Springs. |
| | **Odour** |
| **DES2~~7~~6** | No activity undertaken on the Auckland Prison Site shall create any intrusive odour that is, or is likely to be, either objectionable or offensive in the opinion of an Auckland Council compliance officer, (as determined by an assessment using the FIDOL factors (Frequency, Intensity, Duration, Offensiveness, and Location) and is able to be detected beyond the boundary of the Auckland Prison Site.<br><br>***Advice Note:***<br><br>• *Odour assessment must be undertaken in accordance with Ministry for the Environment. 2016. Good Practice Guide for Assessing and Managing Odour. Ministry for the Environment.* |
| | **Outline Plan of Works** |
| **DES2~~8~~7** | Other than minor works, demolition and/or removal works, and internal alterations or fit out, prior to construction commencing for any New Prison Facilities authorised by this designation, the Requiring Authority must submit an Outline Plan of Works to the Auckland Council, prepared and finalised in accordance with section 176A of the Resource Management Act 1991 ("RMA") (unless the requirement for an outline plan is waived by Auckland Council) in accordance with the process set out in section 176A of the RMA (or subsequent legislation).<br><br>An Outline Plan must be accompanied by the following Design Reports (where relevant), prepared by a suitably qualified and experienced professional(s):<br><br>(a) Landscape and Architectural Design Report (LADR) (required by condition DES28)<br><br>(b) Acoustic Design Report (ADR) (required by condition DES29)<br><br>(c) Lighting Design Report (LDR) (required by condition DES30)<br><br>(d) A Flood Hazard Assessment (FHA) (required by condition DES23)<br><br>Except that the Design Report requirements do not apply:<br><br>(e) to minor works;<br><br>(f) to construction works (including additions to existing facilities) or demolition and/or removal works, involving building or structure with a gross floor area or footprint of less than $10m^2$ ;<br><br>(g) to temporary buildings or structures associated with or construction works or demolition and/or removal works; or<br><br>(h) where Council has waived the requirement for a Design Report in accordance with DES37(i) below. |

**Commented [JW13]:** Highlighting Condition DES28 no longer exists. Please refer to comments on DES29 below. Of the three deleted conditions (DES28-30). DES29 is considered of the most significance and therefore shown as reinstated below.

**Commented [JW14]:** Highlighted that no condition to cross reference to. Understand Requiring Authority will reconcile this matter.

**Commented [JW15]:** Highlighted that the LDR was contained within the deleted condition. Understand the Requiring Authority will reconcile this matter.

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| | ***Advice Notes:***<br>• *Outline Plans of Works may be submitted in stages for New Prison Facilities.*<br>• *Upon written request from the Requiring Authority, the Council may waive the requirement for:*<br>o *an Acoustic Design Report or Lighting Design Report where the Requiring Authority can demonstrate that the noise or light source or sources will be of such a nature or well separated from the site boundaries that there is no appreciable risk of it / them contributing to a level that the standards in conditions DES13 (Operational Noise) or DES14 (Exterior Lighting) may be exceeded.*<br>o *A Landscape and Architectural Design Report, for new buildings or structures that are temporary, small-scale or unlikely to generate adverse visual effects.* |
| DES29 | **Landscape and Architectural Design Report**<br>The objective of the Landscape and Architectural Design Report is to confirm that the works identified in the Outline Plan of Works are consistent with and will comply with the relevant conditions of this designation; and to provide an assessment explaining how the proposed works satisfy the specific requirements of those conditions.<br>The expected outcome of this condition is that new buildings are well-integrated into the existing landscape character on-site and within the surrounding area.<br>The Landscape and Architectural Design Report must be prepared by a suitably qualified and experienced architectural or landscape architectural professional and shall address the following design matters:<br>(a) Demonstrate that the design of New Prison Facilities minimises visual and landscape effects by:<br>(i) maintaining a low building profile;<br>(ii) well-integrated urban form and layout;<br>(iii) using recessive colours;<br>(iv) preserving existing vegetation where possible, and<br>(v) shaping finished earthworks within Area C, D and for the Secure Perimeter (DES06) and Lighting (DES07), where practicable, to integrate with the surrounding landform.<br>(b) Confirm that the buildings comply with the maximum height limits specified in Conditions DES05, DES06 and DES07; the maximum Building Coverage in Condition DES08; the boundary setbacks in Condition DES09; and the colour palette specified in Condition DES10; and<br>(c) Ensure that individual buildings or clusters of buildings are designed and separated by open space sufficient to prevent the perception of a large, consolidated building mass when viewed from off-site.<br>(d) Ensure that within Area A consideration to providing for a graduated transition in building heights in the design and relationship of buildings situated at and across the boundaries of the Area A sub-areas. |
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| DES3~~0~~1 | **Lighting Design Completion Report** |

**Commented [JW16]:** For the Panel - Council view remains that the structure and relationship between DES28, DES27 and the OPW submission was beneficial to all parties. The Condition importance and requirements forms part of the assessment of landscape visual effects by the RA Planning Team (refer to Volume 2 - Designation Alteration), Landscape Natural Character and Visual Effects Assessment (refer to para 251-254 of Volume 2 - Appendix 2H) and the assessment undertaken by Mr Button (Annexure 5 of the regulatory annexures forming part of the Council S53 response).

