

Before the Expert Panel

FTAA-2026-1179

Under the Fast-track Approvals Act 2024

In the matter of the substantive application by the Department of
Corrections for approvals for the Auckland Prison
Capacity Increase listed project

**Fifth Memorandum of Counsel on behalf of the Department of
Corrections – further information as to Maximum Heights Plan**

Date: 22 July 2026



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[Redacted signature block]

May it please the Expert Panel:

- 1 This memorandum is filed on behalf of the Department of Corrections (**Corrections**).
- 2 As indicated in the memorandum filed on 8 July 2026, this memorandum provides a response to questions asked by the Expert Panel at the project briefing on 25 June 2026 regarding how the three sub areas on the Maximum Heights Plan were defined and whether any further mitigation could be provided for the step between those different levels.
- 3 That response is provided in the Boffa Miskell "Rationale for sub-areas definition" memorandum dated 22 July 2026 and attached as **Appendix 1**.

Date: 22 July 2026



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S F Quinn / E L Manohar
Counsel for the Department of Corrections

Appendix 1: Rationale for sub-areas definition memorandum dated 22 July 2026



Memorandum

Auckland

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Attention:	Expert Panel for Auckland Prison Capacity Increase Proposal
Date:	22 July 2026
From:	Julia Wick, Senior Principal Landscape Architect, Boffa Miskell John Goodwin, Consulting Partner Landscape Architect, Boffa Miskell
Name:	Rationale for sub-areas definition
Project No:	A14237-DC414

Introduction

This memorandum has been prepared on behalf of Department of Corrections – Ara Poutama Aotearoa ('Corrections') in support of the substantive application for the Auckland Prison Capacity Increase proposal.

This memorandum responds to matters raised by the Expert Panel during the project briefing on 25 June 2026, where clarification was sought on how the three sub-areas shown on the Maximum Heights Plan (Figure B to the Designation Conditions) were defined and whether any measures were necessary to manage the transitions between the different maximum RL height limits.

Definition of sub-areas

The maximum RL height limits across the site were developed through an integrated consideration of prison operational requirements, the site's existing topography, and the need to avoid or minimise landscape and visual effects.

Prison facilities are operationally most effective when located on relatively level development platforms. Specifically, it is important that interdependencies between future prison facilities on the site are recognised and provided for by relatively consistent or gradual level transitions that accommodate movement corridors including open paths and roads as well as secure contained walkways. Corrections advises that minimising abrupt level changes improves accessibility, operational efficiency and safety across a prison.

At the same time, the designation has been designed to respond to the site's existing landform rather than imposing a single engineered platform across the entire development area.

The site is characterised by undulating topography, with higher elevations occurring along the eastern and southern parts of the site and generally flatter terrain through the central and north areas. The stepped maximum RL controls (three steps in height limits) respond directly to these existing topographic characteristics.

Area A was divided into Sub-areas A1, A2 and A3 to reflect these variations in existing ground levels. Rather than establishing a single finished ground level or applying one maximum RL across all of Area A, Designation Condition DES05 establishes a graduated series of maximum RL controls that generally correspond with the site's existing topography.

For the purposes of the landscape and visual assessment, assumed indicative finished ground levels of approximately RL20 m (A1), RL25 m (A2) and RL35 m (A3) were adopted. These levels represent broadly

central platform levels for assessment purposes only. They are not intended to establish uniform development platforms across each sub-area, prescribe final earthworks, or indicate that finished ground levels will consistently sit at these elevations. Rather, the maximum RLs are assessment controls that define the upper extent of the permissible development envelope in different parts of Area A. The detailed design process will determine the final ground levels, earthworks and platform arrangements, provided development remains within those maximum RL controls.

The maximum RL controls define an overall development envelope that accommodates the operational need for relatively level building platforms while remaining responsive to the site's broader topography. While relatively level development platforms may still be established within individual sub-areas, the graduated RL controls across Sub-areas A1, A2 and A3 provide greater flexibility to respond to changes in landform across Area A. This results in a development envelope that more closely reflects the site's existing topography than would be achieved by applying a single development platform or maximum RL across the entirety of Area A.

More broadly, Area A was located within the more modified and relatively level northern parts of the site, avoiding the coastal margins, gullies, watercourses, wetlands and the higher ground to the east. Locating development in this area minimises the extent of landform modification required, reduces landscape change and retains a substantial area within the site to provide a buffer to adjoining land holdings.

Management of Transitions between Maximum RL height levels

Condition DES05 requires that buildings comply with both the maximum building height of 12 metres and the applicable maximum RL identified on Figure B. Together, these controls establish the maximum permissible development envelope. Importantly, the boundaries between the RL sub-areas do not represent proposed retaining walls, terraces or prescribed changes in finished ground level. Rather, they identify the maximum permissible RL applicable to different parts of the site.

The Maximum Heights Plan should not be interpreted as indicating that development will occupy the entirety of Area A or create continuous built form extending across each sub-area. In practice, development will occupy discrete building platforms separated by circulation spaces, secure perimeter infrastructure, internal roads, exercise yards, industries, programmes, landscaped areas and other operational open spaces.

These spaces provide flexibility for detailed design to accommodate changes in level between the sub-areas where required.

In addition, the operational design of prisons does not favour abrupt changes in ground level. As noted above, efficient movement of prisoners, staff and service vehicles is best achieved where level changes are gradual and coordinated across the site. Significant retaining structures or abrupt platform transitions would generally be inconsistent with these operational objectives and would also increase engineering complexity and construction costs. From a landscape perspective, achieving more gradual transitions also assists in reducing the apparent scale of landform modification and enables development to better integrate with the surrounding landform.

The detailed design process will therefore naturally seek to achieve practical and efficient transitions between development platforms, having regard to existing topography, earthworks requirements, operational functionality and engineering constraints.

Open spaces within the prison layout also play an important operational role and are intentionally incorporated throughout a prison layout. These are not simply residual areas, but accommodate recreation, exercise, industries, rehabilitation programmes, staff amenity and operational circulation. Such areas also provide opportunities to accommodate gradual changes in level where required, without compromising their intended function.

Accordingly, the combination of:

- the maximum RL controls;
- the 12-metre building height limit;

- the operational requirements of prison design;
- the separation of buildings by roads, circulation areas and operational open spaces;
- the need to respond efficiently to existing topography; and
- engineering and earthworks constraints.

provides sufficient control over how transitions between Sub-areas A1, A2 and A3 will occur.

For these reasons, abrupt or visually discordant transitions between the sub-areas are not anticipated. Additional designation conditions specifically regulating transitions between the maximum RL areas are therefore unnecessary. The existing maximum RL controls establish an appropriate development envelope while allowing sufficient flexibility for detailed design to determine the most appropriate finished ground levels and transitions having regard to operational requirements, engineering constraints, topography and landscape outcomes.