

Your Comment on the Fast-Track Proposal for Auckland Prison Capacity Increase (FTA-2601-1179)

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to substantive@fastrack.govt.nz.

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The Auckland Conservation Board Commentary on the Fast-Track Proposal for Auckland Prison Capacity Increase (FTA-2601-1179)

Summary of Commentary:

The Auckland Conservation Board (ACB) has reviewed the relevant documentation relating to the conservation aspects of this Fast-Track Proposal [refs 1-11]. In this commentary, the Auckland Conservation Board (ACB), restricts itself to matters of the Proposal that have conservation implications. The primary potential impacts of the Proposal appear to be those on watercourses, vegetation, lizards and freshwater fishes:

- **Watercourses:** Two small watercourses will be removed, offset by extending other natural watercourses on site
- **Vegetation:** A small amount of vegetation will be lost, offset by some riparian planting
- **Lizards:** Only two relatively common species are likely to be present, potential impacts are not likely to be major, and an adequate Lizard Management Plan appears to be in place.
- **Freshwater Fishes:** Several species of threatened native fish may be present in low numbers, but the existing watercourses have relatively low habitat quality, and thus impacts are not likely to be large.

The Proposal appears to have adequately addressed all the major environmental impacts expected during the development, and has produced environmental management plans to minimise these impacts on wildlife. Therefore, based on the information currently available, it is expected that there will be relatively minor impacts on wildlife and the environment, ***IF*** all proposed amelioration management plans are fully implemented. To maintain a minimal impact, there needs to be requirements and monitoring in place to ensure that all such environmental management plans are actually implemented

Scope of Commentary and Consultation

The ACB evaluation of this proposed project is restricted to matters of the Proposal that affect conservation of the environment and native wildlife. The ACB has had insufficient time and resources to seek commentary and input on this Proposal from other experts or interested individuals and organisations. We have consulted the relevant Department of Conservation documents and memoranda [9, 10] supplied on this Proposal, to help ascertain the potential impact on wildlife, and the adequacy of the proposed management plans.

Major Potential Conservation Impacts of the Proposal

Native Vegetation:

It is planned that two watercourses on the Auckland Prison site will be reclaimed and piped [1]. The reclamation of Watercourse 1 and Watercourse 2 will lead to the loss of 238 m of permanent (124 m) and intermittent (114 m) watercourse. These streams were assessed to be of low or very low ecological value respectively [4,6]. The proposal will result in removal of approximately 0.3945 ha of recently planted native riparian vegetation adjoining Watercourse 1 and approximately 0.2179 ha of sparse exotic vegetation adjoining Watercourse 2. Native fish passage may be affected (see below). The effects management hierarchy applied to the proposal outlines [4,6]:

- **Avoidance:** several wetlands and watercourses on the site were avoided, but it was deemed unviable to avoid the removal of Watercourses 1 and 2

- **Minimise:** The loss of watercourse length for both watercourses was kept to the minimum length required to pipe the watercourses
- **Remedy:** Salvage and relocation of fish and lizards will take place prior to construction
- **Offset:** Aquatic offset of some 218.3m of stream length in the form of riparian planting (1.05 ha) is proposed
- **Compensation:** Expanding the extent of the watercourse available for mobile aquatic biota (1,380 m of permanent stream and 1,959 m of intermittent stream); planting of a minimum of 0.1459 ha of natural inland wetland; Comprehensive weed and pest management programme for the newly planted areas

The Ecological Management Plan [5] appears to adequately ameliorate risks. Specifically, this Management Plan recommends:

- Timing of vegetation clearance to minimise disturbance during bird breeding season (primarily August – March), or if works are required to occur during bird breeding season, undertaking nest checks prior to clearance.
- Tree felling protocols for the removal of potential roost trees for long-tailed bats.
- Erosion and sediment controls during construction to minimise the potential for sediment laden water to enter the watercourses.

This Management Plan appears to follow all current wildlife recommendations, and to be sufficient to minimise risks to this species, ***IF*** all minimisation methods are fully implemented.