DES28 will assist the OPW process and importantly in design matters introduces reasoned considerations for the new buildings alongside the controls of height, building coverage, setbacks, colours and materials. We do not consider these are vague subject requirements but important design principles for the new prison facilities to consider alongside the more 'volumetric and location' controls of DES05-10.

We understand and respect from our meeting with the Requiring Authority that they do not consider the necessary and therefore this matter is highlighted for the Panels consideration.

**Commented [JW17]:** For Panel's understanding:

Clause C: Council previously queried the need for condition DES08 to include specific building coverage allowances within the Area A sub areas in respect to avoiding an extreme consolidation of building coverage within Area A. The Requiring Authority previously proposed this amend in response to these matters which Council welcomed.

Clause D: Council proposed this addition within s53 comments for reasons set out in para 98 of the Council memorandum.

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| | Within 30 working days of the completion of new exterior lighting that is subject to a detailed Lighting Design Report as set out in Condition DES30 the Requiring Authority must submit to Auckland Council a report from a lighting engineer confirming that the lighting has been installed in accordance with the Lighting Design Report and that it achieves compliance with the requirements of Condition DES14 (Exterior Lighting). |
| | **Management and Implementation Plans – Certification** |
| **DES3<u>1</u>~~2~~** | In accordance with the process set out in Conditions DES33 to DES37, the following Management Plans must be prepared:<br>(a) Prior to commencement of construction works or demolition and/or removal works for New Prison Facilities**:**<br>(i) Construction Traffic Management Plan (Condition DES38)<br>(ii) Construction Noise and Vibration Management Plan (Condition DES39)<br>(iii) Construction Lighting Management Plan (Condition DES41)<br>(b) Prior to commencement of construction works:<br>(i) Earthworks Management Plan (required by Condition DES42)<br>Except that the Management Plan requirements do not apply:<br>(c) to minor works;<br>(d) to construction works (including additions to existing facilities) or demolition and/or removal works, involving building or structure with a gross floor area or footprint of less than $10m^2$;<br>(e) to temporary buildings or structures associated with or construction works or demolition and/or removal works; or<br>(f) where Council has waived the requirement for a Management Plan and the associated certification process.<br>***Advice Notes:***<br>• *The Ecological Management Plan (EcMP) (required by Condition DES43) and Landscape and Ecology Implementation and Management Plan (LEIMP) (required by Condition DES45) may be amended and re-certified in accordance with the process set out in Conditions DES33 to DES37.*<br>• *Management Plans may be submitted with an Outline Plan of Works where directly related to construction works associated with New Prison Facilities.* |
| **DES3<u>2</u>~~3~~** | Unless otherwise required by another condition of this designation, all Management Plans must be certified through the following process:<br>(a) The Management Plan must be provided to Auckland Council for certification no less than 40 working days before the works that are the subject of the Management Plan commence;<br>(b) The certification process must be confined to confirming that the relevant Management Plan is consistent with the designation and adequately addresses the requirements of the relevant condition(s);<br>(c) Auckland Council will endeavour to provide certification within 20 working days of receipt of any Management Plan or otherwise provide a written response to the Requiring Authority explaining why certification is unable to be provided in that time; |

