# MEMORANDUM – RESPONSE TO MINUTE 1 (SCHEDULE 1 AND 2) OF THE PANEL CONVENOR [AUCKLAND PRISON CAPACITY INCREASE] [FTAA-2603-1179]

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| **To:** | Phillip Maw, Panel Chair; and Expert Consenting Panel for the Auckland Prison Capacity Increase. |
| **From:** | Joe Wilson, Principal Project Lead – Premium Unit, Planning & Resource Consents, Auckland Council<br>Jo Hart, Senior Policy Planner, Planning & Resource Consents, Auckland Council |
| **Subject:** | Fast-Track Approvals Act 2024 (**FTAA**) – FTAA-2603-1179 – Auckland Prison Capacity Increase – -Response to Invitation for Comments under S70 of the Act relating to draft conditions. Minute 9. |
| **Date:** | 28 September 2026 |

**Response**

To provide clarity to the Panel, Watercare has prepared and provided the attached letter (Attachment 1) confirming its agreement with the proposed wording of condition DES24. Having regard to this advice from the asset owner with primary responsibility for wastewater infrastructure, Auckland Council confirms that the wording of condition DES24 is agreed.

Discussions have also occurred between the Requiring Authority, Auckland Council, and Watercare regarding the acknowledged need for additional regulatory approvals that may be required to deliver the infrastructure necessary to satisfy the requirements of condition DES24. Through this correspondence, the Requiring Authority has again confirmed its understanding that further approvals may be required outside the scope of any decision made under the Fast-track Approvals Act. In light of that shared understanding, the parties have agreed to a minor and proportionate amendment to General Advice Note 01, which is included in Attachment 2.

**Invitation to Comment on Conditions**

Attached to this response are the following documents:

- Attachment 2 - Draft Designation Conditions (Council suggested track changes and comments)
- Attachment 3 - Draft Proposed Resource Consent Conditions (Council suggested track changes and comments)

In preparing this response, Auckland Council has constructively engaged with the Requiring Authority and its representatives, including through the following discussions:

- **25 September 2026**: Meeting focused on Council's condition comments, outstanding matters, and identification of any residual areas of disagreement.

- **28 September 2026**: Meeting involving Healthy Waters and Auckland Transport specialists at the request of the Requiring Authority regarding proposed amendments to conditions DES23 and LUC16 (using the numbering contained in the draft conditions attached to Minute 9, dated 21 September 2026). The meeting provided a high-level overview of the assessment underpinning the proposed amendments, which seek to provide for a defined baseline level of effect, including an increase in downstream flood hazard extent, to be addressed through the designation conditions. The meeting was constructive, and it is understood that the Requiring Authority intends to provide further supporting information to the Panel. Should the Panel wish to understand Auckland Council's position on that material, Council respectfully submits that it should be afforded an opportunity to review and comment on the final information once it is available.

**Scope of Comments**

In its section 53 comments provided to the Panel on 28 July 2026, Auckland Council raised a number of matters and proposed amendments to the conditions as lodged by the Requiring Authority (refer Appendix A and Appendix B to the Council's section 53 submission).

Since that time, the Requiring Authority has filed its response under section 55 of the Act, and the Panel has subsequently issued its draft decision and draft conditions (Attachments 2 and 3 to Minute 9 dated 21 September 2026). The draft decision also sets out the Panel's approach to conditions in Part K.

A number of matters raised in Auckland Council's section 53 submission, including suggested amendments identified in Appendices A and B, have not been incorporated into the draft conditions circulated by the Panel for comment.

In preparing the attached comments on the draft designation and resource consent conditions, Auckland Council has had regard to the Panel's draft decision and its stated reasoning on matters addressed therein. Accordingly, the Council has focused its comments on residual matters and issues of particular importance, rather than repeating all amendments and submissions previously advanced in its section 53 response.

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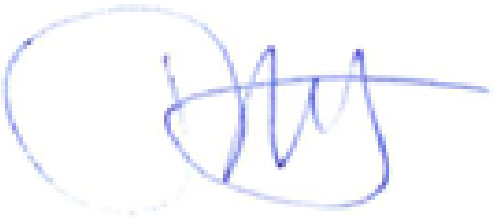
Thank you to the Panel for the consideration that has been given to comments and for the work they have undertaken on this project.

Kind regards



**Joe Wilson**

Principal Project Lead, Planning and Resource Consents, Auckland Council



**Jo Hart**

Senior Policy Planner, Planning and Resource Consents, Auckland Council