Native Lizards:

The field survey considered that it is unlikely that any native species other than copper skink (*Oligosoma aeneum*) and ornate skink (*Oligosoma ornatum*) may be present. There are only small remnant patches of native vegetation on the site, and it is unlikely to be a major lizard habitat [2]. Given this, impacts are not expected to be high. A Lizard Management Plan (LMP) has been provided [7], intended to ameliorate risks to this species. The provided LMP appears to meet DoC requirements, and thus appears adequate. - Specifically, the Management Plan includes these details:

- The applicant is seeking a wildlife approval under the Wildlife Act across the Prison Site to allow for the capture, relocation and incidental killing of lizards in accordance with the Lizard Management Plan (LMP) [7].
- The proposed lizard salvage methods and approach appear to follow best practice methods outlined in DOC's herpetofauna inventory and monitoring toolbox.
- The proposed lizard habitat enhancements and pest animal management programme appear to provide sufficient benefit to any lizards salvaged from habitats within the development areas
- post-release monitoring will only be triggered if enough lizards are captured that make monitoring feasible.

Potential deficiencies in Management Plan, and ACB comments:

- No offset or compensation is proposed in the LMP. Given the relatively minor impacts, this should not be a difficulty
- DoC had a concern about the long term sought for the Wildlife Approval (25 years). Given the subsequent inclusion of the Applicant's draft condition WAA13, which provides for a review of the Wildlife Approval after 10 years, this should not be a problem [8].

Otherwise, this Management Plan appears to follow all current wildlife recommendations, and to be sufficient to minimise risks to this species, ***IF*** all minimisation methods are fully implemented.

Native Freshwater Fish:

It is planned that two watercourses on the Auckland Prison site will be reclaimed and piped. Fish species detected through eDNA were redfin bully (*Gobimorphus huttoni*), banded kokopu (*Galaxias fasciatus*), shortfin eel (*Anguilla australis*), longfin eel (*Anguilla dieffenbachia*) and the pest fish species gambusia (*Gambusia affinis*). Only a small number of shortfin eel were physically detected. The existing watercourses have relatively low habitat quality.

Fish passage will not be provided for as the existing pipe network is steep and velocities already exceed swimming ability of native fish. Further, no suitable habitat for fish exists upstream of the pipe network. Due to these factors, there are not likely to be any major impacts on native freshwater fish. However, this relies on no new findings of site use by threatened aquatic species.

There are differing positions between the Department of Corrections (Corrections) and the Department of Conservation (DoC) as to freshwater fisheries activity classification [10,11]. Corrections maintains that the activity it is proposing is a "standard" freshwater fisheries activity able to be approved by the Panel as part of its decision on the Watercourse Works resource consents (as opposed to a "complex" activity requiring a separate application) Although a relatively minor consideration, this conflict should be resolved before the application is finalised.

Otherwise, the Ecological Management Plan appears to follow all current wildlife recommendations, and to be sufficient to minimise risks to this species, ***IF*** all minimisation methods are fully implemented.

Required Conditions

As above, the ACB concludes that the impacts of the proposed prison extension will be minimal assuming that:

- The proposed impact mitigation measures to avoid, minimize, remedy, offset and compensate are fully adopted
- Auckland Council, and DoC where appropriate,
 - monitor the project development to ensure all proposed impact mitigation measures are being taken
 - take enforcement action if impact mitigation measure are not being implemented.

References

1. Applicant Proposal - Volume_1_Overview_Report
2. Volume_4_Wildlife_Approval_Report
3. Volume_6_Proposed_Conditions_Summary_Report_Final
4. Vol2_Appendix_2I_Ecological_Assessment_Final
5. Vol2_Appendix_2O_Ecological_Management_Plan_Final_Redacted
6. Vol3_Appendix_3B_Ecological-Assessment_Final_Redacted
7. Vol4_Appendix_4B_Lizard-Management-Plan_Final
8. Vol6_Appendix_6C_Proposed_Wildlife_Approval_Conditions
9. DoC S.51-report-Auckland-Prison-Capacity-Increase
10. Department-of-Conservation-written-response-to-convener-conference
11. 15-June-2026-Applicant-memorandum-as-to-further-information-Freshwater-fisheries-and-CVA