**Commented [JW18]:** Highlighting that this needs to be reconciled if DES30 deleted.

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| | (d) If Auckland Council's response is that they are unable to certify the Management Plan or if the Requiring Authority does not receive a response from Auckland Council within 20 working days of providing the Management Plan under (c) the Requiring Authority may request that the Council provides reasons and recommendations for changes to the Management Plan in writing. The Requiring authority must consider any reasons and recommendations of the Council and resubmit an amended Management Plan for certification;<br><br>~~(e) If the Requiring Authority does not receive a written response from Council within 20 working days of the Management Plan(s) being submitted for certification, the Management Plan(s) will be deemed to be certified, and the requiring authority can commence the related works;~~<br><br>~~(f)~~(e) Management Plans may be submitted in parts or stages to address particular activities and/or project phases – if submitted in part, the relevant Management Plan must clearly define the area/topic subject to the certification request, and any linkage with areas/topics for previous or subsequent certification. |
| **DES3~~3~~4** | Any Management Plan may be amended at any time by the Requiring Authority, to reflect any minor changes in design, construction materials, methods or management of effects to align with the conditions of designation. Any minor amendments to a Management Plan must be agreed to in writing by Council prior to implementation of any changes. Re-certification is not required in accordance with Condition DES3~~2~~3 ~~3~~ if Council confirms those minor amendments are within scope of the certified Management Plan and any changes to the Management Plan are clearly identified. |
| **DES3~~4~~5** | Any amendments to a certified Management Plan that are not minor amendments must be submitted to the Council in accordance with Condition DES3~~2~~3 ~~3~~ to certify that these amendments are consistent with the relevant condition(s) prior to implementation of any changes. |
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| **DES3~~5~~7** | All works and activities on the Auckland Prison Site must be carried out in general accordance with any relevant certified Management Plan. |
| | **Management and Implementation Plans – Purpose and Contents** |
| **DES3~~6~~8** | **Construction Traffic Management Plan (CTMP)**<br><br>The objective of the CTMP is to manage construction traffic to ensure ongoing safe and efficient movement of traffic on public roads surrounding the Auckland Prison Site.<br><br>The CTMP must be prepared by a suitably qualified and experienced traffic engineer and must:<br><br>(a) Be consistent with the New Zealand Guide to Temporary Traffic Management.<br><br>(b) Provide details of:<br><br>(i) the nominated Traffic Management Coordinator for the construction works, demolition and/or removal works;<br><br>(ii) the proposed construction programme identifying the sequence and timing of construction phases;<br><br>(iii) the traffic generating activities and vehicle types expected during the construction programme;<br><br>(iv) construction transport routes;<br><br>(v) daily and peak hour traffic volumes for each construction phase; |

**Commented [JW19]:** Notwithstanding clause d, Council position respectfully remains as identified in the s53 comments:

This clause has been corresponded on between the RA and the Council prior to substantive lodgement and acknowledged as a likely area of disagreement for the Panel to consider. Council acknowledge that the condition has been developed with this as a last option and to prevent delays in project delivery and to ensure that there is a clear process in place for certification of management plans with timing specifications.

However Management Plan conditions are required in this case as the Applicant has proposed these to provide detailed information as to how the relevant effects will be managed, deferring this in part through the use of Management Plans. This is lawful where this detail is later certified by the regulator based on skill and management. Deemed certification (even as a last resort) undermines this.

Council appreciates that many projects are time-critical and that delays in the certification process can have flow-on consequences to the final delivery of the project. However, the certification of final management plans by the Council is a key step in ensuring the environmental outcomes, as anticipated and assessed. Our monitoring unit prioritises high risk and high harm projects and can work with consent holders to ensure certification occurs in a prompt and timely manner.

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| | (vi) driver and tradesperson inductions;<br>(vii) construction site access (with appropriate visibility) and parking arrangements;<br>(viii) potential effects on other road users and residents of the construction routes identified including information regarding private property access during periods of traffic disruption on the construction routes adopted, dust, noise and safety;<br>(ix) The Temporary Traffic Management Plans (TTMP) to be employed for each construction phase or stage of construction until construction of the New Prison Facilities is complete;<br>(x) a communication plan for notifying residents of the construction traffic routes adopted and other members of the community who may be potentially affected by construction traffic of the nature, timing and duration of the different construction phases;<br>(xi) Details of consultation with the Ridgeview School and Ministry of Education, and any resulting limitations on heavy vehicle movements past Ridgeview School (along Pāremoremo Road) between school pick up and drop off hours (for example 8.30 – 9.15am, 2.30 – 3.15pm);<br>(xii) evidence of how the requirements of the relevant road controlling authorities have been met;<br>(xiii) a complaints procedure for community members to report construction traffic issues. The complaints procedure must be communicated to residents in accordance with the communication plan, and must include:<br>(A) the process for members of the community to report issues;<br>(B) the process to be followed by the Requiring Authority to investigate and then take action to address issues identified; and<br>(C) the process used to report to the Council and the complainant regarding the outcome of the investigation and the actions taken to address the issue identified.<br>(D) process for review of the CTMP. |
| **DES3~~7~~9** | **Construction Noise and Vibration Management Plan (CNVMP)**<br>The objective of the CNVMP is to manage construction noise and vibration from the Auckland Prison Site to ensure that the relevant limits set out in these conditions are complied with.<br>The CNVMP must be prepared by a suitably qualified and experienced acoustician and must:<br>(a) Define the methods and procedures for each construction phase or stage of the construction period to achieve compliance with Condition DES11 (Construction Noise) and Condition DES12 (Construction Vibration), unless otherwise provided for under Condition DES38~~40~~.<br>(b) Be consistent with Annex E of NZS6803:1999 *Acoustics – Construction;* |
| **DES38~~40~~** | **CNVMP Schedule**<br>If construction noise is predicted or measured to result in an exceedance of the noise criteria in Condition DES11 (Construction Noise) a suitably qualified and experienced acoustician must prepare a Schedule to the CNVMP (Schedule), in consultation with the owners and occupiers of sites where noise is predicted or measured to result in an exceedance. The Schedule must set out the Best Practicable Option for minimising the noise effects of works that cannot practicably comply with the criteria in Condition DES11 (Construction Noise). |

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| | A Schedule must include the following details:<br>(a) the activity start and finish dates, equipment and methodology;<br>(b) a plan showing the location of the activity and the receivers to be affected by a measured or predicted exceedance;<br>(c) for each identified receiver, the predicted noise levels and durations of the exceedance;<br>(d) the proposed site-specific noise-mitigation measures that are proposed to be adopted and any mitigation options that have been discounted as being impracticable, and the reasons why;<br>(e) a summary of the consultation undertaken with each identified receiver, and how consultation has been considered; and<br>(f) the locations, times and types of any monitoring.<br>Each Schedule must be submitted to Council for information at least 5 days, except in unforeseen circumstances, prior to the start of the activity to which the Schedule applies. The Schedule must be implemented and complied with for the duration of that activity. |
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| **DES39~~42~~** | **Earthworks Management Plan (EMP)**<br>The objectives of the EMP are to document earthworks management measures relating to:<br>(a) erosion and sediment control to minimise loss of sediment into water courses from the earthworks site;<br>(b) dust control measures to minimise nuisance on neighbouring properties; and<br>(c) to ensure these measures are implemented for the duration of the earthworks.<br>The EMP must set out the measures to be undertaken such that:<br>(a) erosion and sediment control measures are in accordance with *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region Incorporating Amendment 3 June 2016, Auckland Council Guideline Document 2016/005*;<br>(b) earthworks are stabilised against erosion as soon as practicable and in a progressive manner as earthworks stages are completed;<br>(c) the site is monitored and maintained until vegetation is established or the site grassed to such an extent that it prevents erosion and prevents sediment from entering any watercourse;<br>(d) all earthworks activities are carried out so that all dust and particulate emissions are kept to a practical minimum to the extent that there are no dust discharges beyond the boundary of the site that cause an objectionable effect.<br>The EMP must include:<br>(a) the proposed start date of the earthworks and a schedule of the earthworks programme (including the expected timing and duration of works);<br>(b) the dimensioned cut and fill plans of earthworks and earthworks activities including stockpiling;<br>(c) the proposed earthworks methodology, including staging;<br>(d) finalised methods for dealing with any potential adverse environmental effects including but not limited to effects arising in relation to sediment, dust, noise and vibration; |

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| | (e) methods to clean up any debris on roads;<br>(f) monitoring procedures and responsibilities;<br>(g) methods for dealing with any complaints generated by the activities including reporting of any complaints to Auckland Council; and<br>(h) the principal contact person for the duration of the earthworks. |
| **DES4043A** | **Ecological Management Plan (EcMP)**<br>The Requiring Authority must undertake construction works, demolition and/or removal works in accordance with the Ecological Management Plan (EcMP) prepared by Boffa Miskell, dated 26 March 2026 or any subsequent updated management plan(s) prepared by a suitably qualified and experienced ecologist(s)), and certified by Auckland Council in accordance with the process set out in conditions DES33 to DES37:<br>The objective of the EcMP is to manage potential effects on ecological values during Construction Works, demolition and/or removal works for New Prison Facilities and includes the following:<br>(a) Management protocols for the avoidance of bird nesting season, or the methods to confirm there are no nesting threatened indigenous birds nesting within the trees to be removed.<br>(b) Management and tree felling protocols for the detection and avoidance of bat usage at the time of tree felling.<br>(c) Methods for the salvage and relocation of native fish from the length of any intermittent or permanent watercourse reclaimed as part of the project works. |
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| **DES4144** | **Landscape and Ecological Planting**<br>The Requiring Authority must implement and maintain landscape and ecological planting in accordance with Figure C: Landscape Mitigation and Ecology Enhancement Plan (LMEEP).<br>The landscape and ecological planting must be implemented in accordance with the following timeframes:<br>(e) Visual screen planting (as identified on the LMEEP) must be implemented within the first two planting seasons from [date the designation alteration is confirmed] except for the 10 metre-wide 'future planting strip' in the north-western corner of the LMEEP which must be implemented as soon as practicable, within the first planting season, following completion of site earthworks within and adjacent to the future planting strip.<br>(f) Watercourse offset planting, Watercourse compensation planting and Wetland compensation planting (as identified on the LMEEP) must be implemented prior to the loss of any intermittent or permanent watercourse.<br>(g) The balance of the planting (required under the LMEEP) must be implemented progressively and must be completed no later than ten years after [date the designation alteration is confirmed].<br>(h) Existing planting within 3 metres of site boundaries at [date the designation alteration is confirmed] must be maintained until such time as the new planting is completed.<br>Except that:<br>(i) Area C can include balance land activities as set out in Condition DES04. Within Area C, those areas occupied by cultural buildings, infrastructure and services, energy generation and storage facilities need not be planted. |

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| | (j) Within planting areas:<br>a. access tracks can be provided, including existing access tracks along watercourse 6 to provide for planting implementation, maintenance, weed and pest control and security.<br>b. stormwater management devices can be provided (and need not be planted).<br>c. the visual screen planting over the carriageway of Iona Avenue access point can be removed and reinstated as necessary for construction traffic access.<br>In visual screen planting areas, these activities listed in DES44(j) must not compromise the purpose of the visual screen planting.<br>(k) Existing planting may be removed to facilitate construction of operational access 1 (western access) where necessary.<br>(l) Where planting is required to be removed for construction works or earthworks it must be replanted within the next planting season following the completion of the work.<br>(m) Planting species mix may be refined in detailed planting plans to maintain integrity of existing services on-site, including gas pipelines and electricity lines, in consultation with relevant utility service providers.<br>The exceptions in clause (i) to (m) above do not apply to Watercourse offset planting, Watercourse compensation planting and wetland compensation areas identified on Figure C: LMEEP. |
| **DES4~~2~~5** | **Landscape and Ecology Implementation and Management Plan (LEIMP)**<br>The Requiring Authority must undertake planting and maintenance of planted areas in accordance with the Landscape and Ecology Implementation and Management Plan (LEIMP) prepared by Boffa Miskell, dated 26 March 2026 (or any subsequent **updated** LEIMP prepared by a suitably qualified and experienced landscape or ecology professional(s), and certified by Auckland Council in accordance with the process set out in conditions DES3~~2~~3 to DES3~~5~~7).<br>(a) |
| | **Community Liaison** |
| **DES4~~3~~6** | The Requiring Authority must establish a Community Liaison Group (CLG) within 12 months of [date the designation alteration is confirmed].<br>The purpose of the CLG is to:<br>(a) facilitate a relationship between Auckland Prison and the local community;<br>(b) share information about Construction works and demolition and/or removal works; and<br>(c) provide a forum for discussion of issues that may affect the community during Construction works and demolition and/or removal works and during the operation of activities on the Auckland Prison Site.<br>The CLG must include:<br>(a) Representatives from Auckland Prison, including an officer whose responsibilities include the CLG.<br>(b) Up to 4 representatives from community groups representing the Pāremoremo Residents.<br>In addition to the representatives identified above, the CLG may include representatives from:<br>(c) Auckland Council<br>(d) New Zealand Police |

**Commented [JW20]:** Comments in the s55 response remain that no expectation of Council being in a position to allocate and provide resource for such attendance at the CLG should be anticipated from this inclusion. However note that the current drafting provides for, but does not require attendance for the group to function.

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| | (e) Fire and Emergency New Zealand<br>(f) Ridgeview School.<br><br>The Requiring Authority must:<br>(a) Facilitate a meeting of the CLG at least every six months, or more or less frequently if requested by the majority of members.<br>(b) provide reasonable administrative support to facilitate the functioning of the CLG, including venue, meeting coordination, and distribution of materials.<br>(c) prepare a record of the actions agreed at each meeting.<br>(d) review the effectiveness and relevance of the CLG annually, with feedback from members. |
| **DES4<u>4</u>~~7~~** | The Requiring Authority must not be in breach of condition DES46 if any one or more of the representatives in specified in Condition DES46 either do not wish to attend particular meetings or be members of the CLG. |
| **DES4<u>5</u>~~8~~** | The Requiring Authority must establish and maintain a complaints register for any complaints received from the community. As a minimum, the register must record, where this information is available, the following:<br>(a) The date, time, and details of the incidents that resulted in a complaint.<br>(b) The location of the complainant when the incident was detected.<br>(c) The possible cause of the incident.<br>(d) Any corrective action taken by Requiring Authority in response to the complaint, including timing of the corrective action.<br>(e) Communication with the complainant in response to the complaint.<br>Feedback on the number and nature of complaints received and resolved is to be provided at the CLG meetings. |
| **DES4<u>6</u>~~9~~** | The Requiring Authority must maintain a community notification system, which clearly outlines what the community needs to be notified of and how the community will be informed, including in the event of emergencies, incidents or escapes. Contact information for community representatives must be kept up to date in consultation with the CLG. |
| **DES4<u>7</u>~~9A~~** | The Requiring Authority must appoint an appropriately qualified Environmental Compliance Officer to have oversight of and be responsible for the implementation of the conditions of designation during significant construction phases associated with New Prison Facilities. |

| | **Iwi Forum** |
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| **DES4<u>8</u>~~85~~<u>0</u>~~0~~** | (1) The Requiring Authority must establish a [Iwi Forum] within four months of [date the designation alteration is confirmed].<br>(2) The purpose of the [Iwi Forum] is to recognise and provide:<br>(a) For the relationship between the Requiring Authority and mana whenua of Pāremoremo;<br>(b) For the relationship of mana whenua with the land within the Auckland Prison site; |

| | **Iwi Forum** |
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| | (c) A forum for discussion, cultural input and collaboration on the following matters:<br>(i) The implementation of mitigation measures for cultural, archaeological, ecological and landscape matters associated with the construction of new prison facilities; and<br>(ii) The implementation and monitoring of management plans, including sharing of monitoring results, reporting and project updates with mana whenua.<br>(3) The [Iwi Forum] must include:<br>(a) A representative(s) from Auckland Prison and other Corrections representatives;<br>(b) A representative from each of the following:<br>(i) Te Rūnanga o Ngāti Whātua;<br>(ii) Ngāti Whātua o Kaipara;<br>(iii) Te Kawerau ā Maki; and<br>(iv) Ngaati Whanaunga.<br>(4) The [Iwi Forum] may include a representative from each of the following, should they wish to participate:<br>(a) Ngāti Whātua Ōrākei (represented by the Ngāti Whātua o Ōrakei Trust Board)<br>(b) Ngāi Tai ki Tāmaki (represented by the Ngāi Tai ki Tāmaki Trust)<br>(c) Ngāti Pāoa (represented by the Ngāti Pāoa Iwi Trust)<br>(d) Ngāti Tamaterā (represented by the Ngāti Tamaterā Treaty Settlement Trust)<br>(e) Ngāti Maru (represented by the Ngāti Maru Rūnanga Trust).<br>(5) The [Iwi Forum] will:<br>(a) Facilitate cultural input into the implementation of:<br>(i) Protection of archaeological feature R10/831 referred to in condition DES22~~1~~;<br>(ii) Accidental discovery procedures referred to in condition DES23~~2~~;<br>(iii) Implementation and monitoring of the Ecological Management Plan (EcMP) ~~and Lizard Management Plan (LMP)~~ referred to in conditions DES40~~3A and DES43B~~;<br>(iv) Implementation and monitoring of the Landscape and Ecology Implementation and Management Plan (LEIMP) referred to in condition DES42~~5~~; and<br>(v) Cultural monitoring during key project construction milestones in accordance with condition DES52~~1~~.<br>(b) Operate for a period of 10 years from [date the designation alteration is confirmed] or until relevant conditions listed in DES48~~50~~(5)(a) are implemented.<br>(c) Confirm a joint management agreement and/or operational terms of reference and elect the chairperson within six months of [date the designation alteration is confirmed], which will reflect the designation conditions and include:<br>(i) Purpose to reflect the matters in DES48~~50~~(2).<br>(ii) The members and composition in accordance with DES48~~50~~(3) and (4) requirements. |

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| | **Iwi Forum** |
| | (iii) Roles and responsibilities including a rotating chair arrangement responsible for facilitation.<br>(iv) Record of the ability of members to replace its representatives, and for the members representatives to seek input and direction from their constituent group.<br>(v) Frequency of meetings.<br>(vi) Administrative support including secretariat provided by the Requiring Authority.<br>(vii) Decision-making processes.<br>(viii) Remuneration.<br>(ix) Process for reviewing or amending the joint management agreement and/or operational terms of reference to improve the effectiveness of the [Iwi Forum].<br>(x) Naming of the group.<br>(6) The Requiring Authority must:<br>(a) be responsible for preparing the joint management agreement and/or operational terms of reference with input from the members.<br>(b) facilitate a meeting of the [Iwi Forum] at least every six months, or more or less frequently if requested by the majority of members.<br>(c) provide reasonable administrative support to facilitate the functioning of the [Iwi Forum], including venue, meeting coordination, and distribution of materials.<br>(d) prepare a record of the actions agreed at each meeting.<br>(e) review the effectiveness and relevance of the [Iwi Forum] annually, with feedback from members; and<br>(f) as necessary, review and update the terms of reference, with input from members.<br>**Advice Notes:**<br>• *The establishment of the [Iwi Forum] does not replace existing relationships or individual relationship agreements between the requiring authority and whānau, hapū and iwi of the whenua on which the Auckland Prison site is situated.*<br>• *The name of the [Iwi Forum] will be determined by the group as part of the Terms of Reference.* |
| **DES4951** | The Requiring Authority must not be in breach of condition DES4850 if any one or more of the representatives specified in Condition DES50 either do not wish to attend meetings or be members of the [Iwi Forum]. |
| | **Cultural monitoring** |
| **DES502** | The Requiring Authority must provide members of the [Iwi Forum] with reasonable opportunities to undertake karakia at commencement of the physical works on site, and cultural monitoring during key project construction milestones associated with the Auckland Prison Capacity increase proposal. Cultural monitoring must occur at the following key stages of the project:<br>(a) **Commencement of planting activities**, including site preparation associated with proposed landscape mitigation and ecological enhancement planting.<br>(b) **Commencement of earthworks**, including any topsoil stripping in Area C (previously undeveloped areas of the Auckland Prison site). |

| | Iwi Forum |
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| | This includes provision of safe and reasonable access to the site for cultural monitoring in relation to key project construction milestones, as set out above, including participation in relevant ecological and archaeological inductions.<br><br>The Requiring Authority must notify the [Iwi Forum] in writing at least 10 working days prior to each milestone listed above, unless otherwise agreed in writing. Notification must include:<br><br>(a) The proposed date and time of the activity.<br><br>(b) A description of the works to be undertaken.<br><br>(c) Site plans or locations for monitoring access.<br><br>(d) Health and safety requirements for site access. |

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| | **General Advice Notes:**<br><br>• *The Requiring Authority is obliged to obtain all other necessary regional resource consents, and any other approvals (including, but not limited to Engineering Plan approvals, Certificate of Acceptance, Road Traffic Resolutions), that may be required to undertake any proposed works provided for by the designation.*<br><br>• *The submission of an Outline Plan of Works (OPW) to Auckland Council is a requirement of s176A of the Resource Management Act 1991 unless the Requiring Authority requests an OPW waiver, and Auckland Council agrees to the waiver.* |

**Commented [JW21]:** Presented and understood to be agreed with RA on 25/09

**Figure A: Designation Areas Plan**

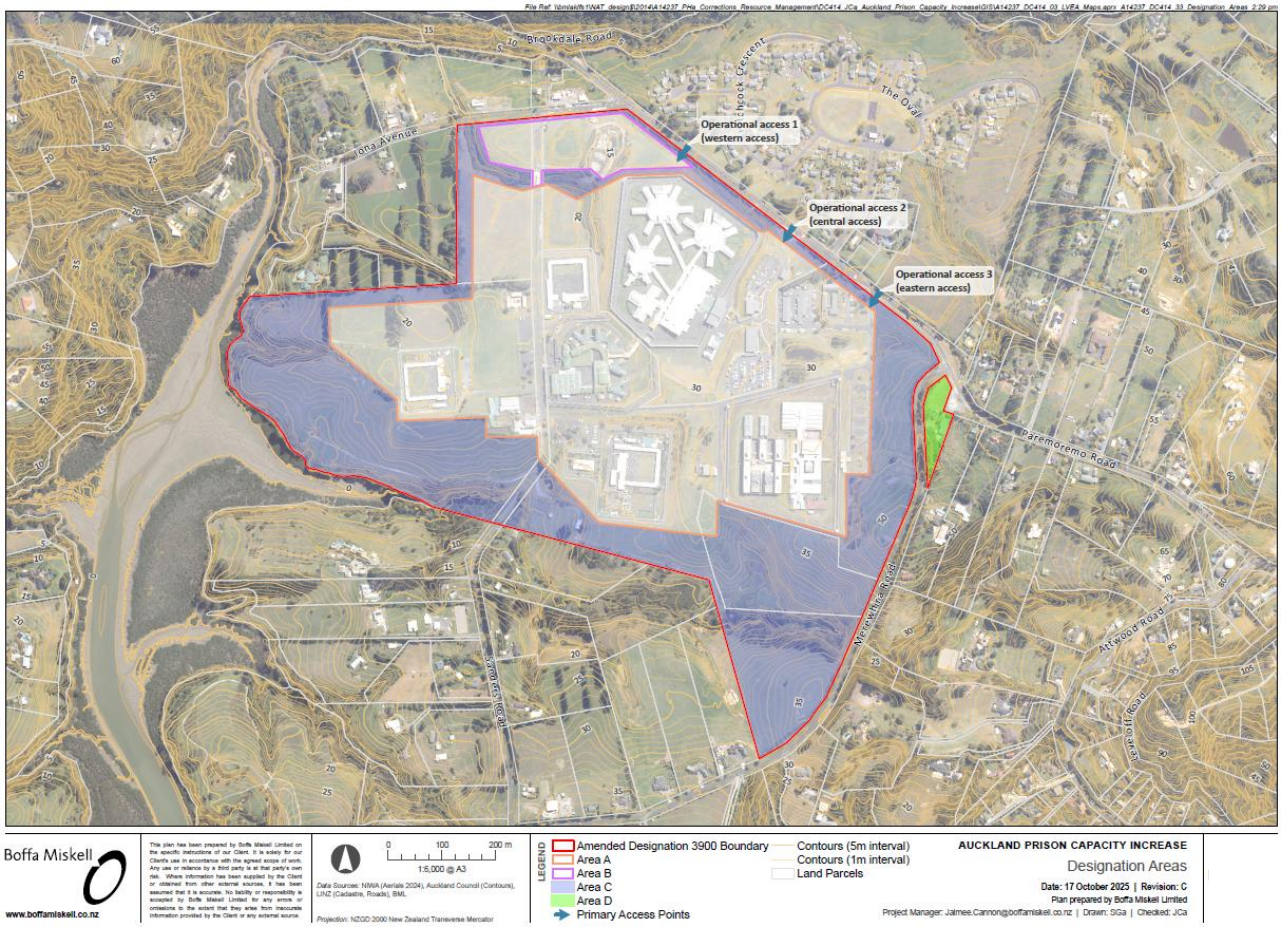


**Figure B: Maximum Heights Plan**

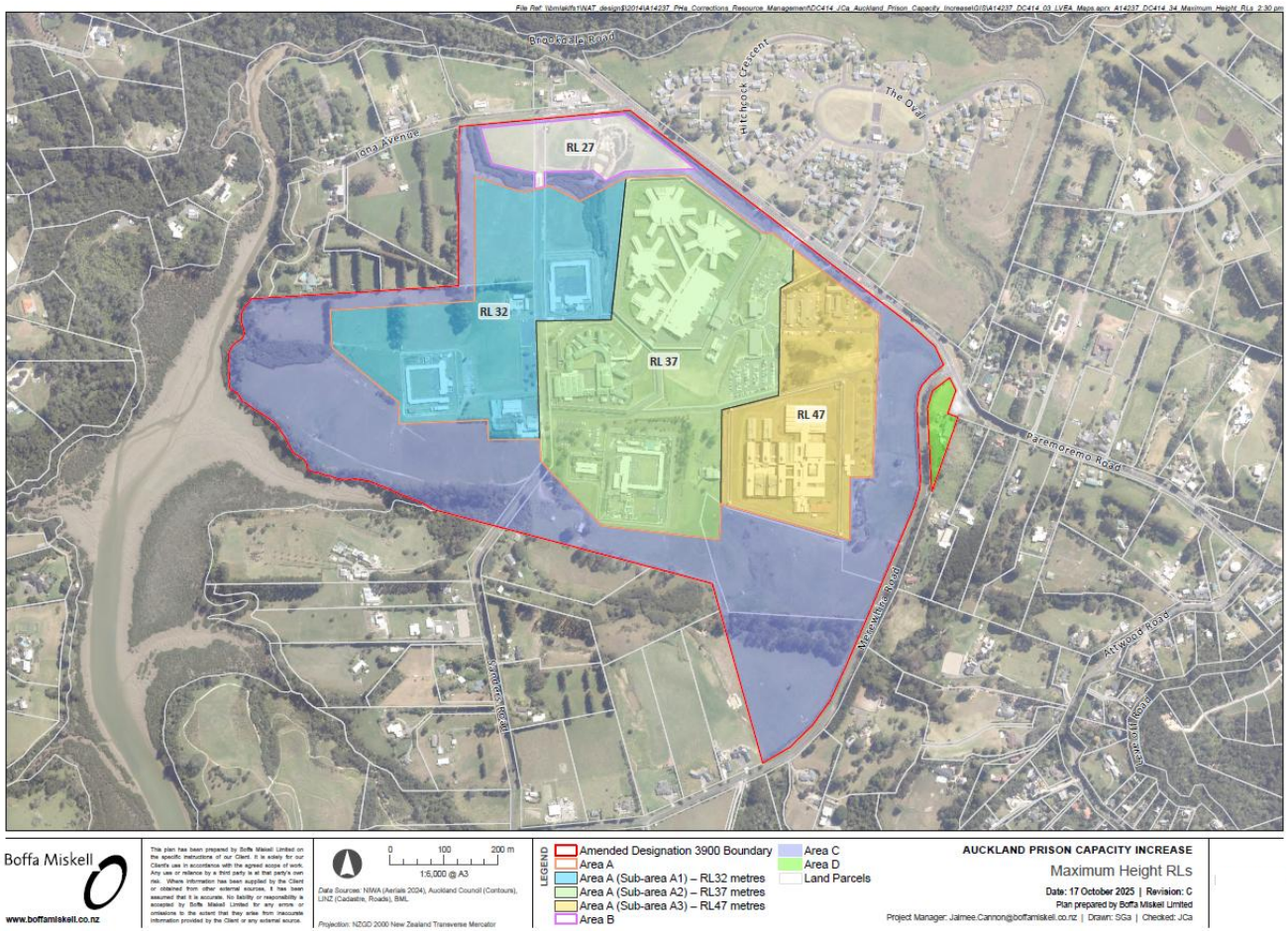


**Figure C: Landscape Mitigation and Ecology Enhancement Plan (LMEEP)**

